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# TIDAR INTERNATIONAL CONFERENCE TIDAR UNIVERSITY OCTOBER 21-22, 2020

August 29<sup>th</sup>, 2020

Professor/Associate Professor/Dr/Sir/Madam,

**Dwiyanto Indiahono**  
University of Jenderal Soedirman

We are pleased to inform you that your abstract "**Anti-Gratification Commitments in Local Regulations on Public Services: Comparative Perspectives**" has been **ACCEPTED** by the Programme Committee to be presented at the Tidar International Conference (TIC) from 21<sup>th</sup> – 22<sup>th</sup> October 2020 in Tidar University, Magelang, Central Java, Indonesia.

The Committee now needs to have confirmation from you that you will be able to attend and present your paper in the conference. Furthermore, we kindly ask you to send a full paper no later than October 10<sup>th</sup>, 2020 and pay the conference fee no later than October 15<sup>th</sup>, 2020 and email proof of payment via email to [tic.untidar.ac.id](mailto:tic.untidar.ac.id).

For complete information, you can contact the contact below or phone number:  
Fitria Khairum Nisa (+6285691157448) and Yuni Kurniasih (+6285742795443)

We are looking forward to welcoming you in Tidar International Conference (TIC) on the 21<sup>th</sup> of October.  
Thank you.

Regards,  
Chairman of Organizing Committee



Dr. Dra. Eny Boedi Orbawati, M.Si

**Secretariat:**  
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**TIDAR INTERNATIONAL CONFERENCE  
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OCTOBER 21-22, 2020**

October 10<sup>th</sup>, 2020

Professor/Associate Professor/Dr/Sir/Madam,

**DWIYANTO INDIAHONO**  
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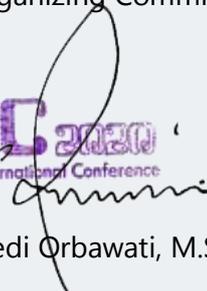
On the behalf of the Tidar International Conference (TIC) 2020's committee, we are pleased to inform that your paper, entitled:

**"Anti-Gratification Commitments in Local Regulations on Public Services: Comparative Perspectives"**

Has been **ACCEPTED** to be presented at the Tidar International Conference from 21<sup>th</sup> – 22<sup>th</sup> October 2020 in Tidar University, Magelang, Central Java, Indonesia and will be **proceed** to Scopus indexed proceedings.

We congratulate for your achievement. The technical issues about the publication will be informed later. Thank you very much for participating in our event.

Regards,  
Chairman of Organizing Committee



  
Dr. Dra. Eny Boedi Orbawati, M.Si

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# ADM\_Anti-Gratification Commitments in Local Regulations on Public Services\_DWIYANTOINDIAHONO\_UNSOED

by Satrio Ageng Rihardi

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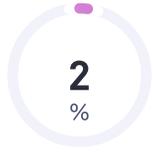
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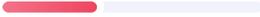
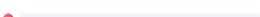
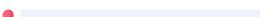
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<b>8</b>	<b>Engagement</b>	
8	Word choice	
<b>52</b>	<b>Clarity</b>	
16	Passive voice misuse	
17	Unclear sentences	
5	Intricate text	
13	Wordy sentences	
1	Hard-to-read text	
<b>41</b>	<b>Correctness</b>	
13	Punctuation in compound/complex sentences	
3	Wrong or missing prepositions	
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# ADM\_Anti-Gratification Commitments in Local Regulations on Public Services\_DWIYANTOINDIAHONO\_UNSOED

Anti-Gratification Commitments in Local Regulations on Public Services:  
Comparative Perspectives

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Abstract. Public services in the reform era are encouraged to be free from corruption, collusion, and nepotism. One of them is to encourage implementers not to accept gratuities from the public related to their work in public service activities. Local regulations on public services are thus important to look at, so implementers are prohibited from receiving gratuities.<sup>3</sup> Research on anti-gratification commitments in this local regulation was carried out in five local regulation texts in five regencies: Banyumas, Banjarnegara, Cilacap, Kebumen, and Purbalingga. This study used qualitative research methods,<sup>5</sup> based on

<sup>110</sup>

secondary data,<sup>6</sup> and data analysis techniques using content analysis. The results of this study indicate that only Banyumas and Cilacap explicitly forbid executors from accepting gratuities,<sup>7</sup> or asking for fees from the public.<sup>8</sup> This shows that anti-gratification still needs to campaign mainly to the bureaucracy. A weak commitment to fight gratuity will affect the spirit of reform in the public sector.

Keywords: public service, commitment, bureaucracy reform, administrator.

## 1 Introduction

Public service is an arena for betting the level of government trust in the public. The better managed public services will increase public trust in the government [1], [2]. The Reformation Era that has come along with technological developments made the issue of<sup>10</sup> public service reform even stronger.

