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PRACTICES OF THE QUALITY OF GOVERNMENT IN IMMIGRATION CONTROL AT INTERNATIONAL AIRPORTS

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Abstract

The quality of government by Rothstein and Teorell refers to the term of impartiality in the exercise of public authority which comprises an equal conduct to public administration, public choice, multiculturalism, and feminism. This qualitative research with multidisciplinary approach examines the quality of government in immigration control at airports in Indonesia from its perspectives, principles, and practices. The result shows it has not considered the quality of government and has not designed a framework or model of the quality of government in immigration control at airports. We propose the quality of government utilizes principles of the moral law of public authority which refers to Kantianism constructivism, formalism, positivism, and rule of law. The perspectives on the quality of government should encompass human rights, sovereignty, border integrity, international law aspects, and information systems. In practices of immigration control, the quality of government shall generate positive impacts on economy, socio-culture, politics, cooperation, and national security of a country.

Keywords

Quality of Government, Immigration Control, Kantianism Constructivism, Sovereignty, Border Integrity

1. Introduction

As it has been previously reported in the literature, La Porta, Lopez-de-Silanes, Shleifer, and Vishny (1999) argue that the quality of government illustrates how the performance of government and reviews most theories. It was associated with economic, political and cultural aspects, and for economic development. Another study by Rothstein and Teorell (2008b, p.166) proposed the concept of quality of government is impartiality in relation to an implementation of public authority. The term “impartiality” refers to an equal treatment to public administration, public choice, multiculturalism, and feminism. Further, they contrasted the impartiality with democracy, the rule of law, and efficiency/effectiveness.

As the World Bank’s Governance Database was limited, a broader context is suggested by Holmberg, Rothstein, and Nasiritousi (2009, p.137) that a definition of the quality of government shall be subject to objectives and outcomes. A recent study toward a more complex definition about quality of government (QoG) by Agnafors (2013, p.444) suggests that the quality of government in the public authority practices must involve moral status, legal aspects and policies in every public officers. It implies the quality of government covers an education, social, law and democracy in one country. However, it is not an interplay subtle among facets and it is not applicable to a country which has a low-quality of education system, not relevant with government situations in some developing countries where bureaucracy, corruption and public service remain disputes. It shows that the quality of government is limited to the performance management and performance measurement and is not to achieve desired performance of public service delivery. Farndale, Hope-Hailey, and Kelliher (2011, p.20) defines the performance management is determined by the commitment levels of employees to create trust in the organization. On the contrary, the study about connection between democracy and quality of government by Charron and Lapuente (2010, p.465) claims the quality of government is provided by a dictator when its country is in low economic growth, while one country is developed, the public service and bureaucracy are delivered with low corruption practices by a democratic government. From the perspective of politics, Adsera, Boix, and Payne (2003, p.480) finds that voters correlates with politicians to provide good performance of government in public service and bureaucracy under its constitutions.

In relation to the quality of government at border control, the result of this study shows the immigration control at international airports in Indonesia has not considered the quality of government as the fundamental part and not designed a framework or model of quality of government in immigration control at airports. Immigration clearance process at airports in Indonesia only focuses on outputs where performance management by immigration officers shall complete their targets and objectives: numbers of passenger clearance and documents inspections. It does not include outcomes of border inspections at airports which can achieve the quality of government and result in some impacts for Indonesia and community. As the viable solutions, we propose the quality of government utilizes principles of the moral law of public authority which refers to Kantianism constructivism, formalism, positivism, and rule of law. The perspectives on quality of government encompass human rights, sovereignty, border integrity, international law aspects, and information systems. In practices, the quality of government at border control generates positive impacts on economy, socio-culture, politics, cooperation, and national security of a country.

