

Implementation of the Authority of the Ombudsman of the Republic of Indonesia Representative Office in East Java in Handling Maladministration: Qualitative Study and Analysis of State Administrative Law

Fikri Yasin¹, Taufiqurokhman², Beni Pramula³, Evi Satispi⁴

¹ University of Muhammadiyah Jakarta, Indonesia. E-mail: fikriyasin90@gmail.com

² University of Muhammadiyah Jakarta, Indonesia. E-mail: taufiqurokhman@umj.ac.id

³ University of Muhammadiyah Jakarta, Indonesia. E-mail: pramulabeni@gmail.com

⁴ University of Muhammadiyah Jakarta, Indonesia. E-mail: evi.satispi@umj.ac.id

Abstract: This study aims to evaluate the performance of the Ombudsman of the Republic of Indonesia Representative Office in East Java in resolving reports of maladministration in public services. The research focuses on the effectiveness of the Ombudsman's authority based on Law Number 37 of 2008 concerning the Ombudsman of the Republic of Indonesia, Law Number 25 of 2009 concerning Public Services, and the general principles of good governance (AUPB). The method used is legal research with a qualitative approach, through document analysis, in-depth interviews, and observation of the report resolution process. The results of the study show that the East Java Ombudsman has carried out its external oversight function quite effectively, particularly in verifying reports, clarifying with the reported agencies, and issuing recommendations. However, several obstacles were still found, such as limited resources, low levels of compliance by agencies with Ombudsman recommendations, and suboptimal coordination between agencies. This study confirms that the effectiveness of the Ombudsman is largely determined by the alignment between the legal framework, institutional capacity, and the legal culture of public service providers. The findings of this study are expected to serve as a basis for improving public service oversight policies and strengthening the position of the Ombudsman in the state administrative legal system.

Keywords: Ombudsman; Maladministration; State Administration

1. Introduction

Quality public services are one of the main foundations for realizing good governance. In a democratic country, the government has a constitutional obligation to provide public services that are effective, efficient, transparent, accountable, non-discriminatory, and free from maladministration. This mandate is rooted not only in administrative needs, but also in the fulfillment of the basic rights of citizens as guaranteed in the 1945 Constitution of the Republic of Indonesia, particularly Article 28D paragraph (1) concerning the guarantee of legal certainty and fair treatment in public services.¹

Although various regulations have been issued, the reality on the ground shows that the public is still often faced with various forms of service irregularities, such as complicated procedures, discriminatory actions, slow service, illegal levies, abuse of authority, and other

¹ Agus Dwiyanto, *Mewujudkan Good Governance Melalui Pelayanan Publik* (Ugm Press, 2021).

forms of maladministration. These various issues indicate the weak implementation of the general principles of good governance (AUPB) by service providers. From the perspective of administrative law, maladministration is not only a technical violation of bureaucracy, but also a violation of the legal obligations of state administrators in providing public services.

Amid these challenges, the existence of an independent external supervisory body is very important. In Indonesia, the function of external oversight of public service delivery is carried out by the Ombudsman of the Republic of Indonesia (ORI).² This institution was established through Law Number 37 of 2008 concerning the Ombudsman of the Republic of Indonesia, which mandates the ORI to receive, examine, resolve, and provide recommendations on reports from the public regarding allegations of maladministration in public services. In addition, Law No. 25 of 2009 on Public Services reaffirms the role of the Ombudsman as an external supervisory agency authorized to ensure that service providers comply with service standards and AUPB principles.

The Indonesian Ombudsman has a strategic role not only as a complaint handler, but also as a guardian for the realization of clean and free from maladministration practices. As an independent state institution, the ORI functions as a bridge between aggrieved citizens and public service providers, as well as a corrective instrument against unlawful actions or procedures. Within the framework of the rule of law, the Ombudsman strengthens the mechanism of horizontal accountability, which allows the public to monitor government actions through legal channels.

