

## **Ethics of Bureaucracy in the Building Permits (IMB): Special Case City of Makassar, South Sulawesi, Indonesia**

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### **Abstract:**

*Building Permits or commonly known as IMB is a license granted by the Head Regional (Bupati/Walikota) to the owner of the building to build a new, modify, extend, reduce, and / or caring for the building in accordance with the requirements of the administrative and technical requirements that apply. This study aims to determine the individual justice, segmentation justice and block justice in case of Building Permit (IMB) in city of Makassar, south Sulawesi, Indonesia. This study intends to acquire in-depth overview of ethics in the public service in the Integrated Licensing Agency and Investment of Makassar City Department of Spatial Planning and Building of Makassar. This study used a qualitative approach to the type of research explanative where research efforts to examine in depth, but in the context of natural and holistic against or in the object studied phenomenon. The results showed that individuals' justice, segmentation justice and block justice in terms of clarity of requirements, procedures, time, and cost of building permits (IMB) in Makassar City by Licensing Board is still low. It can be seen from the practice of collusion, corruption and nepotism (KKN) is still quite thick*

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*inherent in bureaucratic affairs, and also of favoritism bureaucracy in delivering services to the public.*

**Key words:** Ethics, Bureaucracy, Building Permits, IMB, Makassar

## **Introduction**

Bureaucracy is a system of administration distinguished by its (1) clear hierarchy of authority, (2) rigid division of labor, (3) written and inflexible rules, regulations, and procedures, and (4) impersonal relationships. Once instituted, bureaucracies are difficult to dislodge or change. Indonesian Bureaucracy basically designed as a rational bureaucracy with structural-hierarchical approach (Weberian tradition). Approach of Weberian in institutional arrangements that take place in the utilization of state apparatus until today, classically affirmed the importance of rationalizing the bureaucracy that creates efficiency, effectiveness and productivity through the division of labor hierarchical and horizontal balance, measured by the ratio between the volume or workload with the amount of resources, along with working procedures are formalistic and strict supervision. Ethics can be used as guidelines, references, instructions on what should be done by the bureaucracy in carrying out policy, and also used as a standard assessment of whether the behavior of the bureaucrats in the running of public policy can be said to be good or bad.

Bureaucratic organization is one form of organization used by the government to carry out the public service. Began when Max Weber introduced his observations about bureaucracy, which saw the figure of the bureaucracy as a useful tool for the implementation of the rationality of the administrative tasks that can achieve efficiencies - even though Weber never defines bureaucracy is clearly - but observations Weber was later confirmed Hegel which views the bureaucracy

can be used as an interface between the state and society (Tjokrowinoto, 2001). So until today the government bureaucracy became the main tool and the most dominant role in the implementation of the tasks of the state (Effendi, S and Masri, S. 1989). In the reform era, the bureaucracy required to change attitudes and behavior in order to serve the community well. Changes in social-change that occurs both rapid (revolution) or occurs very slowly (evolution) demanding on the bureaucratic organization to be able to adjust to the change-change, because change always contains an element of distinction.

From the legal aspect, especially on the constitution side, public service is a process towards a main goal of establishing a country, which is creating welfare for its citizens. In Indonesian context, the purpose of creating a nation's government and the regional, as written in the Opening of 1945's Constitution) mainly is to propose general welfare as well as to sharpen the life of the nation. Public service is a reflection of that constitutional mandate in order to give service to the citizens. Two main points of it consist of the government as the provider of goods and service or the society as the provider of goods and service. Fields provided by the government is the essential ones, which is the basic needs of the society in practicing their daily routine.

In the era of reformation, started at the late 1990s, the word 'change' is the most heard, where the demands of change were resonated either by individuals or other society groups. The demands of change usually addressed to the government apparatus regarding reformation of bureaucracy in general and the public service given to the society specifically. The poor quality of service by the apparatus turned to be a bad government image in the eyes of the society. Citizens who had dealt with the bureaucracy always complained and disappointed due to the unprofessional attitude by the apparatus in terms of giving service. That's why Dennis A.

Rondinelli (Dwiyanto et al, 2002) warns the main cause of failure in applying the public service (decentralization aspect) are: the strong yet narrow minded political culture; the lack of trained skilled workers in local units; the lack source of funds to do job desks and responsibilities; the unwillingness to delegate jobs; and the lack of technology and physical infrastructure to facilitate public service duties.

Building Permit (IMB) in the city of Makassar is very slow and takes approximately 3 months of 12 days planned. This is not in accordance with the excellent service slogan plastered on Spatial Planning and Building of Makassar. Evidence from the field suggests that the officer verifies the location approximately two weeks after the administrative registration.