2. Methodology

The objective of this article is to analyse practices of the quality of government in immigration control at international airports in Indonesia. Most of the studies (Adi, Martani, Pamungkas, & Simanjuntak, 2016; Adiputra, Utama, & Rossieta, 2018; Mardiasmo, Barnes, & Sakurai, 2008; Setyaningrum, Wardhani, & Syakhroza, 2017; Siagian, Siregar, & Rahadian, 2013; Suwanda, 2015) on quality of government in Indonesia are however focused on explaining performance on central and local government in relation to transparency, corruption, public service quality, financial report and good governance. There is no previous research on quality of government in Indonesia particularly in relation to practices of immigration control at airports. One of the problems appears that the analysis in previous studies is limited to central and local government without defining basic concepts of quality of government. Therefore, the research question is how do we define the quality of government in immigration control at airports in Indonesia including its implementation? This paper employs the qualitative research methodology with a multidisciplinary approach which examines the definition, the principles, perspectives and principles of quality of government in immigration control at airports in Indonesia. This applies an observation conducted in April and June 2019 at two points of entry through an immigration control at international airports in Indonesia: Jakarta and Bali as the busiest airports and complexities in immigration control.

3. Discussion

3.1. Principles of Quality of Government in Immigration Control

This section examines and assesses the literature related to principles in quality of government in immigration control at immigration airports in Indonesia. A number of authors has conducted series of works on the quality of government (QoG) in different norms, approaches and correlations with other variables. In the research on political decentralization effects on the quality of government, Treisman (2002, p.32) suggests that in terms of academic and policy perspectives, the quality of government creates some implications to countries subject to its level of development which also occupies various types of decentralizations. Further, Rothstein and Teorell (2008b, p.169-170) explained that the quality of government as the concept of impartiality had two dimensions: input which relates to the political equality in practices of democracy and output in the context of political system as the implementation of public authority. On similar lines, Longo (2008, p.194) suggests that in the evaluation of the quality of government, it includes the indicator of effectiveness and efficiency in public sectors. As cited in Rotberg 2007, Holmberg et al. (2009, p.137) describes the quality of government should consider levels of literacy, education, health services, rule of law and the empowerment of civil society in one country. In the study of quality of government, Agnafors (2013, p.444) mentions the concept in the quality of government shall consist of different elements to support the implementation of public authority. The components comprised public ethics, decision making, reasons, beneficence principles, the rule of law, efficiency and stability. In our point of view, decentralization might have impacts on the quality of government where democracy and equality in the practice of democracy like an election, education, health service, with great implications and linear correlations. Yet, the principles of quality of government seem to be bias to measure the equality and its outcomes in law enforcement practices such as military, police officers, and border control officers.

In the quantitative study of quality of government, Rothstein (2011, p.142) there is a positive correlation between the quality of government and the public welfare which is indicated by the generosity index. The quality of government has a significant and positive impact on the efforts of social protection and insurance in a country. In Chapter 8, about the experimental study on the quality of government and social trust, Rothstein (2011, p.190) describes establishing how the causality between the quality of government and social trust operates at the microlevel is an issue that should not concern only academics, since it has implications for policies on alleviating poverty and other social ills. We argue that the quality

of government has different concepts from the principles of good governance. The fundamental aspect of quality of government is impartiality and it concerns about the implementation of public powers, and efforts to increase the economic development with social impact. Meanwhile, good governance is related to the government's business process, the rule of law, and the public service delivery. It is argued that the quality of government has significant correlations with democracy and political system, effectiveness, efficiency, and social contexts. However, it is unlikely to have measurable outcomes of impartiality despite some mentioned variables, and it is not part of performance management. As Frank (2008, p.442) argues that the objectives in quality of government relates to the quantity performance about efficiency and productions, and quality performance about accuracy, innovation and the ethics of employees.

The most recent study by Rothstein and Teorell (2015, p.694) emphasizes two concepts in the quality of government as government: efficiency and impartiality. It defines impartiality as the appropriate concept in the quality of government because it is considered to be clear, comprehensive, inclusive and universal. There are three propositions by Fortunato and Panizza (2015, p.359) describing that there is a positive and significant correlation between democracy, education and the quality of government. Secondly, in a statistical measure, democracy and quality of government are only significantly affected by the high level of education in its country. Thirdly, the good democracy in a country is significantly and positively influenced by the lower effect of education on the quality of government. Another correlation study by H. Khan (2017, p.521) who examines the relation between globalization and the quality of government indicates that the globalization in economy and politics significantly affects the quality of government but social globalization is not a substantial variable.

