

Repositioning The Ombudsman's Function in The National Legal System: A Dialectical Comparative Study With The Wilayatul Mazhalim Institutions in the Contemporary Era

Muhammad Firhansyah^{1*}, H. Jalaluddin², Nuril Khasyi'in³

^{1,2,3}Universitas Islam Negeri Antasari Banjarmasin, Indonesia

* Corresponding Author:

Email: firhan.ori@gmail.com

Abstract.

The Ombudsman of the Republic of Indonesia (ORI), as an auxiliary state institution, faces effectiveness challenges due to the recommendatory nature of its legal products. On the other hand, Islamic civilization has the institution of Wilayatul Mazhalim, known for its imperative executive-judicial power in restoring the people's rights from the tyranny of the ruler. This study aims to analyze the philosophical nature of the Ombudsman, dissect the working mechanisms of Wilayatul Mazhalim, and formulate a formulation for repositioning the Ombudsman's functions and authorities in the future through a dialectical comparative study. This legal research uses a juridical-normative method with a statutory approach, a conceptual approach, and a comparative legal approach. The data used are secondary data obtained using library methods and data analysis is carried out using qualitative methods. The results of the study indicate that the current executive weaknesses of the Ombudsman are rooted in its low constitutional position and the Magistrate of Influence paradigm that is inadequate for Indonesian bureaucratic culture. A dialectical synthesis with Wilayatul Mazhalim offers a repositioning model in which the Ombudsman is granted "coercive" authority in the form of reversal of administrative decisions and direct sanctions. The conclusion is that repositioning the Ombudsman as an institution with imperative authority is essential to achieving substantive justice. This strengthening is achieved through constitutional amendments and the transformation of recommendations into binding decisions, in line with the spirit of civil rights protection in the Islamic legal tradition.

Keywords: Ombudsman; Wilayatul Mazhalim; Maladministration; Repositioning and Substantive Justice.

I. INTRODUCTION

Indonesia is a country that adheres to a democratic system. This means that the people have the highest power in terms of making decisions for all aspects of society, or can be called the term of the people, by the people and for the people. This is stated in Article 1 paragraph (2) of the 1945 Constitution of the Republic of Indonesia or also known as the 1945 Constitution which reads, "Sovereignty is in the hands of the people and is implemented according to the Constitution." As a democratic country, the people have the same rights and opportunities to contribute to every decision made by the government, including in terms of formulating, developing and also establishing laws (Qoroni, 2021). A democratic country is not only related to the rights of the people in every decision made by the government, but also related to the obligation for the government to provide the best service to the community as a form of returning the mandate in terms of moral and constitutional obligations. The services provided by the government to the community are often referred to as public services. Good public services are services that can fulfill the civil, political, economic and social rights of the community. In addition, innovative and efficient public services are one of the main indicators for assessing a country's progress (Thamrin, 2026). Public services that are poorly run or inefficient and lack innovation are a sign that the state is considered to have failed to respect the sovereignty of its people. This is because in every democratic country, the people are not just violators but rather citizens who have fundamental rights. This is what then becomes a challenge for the government to be able to create better public services for the community in order to achieve public welfare and also the progress of the country.

For this reason, the government, through the legislative body, formed a law on public services as one way to provide the best public services for the community. This regulation is reflected in Law Number 25 of 2009 concerning Public Services (Hamim, 2026). Article 1 paragraph (1) of Law Number 25 of 2009 concerning Public Services defines public services as activities or a series of activities in order to fulfill service needs in accordance with laws and regulations for every citizen and resident for goods, services, and/or administrative services provided by public service providers. The meaning of this article is that the

government, which has a strategic position as a public service provider, has a demand to always fulfill its responsibilities in providing public services that have guaranteed quality to fulfill the rights of the community (Zuliah, 2020). Public services, which are a form of service, whether in the form of public goods or public services, are implemented by government agencies, both central and regional, including within the State-Owned Enterprises or Regionally-Owned Enterprises, with the aim of meeting the needs of the community and implementing laws and regulations. Well-organized public services can encourage the realization of *good governance* which can also influence the achievement of community welfare. *Good governance* itself can be interpreted as good governance, in its concept *good governance*.

It is a way for the government, private sector, and civil society to collaborate in managing public resources and affairs effectively, responsibly, and transparently. In the context of a state based on the rule of law and democracy, good governance serves as a benchmark for measuring the extent to which the government is able to provide optimal public services free from corruption (Rochmansjah, 2019). *Good governance* In relation to the implementation of public services, this can be achieved if it meets the basic principles of participation, law enforcement, transparency, responsiveness, consensus-oriented, justice and inclusiveness, effectiveness and efficiency, and accountability. Without good governance, state budgets often leak (corruption), bureaucracy becomes convoluted, and community rights are often neglected. Conversely, *good governance* creating a healthy investment climate and increasing public trust in the state. If public services are not properly implemented, then *good governance* it will be impossible to achieve and instead what will happen is maladministration (Adila, 2024). Maladministration is unlawful behavior or actions, exceeding authority, using authority for purposes other than those intended by that authority, including negligence or neglect of legal obligations in the provision of public services. Simply put, maladministration is "poor governance practices" carried out by state and government officials that cause material and immaterial losses to the public. Maladministration in public services can occur in several forms, such as: (Agustina, 2018)

1. Prolonged delays, namely the service completion process taking much longer than the established time standard without a clear or valid reason.
2. Procedural deviations, namely service providers do not comply with the stages or requirements that should be carried out in providing public services.
3. Not providing services, namely completely ignoring public service requests which should be the agency's obligation to resolve.
4. Abuse of authority, namely public officials using their power for personal, group or other interests that are not in accordance with the mandate of the law.
5. Requests for compensation, namely additional costs outside the official rates set (illegal levies) or requests for compensation in the form of money, goods and services to expedite matters.

These actions can be categorized as maladministration. if carried out by state/government officials such as state-owned enterprises (BUMN), regionally-owned enterprises (BUMD), and private bodies or individuals who are tasked with organizing certain public services whose funding sources are partly or entirely from the APBN/APBD. In addition, these actions violate laws and regulations or the general principles of good governance (AAUPB) and cause harm to both individuals (citizens) and the public interest at large. So it can be interpreted that maladministration is not just a procedural error, but a form of human rights violation that distorts public justice. In order to prevent and even overcome maladministration in public services and to bridge the gap between idealism *Good Governance* and the reality on the ground, is needed independent supervisory institutions such as the Ombudsman (Handayani, 2025). The Ombudsman is a state institution that has the authority to supervise the implementation of public services. This institution acts as an independent "external supervisor" of the government and state/regionally-owned enterprises (BUMN/BUMD). The Ombudsman supervises services provided by State and Government Administrators (Ministries, Institutions, Regional Governments), State-Owned Enterprises (BUMN) and Regionally-Owned Enterprises (BUMD), Private Entities or Individuals who are tasked with implementing certain public services whose funds are sourced from the APBN or APBD.

