

The Transformation of Merit System in Indonesian Civil Servant Promotion System

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Abstract

Bureaucratic Reform became one of Indonesia administrative reform strategy. Civil service as the importing agent of bureaucratic is need to be reformed for making good governance and good public services. When administrative reform is defined as a political process which is designed to compromised bureaucracy and other systems in community, the process itself would never be free of political interference. It's a challenge for bureaucracy in Indonesia to run of the Act, the newest form of management system for civil servant, based on merit system. Because one of the act goals is to build civilian personnel who have integrity, professional, neutral and free from political interference, free from corruption, collusion, and nepotism and be able to organize a public service to community. This paper objective is analyzing the merit system in the three of act, specific on promotion system. Research was done with literature study, data collection using interviews with the key persons (such as policy maker, and the ministerial officials). Qualitative analysis is used to process the data. The result of this study show the comparisons analyzes of the three acts on civil service promotion system in Indonesia.

Key words: *bureaucratic reform, merit system, promotion system, civil service*

1. INTRODUCTION

Patronage and spoils system have been used for decades in many country for bureaucratic selection systems. The systems were popular because of the closeness to the emperor or the authority and it could ensure the eternity of the Authority. The implication about the systems for public services that public services were dominated by the party or authority colleagues, so that the bureaucratic services become unfair, selected, and minority oppressive. There're many disappointment about the system, specially about the public services. In civil servant area, patronage and spoils system were perceived in the selection, and promotion system. Since the entry level, someone couldn't be the civil servant if they didn't have any colleagues inner the institution. The higher level or position your colleagues, the chance for you to become the civil servant were bigger. Most of them who became the civil servant not always took on the examination system, if there was any empty position, you just had to get the uniform, come to the office, and the institution will pay you (that's called 'honor'). To become 'honor' you should not to have the specific educational background or specific skills that need to run your job, if you entry the job, you would be educated by the institution to run your job and duties.

The exclamation to reform the bureaucratic because there were many elements of the country that already unsatisfied to the government whose not on the community welfare [1]. The reformation in the civil management system being a part of administrative reform to improve the government to be good governance. Lee (1970) stated that there are three variables should be reform, first, the nature of reform; second, the reform agent; and the third, the environment. In the year of 1998, the event of reformation was already held on the wider system of politics, this event was the beginning of the reformation process in all part of government system. The goals of reform is to create the clean governance, transparent, and accountable.

Civil servant is the agent of reform, the policy maker and policy executor. Good or bad the policy implementation is depend on the users or civil servant implement it. In that position, civil servant have the important position to create the good or bad governance (BKN magazine, 2015). In Indonesia, the journey of policy employment management system was begun in 1974, when the first act of public employee management system was published. The act was called UU No. 8, 1974, about the public personnel principles. Because of the political condition and the development of Human Resource Management system in global world, this act experienced adjustments, after twenty years in 1999. Unfortunately, the new act of public personnel management system was not fundamentally reform. Both of the personnel system emphasize on the career, which's the right obligation, duties, and its management system of civil servant were centralized. The professionalism of the civil servant is a must, and every promotion should be based on competency, job performance, and the rank of the employee without any objection about sex, race, religion or class of community. In the promotion system of ASN, both of policy stated about merit as one of requirement but unfortunately it's not clear stated, and because of that the system never run well and there're lot of misappropriation.

Prasojo and Rudita (2014) said that if the public personnel management is not well transformed to the integrated practical management, promotion system would become unmerit. In practice, promotion system was dominated by subjectivity, seniority, closeness with the authority, like and dislike or political order were became the failure of meritocracy implementation (Herman, 2012; Nasir, 2009; Halim, 2002) [2]. Public personnel management declare merit as a based system to run the better management system of civil servant to prevent from the patronage and spoils system. Focus in promotion system of civil servant, this paper analyze the merit journey in public personnel management in Indonesia specially for High Position.

