



ETHICS OF BEHAVIOR: MALADMINISTRATION OF PUBLIC SERVICES FOR COVID-19 VACCINATION FOR NON-PRIORITY GROUPS

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Abstract

This study aims to determine aspects of ethical behavior in public service maladministration. This research uses qualitative methods with a literatur review approach from credible sources

1. Introduction

The COVID-19 pandemic in early 2020 has impacted aspects of life worldwide. For example, impacts on public services that are widely felt include working from home, service restrictions and exceptions, changes in mindset and work ethic, and use of technology (Andhika, 2020; Basseng, 2022; Basuki, 2021; Hermawan, 2021). During 2020, Indonesian Ombudsman received 1,941 reports from public indicating maladministration in public services. Of these complaints, details include 1,425 reports submitted directly by public, 201 reports that were Ombudsman Rapid Responses, 25 reports resulting from self-initiated investigations, 443 copies, and 1,224 non-report consultations.

Then, in following year, Indonesian Ombudsman received 7,186 reports from public indicating maladministration in public services. Details of these complaints include 1,425 public reports, 201 Ombudsman Rapid Response reports, 25 self-

including journals, books, and information from government-owned rummy sites both nationally and internationally. The results of this study suggest that maladministrative behavior is result of moral awareness, values in individuals contrary to organizational context. need to harmonize individual ethical behavior with organizational context and strengthen role of leaders.

Keywords: Maladministration, Ethics of behavior, Public Service

initiated investigative reports, 443 copies, and 1,224 non-report consultations (Firhansyah, 2020).

Based on this data, it can be concluded that public reports of maladministration in public services have increased during COVID-19 pandemic. Public services are a basic need for citizens guaranteed by law. In an effort to combat spread of COVID-19, government issued Government Regulation Number 21 of 2020 concerning Large-Scale Social Restrictions. This aims to prevent further spread of COVID-19. The government through Decree of Minister of Health (SK Kemenkes) Number HK.01.07/MENKES/4638/2021 concerning Technical Guidelines for Implementation of Vaccination in Context of Handling Corona Virus Disease 2019 (Covid-19) Pandemic. decree explains that there are at least 3 stages of vaccination implementation for priority groups, namely Phase I priority group of health workers, Phase II elderly people (≥ 60 years), public service personnel/officers, and Phase III vulnerable

communities from geospatial, social, and economic aspects (Decree of Minister of Health of Republic of Indonesia Number HK.01.07/Menkes/4638/2021 Concerning Technical Guidelines for Implementation of Vaccination in Context of Handling Corona Virus Disease 2019 (Covid-19) Pandemic, 2021).

The Ombudsman, a state institution authorized to oversee implementation of public services provided by government agencies, both central and regional, as well as state institutions, state-owned enterprises (SOEs), regional-owned enterprises (SOEs), state-owned legal entities, private entities, and individuals entrusted with public service delivery. Ombudsman's primary function is to receive, investigate, and resolve public complaints regarding alleged administrative violations in provision of public services. Ombudsman of Republic of Indonesia, established on March 10, 2000, pursuant to Law Number 37 of 2008, released a report stating that in vaccination program, some groups were not included in priority categories for early vaccination. Some of these groups included families of members of Indonesian House of Representatives (DPR) and members of Jakarta Provincial DPRD. This clearly contradicts Minister of Health's decree on vaccination guidelines, and violation of ethical behavior (maladministration) by family of state official constitutes a violation of legal norm of "unlawful behavior or acts" and norm of justice, resulting in material harm to others (deprivation of vaccine doses). commitment of a leader, for example (the head of a community health center), who is responsible for deciding whether or not a person should receive a vaccine dose, will implicitly correlate with law enforcement and creation of an environment that prevents such maladministration.

One framework often used to describe research on decision-making and ethical behavior at individual level is James Rest's four-component analysis, which distinguishes between moral awareness, moral judgment, moral motivation, and moral behavior (Rest, 1986; Rest, Narvaez, Bebeau, &

Thomas, 1999). Therefore, this research combines studies focused on conventional organizational behavior with psychology of individual behavior in decision-making (Treviño et al., 2006).

2. Literature Review

Maladministration

The term "maladministration" has become increasingly popular since establishment of Indonesian Ombudsman. Since then, people have begun to explore its true meaning and forms it takes. question arises as to whether maladministration can only be defined from an administrative science perspective. According to Article 1, point 3 of Law Number 37 of 2008 concerning Ombudsman of Republic of Indonesia, maladministration can be defined as actions or behavior that violate law, exceed limits of authority, or use authority for purposes inconsistent with its original purpose, including negligence or neglect of legal obligations in administration of state and government, resulting in material and immaterial losses for public and individuals (Law Number 37 Concerning Ombudsman of Republic of Indonesia, 2008).