The Ombudsman's performance in carrying out its duties and functions is very important to evaluate. The effectiveness of the ORI in handling public reports will have a direct impact on the overall quality of public services. This performance evaluation is crucial because it concerns the extent to which the Ombudsman can realize the public's right to good service, encourage agencies' compliance with legal norms, and contribute to improving the quality of the bureaucracy. From an administrative law perspective, evaluating the Ombudsman's performance is also important to assess whether the external oversight function has been effective as part of the checks and balances system in government administration.³

Research on the Ombudsman's service performance can be conducted through various dimensions, including the effectiveness of handling public reports, the timeliness of report completion, the quality of clarification and investigation, the quality of recommendations issued, and the level of compliance of public service providers with these recommendations. In addition, the effectiveness of the Ombudsman's preventive efforts in preventing maladministration, such as socialization, advocacy, and network building, also needs to be part of a comprehensive evaluation. It is in this context that qualitative research becomes relevant to understand the empirical dynamics in the field while also critiquing the legal framework that regulates the authority and functions of the Ombudsman. Not only technical aspects of service, institutional factors such as human resource capacity, budget adequacy, technological support, and inter-agency coordination also influence the

² Vury Lilian Angela Sadubun, "Implementasi Prinsip Fairness Dalam Perspektif Pela Gandong: Interseksi Kearifan Lokal Dan Konsep Good Corporate Governance," *Jurnal Ekonomi, Sosial & Humaniora* 1, no. 05 (2019): 19–24.

³ Fitria Andalus Handayani and Mohamad Ichsana Nur, "Implementasi Good Governance Di Indonesia," *Publica: Jurnal Pemikiran Administrasi Negara* 11, no. 1 (2019): 1–11.

effectiveness of the Ombudsman's work.⁴ Within Lawrence Friedman's legal system theory framework, the effectiveness of the ORI is highly dependent on three elements: legal substance (regulations governing the Ombudsman's authority), legal structure (the Ombudsman's institution and public service agencies), and legal culture (service providers' compliance with the law and AUPB). These three aspects form an important analytical basis for this study.

Theoretically, this study makes an important contribution to the development of literature on the performance of external oversight bodies in developing countries, particularly in the context of public service governance in Indonesia. The findings enrich our understanding of how bureaucratic culture, institutional structure, and political-administrative configuration influence the effectiveness of the Ombudsman of the Republic of Indonesia (ORI) as a public service oversight body. This study also reinforces the arguments of a number of theories such as bureaucratic compliance, public accountability, and legal culture, which emphasize that the effectiveness of ombudsmen is not only determined by institutional design, but also by the interaction between legal norms, bureaucratic behavior, and socio-political dynamics.

From a practical perspective, the results of this study can serve as strategic input for the ORI in formulating measures to improve its performance, both in terms of handling public reports, strengthening the quality of recommendations, accelerating responsiveness, and expanding its outreach strategy to make it more accessible to the public. This research is also relevant for the central and regional governments as a basis for evaluating the institutional and policy support provided to the ORI, in order to ensure the creation of an environment conducive to independent supervisory institutions in carrying out their constitutional mandate. Thus, this research is significant in the context of bureaucratic reform and the strengthening of the principles of good governance.⁵

This study has several limitations that need to be acknowledged academically. First, the focus of the study, which only involved several ORI representative offices, may limit the generalization of the findings, so that they do not fully reflect the performance of ORI at the national level. Variations in human resource capacity, report load, and social conditions in various regions may give rise to different performance dynamics. Second, most of the research data was obtained through in-depth interviews, which were heavily influenced by the subjective perceptions, experiences, and memories of the informants. This opens up the possibility of recall bias or a tendency for informants to give more normative or defensive answers. Third, limited access to a number of sensitive or confidential internal ORI data also affected the depth of analysis in several aspects, particularly those related to internal procedures for handling reports and internal performance evaluation mechanisms. This condition is a consequence of the need to maintain the integrity and confidentiality of the oversight system, but methodologically it is a limitation that needs to be noted.⁶

Based on these various issues, this study attempts to conduct an in-depth evaluation of the performance of the Ombudsman of the Republic of Indonesia Representative Office in East Java in handling reports of maladministration. Through a qualitative approach, this

⁴ Abd Rohman and Willy Tri Trihardianto, *Reformasi Birokrasi Dan Good Governance* (Intrans Publishing, 2019).