Bureaucratic reform in public services demanded to proceed quickly, as public participation increases in providing input to improving public services [3]–[6].

The issue of public service responded by local governments with various attitudes. One positive response from the local government is the issuance of local regulations on public services.<sup>11</sup> Local regulations on public services are usually structured to be the basis for the implementation of<sup>12</sup> public services in the region. This response was also carried out by the local government in the Banyumas Ex-Residency area.<sup>13,14</sup> The regencies of Banyumas, Cilacap, Kebumen, Banjarnegara, and Purbalingga in the last three years have tried to update local regulations on public services (see table 1).

The oldest local regulation on public services in the Ex Residency of Banyumas that still applies is the local regulation on public services in Banjarnegara Regency and Banyumas Regency issued in 2016.<sup>15</sup> Local regulations that specifically regulate public services in Cilacap Regency are not found, but this research/study focused on the Cilacap Regency Regulation Number 16 the Year

2017 Regarding the Implementation of the One-Stop Integrated Services  
Cilacap Regency.

Table 1. Local Regulations on Public Services in the Ex Residence of Banyumas

No.

Name of Local Regulation

Year

Purbalingga Regency Regulation Number 3 regarding Public Services

2020

Kebumen Regency Regulation Number 6 regarding Public Services

2019

Cilacap Regency Regulation Number 16 regarding the Implementation of One-  
Stop Integrated Services

2017

Banyumas Regency Regulation Number 29 regarding Public Services

2016

Banjarnegara Regency Regulation Number 12 regarding Amendments to the  
Banjarnegara Regency Regulation Number 16 concerning Public Services

2016

Banjarnegara Regency Regulation Number 16 regarding Public Services

2014

Source: processed from secondary data 2020.

Local regulations on public services must participate in encouraging<sup>17</sup> the birth of quality public services,<sup>18</sup> and a clean and authoritative government. Therefore, the local regulation on public services in the Ex-Banyumas residency must also include clauses on anti-corruption and anti-gratuity.<sup>19</sup> Public services are vulnerable to gratification because of differences in position between the giver and recipient of public services. Therefore, it is interesting to study,<sup>20</sup> how is the value of anti-gratification in local regulations in the Regencies of Banyumas, Cilacap, Kebumen, Banjarnegara, and Purbalingga?.

## 2 Methodology

This research has used qualitative research methods based on secondary data. The research locations are five regencies in the former Banyumas Residency (Banyumas, Purbalingga, Banjarnegara, Cilacap, and Kebumen). Secondary data used<sup>21</sup> is reliable data from the official government website which<sup>22</sup> contains local regulations on public services in five regencies. Local regulations published officially by the respective regency governments are credible and valid<sup>23</sup> data. Analysis of the data used is content analysis [7] and interactive data analysis [8].

111 |

## 3 Anti-Gratification in Local Regulations on Public Services

### 3.1 The Urgency of Anti-Gratification in Local Regulations on Public Services

Local regulations on public services in which<sup>24</sup> regulate the obligations and rights of organizers, implementers, and the public in the administration of public services. The local regulation on public services thus has a strategic location regulating the role of actors in the governance and innovation of public services in the regions.<sup>25</sup> Public service innovation is important and needed by public organizations to get excellent service [9]. Therefore, the value of anti-gratification is important to enter into local regulations on public services.

112

Law Number 20 of 2001 concerning Amendments to Law Number 31 of 1999 concerning Eradication of Corruption, explaining that gratuities are giving money, goods, discounts, commissions, interest-free loans, travel tickets, travel facilities, travel facilities, travel travel, free medical treatment, and other facilities. The gift is considered as gratuity if it was given to a civil servant or state administrator and the gift related to the position of the employee concerned and is contrary to his obligations or duties [10].<sup>28</sup> Gratification motives mean as<sup>29</sup> any gifts made to public servants/state administrators with the hope that the recipient of the gratuity does something or does not do something contrary to his duty, and solely to fulfill the wishes of the gratuity provider [11], [12]. The crime of bribery<sup>30</sup> can also be called gratification if the bribery is given to influence decisions or policies taken by state officials/administrators [13].

Anti-gratification is a movement to fight gratification in government, in policy, and public services.<sup>33</sup> Relationships between service providers and the community are often not balanced. The service provider feels more needed and has the right to determine the price of a service.<sup>34</sup> On the other hand, the public is in a position that needs help, its<sup>35</sup> position is inferior, and often does not have a bargaining position before public service providers. These two conditions cause service providers to often use them<sup>36</sup> to ask for extortion. The public also often wants to show gratitude by giving something to service providers,<sup>37</sup> even though what they have done is including the seeds of corruption in the bureaucracy that must be fought. Steps such as periodic review of operational procedures, the appointment of leaders who have a healthy morality, anti-corruption education programs, administration of a "culture of shocks" can be part of preventing corruption [14]–[16]. Efforts to include the value of anti-gratification can at least be a reinforcement of<sup>38</sup> corruption prevention in terms

of education and culture shock for the bureaucracy. This is also meaningful for institutional strengthening against corruption [17]–[19].

