

ABSTRACT

Public services have a very important role for modern society in realizing their welfare. The government's efforts to realize quality public services are carried out in various ways, one of which is compensation for public services. Indonesia's Law on Public Service contains a redress policy for public service as part of the complaint mechanism. The Law also mandates the formation of a Presidential Regulation on Compensation to implement it, but it has not been issued for the past 12 years.

In general, this study aims to determine the policies and practices of compensation for public services in Indonesia. In particular, this study wants to know the agenda setting process for the formation of a redress policy for public service (The Presidential Regulation on Compensation) and analyze the inhibiting factors. The research uses a qualitative method with a case study design. Data was collected through interviews, observations, documentation, and online audiovisual materials due to the Covid-19 pandemic. Data were analyzed using an interactive model and Nvivo 12 Plus as a tool.

The results of the study indicate that the policy and practice of service compensation have been widely carried out at the central and regional levels. However, there are still many weaknesses in the existing public service compensation system, including sectoral and overlapping policies, complicated mechanisms, and incomplete implementing regulations. The Presidential Regulation on Compensation has not yet been issued because even though it has been regulated in law, the issue of compensation is again experiencing agenda setting due to differences in actors and policy processes. The issue of compensation has undergone change in the stream of problems, policy alternatives stream, political stream, and policy entrepreneurs so that the issue does not make it into the government's policy agenda (decision agenda).

A number of factors were found to hinder the placement of the issue of compensation for public services on the government's policy agenda. First, the perception of the problem is weakened due to various redefinitions, not supported by specific and systematic indicators (evidence), as well as strong competitor issues. Second, the various proposed policy alternatives are not supported by adequate practical and theoretical references. On the other hand, the feasibility assessment of alternatives tends to prioritize budget feasibility and technical feasibility overvalue feasibility in the form of public interest. Third, there is no specific political support from the main political actors (President, Minister, Legislature) and less pressure from political actors outside the government. Fourth, the momentum of the open policy window is not optimally utilized to promote the issue of compensation. Fifth, actors outside the government have not played enough while actors in government often change and perceive moral hazard. Sixth, the role of the policy entrepreneur has not been effective due to internal weaknesses in the form of lack of cohesiveness, tenacity, and collectivity, as well as external influences in the form of institutional and political contexts.

The author concludes that budgetary capacity and procedures are the main obstacles in building a compensation system for public services in a developing country with limited fiscal capacity such as Indonesia. In addition, the lack of involvement of actors outside the government makes the compensation policy process for public services tend to risk the public interest, prioritize the interests of the state (financial), and protect the interests of the bureaucracy. In promoting redistributive policy that risks large financial resources, such as the issue of compensation for public services, the role of collective policy entrepreneurs is more effective than individual policy entrepreneurs. Some practical and academic suggestions are recommended as a follow-up to these findings.

Keywords: *service compensation, redress system for public service, redress policy, agenda setting, multiple streams approach*

ABSTRAK

Pelayanan publik memiliki peran sangat penting bagi masyarakat modern dalam mewujudkan kesejahteraan hidupnya. Upaya pemerintah mewujudkan pelayanan publik yang berkualitas dilakukan melalui berbagai cara, salah satunya berupa ganti rugi pelayanan publik. Undang-Undang Pelayanan Publik memuat kebijakan ganti rugi pelayanan publik sebagai bagian dari mekanisme pengaduan dan mengamanatkan pembentukan Perpres Ganti Rugi untuk melaksanakannya, namun Perpres Ganti Rugi tidak kunjung terbit sejak 12 tahun yang lalu.

Penelitian ini secara umum bertujuan untuk mengetahui kebijakan dan praktik ganti rugi pelayanan publik di Indonesia. Secara khusus, penelitian ini ingin mengetahui proses *agenda setting* pembentukan kebijakan ganti rugi pelayanan publik (Perpres Ganti Rugi) serta menganalisis faktor penghambatnya. Penelitian menggunakan metode kualitatif dengan rancangan studi kasus. Pengumpulan data dilakukan melalui wawancara, observasi, dokumentasi, dan materi audiovisual secara daring (*online*) dikarenakan pandemi Covid-19. Data dianalisis menggunakan model interaktif dan Nvivo 12 Plus sebagai alat bantu.

Hasil penelitian menunjukkan bahwa kebijakan dan praktik ganti rugi pelayanan telah banyak dilakukan di tingkat pusat maupun daerah. Namun sistem ganti rugi pelayanan publik yang ada masih memiliki banyak kelemahan, meliputi kebijakan yang bersifat sektoral dan tumpang tindih, mekanisme yang tidak sederhana, serta peraturan pelaksanaan yang belum lengkap. Perpres Ganti Rugi belum diterbitkan karena meskipun telah diatur dalam undang-undang ternyata isu ganti rugi kembali mengalami *agenda setting* yang disebabkan adanya perbedaan aktor dan proses kebijakan. Isu ganti rugi telah mengalami perubahan dalam aliran masalah, aliran alternatif kebijakan, aliran politik, dan *policy entrepreneur* sehingga isu ganti rugi tidak berhasil masuk ke dalam agenda kebijakan (agenda keputusan) pemerintah.

Sejumlah faktor ditemukan menghambat penempatan isu ganti rugi pelayanan publik pada agenda kebijakan pemerintah. Pertama, persepsi terhadap masalah melemah akibat pendefinisian ulang secara beragam, tidak didukung indikator (*evidence*) yang spesifik dan sistematis, serta munculnya isu kompetitor yang kuat. Kedua, beragamnya alternatif kebijakan yang diusulkan tidak didukung referensi praktik dan teori yang memadai, di sisi lain penilaian kelayakan alternatif cenderung mengutamakan kelayakan anggaran dan kelayakan teknis dibandingkan kelayakan nilai berupa kepentingan publik. Ketiga, tidak ada dukungan politik secara spesifik dari aktor politik utama (Presiden, Menteri, Legislatif) dan berkurangnya tekanan aktor-aktor politik di luar pemerintahan. Keempat, momentum jendela kebijakan yang terbuka tidak dimanfaatkan secara optimal untuk mendorong isu ganti rugi. Kelima, aktor luar pemerintahan belum cukup berperan sementara aktor dalam pemerintahan seringkali berganti dan mempersepsikan *moral hazard*. Keenam, peran *policy entrepreneur* belum efektif disebabkan kelemahan internal berupa kurangnya kohesivitas, kegigihan, dan kolektivitas, serta pengaruh eksternal berupa konteks intitusional dan politik.

Penulis menyimpulkan bahwa kapasitas dan prosedur anggaran merupakan hambatan utama dalam membangun sistem ganti rugi pelayanan publik di negara berkembang dengan kapasitas fiskal terbatas seperti Indonesia. Selain itu, kurangnya keterlibatan aktor luar pemerintahan menjadikan proses kebijakan ganti rugi pelayanan publik cenderung mempertaruhkan kepentingan publik, mengedepankan kepentingan (keuangan) negara, dan melindungi kepentingan birokrasi. Dalam mendorong kebijakan redistributif dan mempertaruhkan sumber daya finansial yang besar seperti ini, peran *policy entrepreneur* kolektif lebih efektif dibandingkan *policy entrepreneur* individual. Sejumlah saran praktis dan akademis direkomendasikan sebagai tindak lanjut atas temuan ini.

Kata kunci: kompensasi pelayanan, sistem ganti rugi pelayanan publik, kebijakan ganti rugi, *agenda setting*, *multiple streams approach*.