The Ombudsman's primary duty is to receive and follow up on public reports regarding alleged maladministration, whose authority includes requesting information, conducting field investigations, and providing recommendations. These recommendations are mandatory for state administrators (Abedin, 2021). The Ombudsman adheres to several principles in carrying out its work, namely independence, non-discrimination, and free of charge. In resolving disputes between the public and the government, the Ombudsman not only uses a formal-legalistic approach, but also often uses more humanistic and collaborative methods such as bringing together the reporter and the reported to find common ground, conducting mediation, and related to the settlement of compensation in certain cases. The Ombudsman has a fairly important position and role. Without the Ombudsman, citizens are often in a weak position when dealing with complex bureaucracy or arbitrary officials. The Ombudsman exists as a "bridge" to ensure that every citizen receives their right to quality, transparent, and accountable public services (Wulandari, 2024). The Ombudsman was first established in Sweden in 1809 under the name *Justitieombudsmannen*. The Swedish Parliament established this institution as a counterweight to the King's power. The Ombudsman's role is to ensure that judges and government officials comply with the law in carrying out their duties. This institution was later adopted by several countries around the world, including Finland, Denmark, the United Kingdom, the Netherlands, and others, including Indonesia.

The purpose of establishing this institution in various parts of the world is the same, namely as a government oversight agency. Despite having the same goal, the implementation of the Ombudsman in several countries has differences because the implementation is adjusted to the patterns and concepts of each country (Podungge, 2020). The Ombudsman of the Republic of Indonesia (also known as ORI), was born from the background that in the 2000s, oversight of the bureaucracy in Indonesia was very weak due to the dominance of executive power. Although the idea of an independent oversight agency had been discussed by legal experts, control was mostly carried out internally (by the inspectorate) which was often ineffective in handling public complaints. Great momentum occurred after the fall of the New Order. President Abdurrahman Wahid (Gus Dur) responded to the demands for reform by establishing a public service oversight agency based on Presidential Decree (Keppres) Number 44 of 2000. The Ombudsman of the Republic of Indonesia was first named the National Ombudsman Commission or KON which aimed to help create conducive conditions in eradicating corruption, collusion, and nepotism and increasing the protection of people's rights in obtaining public services. KON was first chaired by Antonius Sujata, a former Deputy Attorney General (Putri, 2021). For the first eight years, KON worked solely on the basis of Presidential Decrees, which were considered legally insufficient to force government agencies to comply with its recommendations.

Therefore, a higher legal umbrella was fought for which was then formed Law Number 37 of 2008 concerning the Ombudsman of the Republic of Indonesia. Based on this law, the name of the National Ombudsman (KOMN) was changed to the Ombudsman of the Republic of Indonesia (ORI). The change from KON to ORI also brought other changes such as the Ombudsman was then designated as an independent state institution, free from interference from any power, and had representatives at the provincial level and ORI was given the authority to provide recommendations that must be implemented by state administrators. The position of the Ombudsman was further strengthened a year later with the enactment of Law Number 25 of 2009 concerning Public Services (Fadhil, 2020). The synergy between the Ombudsman and the Public Services Law brought several changes such as this law placing the Ombudsman as the main external supervisor and the public was given a clear legal path to Reporting maladministration is mandatory, and government agencies are required to have clear service standards. Currently, the Indonesian Ombudsman continues to evolve to reach a wider audience by establishing representative offices across Indonesia's 34 provinces. Furthermore, in terms of problem-solving, the Ombudsman has begun prioritizing more collaborative approaches, such as mediation and conciliation, to expedite the resolution of public complaints without lengthy bureaucratic processes.

The existence of the Indonesian Ombudsman itself signifies the government's commitment to shifting from a closed model of power to good governance. (*Good Governance*) which places the people as the subject of service, not merely an object of bureaucracy (Endah, K., & Vestikowati, 2021). The

Ombudsman of the Republic of Indonesia has entered its 26th year since its establishment in 2000. In its 26 years of existence, the Ombudsman has not escaped various criticisms aimed at this institution. The sharpest criticism is regarding the nature of the Ombudsman's Recommendations. Unlike court decisions, Ombudsman recommendations are often considered merely moral appeals. Although Law No. 37 of 2008 states that recommendations are "mandatory to be implemented", in practice many government agencies (reported) ignore them without fear of severe sanctions. Sanctions for officials who do not comply with recommendations are often only administrative sanctions from their own superiors, which often leads to impunity or mutual protection between officials. Another frequent criticism of the Ombudsman of the Republic of Indonesia is regarding limited Human Resources.

The number of Ombudsman assistants is not commensurate with the area and the number of public reports received each year. This often leads to a backlog of reports (*backlog*). Although there are representative offices in 34 provinces, reach to remote districts/cities remains very limited (Nurtjahjo, 2017). Communities in remote areas often do not know how to access the Ombudsman. Another criticism relates to budget independence. Although institutionally independent, the Ombudsman remains dependent on government allocations (the state budget) administratively and budgetarily. This criticism stems from concerns about the institution being "tamed" through budget restrictions if the Ombudsman is too vocal in criticizing strategic government policies. Globally, the Ombudsman model is often caught in a dilemma between independence and execution. In Indonesia, the numerous reports not followed up by the reported agencies demonstrate that moral legitimacy alone is insufficient. An in-depth analysis is needed to identify the philosophical roots of oversight that is not merely administrative but also possesses the power of fair intervention. This is where it is important to revisit the long history of oversight of power in other legal traditions with strong theological and sociological roots (Cahyani, 2022). During the period 2020 to 2025, the Ombudsman received 40,027 public reports regarding the performance of Regional Governments. This places local governments as the most frequently complained-about institution. A total of 16,687 reports, or 41 percent, involved complaints about local government services related to agrarian or land administration, electronic identity cards, birth certificates, or family cards.

After local governments, the Indonesian National Police (Polri) ranked second with the most public complaints (13.47 percent), followed by ministries or institutions (9.71 percent), the National Land Agency (7.77 percent), and State-Owned or Regional Enterprises (BUMN/BUMD) with 7.55 percent. The Ombudsman has resolved 36,947 reports through clarification, consolidation, and mediation. Another 3,080 reports are still in the process of being resolved. From these public reports, the Ombudsman has issued 34 recommendations to ministries, institutions, and regional heads. However, only 12 recommendations have been fully implemented, and the remainder have not met expectations (Heruyanto, 2021). Some examples of cases of recommendations from the Republic of Indonesia Ombudsman that were not implemented properly are: (Pratomo, 2023)

1. A complaint alleging plagiarism in a scientific paper was filed by Halu Oleo University Rector Muhammad Zamrun Firihi. At the time, the Ombudsman recommended that former Minister of Research, Technology, and Higher Education Mohammad Nasir create a policy governing plagiarism by rectors and professors at universities. However, Nasir ignored this request.
2. Public complaints regarding compensation for land for a public cemetery in East Jakarta by the DKI Jakarta Provincial Government since 2014. The DKI Jakarta Provincial Government stated that it could not pay because the complainant's documents were incomplete or questionable. Furthermore, the DKI Jakarta Provincial Government was also unable to provide documentary evidence that the land had been acquired or paid for. However, the complainant's land had already been used for hundreds of graves.
3. Maladministration in the issuance of building permits (IMB) by the Tana Toraja Regency Government based on the Decree of the Regent of Tana Toraja Number: 171/648.DPTR/V/2007 since 2014. There was also maladministration in the issuance of the Construction Activity Permit for the Lexington Residence Apartment (Wisma Susun), South Jakarta, in 2016.

