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INCONSISTENCY OF MERIT SYSTEM APPLICATION IN IMPLEMENTATION OF POLICIES OF CIVIL SERVANTS PLACEMENT TO THE STRUCTURAL POSITIONS IN MUNA REGENCY

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ABSTRACT

This study aims to analyze and describe the implementation of policies of civil servants placement to the structural positions. The study uses qualitative method, a procedure that emphasizes research on the characteristics of natural background, the researcher as an instrument, using in-depth interviews, observation and documentation as data collection techniques. The focus of research produces descriptive data in the form of written and spoken words and analyzed inductively. The results show that the implementation of the policies of civil servants placement to structural positions in the scope of Muna Regency Government during the years 2008-2011 was not based on the merit system, it is known from: (a) the inconsistency in applying the mechanism of civil servants placement to structural positions, (b) no committing assessment to prospective structural officials, and (c) the absence of competency standards of job used in the placement of officials to the structural position. The factors that detain the accomplishment of merit system are the spoil system, nepotism and patronage in the implementation of the civil servants placement policies to structural positions in the scope of Muna Regency Government. In addition, indefiniteness of policy contents and unlimited authority of Regent in appointing, remove and dismissing officials also becomes factors affecting the policies of civil servants placement to structural positions in Muna Regency Government area during 2008 to 2011.

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INTRODUCTION

Since the enactment of Law No. 22 Year 1999 on Regional Governance, there have been changes in various fields of government i.e. from centralized to decentralized system. In the field of civil service, implementation of decentralization of authority gives direct implication on the management of civil service in local government regions where a Provincial Governor, Regent/Mayor is an official builder for personnel who has authority to appoint, transfer, and dismiss officials in their respective regions. Based on early studies at several institutions of Muna Government, it is known that there have been inconsistencies in the implementation of policies of civil servants placement to structural positions, namely echelon II, echelon III, and echelon IV. Determination and appointment of prospective structural officials did not correspond with mechanisms for civil service policies and have not been based on competencies owned by civil servants; it was applied with the spoil system, nepotism and patronage.

The merit system which has not been applied indicates that staffing at a structural position has not been completed professionally, whereas through recognition the competences, the efficiency and effectiveness expected by good governance principles can be achieved (Keban, 15: 2004). The spoil system, nepotism and patronage in the placement of civil servants to a structural position in the scope of Muna Government certainly imply that Regent of Muna as Civil Service Builder has not consistently applied the merit system in the placement of civil servants in the structural position of echelon II, III and IV.

The focus of this research is the question of why the merit system can not be consistently applied in the implementation of policies on the placement of civil servants at the structural position in the scope of Muna Government. The purpose of this study is to describe and analyze: (1) Implementation of civil servants placement policies to the structural positions, (2) Inhibiting factors of merit system application in the implementation of policy of civil servants placement to the structural positions.

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Literature Review

Implementation of Public Policy Theory

Implementation of public policy can be defined as actions carried out either by individuals or officials or government groups aimed at achieving the objectives outlined in the policy decision (Grindle, 1980: 5). Implementation of the policy is one of important aspects of the policy process, because formulated public policy will not succeed if it is not implemented (Edward III, 1984: 1). In line with that opinion, the implementation of the policy of civil servants placement to a structural position in this article can be interpreted as the implementation of legislation and decisions in the field of civil service, especially in the policies of civil servants placement to the structural position in Muna. Theoretically, it is unlikely that the implementation of policy run into difficulty because in the process of implementation, the policy has been patterned to achieve the goal, but in practice, the policy implementation often results in failure as stated by Hogwood and Gunn (1983; 196-198) that any public policy has risks to fail. The policies can fail due to not being implemented according to plan, perhaps because the parties involved in its implementation do not cooperate or work inefficiently, or they do not understand the problem dealing with because it is beyond their reach of power so that the obstacles that arise can not be tackled.

The implementation of policies could fail in the event of inconsistency. The inconsistency can be interpreted as not obey the principle, like to be fickle, have irregularity parts, contradictory and counterproductive, incompatible, and improper (Effendi, 2009: 138). The policy inconsistency is any discrepancy, contradictory and counterproductive, or not accordance with primary policies. The inconsistency, according to Effendi, occurs because the policy set forth in the employment regulations has digressed from principles established by main regulation. The policy inconsistency can be avoided by complying with all the rules, norms, and languages in the formation of legislation, besides that, there should be public access in drafting legislation. (Hidayat and Susanto, 2011: 37-38). There are several things need to be considered to avoid inconsistency in the policy, namely: clarity of purpose, proper institutional or official formers, conformity between types, hierarchy and content material, implementable, usability and effectiveness, clarity of formulation and transparency (Edward III, 1980: 17).