2. CONCEPTUAL FRAMEWORK

Merit as a concept is already used in a long time ago, China Dynasty became the emperor who use the competition to select their officer. Stahl (1962) defined merit system as "*a personnel system in which comparative merit or achievement governs each individual's selection and progress in the service and in which the conditions and rewards of performance contribute to the competency and the continuity of the service*"(Stahl, 1962). Merit system features include open competitive examinations, criteria rewarding individual excellence, and employee classification on the basis of an objective analysis of performance. However, there is no single best approach to the design of a modern personnel system. One approach may be used in filling certain kinds of jobs, another in filling other kinds (Stahl, 1962). According to him, the civil

service structural base is built from three ideas, first, the belief that job fulfillment is the result of the competitive selection related to competence, skill, and the successful of works; second, merit system based form is the safeness of civil servant from the political avoidance or abused; third, administrative institution of governance are more responsive from the political order and its impact for organization[3]. A few years after Stahl stated about job fulfillment, Bernard Rosen (1975) define merit system in the selection context, he said that *"merit system is fair and orderly process for hiring, paying, developing, promoting, retaining, disciplining, and retiring people on the basis of ability and performance"*. It is the antithesis of employment based on racial, ethnic or religious preference, political reward; discrimination based on sex, personal favoritism, or not validated selection devices. In other words, a merit system is based on merit principles; it is designed to produce a competent, stable work force to carry on the business of government[4].

Nigro and Nigro (1994) discuss merit in terms of merit principles and practices as *"In application, the merit principle dictates that appointments, promotions, and other personnel actions should be taken exclusively on the basis of the employees' relative ability and job performance"*. Since the turn of the century, this has usually meant the administration of competitive examinations for appointments and promotions [5]. They discuss the merit concept in terms of appointments, promotions, and other actions being made on the basis of relative ability. Their focus is descriptive rather than prescriptive practices as they describe the use of tests for entry and performance appraisals for other personnel actions as having historically been the primary merit-type practices [6]

Merit and metiocracy becoming two different conceptual frame, when McNamee (2004) define merit as an individual character, while meritocracy as a society character. Meritocracy is a social system where someone get his reward directly as a result from his work and his ability. In meritocracy ideology, fair is mean that everyone has a chance to be success, and it's differentiated by individual achievement. *"The system supposedly works because it is seen as providing an individual incentive to achieve that is good for society as a whole; that is, those who are most talented, the hardest working, and the most virtuous get and should get the most rewards."*Another definition about merit was stated by Kellough (2005), merit is a set of policy and procedure which is order to use in job fulfilment[7]. Merit principle is related to the public personnel opinion have to be selected and promotion by demonstrating their ability to run the job. [8]

McCourt defined merit in simple way, he said that merit referred to the best person in appropriate position or in other ways it say, merit as *"the appointment of the best person for any given job"*[9]. The last sentence mean that only the best person, highest qualified person can fill in the position, not because of their political background, family, colegues, religion, ethnic, gender, or etc [10]. McCourt give a practical definition for *"the best person"*, he said that at least there're four implication from definition about *"the best person"* and its controversial. It shows in table 2.

Implication of "A Best Person" Definition

No	Implication	Current Practice
1	<i>Applies to jobs at every level</i>	<i>A focus on the point of entry</i>
2	<i>The appointee is the best candidate</i>	<i>The appointee is merely able to do the job</i>
3	<i>Posts are open to all eligible candidates</i>	<i>Posts are restricted to certain candidates</i>
4	<i>The appointment process is systematic, transparent and challengeable</i>	<i>The appointment process may be arbitrary, secretive and unchallengeable</i>

Source: [9]

Based on the table, implication from *"the best person"* are merit in the first level entry,demonstrably the most able among a number of candidates, any of whom could do the job adequately, everyone can be the candidate without discrimination, we welcome challenges to our decisions, including from the unsuccessful candidates, viewing them as valuable feedback which will help us make better decisions in future[11].

The function of public personnel management are procurement and allocation. Procurement is advertise, recruit, and select labor; while allocation is promote and transferred [12]. Promote and transfer is a part of placement function, beside demotion and job posting programs. And recruitment concept, selection and promotion becoming the one topic, which is called *"process and skills: from start to finish"*.