In addition to the above issues throughout the year 2013 until the middle of 2014, a total of approximately 850 different types of buildings in the city of Makassar allegedly violated building permit (IMB). This type of infringement consists of passing through the border road 137 cases, 46 cases do not correspond of building permits (IMB), and not based of building permits (IMB) 667 cases. The number of cases increased compared of infringement violations of IMB in 2012, which only 752 cases. The high violations of IMB in the city of Makassar due to the Department of Spatial Planning and Building (DTRB) are not decisive. Violation of IMB became one of the causes of traffic congestion. The buildings are in violation of IMB sparked a standstill due to narrow parking space. This study aims to determine the individual justice, segmentation justice and block justice in case of Building Permit (IMB) in city Makassar, south Sulawesi, Indonesia .

## **Foundation of Thinking**

Ethics associated with values while the administration associated with the action. Ethics is abstract while the

administration is concrete and must realize what is desired. How is the link between ethics in the administration, the idea of administration such as efficiency, expediency can run ethic in practice and how the basic ideas of ethics embodies the good and avoid the bad one can explain the nature of the administration. In accordance with Henry (1995) on the development of the concept of ethics in the science of administration with the appearance of theories of decision making in which the problem of human behavior become a central theme in comparison to the previous approach, such as rationality and efficiency, where one of the functions of public administration is the decision maker (Rosenbloom and Kravchuk, 2005). Deontology approach in ethics emphasis on social justice theory (Frederickson, 1997) consists of (1) Individual Justice, (2) Segmented justice, and (3) Block justice. Thus the necessary decisions /service policy of Building Permit (IMB), which is justified.

For more details ethical framework based service bureaucracies of Building Permit (IMB) can be seen in the Figure 1.

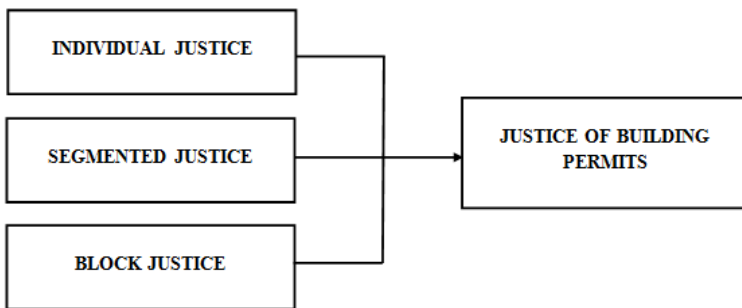


Figure 1. Ethics of Bureaucracy in the Building Permits (IMB) of Makassar City

## Research Methodology

This study intends to acquire in-depth overview of ethics in the public service in the Integrated Licensing Agency and

Investment of Makassar City Department of Spatial Planning and Building of Makassar. This study used a qualitative approach to the type of research ekplanatif where research efforts to examine in depth, but in the context of natural and holistic against or in the object studied phenomenon. This study seeks to obtain information from the actors (key informant) were involved in the events under investigation. The aim is that every perspective and view of the actors involved can comprehensively describe the reality of the phenomenon under study. Results of gathering information from informants expected to result in the formulation of answers that are relevant to the purpose of this study (Creswell, 1994).

### **1. Sources of Data**

In this study, the researcher is the main instrument in data collection, while the focus of research is on the role and experience of informants who know and understand and dabbling in establishing Building Permit Services or from the service provider establishes a Building Permit in Makassar. Key informants from the service provider are the Head of the Integrated Licensing and Investment of Makassar and Head of Department of Spatial Planning and Building of Makassar. The basic consideration is the Head Office of the dominant decision makers, as well as to facilitate entering the natural setting of the organization.

The primary data in this study are in the form of opinions, information, judgment, and perception obtained from informants, whether related directly or indirectly to the Ethics Bureaucracy in the Service Building Permit. While secondary data of the research is documents, reports and records contained in the Integrated Licensing Agency for Investment of Makassar City as well as the Department of Spatial Planning and Building of Makassar City.

## **2. Method of Collecting data**

Data collection techniques in this research are observation, documentation and in-depth of interviews. in-depth of interview were conducted with people who are considered of the master of this field, or who has the information it needs researchers particularly regarding building permit in Makassar.

## **3. Data Analysis Technique**

The main analysis methods used in this research is the analysis of qualitative data were interpreted as an attempt of analysis based on the words that are arranged in the form of expanded text. The data were analyzed descriptively qualitative aims to make a systematic description, factual and accurate information on the facts and the nature of the phenomenon investigated. The stages / steps of data analysis performed in this study using the data analysis model of data collection, data reduction, data presentation, draw conclusions / verification of the data that has been presented. The meanings that emerged from the data should be observable, verifiable, solidity and suitability which is validity.