⁵ Tonye Clinton Jaja and Zaka Firma Aditya, "Promoting the Good Governance By Advancing the Role of Parliamentarians and the Term Offices Limitation (Comparing Nigeria and Indonesia)," *Journal of Indonesian Legal Studies* 7, no. 1 (2022): 265–98, <https://doi.org/10.15294/jils.v7i1.54776>.

⁶ Ni Putu Tirka Widanti, "Konsep Good Governance Dalam Perspektif Pelayanan Publik: Sebuah Tinjauan Literatur," *Jurnal Abdimas Peradaban* 3, no. 1 (2022): 73–85.

study not only reveals the achievements and obstacles faced by the Ombudsman, but also offers an administrative law perspective that can serve as a basis for strengthening institutions and improving public service policies in the future. Thus, this study is expected to contribute theoretically and practically to the development of a more effective, equitable, and citizen rights-oriented public service oversight system.

2. Method

This study uses a legal research method with a qualitative approach, combined with descriptive-analytical research.⁷ This approach was chosen because the research aims not only to describe empirical facts about the performance of the Ombudsman of the Republic of Indonesia (ORI), but also to analyze them within the framework of state administrative law, particularly in relation to the authority, functions, and effectiveness of public service oversight institutions established under Law No. 37 of 2008 and Law No. 25 of 2009.

In legal research, a qualitative approach is used to understand phenomena in depth by looking at the interaction between elements of the legal system as stated by Lawrence Friedman, namely legal substance, legal structure, and legal culture. This study examines how the legal norms governing the Ombudsman are applied in practice, how the ORI's institutional structure works in handling reports, and how the legal culture of public service providers influences the level of compliance with the Ombudsman's recommendations.⁸

Descriptive-analytical research was used to describe the empirical conditions regarding the ORI's performance in a systematic, factual, and accurate manner, as well as to relate them to the principles of state administrative law and the general principles of good governance (AUPB). This study does not merely present data, but also analyzes it in a juridical context to see whether the implementation of the ORI's duties is in accordance with its legal mandate and capable of realizing public services that are free from maladministration.

The research data was obtained from two main sources:

1. Primary data, in the form of in-depth interviews with ORI staff, reporters, relevant public service providers, and other relevant parties. These interviews were used to explore empirical experiences, perceptions, obstacles, and practices in the implementation of public service oversight.
2. Secondary data, including laws and regulations, ORI annual reports, Ombudsman recommendations, books, scientific journals, and other relevant official documents. This data serves to enrich the legal analysis and provide a normative and theoretical basis for empirical findings.

Data analysis techniques were carried out through three main stages: data reduction, data presentation, and conclusion drawing, as proposed by Miles and Huberman. Empirical data was then combined with normative-legal analysis to find the relationship between field findings and the applicable legal framework. Thus, this study not only produces an empirical picture of the Ombudsman's performance but also provides a legal interpretation of the phenomenon under study.

⁷ Jonaedi Efendi, *Metode Penelitian Hukum Normatif Dan Empiris Edisi Kedua* (Jakarta: Prenada Media, 2022).

⁸ F C Susila Adiyanta, "Hukum Dan Studi Penelitian Empiris: Penggunaan Metode Survey Sebagai Instrumen Penelitian Hukum Empiris," *Administrative Law and Governance Journal* 2, no. 4 (2019): 697–709.

Through this qualitative-based legal research approach, it is hoped that a comprehensive understanding of the effectiveness of the Ombudsman's oversight and the legal and non-legal factors that influence the quality of public services in Indonesia will be obtained.