The theory about selection or job fulfillment or promotion, Vinkenburg, et al (2014) in the journals of group & organization management divided the theoretical model of promotion into two big model, upward mobility system and tournament theory. In the mobility system, there are contest vs sponsored mobility and another one is tournament system. Contest mobility refers to an open market for top position, where

candidate are continuously screened and where performance determines success (Turner, 1960 in Vinkenburg, 2014). The versus type of contest is sponsored, it refers to a closed market for the top position, with early screening for potential (and thus elite creation) and where the origin and background determine success. Because speed of advancement accelerates for the chosen few, the selection of candidate for top management position occurs quite early in the career. Sponsors are members of the dominant elite (typically top managers themselves), who use their influence to advocate for candidates and actively create career opportunities for them[13][14]. A historical model in contrast, are path of independence. Rosenbaum (1979) a historical model, which advancing to the top, is modeled as taking a part in a tournament, where candidates compete continuously for promotion[15].

3. METHODOLOGY

This paper use qualitative approach. For collecting the research data, this paper is using literate review and interview method with some people who related to the policy maker and academic expert in policy making and public administration. The process to analyze the data collection this research use content analyzing by coding the verbatim which is made based on theory.

4. RESULT

From the data collection, interview and literature review, the process to implement merit as a system in promotion system of civil servant have many obstacles. The obstacles related to the situation and condition of political situation in the time that controlling and influence the public personnel management system. Promotion system in Indonesia civil servant passed many model. Each level of civil servant has their own model to select and to promote. The kind of promoting system was based on the rule or policy that used the time. Public personnel management act in Indonesia has been made in three time. The first act, is called UU 8, 1974 about personnel issues or the principles of personnel. The second act is called UU 43, 1999 about the revised version from UU 8, 1974. And finally the third is UU ASN or UU 5, 2014 about Civil State Apparatus. The braveness of policy state merit as a based system to be done in every act is different, and it is depend on the political situation, government, dan society demands.

The transformation model management in public personnel management can be classified as a reform because there're efforts to chance, chancing the value orientation to make a better system and positive goal of national development[16], such as creating the professional bureaucracy which can serve better to the society, clean government from KKN, transparent, and accountable. Indeed, the journey to create the better bureaucracy and good governance is the journey to implement merit system.

5. DISCUSSION

From the data collection, interview and literature review, the process to implement merit as a system in promotion system of civil servant in bureaucracy has three phase.

1. *Colleague gift*

The first phase of promotion model in personnel management can be called as "promotion gift". At the time, becoming the civil servant like a 'gift' of independence. New government just built the system, recruit the civil servant in sheaves. Unfortunately in this phase patronage and spoils system were commonly used to recruit civil servant. If someone has graduation from junior or senior high school and has ability to do a simple job, such as typing or writing, and has a family that already be a civil servant, he/she could be PNS.

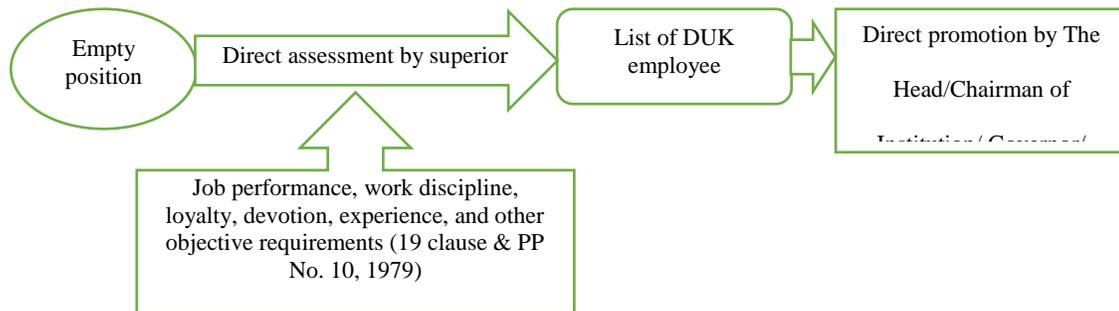
In this phase, government made a policy or act to manage the PNS which is called UU 8, 1974 about the personnel issues or the principle of public personnel management. In this act, every PNS could get the higher level regularly every four years. Indonesia, according to UU 8, 1974 management system in this phase adhere the combination the career and merit system [17]. There was no need special requirement to get promotion into the higher rank, it's just administrative requirements, DP3 assessment result, name proposal subjectively from the boss or the higher officer. The advantages of the system was every employee has the same opportunity to promote regularly. In another, the disadvantages, this system was not merit yet, because there're no competition, job performance or achievement to have the promotion.

