

The Enforcement Of Legal Culture In Public Service State University Of Makassar

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Abstract, Awareness of government officials in understanding and implementing the values and norms of the applicable law is part of the legal culture and become one decisive factor in improving the quality of public services. This is the background that there should be efforts to strengthen the legal culture in the public service, especially in Sub Rappocini Makassar. But the problem is how to build legal culture that is relevant among government officials, so it can support the creation of good public services and quality in accordance with the demands and expectations of society. This study is normative and empirical research in the field of constitutional law, the study includes the provision or legislation and its application in the field of concrete. This study examines how the cultural role of law and its implementation in order to improve the quality of public services by the District government officials Rappocini Makassar. The data obtained in the field will be analyzed qualitatively, to interpret, describe, describe, and systematically arranged according to the research objectives. The results showed that conceptually public service is a manifestation of the state apparatus functions as civil servants or public servants and not as masters of the country or public authorities. The values embraced by the public as part of the legal culture plays a role as a moral guide in the public service. Implementation of public services in the district Rappocini realized by providing various types of services, especially related to of licenses such as IMB, SITU, family card, or identity card. Disclosure of information in providing services is very important because it can affect the smooth service and time efficiency as well as useful to avoid miscommunication.

Key words: Legal Culture, Public Servant, Rappocini, Makassar

A. Introduction

In this globalization era, the government is expected to prepare all his subordinates to improve the quality of services, including manners in serving the public. The ability of official in appreciate this politeness is a form of consciousness government officials in understanding and

implementing the values and norms valid law in the community. This becomes absolute requirement to keep the image of his agency.

Awareness of government officials in understanding and implement values and norms law is part of legal culture and was one of the determining factors in

improvement of public service. This matter becomes background thus there must be cultural strengthening efforts of law in the public service especially in Rappocini District City of Makassar.

B. Research Problem

The problem of this research is “How to build legal culture that is relevant among government officials, so it can support the creation of good public services and quality in accordance with the demands and expectations of society?”

C. Research Purpose

The research purpose is to find the role of legal culture to improve the quality of public service by government officials, and how the implementations of the public service form by the government in Rappocini District.

D. Theoretical Background

Law enforcement (law enforcement) is a series of process to outline value, ideas, ideals, and legal purposes. Ideals or legal purposes contain moral values, namely justice (Rechtsvaardigheid), certainty (Rechtszekerheid), and significance (Doelmatigheid)¹. The existence of law recognized when moral values are contained in the law is able to be implemented. Failure law in implementing moral values will cause distance and isolation from community.

Policing responsive could be described as current needs, if law still be regarded as the forefront in social life, national and state. In this case law must be able to respond to the citizens desire to materialize peace in intercourse social life. To become evident policing responsive, it needs progressive law.

The word of progressive comes from Britain that is “progressive” which means “forward” (an adjective)². Based on that, Satjipto Rahardjo³ offers progressive legal theories. The core of progressive law is located on thinking and acting progressive which escape her from legal document, because ultimately the law it is not for the text of a law, but it is to happiness and welfare of humans. Public service is a form of law enforcement in order to meet the people needs as well as implementing the regulations of constitution. According to Moenir (1998: 26), public service is activities by someone or a group of people with the factors material through a system, procedures and a particular method in order to meet the interests of others corresponding their rights⁴

Based on the provisions of article 1 law Number 29, year 2009 about public services, it was stated that the public service is the activity or a series of activities in the context of fulfilling service needs in accordance with the constitution for each citizen and for goods, services, and administrative/or services provided by the public services. The organizers public service is any institution organizers of the state, corporate, an independent agency that formed based on the constitution for public services, and legal entities formed solely for the activities of public services.

¹ Soedjono Dirdjosisworo, *Pengantar Ilmu Hukum*, Jakarta: CV. Rajawali, 1984, hlm. 127.

² Reality Team. 2007. *Advanced Dictionary English-Indonesian, Indonesia-English*. Penerbit: Reality Publisher, tanpa tempat penerbitan. Hlm. 352

³ Satjipto Rahardjo. *Konsep dan Karakteristik Hukum Progresif*. Makalah Dalam Seminar Nasional Hukum Progresif I, Diselenggarakan oleh Fakultas Hukum Universitas Diponegoro Bekerjasama dengan Program Doktor Ilmu Hukum Universitas Diponegoro dan Fakultas Hukum Universitas Trisakti, Jakarta di Semarang, 15 Desember 2007. Hlm. 11.

⁴ Moenir, H.A.S. 1990, *Pendekatan Manusiawi Dan Organisasi Terhadap Pembinaan Kepegawaian*, GunungAgung, Jakarta.