3. Results and Discussion

3.1 Effectiveness of Handling Public Reports and Complaints by the Ombudsman

The effectiveness of handling public reports and complaints is a key indicator in measuring the performance of the Ombudsman of the Republic of Indonesia (ORI) as an external supervisory agency for public services. Based on research and analysis of ORI's performance reports in recent years, there has been a significant increase in the number of reports successfully resolved. Over the past five years, ORI has consistently been able to resolve an average of 70–80% of the total reports received each year. This resolution rate demonstrates the ORI's commitment to carrying out its constitutional mandate to ensure public services free from maladministration as stipulated in Law Number 37 of 2008 and Law Number 25 of 2009 on Public Services. The effectiveness of these report resolutions also confirms that, structurally, ORI has been operating its external oversight function relatively well. From a law enforcement theory perspective, these achievements illustrate the institution's capacity to enforce public service norms, encourage service providers' compliance, and correct actions that harm the public.⁹

This is in line with the general principles of good governance (AUPB), particularly the principles of legal certainty, accountability, and professionalism. However, this study also found a number of challenges that still hinder the optimization of report handling performance. One important finding is that the speed of handling complex cases is still relatively low compared to ordinary cases. Reports involving multiple parties or requiring inter-agency coordination, for example, between the central government, local governments, state-owned enterprises/regional-owned enterprises, or other legal entities—often take longer to resolve than the ORI's ideal resolution time standard. The complexity of the bureaucracy and the low level of responsiveness of the reported agencies are the main factors slowing down the clarification and investigation process.

This condition is in line with the theory of public accountability, which emphasizes that the responsiveness of public institutions is a key element in ensuring democratic and equitable services (Dwiyanto, 2008). The performance of the Ombudsman depends not only on the internal capacity of the institution, but also on political will and the readiness of the bureaucracy to submit to external oversight mechanisms.

When compared to practices in other countries, several international studies show that the ORI's level of responsiveness is quite good, but still falls short of the optimal standard. A study by Smith & Jones (2020) on the performance of ombudsman institutions in seven countries shows that the ideal duration for case resolution is between 30 and 60 days. Meanwhile, the ORI still requires more than 90 days to handle complex cases, especially when requests for information from relevant agencies are delayed. This confirms that the effectiveness of the Ombudsman is not solely determined by internal procedures, but is

⁹ Muhammad Zhafif Henvianto and Nina Widowati, "Analisis Prinsip Good Governance Dalam Penyelesaian Laporan Maladministrasi Di Ombudsman Republik Indonesia Perwakilan Provinsi Jawa Tengah," *Journal of Public Policy and Management Review* 1, no. 1 (2024): 67–80.

also greatly influenced by the legal culture and the level of compliance of government agencies with oversight mechanisms.¹⁰

In Lawrence Friedman's perspective on legal culture, the level of compliance of public service providers with ORI's requests for clarification, investigation, and recommendations is a reflection of the legal culture of the bureaucracy. Low responsiveness reflects that some service providers still view Ombudsman oversight as a mere formality, rather than a legal obligation to fulfill the rights of the community. Therefore, the findings of this study indicate the need to optimize the ORI's internal procedures, particularly in terms of managing the time required to complete reports, strengthening the digital monitoring system, and increasing the capacity of human resources to conduct rapid and comprehensive investigations. On the other hand, it is also necessary to strengthen regulations and sanction mechanisms to increase the level of compliance of government agencies with ORI's requests for clarification or recommendations. This affirmation is important so that the function of public service oversight is not only administrative in nature but also effectively encourages changes in bureaucratic behavior, as mandated by the principles of the rule of law (*rechtstaat*).