The role of organizers, implementers, and the public in the anti-gratification movement thus becomes important to be regulated in local regulations governing public services.<sup>43</sup> This is because incorporating the anti-gratification clause in the local regulation on public services will be beneficial to first, become a legal basis for the public to reject illegal fees; secondly, being the legal basis of giving punishment to implementers who receive something from the recipient of the service (public); third, shows that public services are truly carried out transparently and fairly; and fourth, showing the commitment of local governments in increasing public trust by embodying a clean and authoritative government.

### 3.2 Administrators and Gratuities

Local regulations on public services are strategic in the regency because they can be used as a legal basis for improving public service governance in the regions. Local regulations on public services usually regulate the types of<sup>49</sup> services offered by the government, providers, implementers, utilization of information technology, and efforts to encourage one-stop integrated services. Public service and public policy at the conceptual and empirical level very<sup>50</sup> much depends on the capacity and attitude of the implementer. No matter how good the design of policies and public services will not be useful if at the lowest<sup>51</sup> level<sup>52</sup> the implementation of policies and public services is held by administrators who do not have good competence and attitude. One attitude of public servants is committing not to accept gratuities. A gratuity is a form of corruption in developing country administrative agencies [20]–[22]. Lower-level administrators must participate in building public trust [23].

The administrator's attitude in public services<sup>54</sup> is a strategic matter regulated in local regulations. A good local regulation is a local regulation that encourages the birth of anti-gratuity administrators<sup>56</sup>. In the local regulation on public services in the Ex-Banyumas Residency, only the regulations on public services in the Regencies of Banyumas and Cilacap expressly forbid implementing / administrators to accept gratuities. Local regulations on public services in Banyumas Regency forbid implementing agents to accept gifts or gifts from anyone related to their position and/or work. In the local regulation regarding PTSP, organizers and implementers are prohibited from being prohibited from receiving compensation in any form from the applicant for licensing and/or non-licensing which is directly or indirectly related to the implementation of One door integrated service (PTSP-Pelayanan Terpadu Satu Pintu) (see table 2). This shows that only two out of five regencies have a high commitment to fight gratification.

#### Table 2. Prohibition for Implementers

Kebumen, Purbalingga, Banjarnegara Regencies

Banyumas Regency

Cilacap Regency

Prohibition Clause for Administrator/ Implementers

Implementers are prohibited from:

- a. concurrently as a commissioner or management of a business organization for executors who come from the environment of government agencies, state-owned enterprises, and locally-owned enterprises;
- b. leave their duties and obligations, unless they have clear, rational, and valid reasons following the provisions of the legislation;
- c. add executors without the approval of the organizer;

d. make cooperation agreements with other parties without the organizer's agreement, and

e. violates the principle of public service delivery.

Implementers are prohibited from:

a. concurrently as a commissioner or management of a business organization for executors who come from the environment of government agencies, state-owned enterprises, and locally-owned enterprises;

b. leave their duties and obligations,<sup>63</sup> unless they have clear, rational, and valid reasons following the provisions of the legislation;

c. add executors without the approval of the organizer;

d. make cooperation agreements with other parties without the organizer's agreement,

e. violates the principle of public service delivery, and

f. accept any gift or gift from anyone related to his/her position and/or occupation.

The Operator or Implementer of PTSP Providers is prohibited from receiving compensation in any form from the applicant for Licensing and / or Non-Licensing which<sup>68</sup> is directly or indirectly related to the implementation of PTSP.

Source: processed from secondary data 2020.

Regencies that do not include anti-gratuity may argue that the sign includes anti-gratification in the local regulation on public services, gratification is still prohibited. This statement can be a defense,<sup>70</sup> and true. However, local

regulations on public services that regulate relations between implementers and the public are very strategic to include the spirit of building a clean

government free from corruption, collusion, and nepotism. When the momentum of local regulations on public services is not used, then the local

government will lose the opportunity to show the spirit to the public.<sup>73</sup> Local

regulations that incorporate the value of anti-gratuity can at least also be  
evidence, the role of government to improve the integrity of the public sector.<sup>74</sup><sup>75</sup>

This public sector integrity can strengthen the national integrity system to fight corruption [24]. Gratification is the initial door to corruption,<sup>76</sup> the pleasure of getting gratification will lead to a desire to commit corruption [25]. Local governments must show an intolerant attitude in every act of gratification.

