

Bureaucratic Ethics Violations Viewed From Islamic Sharia In Indonesia

Lies Kumara Dewi¹, Henni Kusumastuti², Adelina Anum³
{lieskumaradewi13@gmail.com¹, henniksa65@gmail.com², punya.adel@gmail.com³}

^{1,2,3}Sang Bumi Ruwa Jurai University, Jl. Imam Bonjol No.468 Langkapura, Bandar Lampung, Indonesia

Abstract. In a society there are ethics or norms and Islamic sharia guidelines that must be obeyed. This is because the majority of Indonesian people are Muslim. Apparatus of good government and high moral, will always keep himself in order to avoid despicable acts. Talking about bureaucratic ethics means talking about how the bureaucratic apparatus in carrying out its functions in accordance with the provisions of the ethical rules or norms of society and Islamic sharia guidelines that there are 4 (four) conditions namely sidiq, amanah, fatonah and tabligh which must be obeyed and implemented. Cases related to ethical violations such as corruption, bribery in the government bureaucracy in Indonesia involve several professions. Islamic ethics and sharia must be upheld in the continuity of governance and to maintain the image so that the government bureaucracy in Indonesia has the trust of the public and society.

Keywords: *Bureaucratic Ethics, Islam Sharia*

1. Introduction

Development in Indonesia is a keyword in all fields. In general, development is defined as an effort to advance the life of the nation and state. The issue of development in essence is focused on human resources as the main actor in development. When human resources have a soul of creativity and initiative to create new innovations, it will greatly support the ongoing development process.

Creative and innovative human resources requires cultural studies in the country should be informed by how values in society is growth and formed, or is there a role for religion influences people's behavior.

Human relations can be carried out as expected in society, it should have been formulated by ethics or norms. Therefore the ethical values live and apply in a society, are not just personal beliefs for their members, but also a set of institutionalized norms. In other words, an ethical value or norm must serve as a reference and code of conduct that carries moral consequences and effects. There are values or norms in society however, there are also religious beliefs that grow and develop, especially Islam in the life of Indonesian people.

Ultimately, most of the Indonesian people adhere to the religion of Islam, so in daily life we often encounter Indonesian people behaving in accordance with the guidance of the teachings of Islam.

The government has ethics that is a valid assumption that through living the values of good ethics and religion, an apparatus will be able to build a commitment to make him an example of goodness and maintain government morality. Apparatus of good government and high moral, will always keep himself in order to avoid despicable acts, because he was called to maintain the mandate given, through imaging the behavior of daily life and within the scope of the government profession, for example, there are certain values that must be upheld in order to maintain the image of a government capable of carrying out its duties and functions.

The Islamic concept of leadership values or people who are trusted to hold government positions is actually an ideal concept, according to Dr. Michael H. Hart, a professor from the University of Maryland in the United States in a book he wrote entitled "The Hundred, a ranking of the most influential persons in history, put the Prophet Muhammad in the first rank as the most

influential figure in human history. In Islam recognize 4 (four) noble qualities of the Prophet Muhammad as a leader, namely:

1. Sidiq, which is means truthful and honest both in words and deeds, so that a leader must be honest in carrying out his duties.
2. Amanah, which is means the person who can be trusted and not a betrayer.
3. Fatonah, or the other word of Intelligent which is means a leader should have knowledgeable and competent.
4. Tabligh, which is mean deliver whatever it is mandated.

Talking about the phenomenon of violations of bureaucratic ethics today is a very interesting topic to be discussed, especially in realizing clean and authoritative apparatus. Tendencies or symptoms that arise today many bureaucratic apparatus in carrying out their duties often violate the rules of the game that have been set.[1]Bureaucratic Ethics in the administration of government is closely related to the morality and mentality of the bureaucratic apparatus in carrying out the tasks of government itself which is reflected through the main functions of government, namely the service function, regulatory or regulatory function and the function of community empowerment. So, if we are talking about bureaucratic ethics means we are talking about how the bureaucratic apparatus in carrying out the function of its duties in accordance with the provisions of the rules that should and should be, which is appropriate to do and the appropriate course which has been determined or arranged to be obeyed carried out.[2]Cases related to ethics violations in the government bureaucracy as mentioned above involve several professions violating ethics such as state administration officials, to the regions, legislative members, prosecutors, judges, police, tax officers, and so on. How could the development in Indonesia will succeed, if many government officials commit acts of ethical violations.