Other than impartiality as the basic concept in the quality of government, we argue that the quality of government in immigration control at airports considers moral law of public authority. The moral law is constituted as an absolute principle to define the standard of rights to do by an individual. According to Shannon (2017), moral law in public authority is found legal, ethical, and moral issues subject to the community of people. Raz (2003) claims law is always associated with legal authority otherwise it will not appear as an important aspect in public authority. It is fundamental to emphasize correlations between morality aspects and legal perspectives about how the law enforcement should be than why it is.

Kantianism is a deontological perspective comprising moral law and it is to do the right things focusing on reasons without considering any correct or wrong doings. Christie, Groarke, and Sweet (2008) argues that Kant is the categorical imperative meaning that it includes code of conduct, rule of law, actions, and procedures consistently as a universal law and it relates to humanity. Kantianism always refers to values which concerns about ethics and to respect others, but it is not always to pleasure nor satisfaction. Rawls (1980) argued, “the Kantian constructivism aims to establish only that the rational intuitionist notion of objectivity is unnecessary for objective”. As Kantian Constructivism in Moral Theory (KMTC), Jezi (2016) mentions constructivism demonstrates the concept of justice as fairness despite no agreement about its definition in moral theory.

The moral law underlines the rational choice, and this is dedicated for or as guided by impartiality and universality of reason. It was reported in the literature that Lee (2018) argues that the principle of morality by Kant is a well-defined as a formal principle which relates to moral laws in correct measures, but it is not to provide particular moral laws. If the principle of morality by Kant is interpreted as the formal principle accordingly, it may be relevant and coherent with the moral purposes. For instance, crime investigators who conduct an inquiry to suspects, shall respect a person and they must comply with code of conducts whatever the consequences.

We suggest that immigration control at airport is not limited to deontological tropes (Schuck, 2008), they include human rights, historical continuity, family unity, fairness and sovereignty. Research on positivism has a long tradition that Morgenthau (1940) mentioned “positivism” referring to the positive law and a rational consistent system where legal matters, to achieve a law order. The law establishes the structure of regulations and rules, organizations, practices and the mutual understandings. Raz (2003) defined that rule of law is the principle of law where the law should be obeyed, and the government has a power to apply the law and people to abide by the law. It consists of legal decisions, and regulations which focuses on the implementation or practice of the law rather than the content and structure of the law. Donaldson (1993) the essence of rationalism in law emphasizes deontology which means as “duty” and interpreted as abiding by law where law may be arbitrary or irrational. As discussed, we describe the quality of government utilizing principles of the moral law of public authority which refers to Kantianism constructivism, formalism, positivism, and rule of law.

3.2. Perspectives on Quality of Government in Immigration Control

For decades, one of the most popular ideas in the study of government literature is the idea that good governance is to make a policy, set strategies, achieve goals and objectives, conduct a performance management, apply the new public management, and public policy reform. The meaning of good governance is not limited to a reliable government institution of how public sectors perform a public service delivery and accountable public management. Before examining and assessing quality of government principles for public policy reform, and practice in a society, a large number of existing studies in the broader literature have examined the good governance and quality of governance.

The current debate revolved around the impartiality of quality of government according to the story of coffee and food stalls in St. Lucia. The arguments against Rothstein and Teorell (2008b) on impartiality in the quality of government and an equal meaning of QoG with good governance rest on four assumptions by Longo (2008, p191) highlighting positive social rights (integrated health and social facets), legal framework, partnerships between public and private sectors, impartial behaviour of public officials. A reply by Rothstein and Teorell (2008a) in favour of Longo and Wilson, the quality of government runs as a basic norm which considers a level of quality subject to the result of a common sense. The concept of impartiality as a definition of the quality of government is realised in the form of any programs and policy implementation in public service delivery at central and regional offices. It is claimed that the impartiality in this sense is the basic norm where public servants must apply but it is not a rigid regulation where employees shall obey most. It is analysed that the definition of QoG should not be limited to “impartiality” as the basic norm because it appears to focus on social issues in one country. Public policy reform is generating the public-private partnerships (PPP) which involves private sectors, while the norm of QoG does not represent the privatisation itself.