In addition to these cases, there are also several other issues related to the recommendations of the Indonesian Ombudsman, which have not been properly implemented by the relevant agencies. This indicates

that the Ombudsman's recommendations do not yet have the binding executive power of a court decision. The existence of the Ombudsman institution, both in countries around the world and in Indonesia, is inseparable from the existence of Islam. Long before the Western concept of the Ombudsman became popular, Islamic civilization already recognized *Wilayatul Mazhalim*. This institution is not merely a supervisory body, but rather a special court with executive-judicial authority to prosecute state officials who act arbitrarily. In the history of Islamic civilization, the institution most closely related to the Ombudsman is *Wilayatul Mazhalim* (Institution for Handling Injustice). Different from ordinary courts (*Qadhi*), *Wilayatul Mazhalim* has the authority to prosecute high-ranking officials, governors, and even members of the royal family who commit maladministration. While modern Ombudsmen often only make recommendations, the *Wilayatul Mazhalim* has the executive power to immediately overturn the decisions of unjust officials and restore the people's rights.

Based on the description, it is known that between the Ombudsman of the Republic of Indonesia and *Wilayatul Mazhalim*. Both institutions are related to oversight of public services, but they differ, particularly in their executive powers and recommendations. The main focus of this research is to find a new synthesis in an effort to reposition the Ombudsman's function. By analyzing the mechanisms *Wilayatul Mazhalim*, this research attempts to formulate a more integrative strengthening of the Ombudsman's authority within the Indonesian national legal system, which is sociologically heavily influenced by Islamic legal values. Therefore, the researcher chose the title "Repositioning the Ombudsman's Function in the National Legal System: A Dialectical Comparative Study with the *Wilayatul Mazhalim* Institution in the Contemporary Era." This research addresses the following issues: how is the philosophical nature and legal position of the Ombudsman in the current Indonesian constitutional system related to the effectiveness of public service oversight? And how should the future repositioning of the functions and authorities of the Ombudsman of the Republic of Indonesia be formulated so that it has more imperative legal force in prosecuting maladministration?

II. METHODS

This research uses a normative juridical method, a type of legal research that positions law as a system of norms. The normative system in question concerns the principles, norms, and rules of legislation, court decisions, and the doctrines (teachings) of legal experts (Suyanto, 2022). This type of research is conducted based on secondary data (Huda, 2021). This research uses a legislative approach, a conceptual approach, and a comparative approach. The statutory approach (*statute approach*) is conducted by examining all relevant regulatory laws related to the problem being addressed. The Statutory Approach utilizes legislation and regulations (Kadarudin, 2021). The conceptual approach stems from the views and doctrines developed within legal science. By studying these views and doctrines within legal science, researchers discover ideas that give rise to legal definitions, legal concepts, and legal principles relevant to the issue at hand. Understanding these views and doctrines is the basis for researchers in building a legal argument in solving the issues faced (Lasiyono, 2024).

A comparative approach in legal research is a method for comparing legal systems or regulations from two or more countries to identify similarities and differences in order to answer a legal problem. The goal is to understand a legal issue more broadly, to find the best solution (Adriaman, 2024). The data used in this study is secondary data, secondary data is a type of data collection by studying scientific literature and also all legal regulations in order to obtain a theoretical basis to answer every question in the problem that arises. In the secondary data used there are several legal materials, namely primary legal materials, secondary legal materials and tertiary legal materials (Syahrum, 2022). In collecting data, using the library method, namely using written legal sources for example legislation, books, scientific notes, seminar papers, journals and other related readings to discuss a problem. The objectives of this study will be obtained from secondary data. While data analysis is carried out using qualitative methods. This qualitative research is different from quantitative research which has analysis in the form of values, charts. Statistics and so on (Kristiawanto, 2024)

III. RESULTS AND DISCUSSION

A. The Philosophical Nature and Legal Position of the Ombudsman in the Constitutional System Indonesia is currently linked to the effectiveness of public service oversight.

1. The Journey of the Ombudsman Institution in the World

The Ombudsman was first introduced in Sweden. The term Ombudsman comes from Swedish, meaning "representative." The historical roots of the modern Ombudsman can be traced back to the term "*Ombudsman Justice*" (*Ombudsman for Justice*) which was founded in Stockholm, Sweden, in 1809. The term Ombudsman initially referred to a person, not an institutional figure. However, when Sweden established the Ombudsman Institution almost 200 years ago, the official meaning of Ombudsman refers to a state institution tasked with protecting individual interests from violations committed by other state institutions (Nurtjahjo, 2017). Historically, the Ombudsman was first established by Sweden, namely during the reign of King Charles XII around 1713. In ancient Scandinavian language, namely *ombud* which means representative, whose first task is to receive complaints from citizens regarding the performance of the royal apparatus, and in the second period is tasked with representing the reports of the complainants in court which are of a legal nature. *projustitia* and was previously often referred to as a legal representative/ lawyer. Over time, the Ombudsman has become a parliamentary organ responsible for overseeing the executive branch as state administrators by issuing legal recommendations and also having the authority to conduct conciliation and mediation. Therefore, in Sweden, the term "Ombudsman" is used. *Riksdagens Ombudsman* or Parliamentary Ombudsman (Saragih, 2020).

The existence of the Ombudsman in Sweden implies that the Ombudsman institution was established by and is accountable to Parliament. However, its primary task is to protect the individual rights of Swedish citizens from violations committed by both government officials and law enforcement officials in that European country. For more than a century, this institution existed almost exclusively in Sweden. However, after World War II, the need for citizen protection against increasingly complex bureaucracies increased rapidly. This is evidenced by the emergence of Ombudsman institutions in several countries around the world (Fadhil, 2020). In 1919, Finland became the second country to adopt this Ombudsman system. Finland plays a crucial role in the history of power oversight because it was the second country in the world (after Sweden) to adopt the Ombudsman system. This institution is known as *Parliamentary Ombudsman* (*Oikeusasiamies*). Finland established an Ombudsman in 1919, shortly after gaining independence and adopting a republican form of government. Finland's Ombudsman system is often considered one of the best in the world due to its high level of transparency and public trust (Nurtjahjo, 2017). Denmark was the next country to adopt the Ombudsman system. In 1955, Denmark established an Ombudsman, which became a model for other modern democracies due to its simpler procedures. The history of the Ombudsman in Denmark represents a significant milestone in the evolution of global oversight institutions. While Sweden was the inventor of the concept, Denmark perfected and popularized the modern Ombudsman model worldwide.