As an effort to clarify rights and responsibilities of citizens and population and the formation of the responsibility of the state and corporation in public service, it needs norm law that gives setting in a clear manner. Hence based on the provision of Article 3 Constitution Number 25 years 2009 about Public Service (UUPP), specifically formulated purpose UUPP as follows: (1) the formation of scope and clear relation between responsibility, obligation, and authority all parties that related with the public service; (2) the formation of public service system in accordance to common principles of government and good corporate; (3) the fulfil of public service in accordance constitution , and (4) the formation of protection and legal certainty for the community in the public service

E. Research Method

This research is normative and empirical research in the field of law state administration, that discuss about provision or the rules of constitution and its application in the field in concrete way. This research is discuss about how the role of legal culture and its implementation to improve the quality of public service by government officials in Rappocini District City of Makassar. The data that obtained in the field will be analyzed qualitatively, by interpreting, outlining, detailing, and arrange them systematically in accordance with research purpose.

F. Research Result and Discussion

The research result showed that conceptually public service is embodiment from government official as state servant or public servant, and not as a sovereign state or ruler of community. The values that adopted by community is a part from legal culture that had a role as a moral guide in the public service.

Some principles are adopted by the people in South Sulawesi as part of culture

values and in accordance as basis in embodying public services to the community as follows: *getteng*, *lempu* and *adatongeng*. Abu Hamid outlines that *getteng* is obedient principle or consistent. This attitude must be enforced both utterance and attitude. The opponent of this attitude is utterance or inconsistent.

Next principle is *lempu* that is being honest and talk well both ourselves nor anybody else. The last principle is *adatongeng* that is the attitude to speak the truth. However, a matter is difficult or hard, we have to speak the truth. Lying is the beginning of immoral attitude. Once we lying to another and someone heard us, we cannot be trusted again. The factors that had a role in supporting the qualified public are described in this following chart.

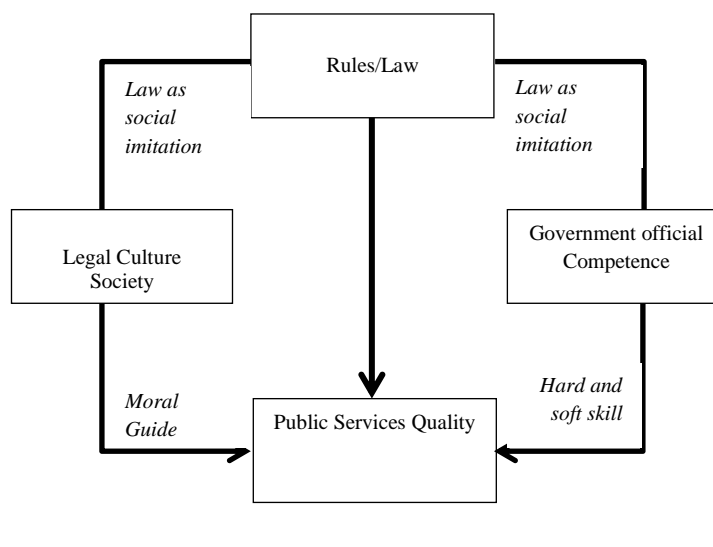


Chart 1

The factors that had a role in supporting the realization of public service quality

The government as a state servant are required to integrate between the rules of law with moral values which adopted by the local community and to implement it in the public service. It is aimed to avoid conflict between patterns of behavior government officials with cultural values which is embraced by the community. The efforts of integration between values that

become guide in the public service, knowledge about rule officials that become legal basis and increase capacity and insight government officials about a ministry, good service and good quality can be pursued through education and training, so that government officials' competence can increase. This education and training can contain a topic about:

- The values that become guidelines in providing service to the public.
- The rules that become legal umbrella for public service
- Good service and quality service criteria
- Increasing perspectives and knowledge about good service and quality service

The implementation of public services in Rappocini District is embodied by providing various types of services especially in relation licensing like IMB, SITU, family card, and identity card. The transparency information in providing services is very important that could affect the service and efficiency time and useful to prevent miscommunication. From the information above, it can be understood that public service by government bureaucracy is a form of embodiment of function state officials as the public servant beside as the state servant. The concept of government as the public servant or the state servant is the opposite of practices that develops so far that the government is the state or ruler community, so that all of his interest must be served and he not serves the society. However, the service principles that developed by government institutions is not exactly the same with non-government institutions.

In the end, the most basic process in good public services is changing think orientation of government officials formerly act as a king officers to be state servant or community servant.

G. Conclusion

The values that are embraced by the community as part of legal culture (*getteng, lempu, adatongeng, temmapasilaingeng, and sipakatau*) had a role as a moral guide in the public service. Conceptually public service is the embodiment of the function from the government official as the state servant or public servant. This is the opposite of understanding that develops so far which the government was the lord state or ruler of community, so that all of his interest must be served and he not serves the society. The implementation of public services in Rappocini District is embodied by providing various types of services especially in relation licensing like IMB, SITU, family card, and identity card. The transparency information in providing services is very important that could affect the service and efficiency time and it useful to prevent miscommunication.

H. Suggestions

The transparency information about various types of the services that provided by the Rappocini district office still need to be increased, especially about the procedures and requirements are needed to take care various licensing issued by the district government. This transparency information can be fulfilled by making website specifically contain about information from a range of services public given by government Rappocini District. Thus, the people who need information can be easy to access it via internet.

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