For another promotion system, such as promote in the higher position which's called 'echelon', merit was already tried to be the consideration. Merit in this act use DP3 assessment, ability, experience and interest, but it was locked with list of rank order (DaftarUrutanKepangkatan) and other objective criteria

such as loyalty, and trusted. The rule said, “*Pengangkatan Pegawai Negeri Sipil dalam suatu jabatan dilaksanakan dengan memperhatikan jenjang pangkat yang ditetapkan dalam jabatan itu.*” (17 clause (2), UU 8/1974). Nevertheless, the objective consideration were stated in clause 19 and 20, it stated, “*Pengangkatan dalam jabatan didasarkan atas prestasi kerja, disiplin kerja, kesetiaan, pengabdian, pengalaman, dapat dipercaya, serta syarat-syarat objektif lainnya.*” (19 clause, UU No.8/1974)[18].

List of work assessment (it’s called DP3 than) that was intended in 20 clause, were explained in Government Regulation no. 10, 1952[19]. DP3 was the work assessment of an employee in one year, which’s made by direct higher official. The element to be assessed were loyalty, job performance, responsibility, adherence, honesty, teamwork, initiative and leadership. Unfortunately, the guidance to assess these element was not clear and multi interpretation, so it’s still subjective. The promotion process was becoming subjective and un-merit when there’s colleague known there. At the time, even if someone has already their time in DUK to promote there would not chance for him/her if they’re not promote by their boss (higher official). In this case, every subordinates should have good relation to the boss and well known. This condition happen almost in all institution, and it’s getting worse in local governance. Merit spirit was vague with the patronage and spoils system.

The picture bellow show the schema about the structural position promotion based regulation no. 8, 1974.



Picture 1. The schema of the promotion system based on Law 8, 1974

*processed from various sources

2. Selective logging

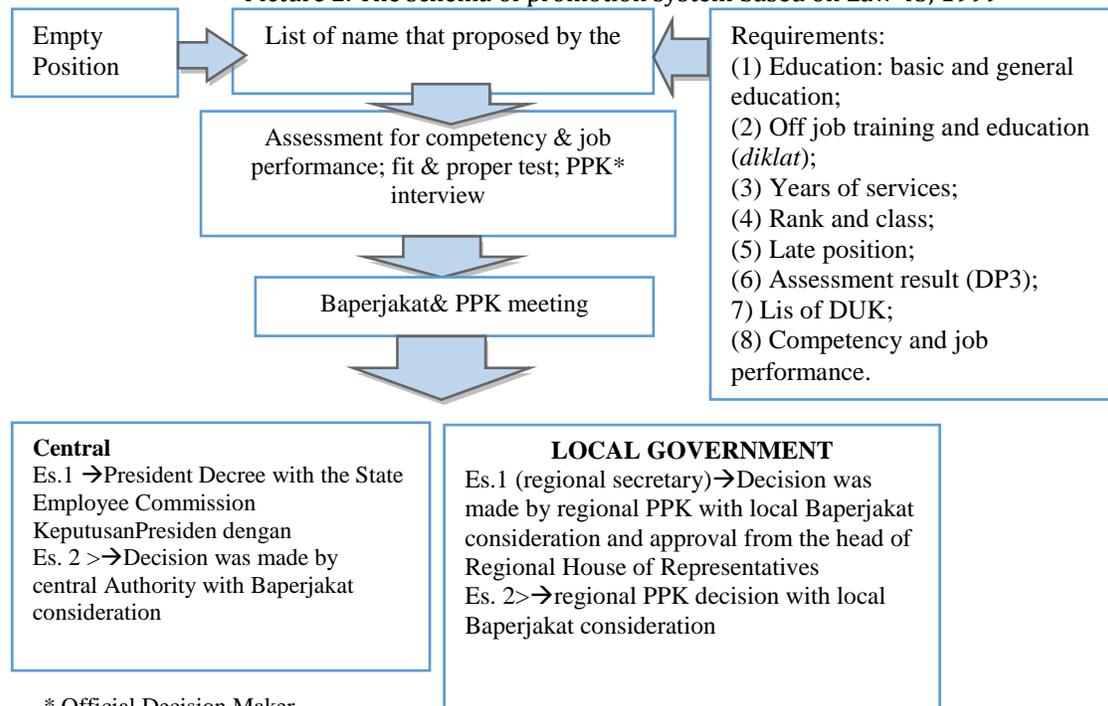
Reformation event at 1998 brought the wider change in all government areas, not only politic, and economy, but also bureaucracy system. The public personnel issues constitution was not accordance with the condition at that time, and it requires adjustment. In this phase, the regulation was change from UU 8, 1974 to UU 43, 1999. This regulation was not totally change, it just modified some clause for adjustment to the situation demand.