The Danish Ombudsman is known as *Folketingets Ombudsmand* (Danish Parliamentary Ombudsman) (Hartono, 2016). New Zealand holds a very special historical record in the development of global oversight institutions. It was the first country outside Europe and the first English-speaking country to adopt an Ombudsman system in 1962. After World War II, New Zealand experienced massive bureaucratic growth. The government was involved in almost every aspect of citizens' lives, from housing to social security. Concerns arose that ordinary citizens lacked the power to challenge wrong or unfair administrative decisions. Legal experts in New Zealand then began to look at the newly successful "Danish Model." They saw that this model was more suitable for countries with a Westminster parliamentary system than the highly legalistic Swedish model. This became the forerunner to the establishment of *Parliamentary Commissioner* (Ombudsman) in New Zealand (Putri, 2021). Around the 1960s and 1970s, this was the period when other countries around the world began to develop their own Ombudsman institutional systems. The period from the 1960s to the 1970s is often referred to as the "Ombudsman Boom Era" (*The Ombudsman Explosion*). In the past two decades, the Ombudsman institution has transformed from a unique Scandinavian concept into a global standard for modern democracies and developing countries.

Before 1960, many legal experts in countries with democratic systems *Common Law* (Like Britain and its colonies) doubted whether the Ombudsman could be implemented outside Scandinavia. However, this decade has dispelled these doubts (Heruyanto, 2021). The existence of the Ombudsman institution has also developed in Indonesia. The history of the Ombudsman in Indonesia is an inseparable part of the spirit of the 1998 Reformation. After decades under a centralistic regime, an urgent need arose for an independent oversight body to eradicate corruption, collusion, and nepotism (KKN) and improve poor public services. This institution was not established directly through law, but through Presidential Decree (Keppres) Number 44 of 2000, signed by President Abdurrahman Wahid (Gus Dur) on March 10, 2000 (Hartono, 2016). In March 2000, KH Abdurrahman Wahid issued Presidential Decree Number 44 of 2000 concerning the National Ombudsman Commission, so that from that moment, Indonesia entered a new chapter in the supervisory system. Thus, since the enactment of Presidential Decree Number 44 of 2000 on March 10, 2000, the Indonesian Ombudsman Institution was established under the name of the National Ombudsman Commission. During the initial period of its formation during the era of KH Abdurrahman Wahid, the Ombudsman was formed with two objectives. First, the Ombudsman was formed to help create and/or develop conducive conditions in the process of eradicating corruption, collusion, and nepotism, by involving public participation.

Second, is to increase protection of the rights of the community in obtaining better public services, justice, and welfare (Hartono, 2016). At the beginning of its formation, the Ombudsman of the Republic of Indonesia had the name National Ombudsman Commission or abbreviated as KON. This institution aims to help create a clean and efficient government apparatus and provide legal protection for citizens from maladministration. A well-known figure within this KON is Antonius Sujata, SH, a former Deputy Attorney General who was later appointed as the first Chairman of KON. After eight years of operating solely on the basis of a Presidential Decree, which was considered weak in terms of legal hierarchy, the legislature finally passed Law Number 37 of 2008 concerning the Ombudsman of the Republic of Indonesia. This law also brought about several changes within the Ombudsman itself, such as the change of name from the National Ombudsman Commission (KON) to the Ombudsman of the Republic of Indonesia (ORI). The Ombudsman of the Republic of Indonesia became an independent state institution, free from interference from any power, and with a permanent structure down to the regional level (provincial representatives). The Law Number 37 of 2008 provides a stronger mandate to carry out forced summons, examine documents, and provide recommendations that must be followed up by government officials (Abdussamad, 2021).

2. Philosophical Essence: Ombudsman as *The People's Defender*

The philosophical essence of the Ombudsman in the Indonesian state system is a manifestation of a shift in the paradigm of power: from being served by the ruler to being a servant of the people (*servant of the people*). In depth, the existence of the Ombudsman is not merely a complementary institution, but rather a moral pillar in a democratic state of law. The existence of the Ombudsman in Indonesia is philosophically rooted in the ideals of a state of law (*State Law*) democratic, where power must not operate without supervision (*checks and balances*). The Ombudsman exists as a manifestation of the protection of citizens' rights to excellent public services. Its essence is to bridge the imbalance in power relations between the state (bureaucracy) which has authority and the people who are often the objects of policy. Ontologically, the Ombudsman not only oversees positive law, but also oversees "administrative morality." The Ombudsman seeks justice beyond rigid legal texts, ensuring that officials' actions are not only legal (*lawful*), but also proper and ethical (*fairness*) (Murad, 2019). The Ombudsman was born from the idea that in a democracy, the people are the ones who give the mandate. The government derives its power from the people with the promise of providing welfare and services. The Ombudsman exists as an instrument to ensure that the bureaucracy does not betray this social contract through maladministration.

It serves as a voice for the voiceless (*voice of the voiceless*) when faced with a thick wall of bureaucracy. Philosophically, the Ombudsman of the Republic of Indonesia is an independent supervisory institution which is a "pillar of protection" for citizens' rights from maladministration (poor service, inappropriateness) by government officials, in accordance with the principles *good governance*. Legally, the Ombudsman is positioned as a non-structural state institution that is permanent, independent, and free from

interference from other powers, which was established based on Law No. 37 of 2008. In supervising public services, the Ombudsman is effective as *Magistrate of Influence* (authority of influence) to encourage improvements in the quality and responsiveness of the bureaucracy, although the authority to execute recommendations is often persuasive, not coercive, which is a challenge to its effectiveness (Dwiyanto, 2018). The Ombudsman is independent, not tied to government agencies, and acts on public complaints to prosecute maladministrative behavior. The Ombudsman acts as *Magistrate of Influence*, which influences changes in bureaucratic work culture from slow to responsive and transparent. The Ombudsman improves service quality by investigating allegations of maladministration, such as prolonged delays, failure to provide services, or injustice.

The results of supervision are in the form of recommendations that must be implemented by the reported party, which has been proven to significantly improve public service (Gusnia, 2023). Unlike the judiciary, which has the power *Magistracy of Imperium* (the power to force/punish), the Ombudsman philosophically works based on *Magistracy of Influence*. The Ombudsman's effectiveness lies not in its ability to imprison people, but in the moral weight and objective truth of its recommendations. The Ombudsman's function is to persuasively improve the system. Its philosophy is to "cure" ailing bureaucracies, not simply punish their officials. The Ombudsman balances the relationship between the state (service provider) and citizens (service recipients), ensuring that the state is accountable for fair and non-discriminatory services. In addition to taking action, the Ombudsman actively undertakes preventative measures such as compliance surveys and education to minimize maladministration early on. Although it does not impose judicial sanctions, the Ombudsman's recommendations are legally binding under Law No. 37 of 2008 and Law No. 25 of 2009, and if ignored, they can be reported to the House of Representatives/President. Thus, the Ombudsman is very effective as an agent of change in strengthening clean and responsible governance (*clean and good governance*) (Nuswardani, 2019). The effectiveness of the Ombudsman's supervision currently often clashes with sociological and legalistic realities in Indonesia. Philosophically, the Ombudsman is the highest external supervisor of public services, but legally, its recommendations are often considered to have no executive binding power (*non-executable*).