There are two approaches may be used in analyzing the implementation of policies, namely compliance approach and factual approach (Ripley and Franklin, 1986: 25). Both of these approaches are complementary. The compliance approach focus on the compliance level of subordinates to superiors, while the factual approach is an approach that assumes there are many factors influencing the process of policy implementation that requires implementer to freely make adjustments. Based on this explanation, it can be stated that the success of a policy is determined by the implementation of the policy, while the success of the implementation process is determined by the ability of the implementer, namely: (1) the compliance of implementer in following orders from superior, (2) the ability of the implementer to follow what he thinks is right as a personal adherence in facing external influences and organizational external factors (Edward III, 1980: 9). According to Edward III (1980: 1), the main problem of public administration is the

lack of attention to implementation. According to him, without effective implementation, the decision of policymakers will not be carried out successfully. Moreover, Edward III advised to consider four key issues for the effectiveness of implementation of the policy, namely: communication, resources, disposition or attitudes, and bureaucratic structures. Communication with regard to how the policy is communicated to the organization or the public, the availability of resources to implement the policy, attitude and responsiveness of the parties involved, and how the structure of the organization implementing the policy. Resources regard to the availability of resources, especially human resources. Disposition concerning the willingness of the implementer to carry out public policy, while bureaucratic structures relating to the suitability of bureaucratic organizations as the implementer of the policy.

Theory of Human Resource Management

One of the functions of Human Resource Management is the placement of employees, both new employees and old employees in the form of promotion, transfer or demotion in particular working position (Veithzal, 2009: 198). Promotion means movement from one position to a higher position, authority and responsibility are even greater, as well as higher revenue. Basically promotion can be done in two ways, namely by the seniority system and the merit system. Promotion with seniority system means determination of promotion is ordered based on the years of service, so that employees with a longer service will be prioritized to be promoted, whereas promotion with merit system is based on employees' job performance, so that the most outstanding employees will have priority to be promoted (Sharma, 1988: 462). Placement of employee to the structural position with merit system is done by considering the principle of "the right man on the right place". Appropriate staffing can increase high motivation for each employee so as to generate optimal work performance (Sikula, 1981: 196).

Through the principle of "the right man on the right place" an employee does not merely obtain a position, but there must be a match between the competencies he possesses includes knowledge, skills and behaviors with job requirements or tasks to be performed. The understanding of these competencies are in accordance with the opinion of M. Spencer (1993: 9), that: "competencies are underlying characteristics of people and indicate ways of behaving or thinking, generalizing across situations, and enduring for a reasonable long period of time". There are several forms of assessment to be used to test the competences of the employees who will occupy structural positions, namely: reviews, interviews, observation, and test (Schuler and Jackson, 1997: 227). The assessment of employees' competencies can also be done through examining work history, analyzing list of promotions based on performance, doing rating of activities, checking the list of seniority and list created based on the skills in the information system of human resources (Siegel and Myrtle, 1985: 188). The purpose of assessment is to determine the knowledge, skills and behaviors of employees (Tunner and Hume, 1997: 48). Staffing which based on a merit system means that a position can only be filled by the "best person" because of his quality and ability as expressed by McCourt (2007: 2) that "merit system can be define as the appointment of the best person for any given job". The term "the best person" seems still difficult to be defined, but according to McCourt (2007: 3)

that there are 4 (four) implications of the term "the best person" that opposed to employment practices as shown in the Table 1 as follows:

Table 1. Implication of "A Best Person" definition

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

Source: Willy McCourt, 2007: 3

The main point of McCourt's idea is the application of the merit system in appointments of official according to the clear and easily understood rules of merit. Merit system can be understood by looking at the structure of merit argument based on the formula: S merits X in Virtue of M, where S = someone; X = mode of treatment or outcomes; and M = characteristics of S (policies McCrudden, 1998: 545). The formula indicates that someone (S) deserve to get a job or a particular outcome (X) because of his characteristics (M). According to Klingnier and Nabaldian that the merit system is staffing actions undertaken by knowledge, skills or expertise and capabilities of employees and candidates or applicants than factors of personality or political affiliation (Klingnier and Nabaldian, 1985: 16). Rosenbloom (2005: 206) stated that the merit system emphasizes on the competencies associated with the job and gives a smooth and stability in the field of personnel. The merit system has become a reference model of universal reformation that has the principle of equality and equity. Therefore, if this principle is applied in the placement of civil servants to the structural position, it will give equal opportunity for everyone to be placed on a vacant position, but only those with the best competency will be selected. Merit system can be a tool for achieving the efficiency and responsiveness of the organization, eliminating patronage and depoliticizing the national civil service system (Gordon, 1982: 383). Though the merit system is considered by many opinions to have many advantages, but there is also a judge that the merit system is difficult to apply in staffing because of factors such as spoils system, nepotism and patronage which is still often considered in the placement of employees in the structural official (Rosenbloom and Kravchuck 2005 : 204). Based on the merit system principles that have been suggested, then there are three subjects of this paper, namely; mechanism of placement, placement assessment criteria, and implementation of placement determination.