#### 4 Conclusion

The commitment of local governments that have local regulations on public  
services as a basis for public service reforms should be appreciated.<sup>78</sup> However,  
the commitment of public services does not only lie in having or not having  
public service regulations.<sup>79</sup><sup>80</sup> The contents of local regulations on public services must also show commitment to making changes to public services. One of them is that the local regulation explicitly declares war on gratification. In this study, only two regencies out of five regencies clearly stated the prohibition for implementers to accept gifts or any gifts from anyone related to their position and/or work. This shows that the executive committee to completely eliminate  
gratuities<sup>83</sup><sup>84</sup> is still low. Continuous efforts to encourage the bureaucracy to increase its commitment to combat extortion and gratuities will be a serious matter in the future.

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113

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1.	<del>important</del> → essential	Word choice	Engagement
2.	<i>are prohibited</i>	Passive voice misuse	Clarity
3.	<i>Local regulations on public services are thus important to look at, so implementers are prohibited from receiving gratuities.</i>	Unclear sentences	Clarity
4.	<i>was carried out</i>	Passive voice misuse	Clarity
5.	methods,	Punctuation in compound/complex sentences	Correctness
6.	data,	Punctuation in compound/complex sentences	Correctness
7.	gratuities,	Punctuation in compound/complex sentences	Correctness
8.	<i>The results of this study indicate that only Banyumas and Cilacap explicitly forbid executors from accepting gratuities, or asking for fees from the public.</i>	Unclear sentences	Clarity
9.	<i>This</i>	Intricate text	Clarity
10.	<del>the issue of</del>	Wordy sentences	Clarity
11.	public services regulations	Wordy sentences	Clarity
12.	implementing	Wordy sentences	Clarity
13.	<i>This response was also carried out by the local government in the Banyumas Ex-Residency area.</i>	Passive voice misuse	Clarity
14.	<i>This response was also carried out by the local government in the Banyumas Ex-Residency area.</i>	Unclear sentences	Clarity
15.	<i>The oldest local regulation on public</i>	Unclear sentences	Clarity

	<i>services in the Ex Residency of Banyumas that still applies is the local regulation on public services in Banjarnegara Regency and Banyumas Regency issued in 2016.</i>		
16.	<i>are not found</i>	Passive voice misuse	Clarity
17.	<i>encourage</i>	Wordy sentences	Clarity
18.	<i>services,</i>	Punctuation in compound/complex sentences	Correctness
19.	<i>Therefore, the local regulation on public services in the Ex-Banyumas residency must also include clauses on anti-corruption and anti-gratuity.</i>	Unclear sentences	Clarity
20.	<i>study,</i>	Punctuation in compound/complex sentences	Correctness
21.	<i>used</i>	Wordy sentences	Clarity
22.	<i>, which</i>	Punctuation in compound/complex sentences	Correctness
23.	<i>data</i>	Wordy sentences	Clarity
24.	<i>in which</i>	Wordy sentences	Clarity
25.	<i>The local regulation on public services thus has a strategic location regulating the role of actors in the governance and innovation of public services in the regions.</i>	Unclear sentences	Clarity
26.	<i>important</i> → <i>essential</i>	Word choice	Engagement
27.	<i>important</i> → <i>essential, vital, critical</i>	Word choice	Engagement
28.	<i>The gift is considered as gratuity if it was given to a civil servant or state administrator and the gift related to the position of the employee</i>	Unclear sentences	Clarity

	<i>concerned and is contrary to his obligations or duties [10].</i>		
29.	<del>as</del>	Wrong or missing prepositions	Correctness
30.	<del>crime of bribery</del> → bribery crime	Wordy sentences	Clarity
31.	<i>be called</i>	Passive voice misuse	Clarity
32.	<i>is given</i>	Passive voice misuse	Clarity
33.	<i>in public</i>	Wrong or missing prepositions	Correctness
34.	<i>Anti-gratification is a movement to fight gratification in government, in policy, and public services.</i>	Unclear sentences	Clarity
35.	<i>The service provider feels more needed and has the right to determine the price of a service.</i>	Unclear sentences	Clarity
36.	<del>, its</del> → ; its, , and its, . Its	Punctuation in compound/complex sentences	Correctness
37.	<i>to use them often</i>	Inappropriate colloquialisms	Delivery
38.	<i>service providers something</i>	Wordy sentences	Clarity
39.	<i>be fought</i>	Passive voice misuse	Clarity
40.	<del>be a reinforcement of</del> → reinforce	Wordy sentences	Clarity
41.	<i>This</i>	Intricate text	Clarity
42.	<del>important</del> → essential, vital	Word choice	Engagement
43.	<i>The role of organizers, implementers, and the public in the anti-gratification movement thus becomes important to be regulated in local regulations governing public services.</i>	Unclear sentences	Clarity