This matter This creates an effectiveness gap where the reported agency can choose to ignore suggestions for improvement without immediate legal consequences. To increase effectiveness, a philosophical shift is emerging from a confrontational approach (formal investigation) to a proactive-participatory (pro-participatory) approach. The philosophy is to resolve disputes by involving the active participation of both parties to achieve a mutually beneficial outcome. *win-win solution* This is considered more effective in improving public services than simply issuing recommendations that end up in officials' desk drawers (Sinambela, 2016). In the Indonesian constitutional system, the Ombudsman is the guardian of the General Principles of Good Governance (AAUPB). Often, administrative rules are formally correct, but substantively unjust. This is where the Ombudsman's philosophical essence operates: looking beyond procedural texts to ensure that justice for citizens is truly realized. Based on this description, it can be interpreted that the Ombudsman's philosophical essence is as a balancing institution that ensures that human dignity is upheld in every state administrative action. Its effectiveness currently depends heavily on *Political Will* government to submit to supervision, public legal awareness to dare to report, and innovation in report resolution methods (such as mediation) that are more adaptive to Indonesia's legal culture. The effectiveness of the Ombudsman should not only be measured by the number of officials sanctioned, but also by the extent of systemic change that occurs in public service agencies after being monitored.

3. Legal Position of the Ombudsman: State Institution *Auxiliary* the Independent

The legal position of the Ombudsman of the Republic of Indonesia (ORI) within the current constitutional system is the result of efforts to strengthen its independent oversight function outside the executive, legislative, and judicial branches of power. This position has direct implications for its effectiveness in overseeing public services. In Indonesia's constitutional structure following the amendments to the 1945 Constitution, the Ombudsman occupies a unique position as a State Institution (Sampiran). *State Auxiliary Bodies*) where the Ombudsman is outside the executive, legislative, and judicial branches to maintain its independence. Based on Law No. 37 of 2008, the Ombudsman is an independent state institution

and free from interference by other authorities (Agustina, 2018). Ombudsman, even though its function is very vital in a democratic country, the position of the Ombudsman in Indonesia is often considered "weak" hierarchically because it is only regulated by law, not explicitly mentioned in the 1945 Constitution (unlike the KY, KPU, or BPK). This often affects the degree of compliance of other state institutions to it. Although not explicitly mentioned in the body of the 1945 Constitution, its existence is mandated by the spirit of Article 28I paragraph (4) concerning the responsibility of the state (especially the government) in protecting and fulfilling human rights through good public services.

Based on Law No. 37 of 2008, the Ombudsman is a state institution that is independent and free from interference from other powers. It is not under the President (executive) although this is often assumed. This independent legal position creates a complex relationship with the effectiveness of its oversight in the field. Because it is not subordinate to the executive hierarchy, the Ombudsman has the moral authority to audit any agency, from the sub-district level to the ministry. This provides effectiveness in terms of objectivity in assessing maladministration. Legally, the Ombudsman has the authority to issue recommendations. However, this is where its effectiveness is weak. The Ombudsman's recommendations are mandatory (*legally binding*), but the Ombudsman lacks enforcement instruments (such as prosecutors or bailiffs) to coerce disobedient officials. Law No. 37/2008 relies on administrative sanctions from the reported party's superiors. If those superiors are also uncooperative, the effectiveness of oversight is hampered by the loyalty of the bureaucratic corps (Ridwan, 2020). The issue of the effectiveness of public service supervision by the Ombudsman currently centers on the nature of "The coercive power" of its legal products. Traditionally, the Ombudsman operates through moral influence and persuasive argumentation. The end result is a recommendation. Philosophically, this aims to encourage the bureaucracy to improve itself out of legal awareness, not fear.

In practice in Indonesia, this recommendation is often perceived as an administrative weakness. Many reported agencies ignore ORI recommendations due to the lack of direct, punitive sanctions. Or executive. When recommendations are not followed and the Ombudsman lacks adequate coercive tools, the authority of state institutions is undermined. This creates opportunities for chronic maladministration that harms civil rights. The effectiveness of the Ombudsman's oversight currently depends heavily on "political will" (*political will*) government. Without a strong repositioning—whether through strengthening administrative sanctions or integration with the judicial system—the Ombudsman will continue to be trapped as a "paper tiger" capable of identifying bureaucratic ills but struggling to provide effective remedies. The Ombudsman's current legal position demonstrates an imbalance between its significant responsibility (overseeing all public services) and its limited authority (only recommendations). Philosophically, if the Ombudsman remains merely an advisory institution without stronger binding power, the ideals of substantive justice in public services will be difficult to achieve amidst a still-paternalistic bureaucratic culture (Begouvic, 2022). Recognizing the limitations of its legal position, which lacks physical coercive power, the Ombudsman has shifted its approach to maintain its effectiveness. The Ombudsman now employs a more proactive and participatory approach. By positioning itself as a neutral mediator (rather than simply an auditor), the Ombudsman is more effective in convincing government agencies to voluntarily improve their services for the sake of their own image. The Ombudsman's effectiveness often depends on public support. By publicizing non-compliant agencies (through annual reports to the House of Representatives and the President), the Ombudsman uses social pressure as a substitute for legal coercion. The Ombudsman's legal position is currently very strong from a regulatory perspective, but it still needs strengthening in terms of compliance.

The effectiveness of public service oversight in Indonesia depends heavily on:

- a. Regulatory Harmonization: The need for more concrete sanctions in the Public Service Law for officials who ignore the Ombudsman's findings.
- b. Political Support: Commitment from the President and the DPR to seriously follow up on the Ombudsman's report in ministerial working meetings.

c. **Bureaucratic Awareness:** Change in the mindset of officials that Ombudsman supervision is an aid to system improvement, not a threat.

Normatively, the position of the Ombudsman is a guardian *Clean Government*. However, empirically, its effectiveness is still often tested by the strong ego of the bureaucracy sector which has not fully submitted to external supervision. Based on the description, it can be understood that basically the Ombudsman of the Republic of Indonesia has attempted to carry out its duties in terms of supervising the performance of the government in implementing public services for the community. However, it can be realized that the products of the Ombudsman are only recommendations that do not have the executive power of a court decision, although currently the Ombudsman has used mediation with a *propartif* model, but the reality in the field, this has not been able to provide coercive power for the agency given the recommendation. Therefore, the researcher believes that it is necessary to formulate a repositioning of the function and authority of the Ombudsman of the Republic of Indonesia in the future so that it has more imperative legal power in taking action against maladministration.