Not too long ago, we heard a case about bribery from prosecutor Urip Tri Gunawan, DKI Jakarta High Prosecutors Chief Sudung Situmorang and DKI Action Assistant Tomo Sitepu, arresting operations against a surrogate clerk of the Central Jakarta District Court Muhammad Santoso and Wiranatakusumah's legal consultant staff member Ahmad Yani and there are still many cases that we read both in the mass media and electronically involving the Adyaksa corps. This shows how violations of law enforcement ethics are so alarming that cases can be mocked to win cases for money even though the case is detrimental to the public.

Furthermore, many regional heads who were affected by Operation Catching Hands (OTT) committed criminal acts of Corruption or bribery, as reported by the KPK handling 178 Corruption cases during 2018, 178 investigations and 128 prosecution activities, said by KPK Deputy Chairman, Saut Situmorang. Judging from the type of case, corruption acts that most often occur and involve many regional heads such as: Regent of Central Lampung, Regent of Mesuji, Regent of South Lampung and many more. On the other hand, ethics violations also afflict many legislative members such as bribes to target certain projects or ethical violations that damage the moral image because it is to benefit both individuals and groups. For example the case of "Papa Minta Saham" from the Speaker of the Indonesian Parliament Setya Novanto. As a DPR chairman who is in fact a people's representative is very inappropriate about the case.

Executive field has several regional heads who are involved in corruption cases, such as Ratu Atut Chosiyah, the Governor of Banten who is involved in the procurement of medical equipment and alleged bribery related to the handling of the Lebak pilkasa dispute, Banten, then the North Sumatra Governor who is involved in a corruption of the Social Assistance Fund (Bansos), Subordinate Regional Assistance (BDB) and School Operational Assistance (BOS), South Lampung Regent, Central Lampung Regent etc.

The participants that involved in cases occur in the context of ethics come from all elements of government both executive, legislative and judiciary. However, government officials both executive, legislative and judiciary must comply with the ethics of their respective positions. Ethics in government bureaucracy is very important for the sustainability of government administration and to maintain the image of the bureaucracy so that the government bureaucracy continues to gain the trust of the people.

2. Discussion

The problem for now, is how the process of determining ethics in the bureaucracy itself, who will measure how far it is ethical or not, what about the conditions at that time and the location of certain regions which say that it is ethical in our area or can be justified, but elsewhere has not certain. Are the values of ethics and religious norms been abandoned by the state administrators, so that it has become a common sight if there are regional heads, legislative members or other officials who are caught in corruption or bribery cases.

3. Conclusion

In Indonesian "Ethics" means "decency" which consists of Sanskrit "Su" which means good, and "Sila" which means the norm or basis of life. Ethics is related to human behavior to act correctly. So ethics always tends to good deeds. Prof. Dr. Muh. Said explain that etymologically ethics comes from the Greek words "ethos" which means custom or character. This word is synonymous with the moral origin of the Latin word "Mos" (plural is Mores) which also means custom or way of life. So both of these words (ethics and moral) indicate a way of doing that is customary because of the agreement or practice of a group of people.[3] Thus ethics can be interpreted as an attitude of the willingness of one's soul to always obey and obey a set of moral rules.