44.	<i>This</i>	Intricate text	Clarity
45.	<del>truly</del> → genuinely	Word choice	Engagement
46.	<i>are truly carried out</i>	Passive voice misuse	Clarity
47.	<i>This is because incorporating the anti-gratification clause in the local regulation on public services will be beneficial to first, become a legal basis for the public to reject illegal fees; secondly, being the legal basis of giving punishment to implementers who receive something from the recipie...</i>	Hard-to-read text	Clarity
48.	<i>be used</i>	Passive voice misuse	Clarity
49.	<del>types-of</del>	Wordy sentences	Clarity
50.	<i>Public service and public policy at the conceptual and empirical level very much depends on the capacity and attitude of the implementer.</i>	Unclear sentences	Clarity
51.	, at	Punctuation in compound/complex sentences	Correctness
52.	level,	Punctuation in compound/complex sentences	Correctness
53.	<del>good</del> → useful	Word choice	Engagement
54.	public services attitude	Wordy sentences	Clarity
55.	<del>A good</del> → An excellent	Word choice	Engagement
56.	<i>A good local regulation is a local regulation that encourages the birth of anti-gratuity administrators.</i>	Unclear sentences	Clarity
57.	<del>and/or</del> → and, or	Inappropriate colloquialisms	Delivery

58.	<i>are prohibited</i>	Passive voice misuse	Clarity
59.	<del>and/or</del> → and, or	Inappropriate colloquialisms	Delivery
60.	<i>This</i>	Intricate text	Clarity
61.	<i>are prohibited</i>	Passive voice misuse	Clarity
62.	<i>are prohibited</i>	Passive voice misuse	Clarity
63.	<del>obligations,</del>	Punctuation in compound/complex sentences	Correctness
64.	<del>and/or</del> → and, or	Inappropriate colloquialisms	Delivery
65.	<i>is prohibited</i>	Passive voice misuse	Clarity
66.	<del>and/or</del> → and, or	Inappropriate colloquialisms	Delivery
67.	<del>and/or</del> → and/or	Improper formatting	Correctness
68.	<del>, which</del>	Punctuation in compound/complex sentences	Correctness
69.	<i>is still prohibited</i>	Passive voice misuse	Clarity
70.	<del>defense,</del>	Punctuation in compound/complex sentences	Correctness
71.	<del>true</del> → trustworthy, accurate, right, real	Word choice	Engagement
72.	<i>is not used</i>	Passive voice misuse	Clarity
73.	<i>When the momentum of local regulations on public services is not used, then the local government will lose the opportunity to show the spirit to the public.</i>	Unclear sentences	Clarity
74.	<del>the government</del>	Determiner use (a/an/the/this, etc.)	Correctness

75.	<i>Local regulations that incorporate the value of anti-gratuity can at least also be evidence, the role of government to improve the integrity of the public sector.</i>	Unclear sentences	Clarity
76.	<del>,the</del> → ; the, . The	Punctuation in compound/complex sentences	Correctness
77.	<i>be appreciated</i>	Passive voice misuse	Clarity
78.	<i>The commitment of local governments that have local regulations on public services as a basis for public service reforms should be appreciated.</i>	Unclear sentences	Clarity
79.	<del>ef</del> → to	Wrong or missing prepositions	Correctness
80.	<i>However, the commitment of public services does not only lie in having or not having public service regulations.</i>	Unclear sentences	Clarity
81.	<del>and/or</del> → and, or	Inappropriate colloquialisms	Delivery
82.	<i>This</i>	Intricate text	Clarity
83.	<del>completely</del>	Wordy sentences	Clarity
84.	<del>to eliminate gratuities completely</del>	Inappropriate colloquialisms	Delivery
85.	<del>doi</del> → DOI	Misspelled words	Correctness
86.	<del>doi</del> → DOI	Misspelled words	Correctness
87.	<del>doi</del> → DOI	Misspelled words	Correctness
88.	<del>per</del> → per	Misspelled words	Correctness
89.	<del>doi</del> → DOI	Misspelled words	Correctness
90.	<del>doi</del> → DOI	Misspelled words	Correctness

91.	<del>dei</del> → DOI	Misspelled words	Correctness
92.	<del>jbb</del> → job	Misspelled words	Correctness
93.	<del>dei</del> → DOI	Misspelled words	Correctness
94.	<del>pgr</del> → per	Misspelled words	Correctness
95.	<del>Fazzan</del> → Fezzan	Misspelled words	Correctness
96.	<del>dei</del> → DOI	Misspelled words	Correctness
97.	<del>dei</del> → DOI	Misspelled words	Correctness
98.	<del>dei</del> → DOI	Misspelled words	Correctness
99.	<del>dei</del> → DOI	Misspelled words	Correctness
100.	; corruption	Improper formatting	Correctness
101.	<del>dei</del> → DOI	Misspelled words	Correctness
102.	<del>dei</del> → DOI	Misspelled words	Correctness
103.	<del>dei</del> → DOI	Misspelled words	Correctness
104.	<del>trust building</del> → trust-building	Misspelled words	Correctness
105.	<del>dei</del> → DOI	Misspelled words	Correctness
106.	<del>ijpl</del> → JPL, jpg	Misspelled words	Correctness
107.	A. S. Lukito, "Building anti-corruption compliance through national integrity system in Indonesia: A way to fight against corruption," J. Financ. Crime, vol.	Unclear sentences	Clarity
108.	<del>dei</del> → DOI	Misspelled words	Correctness
109.	Public Administration Department, Faculty of Social and Political	Educational Curriculum Scenario Planning in Facing ...	Originality