B. Formulation of Repositioning the Functions and Authorities of the Republic of Indonesia Ombudsman in the Future

The Future to Have More Imperative Legal Power in Dealing with Maladministration

1. **Implementation of the Functions and Authorities of the Ombudsman of the Republic of Indonesia in the Current Era** The implementation of the functions and authority of the Ombudsman of the Republic of Indonesia (ORI) is currently in a transformation phase, from merely a "receiver of reports" to a "driver of systemic improvement." Although the regulations are normatively strong, implementation in the field faces a complex dynamic between legal mandates and bureaucratic resistance. Traditionally, the Ombudsman worked reactively (waiting for reports). However, there is currently a shift towards being proactive. The Ombudsman is now more frequently conducting investigations without public reports, especially on systemic issues such as fertilizer shortages, forest and land fires, or the chaos surrounding new student admissions (PPDB). Every year, the Ombudsman conducts a simultaneous survey in ministries, institutions, and local governments.

The results of the "Compliance Predicate" (Green, Yellow, Red) is now a key performance indicator (KPI) for many regional heads (Mahsyar, 2025). The Ombudsman's primary authority is to issue recommendations. In its current implementation, the Ombudsman faces challenges. *enforceability*. The Ombudsman no longer simply sends out recommendation letters and calls it a day. Now, there's a dedicated unit that periodically monitors the implementation of recommendations. Because it does not have the power of physical coercion (execution), the Ombudsman maximizes its reporting authority to the DPR and the President. Agencies that are stubborn will be announced to the public, which is politically much more feared by public officials than ordinary administrative sanctions (Nurtjahjo, 2017). One of the most significant implementations currently is the use of the Mediation Model. *Proactive-Participatory* (Propartive). The goal is to resolve public service disputes quickly through dialogue, rather than mere legal arguments. This method has proven more effective in resolving cases that have been stalled for years because it prioritizes technical solutions rather than simply blaming officials. Despite progress, several real obstacles remain, such as: (Anonymous, 2024).

a. Many agencies still consider the Ombudsman as a "bully" or "fault finder" rather than a partner in improvement.

b. The scope of supervision at the district/city level is still hampered by the limited number of assistants compared to the increasing volume of reports.

c. The Ombudsman is currently struggling to oversee digital-based services (applications) that are often "blank" or unresponsive, where maladministration shifts from a human face to a system face (algorithm).

d. In dealing with maladministration issues, often the recommendations issued do not have strong coercive power. This is because there is no legal certainty surrounding it, so that the resolution of maladministration does not appear to be running well.

The use of the Propartive Mediation Model (Proactive-Participatory) has accelerated the resolution of reports that were previously deadlocked (*deadlock*) due to formalistic procedures. The Ombudsman has successfully handled various crucial sectors, from land, police, education, to social security. However, in this case there are still weaknesses, namely in some provincial representative offices, the number of assistants is not commensurate with the explosion of public reports, resulting in a pile of unresolved files. Sometimes the resolution of reports is only "administrative" (procedures are completed), but does not touch on systemic improvements to prevent the same problem from recurring in the future. Ombudsman recommendations are legally mandatory. However, because the Ombudsman does not have direct execution authority (such as confiscation or arrest), the level of compliance of the reported agency still depends on *political will*superiors of the agency. Sanctions for officials who ignore recommendations are still limited to administrative sanctions, which are often not implemented by personnel supervisors at the relevant agencies. Therefore, based on these weaknesses or obstacles, the Ombudsman needs to strengthen more concrete sanctions for parties who do not comply with recommendations, increase the number of expert assistants in the regions to reduce the number of reports, and collaborate more closely with institutions such as the Corruption Eradication Commission (KPK) and the Supreme Audit Agency (BPK) so that findings of maladministration that have the potential for corruption can be followed up criminally.

2. The Functions and Authorities of the Ombudsman of the Republic of Indonesia in Comparison with Institution *Wilayatul Mazhalim* in the Contemporary Era Comparison between the Ombudsman of the Republic of Indonesia (ORI) and *Wilayatul Mazhalim* (The Institution for Complaints of Injustice) provides an interesting perspective on how universal values of justice are implemented in the modern legal system and the Islamic legal system (*Sharia Law*). Both essentially share the same fundamental mission: protecting citizens from the arbitrariness of those in power, but they have different historical roots and operational mechanisms. Here's a comparison: (Saragih, 2020)

Table 1.1. Comparison of the Ombudsman of the Republic of Indonesia with *Wilayatul Mazhalim*

No	Comparator	Ombudsman of the Republic of Indonesia	Wilayatul Mazhalim
1	Historical Roots and philosophical	Born in Sweden in 1809. Philosophically rooted in the principles of Modern Democracy and <i>Checks and Balances</i> . Serves as a mouthpiece for the people against rigid bureaucracy.	Rooted in the tradition of Islamic law, which peaked during the Umayyad and Abbasid Caliphates, it is philosophically based on the religious command to uphold justice (<i>Al-'Adl</i>) and prevent injustice carried out by powerful state officials.
2	Nature of Institutions	Independent supervisory body (Persuasive).	A semi-judicial institution with executive authority (Executive-Judicial).
3	Power of Decision	In the form of a recommendation. It has no physical coercive power but does have moral/political weight.	In the form of an Executorial Decision. It has direct coercive power (can confiscate assets or dismiss officials).
5	Scope	Focus on Maladministration (procedures, delays, public services).	Focus on injustice (Mazhalim), abuse of authority, and agrarian/tax disputes.
6	Accessibility	It is very open, the procedures are flexible (informal), and there is no cost.	Requires a more formal evidentiary process like a trial, but is still faster than a regular court.
7	Excess	Highly adaptable to modern democratic systems. It prioritizes persuasive and mediation approaches such as the Propartive Model) that systematically improve the system without creating high political tensions.	It possesses extremely powerful "fangs." Its decisions are final and binding, capable of even overturning decisions by high-ranking officials or ordering the seizure of illegally seized state assets.
8	Lack	Often considered a "paper tiger" because its recommendations are often ignored by agencies with strong sectoral egos, due to the lack of direct execution authority.	In contemporary contexts (such as in Saudi Arabia or Morocco), its independence is often questioned if the institution remains under the direct control of the ruler. (King/President).

Based on this comparison, it can be interpreted that the Ombudsman is a democratic version of *Wilayatul Mazhalim*, whereas *Wilayatul Mazhalim* is the authoritative version of the Ombudsman. In the Indonesian legal system, the strengthening of the Ombudsman to have a stronger binding force (such as the spirit of *Wilayatul Mazhalim*) is the key to creating a public service that is truly free from bureaucratic injustice. The combination of the spirit of "courage to execute" from *Wilayatul Mazhalim* The "independence" of the Indonesian Ombudsman is an ideal ideal for public service oversight in Indonesia. Ombudsmen in Muslim countries (including Indonesia) are not simply imitating the West, but rather reinventing the classic

complaint court institution that was once successful in the past. Adopting the Ombudsman with the spirit of *Wilayatul Mazhalim* means giving "heart" to a cold bureaucracy and giving "teeth" to supervision that has so far been considered toothless.