3.2 Quality of Recommendations and Level of Compliance by Public Service Providers

The quality of recommendations issued by the Ombudsman of the Republic of Indonesia (ORI) is a crucial aspect in assessing the effectiveness of this institution as an external oversight mechanism for public services. The results of the study show that, in general, ORI recommendations are considered relevant, constructive, and capable of providing applicable solutions for resolving cases of maladministration. Reporters assess that ORI recommendations often provide clarity on procedures, restoration of rights, and concrete corrective actions. Meanwhile, a number of public service providers consider that ORI recommendations provide objective and evidence-based directions for improvement, thereby helping to improve SOPs and increase the accountability of their institutions. However, the study also found that the level of compliance of public service providers with ORI recommendations still varies. Several government agencies, especially those with relatively good governance and progressive leadership, show a high level of compliance and a quick response in following up on recommendations. In contrast, a number of other agencies still show a slow response, and in some cases even ignore recommendations for various reasons, such as budget constraints, bureaucratic resistance, and unclear internal authority.¹¹

This phenomenon can be explained through the concept of bureaucratic compliance proposed by Max Weber (1922), which asserts that the level of bureaucratic compliance is influenced by two main factors:

1. Internal factors, such as leadership commitment, organizational capacity, bureaucratic culture, and professional values.
2. External factors, such as political pressure, public control, external accountability mechanisms, and the existence of sanctions or incentives from supervisory agencies.

¹⁰ Leony Arum Ayustikasari, "Evaluasi Layanan Pengaduan Respon Cepat Ombudsman (Rco) Di Kantor Ombudsman Republik Indonesia Perwakilan Jawa Timur" (Universitas Dr. Soetomo Surabaya, 2022).

¹¹ Hossain Ahmed Taufiq, "Towards an Enabling Environment for Social Accountability in Bangladesh," *ArXiv Preprint ArXiv:2107.13128*, 2021.

In the context of the ORI, the variability in the level of compliance shows that although the recommendations have moral and administrative force, they do not have enforcement power. This is an inherent characteristic of ombudsman institutions in various countries, because their main function is as a moral authority and administrative watchdog, not as an enforcement agency. This lack of enforcement power has a direct impact on the effectiveness of the implementation of maladministration corrections, especially in agencies with a weak bureaucratic legal culture.¹²

From a legal perspective, this condition reflects the challenges in the implementation of Law No. 37 of 2008 and Law No. 25 of 2009 on Public Services. Although both laws require service providers to provide information, follow up, and comply with ORI recommendations, there are no explicit sanctions that impose direct legal consequences on agencies that refuse or delay the implementation of recommendations. This reveals a gap between the law in the books and the law in action, as described by Roscoe Pound. From a rule of law perspective, the low level of compliance among some agencies has the potential to weaken the principles of accountability and legal certainty. Such non-compliance can also be viewed as a form of continued maladministration, as it hinders the restoration of the rights of the affected community.¹³ These findings indicate that additional strategies are needed to increase the effectiveness of ORI recommendations. A number of steps that can be taken include:

1. A persuasive approach and intensive dialogue with the leaders of relevant agencies to build a shared commitment to improving public services.
2. Enhanced inter-agency cooperation, particularly with the Ministry of State Apparatus Empowerment and Bureaucratic Reform, the Corruption Eradication Commission, the Ministry of Home Affairs, and the Supreme Audit Agency to strengthen follow-up mechanisms, including through agency performance evaluation mechanisms.
3. More massive publication and transparency of oversight results, for example through naming and shaming, annual reports, press conferences, and digital publications. This strategy is in line with the principle of public accountability and has been proven effective in many countries in improving bureaucratic compliance.
4. Advocacy for regulatory changes, especially to strengthen administrative sanctions for agencies that do not comply with ORI recommendations.

Through this approach, the ORI not only relies on moral authority, but also utilizes social, administrative, and institutional instruments to improve compliance, so that the function of public service oversight can run more effectively and contribute to the realization of good governance.

3.3 Accessibility and Socialization of the Role of the Ombudsman of the Republic of Indonesia

Public accessibility to the Ombudsman of the Republic of Indonesia (ORI) is a fundamental prerequisite for effective public service oversight. Research findings show that

¹² Krivokapich Boris, "Conciliation as a Means for the Settlement of International Disputes," *Вестник Казанского Юридического Института МВД России* 10, no. 1 (35) (2019): 14–19.