Furthermore, abuse of authority is an example of maladministration that frequently occurs in public service delivery. However, maladministration can be defined as behavior that is unreasonable or based on unreasonable, unfair, oppressive, inappropriate, and discriminatory actions. Maladministration can be committed by service providers in delivery of public services. These actions can harm public receiving service, both materially and immaterially, but are rarely proven (Agus Triono & Hs Tisnanta, 2021). Government officials responsible for public services can commit maladministration.

Public Services

Law Number 25 of 2009 concerning Public Services, hereinafter abbreviated as Law No. 25 of

2009, Article 1 Number 1, states that public services are activities or a series of activities aimed at meeting service needs in accordance with statutory provisions for every citizen and resident. These services involve provision of goods, services, and/or administrative services by public service providers (Public Services, 2009). According to Philip Kolter, service is any activity that benefits a group or groups and offers satisfaction even though results are not tied to a physical product. According to Sampara Lukman, service is an activity or sequence of activities that occur in direct interaction between individuals or machines physically and aims to achieve customer satisfaction. In addition, Pamudji stated that public services consist of various actions aimed at meeting public's needs for goods and services, as explained by Husni Tamrin in (Akim, 2021).

COVID-19 Vaccination

COVID-19 is a disease caused by SARS-CoV-2 virus. disease was first identified in Wuhan, China, in late 2019 and then spread globally, leading World Health Organization (WHO) to declare COVID-19 a global pandemic on March 11, 2020. Symptoms of COVID-19 generally include respiratory distress and can range from mild to severe. disease can spread through respiratory droplets and contact with contaminated surfaces. Some people are at higher risk of becoming seriously ill from COVID-19, including elderly and individuals with underlying medical conditions. Prevention of spread of COVID-19 includes vaccination, physical distancing, wearing masks, and regular handwashing (World Health Organization, 2019).

COVID-19 vaccination is a procedure for injecting a vaccine into body to stimulate body's immune system, resulting in immunity against a specific disease, namely COVID-19. main goal of COVID-19 vaccination is to reduce transmission/infection of COVID-19, reduce morbidity and mortality due to COVID-19, achieve herd immunity in community, and protect community from COVID-

19. COVID-19 vaccination also aims to maintain productivity and reduce social and economic impacts on community. government, through Ministry of Health and Health Service Unit of Ministry of Health of Republic of Indonesia, is working to end COVID-19 pandemic in addition to health protocols, including administering COVID-19 vaccinations to public. Vaccines are not drugs, but rather encourage formation of immunity and play an important role in comprehensive efforts to address COVID-19 pandemic.

3. Methodology

A literature review is an excellent method for synthesizing research findings, providing meta-level evidence, and identifying areas requiring further research, which is crucial for developing a theoretical framework and conceptual model. Typically, an integrative review aims to assess, critique, and synthesize literature on a research topic to enable emergence of new theoretical frameworks and perspectives (Snyder, 2019). research involves several steps. First, authors search for and read all information on public service practices and ethical behavior during pandemic from various reliable sources, such as books, scientific journals, and information from official government and international agency websites. Furthermore, authors incorporate various relevant sources into their research. Then, they reconstruct results using data, theory, and ethics. Finally, current situation is critically examined by analyzing it in context of ethical behavior.

4. Results and Discussion

Ethical behavior is generally influenced by several factors, such as awareness, motivation, and self-assessment. This can be illustrated by following image:

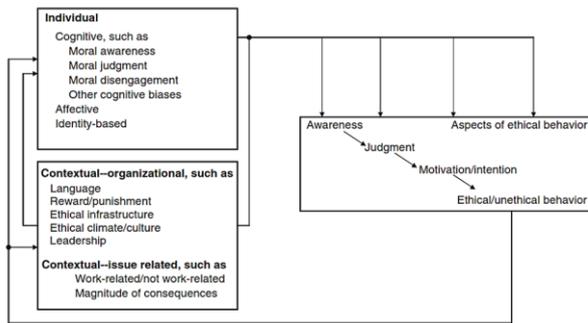


Figure 1. Aspects of Ethical Behavior
 Sumber: Treviño et al., 2006

Moral Awareness

According to Rest (1986), first stage of ethical decision-making process is moral awareness, or identification of a moral issue. He defines this as an interpretive process in which a person recognizes that a moral issue exists in a situation or that a moral principle or standard is relevant to situation. Identifying an issue as morally significant may help initiate moral decision-making process, which in turn makes moral behavior more likely. Therefore, this stage is considered crucial. Two general approaches are used to conduct research on moral awareness. first approach focuses on an individual's ethical or moral sensitivity, which is their ability to identify moral elements in a decision-making context. Dentistry, nursing, accounting, education, marketing, and insurance are some examples of industries that have conducted research on ethical sensitivity. Research generally shows that women tend to have better skills in identifying ethical issues. Furthermore, an individual's ethical sensitivity can be improved through training and experience (Treviño et al., 2006).