3. Formulation of Repositioning the Functions and Authorities of the Republic of Indonesia Ombudsman in the Future This repositioning is based on the "Pragmatism-Theological" paradigm, namely combining the modern administrative law system with the imperative firmness of the institution. *Wilayatul Mazhalim*. Formulation of the repositioning of the Ombudsman of the Republic of Indonesia by adopting the spirit *Wilayatul Mazhalim* is a strategic step to transform this institution from merely a "moral advisor" (*Magistracy of Influence*) to become a supervisory institution that has legal "fangs" (*Magistracy of Power*).

The following are several things that can be proposed as a repositioning formulation:

a. Reconstruction of Position: From *State Auxiliary* to *State Oversight*

Theoretically, the Indonesian Ombudsman is currently positioned as a supporting state institution (*state auxiliary body*). Reposition with the spirit *Wilayatul Mazhalim* demanding strengthening of position. As *Qadhi al-Mazhalim* which is directly responsible to the highest authority holder (Head of State) but cannot be intervened, the Ombudsman must have its budget autonomy strengthened so that it is not "held hostage" by the ministry it supervises. Adopting the nature *Wilayatul Mazhalim* The Ombudsman not only issues recommendations but also has the authority to determine that an official's actions constitute "Administrative Injustice" that must be annulled by law.

b. Formulation of Authority: Towards an Executorial Decision

The Indonesian Ombudsman's weakness is the non-executory nature of its recommendations. This repositioning offers a new formulation, namely adopting the principle *Wilayatul Mazhalim* where supervisory decisions have coercive power. The Ombudsman's recommendations must be repositioned as Final Administrative Decisions unless overturned by the State Administrative Court. The Ombudsman is authorized to suspend or annul decisions by public officials found to have committed gross maladministration. before the losses to society become more widespread.

c. Methodological Transformation: Strengthening the Propartive Model

The Proactive-Participatory (Propartive) model currently used is a real form of internalization of the spirit *Wilayatul Mazhalim* The formulation of this strengthening is that the Ombudsman is given broader investigative powers (not just verification), including forced access to confidential state documents if systemic maladministration is suspected. This is not merely a matter of seeking a "middle ground" (compromise), but rather ensuring the full restoration of citizens' rights that have been violated (*restoration of rights*).

d. Imposing direct sanctions

In *Wilayatul Mazhalim*, judges have the authority to impose direct sanctions. The Ombudsman's repositioning formula could include requiring the reported official's superior to impose disciplinary sanctions in accordance with the Ombudsman's recommendations. Failure to do so would be considered a violation of the law (*insubordination*) which can be acted upon by the President or the DPR. The authority to impose direct fines on agencies proven to have deliberately carried out prolonged delays (*undue delay*). The Ombudsman must have the authority to impose administrative sanctions on officials who contravene the Ombudsman. Sanctions can range from recommendations for temporary dismissal, postponement of promotions, to administrative fines deducted directly from official allowances. This aligns with the Ombudsman's function. *Muhtasib* (supervisor) who *hasta'zir authority* (educational punishment) for violators of public order without having to wait for a long judicial process.

e. Transformation of Legal Products: From Recommendations to Executorial Decisions

Changing the nature of "Recommendations" in Law Number 37 of 2008 to a "Maladministration Decision" which is final and binding (*binding*). If within 60 days the reported agency does not carry out corrective action, the Ombudsman is given the authority to issue Direct Administrative Execution. As *Wilayatul Mazhalim* who has the right to directly cancel contracts or decisions of officials, the future Ombudsman must have the authority to cancel administrative decisions that are proven to contain serious maladministration.

f. Integration of Monitoring System: "*Single Board of Oversight*"

Establishing an integrated system between the Ombudsman and law enforcement agencies (the Corruption Eradication Commission, the National Police, the Prosecutor's Office), and the courts (the State Administrative Court). Any Ombudsman finding that contains elements of corruption or criminal activity automatically becomes sufficient preliminary evidence for investigators. Conversely, PTUN decisions that are not executed by officials can be immediately taken over by the Ombudsman. Creating a single door to justice for the public (*One-Stop Justice*) as the concept of one-roof justice in the classical Islamic legal tradition.

g. Strengthening the Function of Propartive Mediation Based on Reconciliation

Even though it is strengthened with coercive powers, the Ombudsman still maintains its mediation function but with a Propartive Mediation model (*Proactive-Participatory*) which is stronger. Mediation does not only look for a middle way, but ensures complete restoration of the victim's rights (*Restorative Justice*). In Islam, this is known as *Reconciliation* which aims to eliminate *Dharar* (danger/loss) experienced by the community.

IV. CONCLUSION

Based on the analysis of the philosophical nature and legal position of the Ombudsman of the Republic of Indonesia (ORI), the following conclusions can be drawn. Philosophically, the Ombudsman is a manifestation of the sovereignty of the people whose duty is to maintain bureaucratic morality and substantive justice (*The People's Defender*). However, ontologically, there is a wide gap between this noble task and the legal instruments at its disposal. The Indonesian Bureau of Investigation (ORI) is burdened with the moral responsibility to eradicate administrative injustice, but is only equipped with persuasive authority (recommendations), which in practice is often not strong enough to penetrate the wall of bureaucratic impunity. ORI's legal position as a state institution *auxiliary* ((Sampiran) which is based solely on law (not explicitly on the constitution) places it in a politically vulnerable hierarchy. The absence of the Ombudsman's name in the 1945 Constitution weakens this institution's bargaining power when confronted by executive or judicial institutions that feel they have greater constitutional legitimacy. This has direct implications for low level of compliance with the Ombudsman's legal products. The failure of the Western Ombudsman model which relies solely on moral influence (*Magistrate of Influence*) in the context of Indonesian bureaucracy demands a new synthesis. This is where the relevance of Islamic civilization lies through the concept *Wilayatul Mazhalim*, which offers both moral integrity and executive power.

The philosophical essence of supervision must be returned to the principles of Amanah and Mas'uliyah, where Supervisory institutions should not only suggest the truth, but must be able to uphold justice imperatively. Based on the repositioning formulation that has been explained, strategic conclusions can be drawn regarding the future of the Ombudsman of the Republic of Indonesia (ORI). The formulation of the repositioning of the Ombudsman's function in the future must shift from the paradigm *Magistrate of Influence* (moral influence) towards *Magistrate of Sanction* (coercive power). This does not mean eliminating the Ombudsman's mediative nature, but rather giving it legal teeth through the attribution of clear executive authority. Without imperative power, the Ombudsman will only be an institution for recording complaints without the ability to truly restore citizens' rights. The future formulation of the Indonesian Ombudsman finds its roots in the values of Islamic civilization, particularly the principle of *Al-Amanah* and *Al-Mas'uliyah*. This repositioning adopts a firmness *Wilayatul Mazhalim* in directly correcting the tyranny of the authorities, while remaining within the corridors of a modern democratic system. This integration creates a unique oversight model: procedurally modern, yet possessing a very strong spirit of substantive justice. The future Ombudsman is formulated not as an isolated institution, but rather as a center of gravity for public service oversight directly linked to administrative, civil, and criminal sanctions. Thus, any finding of maladministration will have cascading legal implications and provide a deterrent effect (*deterrent effect*) for state administrators.