	Sciences,	<a href="https://journal.iapa.or.id/proceedings/article/view/269">https://journal.iapa.or.id/proceedings/article/view/269</a>	
110.	<i>The results of this study indicate that only</i>	Organizational Justice, Employee Motivation and Performance	Originality
111.	<i>Analysis of the data used is content analysis</i>	EVALUASI PENERAPAN SANITASI TEMPAT-TEMPAT UMUM PADA ... <a href="https://repository.unsri.ac.id/8546/1/RAMA_13201_10011381419222_%208837630017_01_front_ref.pdf">https://repository.unsri.ac.id/8546/1/RAMA_13201_10011381419222_%208837630017_01_front_ref.pdf</a>	Originality
112.	<i>Law Number 20 of 2001 concerning Amendments to Law Number 31 of 1999 concerning Eradication of Corruption,</i>	THE LIGHT JUDGMENT DECISION IN THE CASE OF CORRUPTION: THE ... <a href="http://www.jurnalius.ac.id/ojs/index.php/jurnalIUS/article/download/694/pdf_138">http://www.jurnalius.ac.id/ojs/index.php/jurnalIUS/article/download/694/pdf_138</a>	Originality
113.	<i>Undang-Undang Nomor 20 Tahun 2001 Tentang Pemberantasan Tindak Pidana Korupsi,</i>	THE LIGHT JUDGMENT DECISION IN THE CASE OF CORRUPTION: THE ... <a href="http://www.jurnalius.ac.id/ojs/index.php/jurnalIUS/article/download/694/pdf_138">http://www.jurnalius.ac.id/ojs/index.php/jurnalIUS/article/download/694/pdf_138</a>	Originality
114.	<i>Bureaucratic leadership, trust building, and employee engagement in the public sector in Ghana,</i>	Bureaucratic leadership, trust building, and employee ... <a href="https://www.emerald.com/insight/content/doi/10.1108/IJPL-05-2019-0018/full/html">https://www.emerald.com/insight/content/doi/10.1108/IJPL-05-2019-0018/full/html</a>	Originality



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Comparative Perspectives  
Penulis : Dwiyanto Indiahono

KOMPONEN PENILAIAN		Ceklist
abtrak	tujuan penelitian	-
	metode penelitian	V
	hasil penelitian	V
	simpulan	V
	kata kunci	V
pendahuluan	masalah penelitian	-
	Gap Analysis	-
	tujuan penelitian	-
	rumusan penelitian	-
metode	Jenis Penelitian/Set up eksperimen	V
	tahapan penelitian	V
	data dan teknik pengambilan data	V
	teknik analisis data	V
hasil penelitian	temuan relevan dengan tujuan penelitian	V
	konfirmasi hasil dengan temuan sebelumnya	-
simpulan	menjawab rumusan masalah	V
daftar pustaka	kesesuaian dengan author guidelines	-
	konsistensi penulisan	V
	Kemutakhiran dalam 10 tahun terakhir	V
	penggunaan sumber primer > 80%	-
umum	Tidak ada definisi dalam naskah	V
	pembahasan lebih panjang dari hasil	V

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Kelengkapan dan Kesesuaian Unsur	<ul style="list-style-type: none"> <li>✓ Kurang lengkap, hanya membahas regulasi namun belum membahas implikasi terhadap pelayanan maupun pemerintahan</li> <li>✓ Hasil komparasi unsur-unsur yang diteliti hanya dari isi regulasi, belum membahas pengaruh/dampak terhadap pelayanan publik</li> </ul>
Ruang Lingkup dan Kedalaman Pembahasan	Fokus permasalahan kurang ditegaskan dalam pembahasan, solusi yang ditawarkan masih bias



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REKOMENDASI ARTIKEL	LAYAK / <b>REVISI</b> / TIDAK LAYAK (*mohon lingkari)

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Bidang Ilmu : FISIP

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# anti gratification

*by* Indah Dwiyanto

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# Anti-Gratification Commitments in Local Regulations on Public Services: Comparative Perspectives

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**Abstract.** Public services in the reform era are encouraged to be free from corruption, collusion, and nepotism. One of them is to encourage implementers not to accept gratuities from the public related to their work in public service activities. Local regulations on public services are thus important to look at, so implementers are prohibited from receiving gratuities. Research on anti-gratification commitments in this local regulation was carried out in five local regulation texts in five regencies: Banyumas, Banjarnegara, Cilacap, Kebumen, and Purbalingga. This study used qualitative research methods, based on secondary data, and data analysis techniques using content analysis. The results of this study indicate that only Banyumas and Cilacap explicitly forbid executors from accepting gratuities, or asking for fees from the public. This shows that anti-gratification still leads to campaign mainly to the bureaucracy. A weak commitment to fight gratuity will affect the spirit of reform in the public sector.