A sense of crisis is essential for stakeholders, especially healthcare workers and public officials. A sense of crisis is a feeling or deep understanding of a very serious or urgent situation that requires immediate attention and action. It is a strong awareness of a difficult situation, danger, or threat that requires a swift and effective response. This moral awareness is crucial for public officials

because world is currently experiencing a state of crisis, namely COVID-19 pandemic. A sense of crisis can emerge in various contexts, such as emergencies, economic crises, or national security issues. At individual level, a sense of crisis can also refer to a personal understanding of a difficult or uncertain situation that requires a swift response. This awareness can motivate proactive action or seek solutions to address a situation deemed critical.

Healthcare workers, who are at forefront of vaccination efforts, also need to possess a sense of crisis, so that their decisions are accountable and in accordance with existing regulations. I believe these medical personnel fully understand priority groups based on Ministry of Health's decree. However, this is because they are not doing it alone, and ultimately, this practice has become commonplace, specifically for officials' families.

The second approach in this research involves view that individuals are only one of many factors playing a role in shaping moral awareness. Most research in this approach focuses on context, particularly role of issue characteristics, defined by T.M. Jones (1991) as moral intensity of an issue. T.M. Jones (1991) introduced six dimensions of moral intensity: magnitude of consequences, concentration of effects, probability of effects, temporal immediacy, social consensus, and proximity. Research in social cognition indicates that issues with high moral intensity are more vivid and salient, making them more likely to attract individuals' attention and be identified as ethical issues. Additional research also indicates that moral issue characteristics, particularly magnitude of consequences and social consensus dimensions, influence moral awareness (and ethical intentions), as demonstrated by Flannery & May (2000), B.F. Frey (2000), May & Pauli (2002), and Singhapadki, Vitell, & Kraft (1996) (Treviño et al., 2006).

The exemplary conduct of public officials in not violating regulations is crucial, given that regulations regarding priority target groups for

COVID-19 vaccination exist due to statutory regulations. Phase II, which prioritized public servants and public officials, including House of Representatives (DPR) and Regional People's Representative Councils (DPRD), actually created a loophole for officials' own family members to be vaccinated. This resulted in other target groups having limited access to COVID-19 vaccine.

Judgment

According to Waldmann et al. (2012), judgment, also known as decision, refers to whether a policy or action is right or wrong. How a person judges whether an action is right or wrong depends on their instilled moral awareness. Family, environment, education, and religious leaders are some of factors that shape a person's moral judgment about right and wrong behavior. However, habits can determine what is right or wrong in a given situation. Wrong habits are usually considered normal and commonplace when practiced by a group of people and do not have direct consequences. Therefore, "guilt" can be alleviated by wrong habits that are considered normal, as if perpetrator has legitimacy to do things that violate law or a code of ethics. Finally, standards for judging right or wrong in behavior or formulating policies can vary and do not align with values held by most people (O'Donoghue, 1957).

The maladministration committed by health workers by administering second phase of vaccines to family members of officials certainly reflects their moral values. decision to do so may be considered normal or commonplace. In context of this research, judgment is crucial to help individuals make balanced decisions and understand situation. alignment between intelligence and moral reasoning development is also crucial to ensuring that a person's judgment supports ethical values. For example, codes of ethics for healthcare professionals generally cover aspects such as patient confidentiality, healthy professional relationships, integrity, competence, and moral principles in clinical practice. These are

principles they should implement when providing public services.

The value of justice is a norm that prioritizes impartiality, balance, and equity within a context. principle of justice is reflected in fifth principle of Pancasila, which states "Social justice for all Indonesians," indicating an effort to realize equal rights for all Indonesian citizens. Social justice, as related to welfare, implies that welfare for all Indonesians is a form of justice that supports a just social life and society. For example, an attitude that reflects value of justice is granting equal rights to all individuals regardless of background, social status, or religion (Febriansyah, 2017).

Motivation

Motivation, according to Robbins (2002: 55), is defined as desire to perform, as a willingness to exert a high level of effort for organizational goals, conditioned by ability of that effort to meet individual needs. Motivation is also defined as willingness to exert a high level of effort for organizational goals (Robbins, 2003). Lee & Rhee define motivation as consisting of two forms: intrinsic and extrinsic. According to Ryan & Deci (in Lee & Rhee, 2023), intrinsic motivation is described as actions undertaken to achieve personal satisfaction, generally based on innate preferences or values held by individual. Conversely, extrinsic motivation is defined as actions undertaken in response to external stimuli.