## **Result and Discussion**

### **Result**

#### **1. File of Application of The Requirements Building Permit (IMB)**

Requirements for a building permit is based on the Perwali No. 14 Year of 2005 and the Regulation of the Minister of Public Works No. 24 / PRT / M / 2007 on technical guidelines for the application for the building permit (IMB): Table 1. Served on the requirements of the application for the building permit (IMB).

**Table 1. Served on the requirements of the application for the building permit (IMB).**

NO	NEW BUILD	RENOVATION	TRANSFER OF THE NAME	BLEACHING
1.	Copy of ID Card Applicant (2 copies)	Copy of ID Card Applicant (2 copies)	Copy of ID Card Applicant (2 copies)	Copy of ID Card Applicant (2 copies)
2.	IMB application (known by Lurah and Camat)	IMB application (should not be known by Lurah )	IMB application (known by Lurah and Camat)	IMB application (known by Lurah and Camat)
3.	Copy of payment of tax on land and building (last two ears)	Copy of payment of tax on land and building (last two years)	Copy of payment of tax on land and building (last two years)	Copy of payment of tax on land and building (last two years)
4.	Copy of the Letter of Land (originally shown at registration)	Copy of the Letter of Land (originally shown at registration)	Copy of the Letter of Land (originally shown at registration)	Copy of the Letter of Land (originally shown at registration)
5.	Pictures of the building (minimum size A3) which has been signed by the Applicant ( 6 copies)	Pictures of the building (minimum size A3) which has been signed by the Applicant ( 6 copies)	Pictures of the building (minimum size A3) which has been signed by the Applicant ( 6 copies)	Pictures of the building (minimum size A3) which has been signed by the Applicant as 6 copies
6.	Photograph applicant size 3x4 (4 pieces)	Photograph applicant size 3x4 (4 pieces)	Photograph applicant size 3x4 (4 pieces)	Photograph applicant size 3x4 (4 pieces)
7.		Copy of IMB application Foto Copy IMB and Pictures of the building	IMB and original Pictures of the building are attached	Description attaching a known length of the building by RT and Lurah

## **2. Ethics of Bureaucracy in The Building Permits (IMB) Special Case City of Makassar, South Sulawesi, Indonesia**

Ethics OF bureaucracy is the procedure in which not only services based on habits, but also refers to the values and ethical norms as a guide in regulating human behavior is considered good. Ethics bureaucracy in the public service should be able to and be able to provide services that are more priority to public interests above personal interests, groups, and organizations.

Ethics of public service in this research, from the stand point of whether a bureaucracy has been performing his duties as a public servant. To that end, bureaucracy in the provision of services to the public must pay attention to the rights of service users to obtain services through the procedures and conditions outlined in the code of ethics, transparency, obedience, responsibility, and honesty service of bureaucracy, so that the service can be implemented fair, effective and efficient. The actions of the bureaucracy as a public service that has ethics



can be reflected in the attitude of polite and friendly, upright, and just serve the community and avoid discriminatory measures that cause harm to service users.

In response to the Government of Makassar diligently to make improvements in both the physical and non-physical form, one of which is the improvement in the public service sector, especially the licensing service one of which is ethical service bureaucracies of Building Permits (IMB).

It has been explained that the improvement in terms of licensing services not only to the improvement of the physical in terms of facilities and infrastructure such as adequate building, waiting rooms, car parks and so forth, but we must also look at how the behavior of officials government who served in it in order to increase the level of public satisfaction with the services provided. To know the behavior of officials government, then we need to know the process of the beginning to the end of what the community needs to get in on the procedure dealing with building permits (IMB). From there we can measure the extent of public satisfaction with the services provided by officials government during a needed service. To determine the extent of people's satisfaction with the service, the authors use several indicators to see justice apparatus in the service of the community will be dealing with building permits. The indicator used is the clarity of the requirements, procedures clarity, a clarity, clarity of time and clarity of costs. Of all the indicators are there, then going into the elaboration of the theory of social justice that is individual justice, segmented justice and block justice.

In applying for building permit (IMB), there are several requirements and procedures that must be completed by the applicant, ranging from registration to the publication or issuance of the building permit. But the people of Makassar in general are not aware of the exact requirements of building permits. As stated by the initials **BA** informant said that:

"... The regulations of the local government I also do not know what it is, then new here I asked what it takes if you want to take care of building permits ( IMB) .."