**Keywords:** public service, commitment, bureaucracy reform, administrator.

## 1 Introduction

Public service is an arena for betting the level of government trust in the public. The better managed public services will increase public trust in the government [1], [2]. The Reformation Era that has come along with technological developments made the issue of public service reform even stronger. Bureaucratic reform in public services demanded to proceed quickly, as public participation increases in providing input to improving public services [3]–[6].

The issue of public service responded by local governments with various attitudes. One positive response from the local government is the issuance of local regulations on public services. Local regulations on public services are usually structured to be the basis for the implementation of public services in the region. This response was also carried out by the local government in the Banyumas Ex-Residency area. The regencies of Banyumas, Cilacap, Kebumen, Banjarnegara, and Purbalingga in the last three years have tried to update local regulations on public services (see table 1).

The oldest local regulation on public services in the Ex Residency of Banyumas that still applies is the local regulation on public services in Banjarnegara Regency and Banyumas Regency issued in 2016. Local regulations that specifically regulate public services in Cilacap Regency are not found, but this research/study focused on the Cilacap Regency Regulation Number 16 the Year 2017 Regarding the Implementation of the One-Stop Integrated Services Cilacap Regency.

Table 1. Local Regulations on Public Services in the Ex Residence of Banyumas

No.	Name of Local Regulation	Year
1.	Purbalingga Regency Regulation Number 3 regarding Public Services	2020
2.	Kebumen Regency Regulation Number 6 regarding Public Services	2019
3.	Cilacap Regency Regulation Number 16 regarding the Implementation of One-Stop Integrated Services	2017
4.	Banyumas Regency Regulation Number 29 regarding Public Services	2016
5.	Banjarnegara Regency Regulation Number 12 regarding Amendments to the Banjarnegara Regency Regulation Number 16 concerning Public Services	2016
6.	Banjarnegara Regency Regulation Number 16 regarding Public Services	2014

Source: processed from secondary data 2020.

Local regulations on public services must participate in encouraging the birth of quality public services, and a clean and authoritative government. Therefore, the local regulation on public services in the Ex-Banyumas residency must also include clauses on anti-corruption and anti-gratuity. Public services are vulnerable to gratification because of differences in position between the giver and recipient of public services. Therefore, it is interesting to study, how is the value of anti-gratification in local regulations in the Regencies of Banyumas, Cilacap, Kebumen, Banjarnegara, and Purbalingga?.

## 2 Methodology

This research has used qualitative research methods based on secondary data. The research locations are five regencies in the former Banyumas Residency (Banyumas, Purbalingga, Banjarnegara, Cilacap, and Kebumen). Secondary data used is reliable data from the official government website which contains local regulations on public services in five regencies. Local regulations published officially by the respective regency governments are credible and valid data. Analysis of the data used is content analysis [7] and interactive data analysis [8].

## 3 Anti-Gratification in Local Regulations on Public Services

### 3.1 The Urgency of Anti-Gratification in Local Regulations on Public Services

Local regulations on public services in which regulate the obligations and rights of organizers, implementers, and the public in the administration of public services. The local regulation on public services thus has a strategic location regulating the role of actors in the governance and innovation of public services in the regions. Public service innovation is important and needed by public organizations to get excellent service [9]. Therefore, the value of anti-gratification is important to enter into local regulations on public services.

Law Number 20 of 2001 concerning Amendments to Law Number 31 of 1999 concerning Eradication of Corruption, explaining that gratuities are giving money, goods, discounts, commissions, interest-free loans, travel tickets, travel facilities, travel facilities, travel travel, free medical treatment, and other facilities. The gift is considered as gratuity if it was given to

4

a civil servant or state administrator and the gift related to the position of the employee concerned and is contrary to his obligations or duties [10]. Gratification motives mean as any gifts made to public servants/state administrators with the hope that the recipient of the gratuity does something or does not do something contrary to his duty, and solely to fulfill the wishes of the gratuity provider [11], [12]. The crime of bribery can also be called gratification if the bribery is given to influence decisions or policies taken by state officials/administrators [13].

Anti-gratification is a movement to fight gratification in government, in policy, and public services. Relationships between service providers and the community are often not balanced. The service provider feels more needed and has the right to determine the price of a service. On the other hand, the public is in a position that needs help, its position is inferior, and often does not have a bargaining position before public service providers. These two conditions cause service providers to often use them to ask for extortion. The public also often wants to show gratitude by giving something to service providers, even though what they have done is including the seeds of corruption in the bureaucracy that must be fought. Steps such as periodic review of operational procedures, the appointment of leaders who have a healthy morality, anti-corruption education programs, administration of a "culture of shocks" can be part of preventing corruption [14]–[16]. Efforts to include the value of anti-gratification can at least be a reinforcement of corruption prevention in terms of education and culture shock for the bureaucracy. This is also meaningful for institutional strengthening against corruption [17]–[19].