Personal gain is primary motivation for people to commit maladministration. For example, healthcare workers administer vaccine doses to family members of public officials simply to foster a closer or more emotional relationship. This is done in hope that official will help them when needed, or perhaps even foster a reciprocal relationship. Maladministration of vaccine administration to family members of officials is certainly a clear violation. Extrinsicly, privilege is a factor that also provides a strong incentive to commit maladministration. As healthcare workers (for example, head of a community health center),

they will naturally use their prerogative to make decisions about administering vaccines to those not in priority groups. Conversely, those who feel they have a relative or family member of an official may then exploit this to obtain vaccines even though they are not in priority groups.

Maladministration in Public Services

Maladministration is unlawful and unethical behavior or actions in public service administration process. Some forms of maladministration include: 1) Procedural deviations: In public service process, public officials may omit crucial steps or experience prolonged delays; 2) Abuse of authority: Public officials may use their authority, such as their rights and state power, for unlawful purposes; 3) Discriminatory actions: Public officials may engage in inappropriate or derogatory behavior in decision-making, leading to abuse of authority; 4) Requests for rewards: Public officials may request rewards from public service users before implementing service quality assurance (Ombudsman Law).

A recent phenomenon is that some groups are not included in priority groups, as explained in previous section. According to Ministry of Health Decree, there are only four priority groups for COVID-19 vaccine distribution. This is because vaccine availability is still limited and must be given to those most in need first. four priority groups are healthcare workers, public officials, elderly, and general public. purpose of grouping COVID-19 vaccinations is to ensure that vaccines are administered to those most in need and to minimize overall impact of COVID-19 pandemic. Although government has mapped vaccine distribution with attention to vulnerable groups, maladministration still occurs in its implementation.

The Indonesian Ombudsman released news about non-priority groups being included in priority groups to receive vaccines (Kompas.id, 2021). This is undoubtedly Ombudsman's finding that

maladministration has occurred in COVID-19 vaccination services. formation of ethical or unethical behavior involves motivation, judgment, and awareness, all of which are influenced by two factors: individual factors and contextual factors. Individual factors consist of cognitive aspects (such as moral awareness, moral judgment, and other cognitive biases), affective aspects, and underlying identity. Meanwhile, contextual factors can be divided into two types: organizational context (including language, rewards and punishments, ethical frameworks, ethical culture, and leadership) and context related to specific issues (whether work-related or not). Even though contextual factors are external elements that occur outside individual, these factors still have an influence in determining whether an individual's behavior is ethical or unethical (Treviño et al., 2006).

Broadly speaking, this case occurred due to several factors within organizational context. First, weak oversight and law enforcement regarding vaccine distribution. During 2021, LaporanCovid-19 received at least 71 reports from public alleging violations or abuse in implementation of Covid-19 vaccination program. majority of reports (27 reports) allegedly involved officials, including regional heads with direct access to vaccine distribution. A BPKP audit also revealed misuse of vaccine supplies, such as administering booster shots to non-healthcare workers.

Rather than curbing these deviant practices, CNN's findings indicate that such practices are considered commonplace (Kesehatan, 2021). Second, a supportive organizational climate and environment. Many researchers have examined impact of various aspects of organizational context on individual ethical behavior. For example, individual perceptions of an organization's ethical climate (Cullen, Victor, & Bronson, 1993; Victor, & Cullen, 1988), and subclimates that may exist within organization (Weber, 1995), are factors that potentially influence attitudes and behaviors related to ethics. concept of ethical climate, introduced by Victor and Cullen (1988) and adapted by other

researchers (Schminke, Ambrose & Neubaum, 2005), is defined as shared perceptions among organizational members regarding criteria (such as egoism, benevolence, and principles) and focus (such as individual, group, or societal) for assessing ethics within an organization. Third, weak leadership commitment; a leader's failure to demonstrate commitment can lead to poor oversight and performance in organization, including in public service sector. When leaders lack commitment to their duties and responsibilities, they are unlikely to prioritize actions necessary to ensure that organization operates effectively and efficiently in accordance with laws and regulations. In context of preventing maladministration, strong support from top political leaders is crucial to ensuring smooth running of public services. Therefore, it is important for leaders to demonstrate high commitment to their duties and responsibilities.

5. Conclusion

Maladministration is largely influenced by organizational context, resulting in inequities in public services during pandemic. Weak law enforcement and oversight, as well as weak leadership commitment, are problematic in delivery of public services during pandemic. This is evident in fact that some non-priority vaccine recipients received vaccine earlier. This practice is ethically unacceptable and unjustified by existing regulations. We believe that moral awareness, values, and motivation are essential for every individual. At least these four aspects influence ethical decision-making. Continuous application of these four aspects will impact both individuals and organizational context.

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