On the other hand, determining an ethic both in the bureaucracy itself and in society, who measures it for violating ethics or norms is said to be ethical or not very dependent on the rules, norms, customs and habits of the local community. According to Soerdjono Soekanto, norms in the community itself have different binding forces. There are weak norms, those that are moderate to the strongest. The norms mentioned above after undergoing a process called institutionalization process is a process that is passed by a new norm to become part of one of the norms in society that is known, recognized, valued and then adhered to in daily life and by itself, in addition to knowing, humans should also understand why there are ethics / norms that govern life together with other people or in groups. This means that behaving human beings are bound by certain limits that must not be violated. If these limits are violated, the person concerned will be punished.[4]

Ethics and morality theoretically begin with science (cognitive), not effective. Morality is also related to the soul and spirit of community groups. Morals occur when associated with society, there is no moral if there is no community and there should be no society without morals, and related to collective awareness in society. Immanuel Kant tells the theory of morality is not only about good and bad, but it concerns issues that exist in social contact with the community, this means that Ethics is not only limited to the morality of the individual in the sense of bureaucratic apparatus but more than that concerns behavior in the midst of society in serving the community whether in accordance with the rules of the game or not, whether ethical or not.

From many opinions that affirm the definition of Ethics above it is clear to us that Ethics is related to morality and is highly dependent on the judgment of the local community, so it can be said that morality is a normative foundation in which it contains the values of morality itself and the normative basis can also be stated as Ethics which in Bureaucracy Organization is called as Bureaucratic Ethics.[5]

In addition to the ethics and norms that exist in society, no less important is the teachings of the Islamic religion which underlies every behavior of its adherents. Where there are examples of leadership role models from the Prophet Muhammad who can carry out his leadership with 4 (four) conditions, namely:

1. Sidiq, which is means truthful and honest both in words and deeds, so that a leader must be honest in carrying out his duties.
2. Amanah, which is means the person who can be trusted and not a betrayer.
3. Fatonah, or the other word of Intelligent which is means a leader should have knowledgeable and competent.
4. Tabligh, which is mean deliver whatever it is mandated.

If the leaders or government officials can implement the 4 (four) requirements of Islamic Sharia, Indonesia will surely become a prosperous and prosperous country with development that can run with the good and honest.[6]

A Weber study states there is a relationship between the role of Protestant religion as a factor that causes the emergence of capitalism in Western Europe and the United States. Here comes the teaching that says that someone is destined to enter heaven or hell. But, the person concerned certainly doesn't know it. One way to find out if they go to heaven or hell is to work hard for success in the world, so when they die they will surely go to heaven. With this belief, it makes the Protestants work hard to achieve success. This Protestant ethic is a major factor in the emergence of capitalism in Europe. This Weber study is one of the first studies examining the relationship between the role of religion and economic growth.

The study of the relationship of the role of religion with economic growth was also carried out by Robert Bellah, a follower of Weber, who examined the Tokugawa Religion in Japan. He mentioned that the success of the Protestant Ethics was also found in the teachings of the Tokugawa, so that Japan succeeded in building capitalism with high economic growth. As we see it, violations of bureaucratic ethics in the administration of the Indonesian government, this will surely cause disappointment in society. Whereas the public expects that the Bureaucracy apparatus works with Sidiq, Amanah, Fatonah and Tabligh in accordance with the teachings of Islamic Sharia. Therefore, we expect the existence of Islamic Sharia rules that can be enforced which become the norm or guidelines in carrying out their duties.

Thus in order to create a more ethical bureaucratic apparatus according to the expectations above, it is necessary to make efforts and practice in that direction and enforce clear and clear sanctions for those who violate bureaucratic ethics regardless of rank and position. Anyone who violates bureaucratic ethics must be dealt with firmly to create a deterrent effect. Therefore, in relation to violations of bureaucratic ethics the role of religion based on Islamic Sharia is very necessary to develop human resources that are Sidiq, Amanah, Fatonah and Tabligh.[7]

Bureaucratic ethics based on Islamic Sharia teachings are very important and must be implemented by government bureaucratic apparatus in order to create apparatus that is Sidiq, Amanah, Fatonah and Tabligh. Bureaucratic Ethics is not just rhetoric that is echoed through Laws or Government Regulations on staffing, but more than that it is necessary to uphold bureaucratic ethics based on Islamic Sharia so that these teachings can be lived up to and practiced in behaving as bureaucratic apparatuses and that is no less important, namely how law enforcement or strict sanctions for violators of the rules. Penalties or sanctions need to be upheld maximally and evenly regardless of whether officials or subordinates must all be equal before the law.

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