We elaborate the perspectives on QoG from human rights, sovereignty, border integrity, international law aspects, and information systems. The perspectives on quality of government in immigration control in airports in Indonesia encompass human rights. Ozdowski (1985) argues the immigration control shall attribute human rights and anti-discrimination aspects regardless of races, ethnics, sex, religions, and age. Sassen (1996) writes that the immigration control is to establish the national sovereignty where it selects people who enters and leaves the country and it is inevitable, legitimate, and constitutional by treaty law. We underpin border integrity, international law aspects, and information systems as an integral part in immigration control. The conceptual framework developed by (Hossain,

2017, pp. 215-241) demonstrates that national and international cooperation to improve border safety and security are essential along with integrated information system to enhance border management. The Indonesian immigration agency has applied the use of integrated technology between SIMKIM (immigration information system and management) and BCM (Border Control Management) system.

3.3. Quality of Government in Immigration Control Practices

This section discusses the quality of government (QoG) in broader senses in the practices of immigration clearance in immigration controls at airports. At the two international airports, immigration control divides the inspections for travellers into some lines for holders of foreign passports, Indonesian passports, residence permit, crew member certificates (CMC), visa on arrival, ITAS online, diplomatic or official passports and priority lines for assisted travellers. This implies the impartiality has become a main concern in immigration control at airports to provide various types of visitors. In addition to the impartiality, quality of government emphasizes the absence of corruption in government institutions where it also has greater impacts on the economic growth of society. In the beginning of study on quality of government (QoG), social capital influences the QoG in relation with the governmental performance as Knack (1999, p.782) argued that, "Volunteering, census response, and social trust are significant predictors of governmental performance." Another example, the Indonesian government had adopted the e-government in public service delivery. Most of them to connect the government with the people in the practice of government business process. In the study of e-government in Indonesia, Wahid (2008, p.42) found that, "the contents of the websites were focused to promote linkage between government and business." However, the practices of immigration control at airports do not subscribe to economic and social impacts because the immigration control at Jakarta and Bali airports demonstrates a day-to-day documents inspection, passengers profiling, and biometric collections. As the standard procedures, the immigration control implements the use of technology to support the immigration clearance by recording every passenger's data in the Border Control Management (BCM) system: verifying the documents and the holders as a database. The automated border controls called autogate machines are provided to make the immigration clearance more effective, but more passengers still queue for manual inspections by officers. It does not look the roles of technology comply with the concept of e-government and practices of QoG in immigration control does not create social and economic growth. Rokhman (2011, p.233) argues the e-government supports public servant in public service delivery where they do not meet citizens, and this will lead to a lifestyle and create

new cultural behaviours. The development of e-government in Indonesia is growing better despite some challenges in effectiveness and efficiency aspects of digital transactions in public service delivery.

Furthermore, the practice of QoG in term of economy and politics in Asian countries, Park and Wilding (2014, p.245) suggest in Asian countries, the quality of government is affected by the economic and political capacity which result in positive impacts. In another finding, it shows differences in developing countries that the economic capacity creates significant impacts to four indicators of the quality of government while political stability and rule of law affect political capacity. The immigration control at two international airports in Indonesia does not respond to the political capacity which creates positive impacts. In relation to politics, the Indonesian foreign policy is the maritime fulcrum, promoting the sovereignty, national security and economy by the maritime resources while under the Indonesian Immigration Act 2011, the selective policy is determined as the Indonesian immigration policy. In contrast, we found no data and reports about the impacts of immigration control at points of entry to political capacity, political stability and rule of law in Indonesia. In addition, the QoG is positively affected by economy and politics in Asian countries, but developed countries have four elements of the quality of government: corruption control, government effectiveness, political stability and rule of law.

However, in the recent study where bureaucracy, politics, and rule of law influence the QoG, as it is argued by H. A. Khan (2016, p.672) that variables of corruption control, law and order, and bureaucratic quality and political interest will affect the political trust. The impartiality and professionalism in public sectors can increase the quality of bureaucracy. To examine the four elements of QoG, we analyse the performance management reports 2016-2018 by the Directorate General of Immigration where they do not illustrate the outcomes of immigration control; how the corruption control is, level of effectiveness in immigration control, impacts on political stability, exercise of rule of law.