The same thing also expressed by other people who work in government with the initials **AK**, revealed that:

"... If the requirements of the government itself until now it was unclear as to my knowledge of the operational unit of the licensing agency in the case of building permits (IMB) was also not completed ..."

Fast and efficient service will give pleasure to the user community services. Therefore, service assurance must be given to every public service users, either in relation to the procedures and rules on the basis that people would not find it difficult when dealing with the bureaucracy. The desire public service users to get fast service without following the procedure there will be able to provide opportunities for action of lapses. Clarity of building permits (IMB) licensing procedures as stated by informants who said that:

"... I think it is quite easy if you want to get information about licensing procedures. We already have the guards of the counter if we want to take care of, so you can ask about the procedures that will be passed if you want to take care of a building permit (IMB) ... "

Just as also revealed by the initials **BK** other informants who said that:

"... I think that information about the licensing procedures should be easy, because if you want to take care of existing counters, the existing employees who can we ask about the procedure ..."

In accordance with the procedure, applicants are dealing with building permits must comply with applicable regulations, namely through step by step in the maintenance process and

everything that passed in parenthesis less than twelve working days. But before that, in accordance with the previously described that prior to enrollment in the Integrated Licensing Agency and Investment of Makassar City applicant must obtain a recommendation from the villages (kelurahan) where the location of the building to be constructed hereinafter known by the district (kecamatan).

The ability of bureaucracy to accomplish the task assigned to him are to be executed as well as possible, such as the completion of the work on time, do not harm, and dare to bear or bear the risk of its decision.

One of the factors that determine the level of success in the implementation of public services is the application of appropriate working hours specified by the organization. The use of time according to the prevailing clock will improve the quality of the service itself. With the provision of services in accordance with the provisions specified time is expected to grow obedience in order to improve the quality of public satisfaction and confidence in order to achieve public service users.

In addition to the requirements of the administration files that must be met by the applicant of the building permits, the applicant is also required to pay a levy of the building permits. The levy imposed by the Government of Makassar City to the applicant after the applicant's registration in the Integrated Licensing Agency and Investment Makassar and the Department of Spatial Planning and Building of Makassar City as reviewing technical services directly to the location.

The collection of a number of fees levied Government of Makassar to the applicant is basically aimed to cover the cost of providing licensing that includes the issuance of documents permits, monitoring and controlling business activities continuously in the field, law enforcement, and administration of licensing, which remains the affordability of the appropriate level of economic ability.

The calculation of the fees specified are based of the coefficient in the planning of the building and basic index of levy of the building permits in the city of Makassar. It is stated in the Regional Regulation of Makassar No. 14 of 2004 on Building Management and Makassar's Major Regulation Number 12 Year 2008 concerning the Stipulation Index basic building Permits in Makassar City area that includes buildings retribution, retribution building infrastructure and administrative costs coaching

## **Discussion**

This study discusses of the individual justice, segmentation justice and block justice from the policy of the Building Permit (IMB) in Makassar City. In the clarity of the requirements of individual justice there is a tendency injustice bureaucracy in the provision of services to service users. This is evident from the informant who has family in the Integrated Licensing Agency and Investment, which easily get the information requirements of the Building Permit (IMB), while the informant who do not have families is difficult to obtain information about the maintenance requirements of the Building Permit (IMB). This proves the tendency of injustice bureaucracy in the provision of service to service users, so that it can be deduced that ethics in the Integrated Licensing Agency and Investment in the terms of Individual justice is the relationship between individuals with other people based on justice family relationships.

Segmentation justice is the policy of granting building permits services, where the bureaucratic apparatus in providing services to the public all the same but differ in treatment, seen in the strata of society. This phenomenon showed injustice in the management of the building permits (IMB). The company that IMB can be represented and may use a power of attorney, while individuals who will take care of

IMB can not be represented. This shows that there is a difference of treatment between companies and individuals in service of the IMB, due to unclear information requirements of the IMB.

Bloc Justice is service differentiation based on several things, such as a high factor of low socioeconomic status, proximity social relations with the authorities, the intellectual level of a person, and ethnicity. From interviews, showed that public service delivery in IMB services are favoritism bureaucracy in the provision of services to the service user. For example, people who have acquaintances or pay more of the terms will be served quickly without considering the existing requirements, while people who do not have any friends or unable to pay more than the provisions, are not served by the bureaucratic apparatus.