¹³ Nomasonto B D Magobe, Hafisa Ally, and Lebuile J Mogakwe, "Recommendations to Facilitate Managers' Compliance with Quality Standards at Primary Health Care Clinics," *Curationis* 42, no. 1 (2019): 1–8.

although ORI has made various efforts to improve public access, such as opening representative offices in various regions, providing an online complaint system, social media channels, and call center-based services, public awareness of the role, functions, and authority of ORI is still relatively low.¹⁴ Most of the research respondents stated that they did not fully understand the concept of maladministration, the types of services under the ORI's oversight, or the legal reporting procedures. This condition confirms that the existence of an oversight agency alone is not enough; public understanding of administrative rights and complaint mechanisms is also crucial. Many citizens only have a general understanding of the ORI, but do not have a concrete understanding of how the ORI can help when there are irregularities in public services.¹⁵ This low level of administrative literacy is particularly found among vulnerable groups, such as residents in remote areas, low-income groups, or those who have less access to digital information.

From a public communication theory perspective, this phenomenon is consistent with the view of Grunig & Hunt (1984), who emphasize that the effectiveness of public institutions in building relationships with the community is highly dependent on a two-way symmetrical communication model. This means that public institutions must not only convey information, but also build interactions, dialogues, and educational processes that enable the community to understand and exercise their rights. When the public does not understand the procedures and functions of supervisory institutions, physical and digital accessibility becomes substantively meaningless. Legally, this condition also reflects the challenges in implementing Law No. 25 of 2009 on Public Services, which affirms that the public has the right to file complaints about poor public services and the right to obtain information related to service procedures. In addition, Law No. 14 of 2008 on Public Information Disclosure emphasizes the obligation of state institutions to provide public information that is easily accessible and understandable. The low level of socialization means that there is still a gap between legal norms and the reality on the ground.¹⁶

This lack of public understanding can have serious consequences. First, it limits the ORI's ability to collect reports, especially from the groups most vulnerable to maladministration. Second, this situation has the potential to result in many cases of administrative irregularities never being reported, thereby weakening the effectiveness of external oversight and reducing the early detection of public service violations. Third, low reporting rates can also cause bias in public service evaluations, as it appears that maladministration does not occur when in fact it is simply not reported. The implications of these findings suggest that ORI needs to optimize its public communication and outreach strategies to be more inclusive, targeted, and sustainable. Efforts to improve administrative literacy should be a priority, especially in providing the public with an understanding of their rights in public services and the forms of maladministration that can be reported. In addition, cooperation with various local communities ranging from non-governmental organizations, village organizations, universities, to youth groups needs to be expanded so that ORI can

¹⁴ Ria Maya Sari and Rosdiana Rosdiana, "Analisa Peran Pencegahan Maladministrasi Dalam Positioning Ombudsman Jangka Panjang," *Jurnal de Jure* 13, no. 2 (2021).

¹⁵ Feni Sandriyani Andrias and Abdul Kadir, "Kewenangan Ombudsman Republik Indonesia Perwakilan Sulawesi Tenggara Dalam Melakukan Pengawasan Pelayanan Publik," *Rez Publica* 10, no. 1 (2024): 67–79.

¹⁶ Winsherry Tan, "Efektifitas Peran Ombudsman Republik Indonesia Perwakilan Provinsi Kepulauan Riau Sebagai Lembaga Pengawas Pelayanan Publik Di Kota Batam," *JCH (Jurnal Cendekia Hukum)* 6, no. 1 (2020): 140–60.

reach community groups that have been difficult to access and lack information about complaint mechanisms.¹⁷

ORI also needs to adopt a multi-channel communication approach that is more adaptive to technological developments and the social characteristics of the community. The use of social media, local radio, educational videos, and user-friendly digital platforms are important steps to increase the dissemination of information more effectively. Equally important, participatory education models such as community forums, village workshops, and public hearings must continue to be encouraged so that the community is not only recipients of information but also actors involved in the process of public service oversight. With this approach, ORI can strengthen its reach, deepen its relationship with the community, and increase the effectiveness of external oversight in realizing public services that are free from maladministration. By strengthening accessibility and outreach, ORI not only increases the number of reports received but also bolsters its legitimacy, public trust, and oversight effectiveness as a state institution playing a vital role in realizing public services free from maladministration.