In this phase, civil servant merit promotion system was more required strict, because there’re competency as one of requirement to be promoted. Based on Government Regulation (PP) no.10, 2000, civil servant whose was promoted as structural level should be appointed by the professional principle, such as competency, job performance, and the level of rank assigned for the position, and other objective requirements without any discrimination for gender, ethnic, religion, race and group society (PP 10,2000). in two years later, the regulation was modified and there’re more objective requirement in eight required, such as (1) education: basic and general education, (2) in job training and education (*diklat*); (3) years of services; (4) rank and class; (5) late position; (6) assessment result (DP3); (7) Lis of DUK; (8) competency and job performance.

Another element that added in this regulation was the formation of internal assessment team, which’s called BAPERJAKAT. According to the selection model theory, this phase use traditional model or sponsor. The sponsors or the member of BAPERJAKAT was dominant with the elite organizations or top level management, but there’re leveling of BAPERJAKAT itself, such as Baperjakat in a middle level (for echelon 3 & 4) and top level (for echelon 1 & 2).

The picture below explain the schema of promotion system based on Act 43, 1999.

Picture 2. The schema of promotion system based on Law 43, 1999



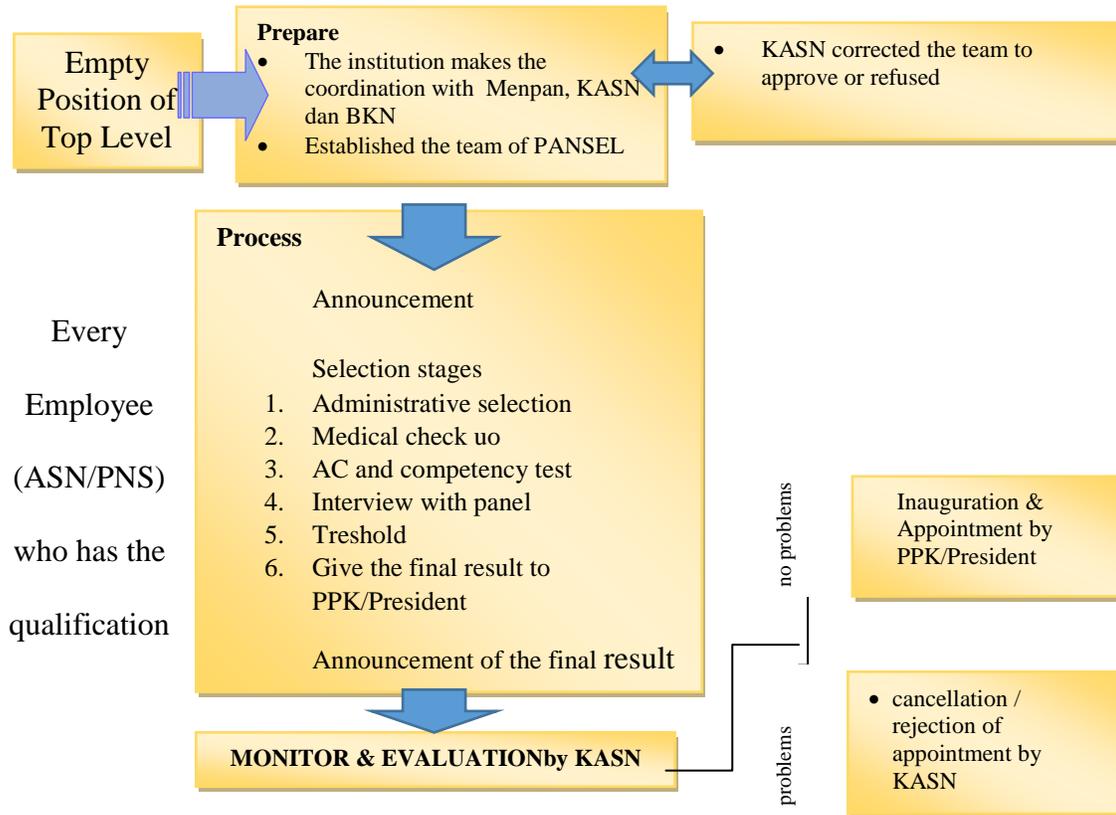
3. Relative Merit

The demands of accelerated bureaucratic reform is becoming the bigger homework for creating professional, clean, and accountable. The change of public personnel management system in Act, 34, 1999 is not enough to create the better system of bureaucracy and better quality of Indonesian civil servant. Some previous researcher found that the promotion system has not been merit yet (Kusharwanty, 2008; Nasir, 2009; Edison, 2011; Herman, 2012; Priyatno, 2013). In the previous Act, government there was no system built to prevent bureaucracy from political intervention. There was no commission to control and evaluate the bureaucrat for independent, neutral, and professional. In twelve (12) years, government failed to establish the commission which is mandate by the Act, 43, 1999.