The role of organizers, implementers, and the public in the anti-gratification movement thus becomes important to be regulated in local regulations governing public services. This is because incorporating the anti-gratification clause in the local regulation on public services will be beneficial to first, become a legal basis for the public to reject illegal fees; secondly, being the legal basis of giving punishment to implementers who receive something from the recipient of the service (public); third, shows that public services are truly carried out transparently and fairly; and fourth, showing the commitment of local governments in increasing public trust by embodying a clean and authoritative government.

### 3.2 Administrators and Gratuities

Local regulations on public services are strategic in the regency because they can be used as a legal basis for improving public service governance in the regions. Local regulations on public services usually regulate the types of services offered by the government, providers, implementers, utilization of information technology, and efforts to encourage one-stop integrated services.

Public service and public policy at the conceptual and empirical level very much depends on the capacity and attitude of the implementer. No matter how good the design of policies and public services will not be useful if at the lowest level the implementation of policies and public services is held by administrators who do not have good competence and attitude. One attitude of public servants is committing not to accept gratuities. A gratuity is a form of corruption in developing country administrative agencies [20]–[22]. Lower-level administrators must participate in building public trust [23].

The administrator's attitude in public services is a strategic matter regulated in local regulations. A good local regulation is a local regulation that encourages the birth of anti-gratuity administrators. In the local regulation on public services in the Ex-Banyumas Regency, only the regulations on public services in the Regencies of Banyumas and Cilacap expressly forbid implementing / administrators to accept gratuities. Local regulations on public services in Banyumas Regency forbid implementing agents to accept gifts or gifts from anyone

related to their position and/or work. In the local regulation regarding PTSP, organizers and implementers are prohibited from being prohibited from receiving compensation in any form from the applicant for licensing and/or non-licensing which is directly or indirectly related to the implementation of One door integrated service (*PTSP-Pelayanan Terpadu Satu Pintu*) (see table 2). This shows that only two out of five regencies have a high commitment to fight gratification.

Table 2. Prohibition for Implementers

	Kebumen, Purbalingga, Banjarnegara Regencies	Banyumas Regency	Cilacap Regency
Prohibition Clause for Administrator/ Implementers	Implementers are prohibited from: a. concurrently as a commissioner or management of a business organization for executors who come from the environment of government agencies, state-owned enterprises, and locally-owned enterprises; b. leave their duties and obligations, unless they have clear, rational, and valid reasons following the provisions of the legislation; c. add executors without the approval of the organizer; d. make cooperation agreements with other parties without the organizer's agreement, and e. violates the principle of public service delivery.	Implementers are prohibited from: a. concurrently as a commissioner or management of a business organization for executors who come from the environment of government agencies, state-owned enterprises, and locally-owned enterprises; b. leave their duties and obligations, unless they have clear, rational, and valid reasons following the provisions of the legislation; c. add executors without the approval of the organizer; d. make cooperation agreements with other parties without the organizer's agreement, e. violates the principle of public service delivery, and f. accept any gift or gift from anyone related to his/her position and/or occupation.	<i>The Operator or Implementer of PTSP Providers is prohibited from receiving compensation in any form from the applicant for Licensing and / or Non-Licensing which is directly or indirectly related to the implementation of PTSP.</i>

Source: processed from secondary data 2020.

Regencies that do not include anti-gratuity may argue that the sign includes anti-gratification in the local regulation on public services, gratification is still prohibited. This statement can be a defense, and true. However, local regulations on public services that regulate relations between implementers and the public are very strategic to include the spirit of building a clean government free from corruption, collusion, and nepotism. When the momentum of local regulations on public services is not used, then the local government will lose the opportunity

to show the spirit to the public. Local regulations that incorporate the value of anti-gratuity can at least also be evidence, the role of government to improve the integrity of the public sector. This public sector integrity can strengthen the national integrity system to fight corruption [24]. Gratification is the initial door to corruption, the pleasure of getting gratification will lead to a desire to commit corruption [25]. Local governments must show an intolerant attitude in every act of gratification.

#### 4 Conclusion

The commitment of local governments that have local regulations on public services as a basis for public service reforms should be appreciated. However, the commitment of public services does not only lie in having or not having public service regulations. The contents of local regulations on public services must also show commitment to making changes to public services. One of them is that the local regulation explicitly declares war on gratification. In this study, only two regencies out of five regencies clearly stated the prohibition for implementers to accept gifts or any gifts from anyone related to their position and/or work. This shows that the executive committee to completely eliminate gratuities is still low. Continuous efforts to encourage the bureaucracy to increase its commitment to combat extortion and gratuities will be a serious matter in the future.

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