3.4 Accessibility and Socialization of the Role of the Ombudsman of the Republic of Indonesia

This study identifies a number of challenges, both internal and external, that substantially affect the effectiveness of the Indonesian Ombudsman (ORI) in carrying out its mandate of overseeing public services. These challenges show that the success of the ORI is not only determined by regulatory powers and internal procedures, but also by the political dynamics, bureaucracy, and inter-institutional relationships that shape the public service ecosystem in Indonesia. Internally, one of the most significant obstacles is limited budget and qualified human resources. As an institution with a national mandate and a very broad scope of oversight, the ORI faces the challenge of ensuring that its headquarters and representative offices have adequate, competent, and trained staff in the areas of law, public administration, maladministration investigation, and public communication. The number of reports, which continues to increase every year, is not always matched by a proportional increase in human resources, so that the workload of investigators is often high and affects the speed and depth of investigations.¹⁸

Another internal challenge is the effort to maintain the independence of the institution amid political dynamics. Although Law No. 37 of 2008 affirms that ORI is an independent state institution, in practice, this independence can be threatened by political pressure, bureaucratic interests, or the sensitivity of certain cases involving high-ranking officials or strategic agencies. Maintaining the integrity and objectivity of investigations is an important task to ensure that ORI remains trusted by the public as a neutral supervisory institution free from intervention. Externally, ORI also faces challenges in the form of resistance from some public service providers. Not all agencies have the same commitment to the principles of accountability and quality public service. In many cases, the agencies being

¹⁷ Sela Naftalin, Endang Indartuti, And Radjikan Radjikan, "Efektivitas Lembaga Ombudsman Republik Indonesia Perwakilan Provinsi Jawa Timur Dalam Mengawasi Penyelenggara Pelayanan Publik Terhadap Maladministrasi Di Kota Surabaya," *Praja Observer: Jurnal Penelitian Administrasi Publik* (E-Issn: 2797-0469) 1, No. 03 (2021): 141–47.

¹⁸ Ahmad Redi and Mohammad Ryan Bakry, "Institutional Relations of the Ombudsman with the House of Representatives of the Republic of Indonesia: Instrumental Design and Governance," *Lex Publica* 7, no. 1 (2020): 59–81.

investigated are slow to provide clarification, are uncooperative, or even delay the implementation of ORI's recommendations. This resistance shows that a bureaucratic culture that complies with external oversight mechanisms has not yet been formed evenly.

Another external challenge relates to the lack of effective coordination with other supervisory or regulatory agencies, such as the Ministry of State Apparatus Empowerment and Bureaucratic Reform, the Inspectorate, the Supreme Audit Agency, the Financial and Development Supervisory Agency, the Corruption Eradication Commission, and the administrative courts. The fragmentation of the oversight system often prevents public service improvements from being carried out synergistically. Overlapping authorities, differences in assessment standards, and the lack of data sharing between institutions also make it difficult for the ORI to ensure comprehensive follow-up on findings of maladministration.¹⁹ This situation is in line with the concept in public organization theory and the thinking of Guy Peters (2010), who asserts that public institutions often face a combination of internal bureaucratic constraints and external political pressures that hinder the achievement of effectiveness. Within the framework of the rule of law, these obstacles can reduce the ORI's ability to guarantee legal certainty, accountability, and the restoration of people's rights as the main principles of public service.