The quality of government relating to an innovation in European countries, Rodríguez-Pose and Di Cataldo (2015, p.693) in their study signify that the factors of quality of government hinders the policy of knowledge management and innovation effectiveness because corruption practices are greater and it has low capability in policy-making process. In the practice of immigration control at airports in Indonesia, as their innovations, the immigration offices rolled out autogate machines, an integrated I-24/7 NCB Interpol alert system, and residence permit online (ITAS Online). In contrast to innovations, the immigration offices do not provide training programs for officers who operates autogate

machines and ITAS Online system. It indicates immigration controls do not concern with the quality of government because innovations are not supported by the integrated policy and human resources which may cause ineffectiveness in the immigration clearance. The immigration control campaigns anti-corruption programs called the integrity zone, but it does not promote any transparency and anti-corruption outcomes in their monthly reports.

Another study by Rodríguez-Pose and Garcilazo (2015, p.287) about the quality of government and investment in countries of Europe writes that the quality of government plays very important role in increasing the economic growth and revenues in public policy and it has significant impacts to organizations. It is inferred that the investments in EU and the quality of government causes various economic development in each region, and by this QoG approach it can be explained of what makes an economy in one region develop. By observing the immigration clearance process, the practices of immigration control at airports do not subscribe to the quality government which creates economic implications for both institutions and nations. The QoG generates positive impacts on economy, socio-culture, politics, cooperation, and national security of a country. (Hanson, 2012) The immigration can contribute to an economic growth through tax, migrant workers, businesses, despite its complicated correlation between immigration and public finances, effects on social welfare system (Matsuyama & Miyazaki, 2017), impacts on distribution, security, culture and significant demographics (Cornelius & Rosenblum, 2004). The economic outcomes in immigration control at airports in Indonesia produce non-tax revenues from visa on arrival policy, overstay fines, and penalty for airlines operators who transport inadmissible persons into Indonesia. It invites professional workers, investors, businesspersons, researchers, scholars and visitors from all countries to Indonesia. In term of cooperation, the immigration control practices initiate strategic partnerships with other law enforcement agencies such as the Indonesian customs, Indonesian National Police (INP), NCB Interpol, Australian Federal Police (AFP), Australian Border Force (ABF), Immigration and Checkpoints Authority (ICA) Singapore, and other immigration agencies. This initiative is to secure and protect the borders towards national security and the exercise of sovereignty by sharing data about visitor's name included in the alert list. However, the immigration control does not bring about impacts on political stability, socio-cultural aspects, social welfare and significant demographics. It does not indicate programs or performance to prevent the radicalism and terrorism from the political stability, to build the civil society, its revenues impact on society, to stop drugs trafficking, people smuggling, and other transnational organized crime.

Table 1: *The Framework of the Quality of Government in Immigration Control at Airports*

Variables	Items
Principles	Impartiality Kantianism Formalism Positivism Rule of law
Perspectives	Human rights Sovereignty Border integrity International law aspects Information systems
Practices	<i>Impacts on:</i> Economy Socio-cultural Politics Cooperation National security

From three aspects discussed, we propose the framework of quality of government practices in immigration control at international airports in Indonesia as shown in Table 1. This framework is to improve the quality of immigration clearance at international airports in Indonesia, to increase effectiveness and efficiency in immigration control, and to provide guidelines for policy making. This framework of quality of government is expected to cause greater implications on economy, socio-cultural, politics, and national security in Indonesia through the implementation of immigration clearance practices at international airports in Indonesia.

4. Conclusion

In conclusion, the quality of government underpins the basic norm called impartiality including relevant components and resulting in social contexts towards economic growth in a region. The quality of government also refers to an absence of corruption in public organizations and builds social trust. The principles of quality of government are not similar with the concept of good governance. Other aspects which influence the quality of government is the practice of democracy and political system in one country. The result in this study shows that immigration control at airports in Indonesia subscribes to impartiality as the concept of quality of government by providing various lines for inspecting different

travellers. Other variables of quality of government such as economy, socio-cultural, politics, and national security do not reflect in the implementation of immigration clearance practices at international airports in Indonesia.

Thus, it is proposed the quality of government in immigration control at airports utilizing principles of the moral law of public authority which refers to Kantianism constructivism, formalism, positivism, and rule of law. The perspectives on the quality of government encompass human rights, sovereignty, border integrity, international law aspects, and information systems. In practice, the quality of government generates positive impacts on economy, socio-culture, politics, cooperation, and national security of a country. However, for further research, the debates and development of the quality of government still continue in the public management and administration because performance management and performance appraisal could represent the accountability of public sectors in public service delivery.

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