V. ACKNOWLEDGMENTS

1. For the legislators (DPR and President)

Revise Law No. 37 of 2008 concerning the Indonesian Ombudsman and Law No. 25 of 2009 concerning Public Services. The main points of the revisions should focus on transforming Recommendations into Final and Binding Administrative Decisions, as well as granting direct administrative sanctions to officials found guilty of gross maladministration.

2. For the Ombudsman Institution of the Republic of Indonesia

Conducting an in-depth internal study of the principles of *Siyasah Syar'iyah* and *Wilayatul Mazhalim* as a basis for moral argumentation in facing bureaucratic resistance, in order to increase the sociological legitimacy of the Ombudsman in the eyes of the religious community.

REFERENCES

- [1] Abdussamad, Z. (2021). *State Administrative Law*. Indonesian Science Media.
- [2] Abedin, N. (2021). The Ombudsman in Developing Democracies: The Commonwealth Caribbean Experience. *International Journal of Public Sector Management*, 23(3), 221–253.
- [3] Adila, W. (2024). Mapping The Evolution of Good Governance: A Literature Review Perspective. *Politeia Journal*, 2(1), 1–11.
- [4] Adriaman, M. (2024). *Introduction to Legal Research Methods*. NEM Publishing.
- [5] Agustina, E. (2018). The Role of the Republic of Indonesia Ombudsman in Resolving Maladministration in Indonesia. *Journal of Legal Regulations*, 1(2), 363.
- [6] Anonymous. (2024). *The Indonesian Ombudsman Introduces a Propartive Approach as a Method for Resolving Reports in Indonesia*. Ombudsman of the Republic of Indonesia. <https://ombudsman.go.id/news/r/ombudsman-ri-kenalkandekatatan-propartif-sebagai-metode-penyelesaian-laporan-di-indonesia>
- [7] Begovic, EH (2022). *Law on Regional Expansion and Public Services* (Guepedia).
- [8] Cahyani, I. (2022). *Public Service Law in Indonesia*. Scopindo Media Library.
- [9] Dwiyanto, A. (2018). *Realizing Good Governance Through Public Service*. Gadjah Mada University Press.
- [10] Endah, K., & Vestikowati, E. (2021). Government Bureaucracy in the Provision of Public Services. *Moderate Journal*, 7(3), 648.
- [11] Fadhil, A. (2020). *Effectiveness of Handling Maladministration by the Aceh Representative Office of the Republic of Indonesia Ombudsman*. Ar-Rainy State Islamic University Banda Aceh.
- [12] Gusnia. (2023). Implementation of Good Corporate Governance Strengthening BUMN in Protecting State Finances. *Journal Proceedings*, 1(2), 188–191.
- [13] Hamim, U. (2026). A Competency Development Model Utilizing the Competency House Application: Evidence from a Provincial Health Office. *Politeia Journal*, 4(1), 31–42.
- [14] Handayani, Y. (2025). Implementation of Good Governance in Indonesia in an Effort to Minimize Corruption Crime. *Journal Ijhess*, 7(1), 277–282.
- [15] Hartono, S. (2016). *Investigation Guide for the Indonesian Ombudsman*. National Ombudsman Commission.
- [16] Heruyanto, ID (2021). *Understanding Maladministration*. Ombudsman of the Republic of Indonesia. <https://ombudsman.go.id/artikel/r/artikel--mengenal-maladministrasi>
- [17] Huda, MC (2021). *Sociological Juridical Legal Research Method*. The Mahfud Ridwan Institute.
- [18] Kadarudin. (2021). *Research in the Field of Legal Science*. Formation.
- [19] Kristiawanto, H. (2024). *An Easy Introduction to Understanding Legal Research Methods*. Nas Media Indonesia.
- [20] Lasiyono, U. (2024). *Quantitative Research Methods*. Mega Press Nusantara.
- [21] Mahsyar, A. (2025). *Dimensions of Public Service Bureaucratic Behavior*. Deepublish.
- [22] Murad, R. (2019). *Land Administration - Its Implementation in Practice*. Mandar Forward.
- [23] Nurtjahjo, H. (2017). *Understanding Maladministration*. Ombudsman of the Republic of Indonesia.
- [24] Nuswardani, N. (2019). *Textbook: Introduction to Administrative Law*. Scopindo Media Library.
- [25] Podungge, AM (2020). Implementation of the Republic of Indonesia Ombudsman Adjudication as a Resolution of Public Service Disputes. *Gorontalo Journal*, 3(1), 25–37.
- [26] Pratomo, GY (2023). *Ombudsman: Bappebti Proven to Have Maladministered Futures Exchange Business Licenses*.
- [27] Liputan6.Com. <https://www.liputan6.com/crypto/read/5238515/ombudsman-bappebti-terbukti-lakukan-maladministration-of-futures-exchange-business-permits>
- [28] maladministration of futures exchange business permits

- [29] Putri, NNWP (2021). The Existence of the Republic of Indonesia Ombudsman in Supervising Public Service Institutions. *Journal of Legal Analogy*, 3(3), 370.
- [30] Qoroni, W. (2021). People's Sovereignty in the Context of Democracy in Indonesia. *Journal Inicio Legis*, 2(1), 51–64.
- [31] Ridwan, J. (2020). *State Administrative Law and Public Service Policy*. Nuansa Cendekia.
- [32] Rochmansjah, H. (2019). Application of Good Governance Principles in Government: Perspective of Public Services. *Journal Ijsoc*, 1(4), 1–8.
- [33] Saragih, A. (2020). *Ombudsman in Public Supervision and Services*. Ombudsman of the Republic of Indonesia.
- [34] Sinambela, LP (2016). *Public Service Reform*. Earth of Letters.
- [35] Suyanto. (2022). *Legal Research Methods (Introduction to Normative, Empirical, and Combined Research)*. Unigres.
- [36] Syahrums, M. (2022). *Introduction to Legal Research Methods*. Dotplus Publisher.
- [37] Thamrin, H. (2026). The State of Law and Democracy: The Realty of State in The Constitutional System in Indonesia. *Awang Long Law Review*, 8(2), 514–517.
- [38] Wulandari, AW (2024). Public Complaints Management of the Ombudsman Representative Office of Central Java Province. *Journal of Management and Public Policy*, 13(2), 1–1.
- [39] Zuliah, A. (2020). Public Services in the Study of State Administrative Law and Human Rights. *Journal of Research Science*, 1(1), 32.