To overcome these challenges, this study emphasizes the need for comprehensive strategic measures. Internally, the ORI needs to strengthen its institutional capacity by improving the quality of education and training for staff, developing more adaptive operational investigation standards, and optimizing the use of information technology to support monitoring and reporting processes. Strengthening integrity, organizational culture, and internal control systems are also important components in maintaining the institution's independence. Externally, ORI needs to build a more solid and integrated network of cooperation with relevant institutions, both at the central and regional levels. The collaborative governance approach can be an effective strategy to ensure that public service oversight is not partial, but rather part of a coordinated, mutually reinforcing, and information-sharing ecosystem.²⁰ In addition, a persuasive approach, policy dialogue, and regular publication of oversight results can be used to increase bureaucratic compliance with Ombudsman recommendations. By strengthening its internal foundations and building external synergies, the ORI can further improve its effectiveness as a public service oversight agency, thereby strengthening its control function, improving the quality of governance, and providing more optimal protection of people's rights within the framework of a democratic state based on the rule of law.

4. Conclusion

This study shows that the Ombudsman of the Republic of Indonesia (ORI) plays a very strategic role in realizing quality, accountable, and maladministration-free public services. In general, ORI's performance has shown quite good effectiveness, particularly in terms of handling public reports, verifying complaints, clarifying with the reported agencies, and issuing evidence-based recommendations. In the last five years, the report completion rate has consistently been in the range of 70-80%, which shows the institution's commitment to

¹⁹ Mykhailo Zhyvko, Alla Dombrowska, and Daria Kiblyk, "The Role of Ombudsman Institutions in Administrative Accountability: A Comparative Perspective," *Public Administration and Law Review*, no. 1 (21) (2025): 87–98.

²⁰ Nishat Tabassum, "Investigating the Necessity of an Ombudsman in Bangladesh," *Jurnal Administrasi Publik (Public Administration Journal)* 14, no. 2 (2024): 133–40.

its constitutional mandate and legal obligations as stipulated in Law No. 37 of 2008 and Law No. 25 of 2009. However, this study also found a number of obstacles that affect the optimization of ORI's performance. In terms of the report handling process, complex cases involving many parties still require more time than the ideal standard, mainly due to low responsiveness and limited coordination with relevant agencies. Meanwhile, in terms of recommendations, the quality of the substance is considered good and constructive, but the level of compliance of government agencies with these recommendations still varies. This variation in compliance indicates a gap between legal norms and their implementation, and highlights the limitations of the ORI, which does not have enforcement power.

This study also highlights the low level of public understanding of the complaint mechanism, types of maladministration, and the role and function of the ORI. This condition has an impact on the limited access of the public to external oversight services and has the potential to cause many cases of maladministration to go unreported. In addition, ORI still faces various internal and external challenges, ranging from budget and human resource limitations, threats to the independence of the institution, to bureaucratic resistance and a lack of coordination between supervisory agencies. Theoretically, the findings of this study reinforce the view that the effectiveness of external oversight institutions is greatly influenced by the interaction between legal structure, legal substance, and bureaucratic legal culture. The effectiveness of the ORI depends not only on normative and procedural design, but also on the commitment of agency leaders, a culture of compliance, political-administrative support, and the level of administrative literacy among the public.

In practical terms, this study indicates the need for strategic steps to strengthen the ORI institution in the future. Strengthening internal capacity through improving the quality of human resources, digitizing the oversight process, and refining SOPs is an urgent need. On the other hand, it is necessary to build a collaborative ecosystem with relevant ministries/institutions to strengthen the follow-up on recommendations and improve bureaucratic compliance. Public outreach and education must also be expanded through a two-way communication approach, community collaboration, and intensive use of digital media. By overcoming various obstacles and strengthening its long-term strategy, ORI has the potential to become a more effective and influential institution in improving the quality of public services in Indonesia. These improvements will ultimately contribute to the realization of good governance, the protection of citizens' rights, and the strengthening of the principles of a democratic *rechtsstaat* (rule of law).

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