Individual justice in the clarity of procedures in terms of dealing with building permits (IMB) where the applicant is asked to follow the procedures followed have been set by the Integrated Licensing Agency for Investment of Makassar City. But the phenomenon that occurs is the lack of clarity in the licensing procedures of the Integrated Licensing Agency for Investment of Makassar City. The lack of clarity is because the licensing procedures are not progressed with the maximum standards set by the Integrated Licensing Agency for Investment and Makassar. Where there is a phenomenon that people can take care of the licensing permit without going through procedures with a record of paying more.

Justice segmentation in service procedure of building permits in the city of Makassar also occur segmented equality. Where the services provided by bureaucracy vary in grade levels of society will be served. With the phenomenon when an official wants to take care of licensing IMB can directly call the Integrated Licensing Agency and Investment of Makassar City without going through existing procedures, while the ordinary people have to go through the existing procedure.

Bloc justice in the clarity of procedures are service differentiation based on several things, such as a high factor of low socioeconomic status, proximity social relations with the authorities, the intellectual level of a person, and ethnicity. In the phenomenon of clarity procedure of IMB service if ordinary people were asking questions about the clarity of procedures of IMB service sometimes is not served by friendly, while people who have acquaintances or is an official when asked about the clarity of the procedure, would be served by a friendly and sincere smile of employees in the Integrated Licensing Agency and Investment and Department of Spatial Planning and Building of Makassar.

Individual justice in the clarity of time in the IMB service is the ability of the bureaucratic apparatus in completing the tasks assigned to him must be carried out with the best, where settlement must work on time in accordance with existing regulations. The clarity of time in the IMB service delivery is not very clear, which is supposed to rule that no time is needed in taking care of IMB was 12 working days, but there are still many people who complain that although public services have to meet the requirements. The fact shows that the maintenance IMB field can be less than 12 working days to pay a certain fee to certain brokers.

Segmentation justice in the timeliness in issuing building permit by the Integrated Licensing Agency and Investment of Makassar City to service users or the public is vary depending on the segmentation of the community to be served. Where the time difference of each service depends on the IMB what will be in the care. If the private homes are not usually require a long time to obtain. Except that would in care is a multipurpose building or a building permit for the plant usually takes a long time.

Blocks justice of the IMB service is where the officers understand the rules rigidly and consistently when faced or serve the common people. The apparatus used to determine the

legitimacy of the rules of the time required in the permit issuance process. But when the officers serving the upper classes or officials or relatives also, the existing rules then being able to be translated in accordance with the circumstances. Where there is a phenomenon where an officer or employee who takes care of a family permit issuance process will be accelerated, in contrast to ordinary people who do not have a family of employees in the Agency automatically permit the issuance of a building permit will be in accordance with existing rules even usually passing of a period of 12 working days.

Segmentation justice in the collection of a fee levied Licensing Agency of Makassar City to the applicant is basically aimed to cover the cost of providing licensing that includes the issuance of documents permits, monitoring and controlling business activities continuously in the field, law enforcement, and administration of granting the permit, which remain in the affordability of the appropriate level of economic ability. The phenomenon that occurs is the obscurity fees charged to businesses and ordinary people. Where employers who take care of IMB normally incur additional costs that are not in the rules, while the ordinary people who take care of a regular subject in accordance with existing rules.

Bloc justice in the clarity of distinction of the service charge is based on several things, such as a high factor of low socioeconomic status, proximity social relations with the authorities, the intellectual level of a person, and ethnicity. In the phenomenon of clarity fee IMB service, if the ordinary people who take care of IMB charged in accordance with the regulations, while people who have acquaintances or is an officer usually not charged in accordance with existing regulations, because employees feel reluctant to officials to ask the cost of obtaining a building permit.

## **Conclusion**

Based on the research, the author concluded that individuals' justice in terms of clarity of requirements, procedures, time, and costs for services IMB in Makassar City by Licensing Board is still very low. It can be seen from the practice of collusion, corruption and nepotism (KKN) is still quite thick inherent in bureaucratic affairs, and also of favoritism bureaucracy in delivering services to the public. Justice Segmentation justice in terms of clarity of requirements, procedures, time, and cost of building permits (IMB) in Makassar City by Licensing Board is still low. It can be seen from the discrimination provision of services to the community because of differences in the contribution of services, expertise in stages, in a complex society there is a difference dominant contribution then in practice there is also expertise in stages. Block justice in terms of clarity of requirements, procedures, time, and cost of building permits (IMB) in Makassar City by Licensing Board is still low. It can be seen from the phenomenon of bureaucracy that still be discrimination in providing licensing services IMB, wherein the apparatus still distinguish the community at grade level or relatives, so there is no clarity requirements, procedures, time, costs attributable to the services of IMB in the Integrated Licensing Agency and Investment Makassar city.

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