The bureaucratic reform made some local policy that bottom up initiatives by the head of institution since 2008. In this situation, the pressure from bottom level to create merit in the public personnel management were bigger. Finally, early 2014, ASN Act was passed by President as a new form of regulation to manage Indonesian Civil Apparatus. New Act that has been declared merit system as a basic or fundamental system to establish in management system of public personnel. In this Act, promotion model was describe as an open competition system which is called open competition for applying one of position in structural level.

In the phase, the empty position of top level management (Jabatan Pimpinan Tinggi (JPT)) is announced by the institution and every employee who has the same qualification to the position can join the competition to be the candidate. In the last phase, Civil Service Commission (KASN) was established to watch merit system implementation. Based on the theory of selection model [14], this promotion model is kind of tournament or contest, where every candidate has to passed every step/test. It process usually known as "beauty contest". Every contest, the institution should create the PANSEL or judges who give the score for each stage of the contest and give the final score as the result of all stages of the contest to the PPK or person who make the decision for the selection in the top level management (i.e. President, Minister, or Governor).

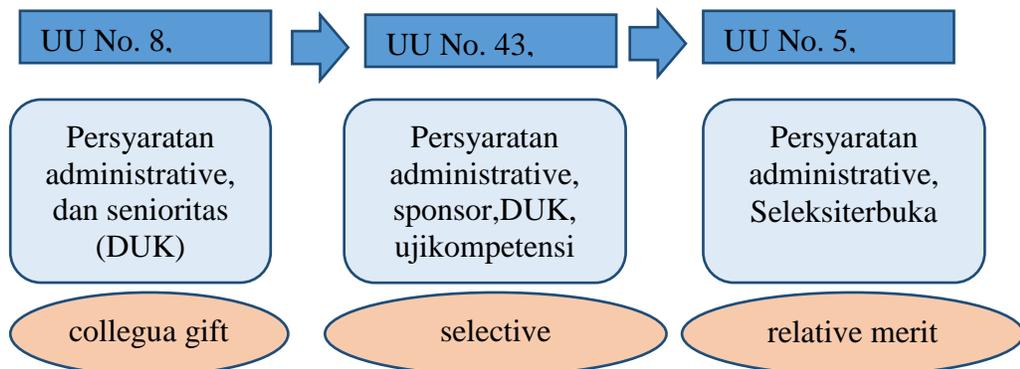
The picture below explain the schema of the promotion based merit (Open Competition Model) based on Ministerial Regulation No. 13, 2014.



Picture 3. The schema of the promotion/selection process based on UU No. 5, 2015. [20]

Based on theory of selection, this phase used a contest type, because contest mobility refers to an open market for top position, where candidate are continuously screened and where performance determines success (Turner, 1960 in Vinkenbunrg, 2014).

The phase of transformation model of merit system in Indonesia can be describe in picture below,



6. CONCLUSION

As a summary of the paper, based on the literature study, interview and analytical process of the regulation, the authors define the merit journey of ASN promotion or selection has three phase, there are *colleague gift*, *selective logging*, and *open competition*. Each phase has the own procedure and unique depends on the political, and social situation in the time. there're no false or wrong process in this case, because it describe the real situation in the time. But the last phase, open selection model of promotion system become the best procedure now to establish the professional ASN and it describe the implementation of merit system in promotion and selection system of public personnel management.

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