MATERIALS AND METHODS

This study uses a descriptive qualitative approach. This research seeks to analyze and describe the implementation of civil servants placement policies to the structural positions. Data collection techniques are in-depth interviews and documentation study. The focus of research is on the mechanisms and aspects of the assessment criteria used in the implementation of policies of civil service placement to the structural positions in the scope of Muna Regency Government during 2008-2011. The research data are in the form of primary data and secondary data. Primary data is the main data in the form of information about the phenomenon behind the implementation of policies of civil service placement to the structural positions which is the result of in-depth interviews to the research informants. Secondary data is supporting data in the form of documentation of study results

both internal official document and external official documents that are relevant to the objective of research.

The research is analyzed through qualitative analysis techniques using an interactive model (Miles and Huberman, 1994: 429). The interactive model data analysis concerned with the process of analysis before the data collection phase, during the data collection process and after the data collection phase ends. These processes are taken place simultaneously and interact each other throughout the research activities to find a really valid formula. Qualitative data analysis is conducted through data reduction, data presentation and conclusion.

RESULTS AND DISCUSSION

The Mechanism of Civil Servants Placement to the Structural Positions in the Government Institutions of Muna Regency

Based on the research results, it obtained information that the placement mechanism of civil servants in the structural position of echelon II, III and echelon IV has been stipulated in Government Regulation No. 9 of 2003 on the Authority of Appointment, Removal and Dismissal of Civil Servants. Furthermore, the Government Regulation No. 9 of 2003 is described in the Decision of Head of BKN (National Civil Service Agency) No. 100 of 2000 on the Appointment of Civil Servants to the structural positions as amended. But the fact shows that during the years 2008-2011, the placement mechanism of civil servants to the structural positions has not been applied consistently. The fact delivered by an informant from Badan Kepegawaian Daerah (Regional Civil Service Agency) of Muna who briefed through the interview as follows:

"The mechanism to determine echelon II officials is fully decided by the Regent. For example in 2010, the Regent handed me 24 names of officials who have to find places in the echelon II. It was not through meeting of Badan Pertimbangan Jabatan dan Kepangkatan, they just signed as a condition of formality, and we all just followed what the Regent wants. (LM, Interview: December 14, 2011).

What the informant described above shows that the placement of a civil servant to a structural position echelon II in Muna Regency has not followed the appropriate stages of the mechanism set out in the Civil Service Regulations in Indonesia. That information is reinforced by an informant from Badan Pertimbangan Jabatan dan Kepangkatan (Board for Position and Rank Consideration) period of 2008-2010 who stated that:

"Indeed, BAPERJAKAT is formed, but not involved in the discussion of placement of officials to the structural position. So, who determine? Where and when an official is placed as

the structural officials? Only the Regent who determine, it can not be denied" (La Ode Arman Anwar, January 18, 2012). The statement of the informant above also indicates that the placement of a civil servant to a structural position in Muna Regency is not appropriate because the mechanism is not through discussion of *Badan Pertimbangan Jabatan dan Kepangkatan* team. The same information is also obtained from an informant, who was the Head of BAPERJAKAT, that: "The function of BAPERJAKAT is only consideration, if the Regent had already determined the names of civil servants who will be placed to structural positions echelon II, III and IV, means that is so. Indeed, every decree stated that the decision had been considered by BAPERJAKAT but actually not as so" (La Ode Kilo, January 15, 2012).

The information submitted by the three informants points out that the placement of civil servants to the structural positions of echelon II, III and IV in the scope of the Government of Muna is not in accordance with existing mechanisms. The relevant institutions like *Badan Kepegawaian Daerah* (Regional Civil Service Agency) and BAPERJAKAT which should be involved in the process of placement as if they are not functioned as it should be. The policy of civil service mandates that, if there is a vacant position, the Head of BKD should discuss it to Regent, then the Regent ordered the Head of BKD to prepare the names of employees who meet the terms of position, then head of BKD submit the qualified names to the Head of BAPERJAKAT to be discussed in BAPERJAKAT meeting, the decision of BAPERJAKAT subsequently submitted to the Regent to be placed to vacant structural positions, but the fact that such mechanisms are not applied in the placement of civil servants to the structural position of echelon II, III and IV in Muna Regency Government area.

The Application of Placement Assessment Criteria of Structural Official in the Area of Muna Regency Government

Based on Regulation of Head of BKN (National Civil Service Agency) No. 23/2 Appointment 011 on Competency Assessment Guidelines for Civil Servants, explained that in order to ensure objectivity, fairness and transparency of civil servants in structural position, Competency Standards need to be set, and to determine the competency of civil servants in accordance with the requirements, it is necessary to conduct assessment toward the civil servants. The research results showed that there are still officials who occupy positions which incompatible with their educational background, for example, in 2008, the Head of Forestry Office has economics undergraduate educational backgrounds, Section Chief of Family Health was official with pharmacy undergraduate educational backgrounds. In 2009, Forestry Office was held by an official with undergraduate title majoring state administration; Medical Office was headed by a bachelor in religious and many more.

These findings indicate that the placement of civil servants to the structural positions is not entirely based on the merit system because it is more influenced by Spoils system and nepotism, as stated by the informant that "friendship and family relations as well as political interests, also affect the placement of structural officials in Muna" (La Ode Kilo, 15 Januari 2012). Based on the facts revealed, it is clear that the merit system has not been used as the main reference in

staffing to structural positions in the area of Muna Regency Government.

Analysis of Implementation of Civil Servants Placement Policy to the Structural Positions

Referring to the principle of "the right man on the right place" an employee does not merely obtain a position, but there must be a match between the competencies he possesses includes knowledge, skills and behaviors with job requirements or tasks to be performed. It is in accordance with the opinion of M. Spencer (1993: 9) that is: "competencies are underlying characteristics of people and indicate ways of behaving or thinking, generalizing across situations, and enduring for a reasonable long period of time". Likewise with the opinion of Schuler and Jackson (1997: 227) that form of assessment that can be used to test the competence of the employees who will have structural positions are: reviews, interviews, observation, and test. Research findings show that during the period 2008 - 2011, the principle of "the right man on the right place" has not been applied in the placement of civil servants to the structural position in the area of Muna Regency Government. In contrast, the influence of friendship, family relations and political interests are considered more affecting the placement of structural officials of echelon II, III, and IV. The fact of not applying the principle of "the right man on the right place" can be considered as a mistake reviewed from aspect of organization and personnel, because the merit system gives emphasis on the competencies associated with the job and give a smooth and stability in the field of personnel (Rosenbloom (2005: 206). In addition, the merit system actually has become a model reference of universal reformation with the principle of equality and equity. The merit system can be a tool for accomplishing the efficiency and responsiveness of the organization; it also can eliminate patronage and depoliticize the state civil service system (Gordon, 1982: 383).

Inhibiting Factors of Merit System Application in the Implementation of Policy of Civil Servants Placement to the Structural Positions

Recruitment System

The facts about civil servants placement to structural positions in Muna Regency in the period 2008-2011 indicates that the merit system has not been applied to the appointment of structural officials of echelon II, III, and IV. Determination and placement of structural officials is not through mechanisms or stages according to regulations, for example, an official who placed in a *Organisasi Satuan Kerja Perangkat Daerah* (Regional Work Unit) did not refer to the proposal from the SKPD concerned, but directly from the Regent and was not discussed by the team of BAPERJAKAT. This is clearly contrary to the placement mechanism provided in Article 14 of Government Regulation No. 13/2002 on the Appointment of Civil Servants to the structural positions that appointment of civil servants to the structural positions in the Regency/City is done after receiving assessment and consideration from BAPERJAKAT in the Regency/City. This condition occurred because of political interests, family relation and friendships. External factors that affect merit system not applied in the implementation of staffing policies are politicians from supporting parties and interest groups, family and close friends who gave support to the Regent election in Muna. Meanwhile, internal factors are the officials

who have supporters and clandestinely provided support to the Regent in the election. Both factors influence the Regent of Muna in placing officials to structural positions in Muna Regency period 2008-2011.

Content of Policy

The contents of the policy in Government Regulation No. 9 of 2003 on the Authority of Appointment, Removal and Dismissal of Civil Servants is also influential that the merit system is not applied in the implementation of policies of civil servants placement to structural positions in the area of Muna Government. Article 14 of the regulations arranges the granting of authority to the Regent as Civil Servants Builder Officer in the Regency to appoint, remove and dismiss civil servants, including structural officials. That unlimited authority can be the reason for the Regent of Muna to do the placement to the structural officials as he wants. The ambiguity of contents of Government Regulation No. 9 of 2003 also appears in Article 5 stating that the appointment of a structural position must meet the requirements of educational qualifications, but it is not explained about the linkages between educational qualifications to be possessed by an official with structural positions occupied. Likewise with the competency requirements and competency standards of the job that must be met by a candidate of structural officer are not described in detail, as the result, appears different interpretations about the educational qualifications and job competencies used in determining structural officer in the scope of Muna Regency Government.

Conclusion

Implementation of policies of civil servants placement to structural positions in the Government Institutions of Muna Regency during the years 2008-2011 was not based on the merit system, it is known from: (a) the inconsistency in applying the mechanism of civil servants placement to structural positions, (b) no committing assessment to prospective structural officials, and (c) the absence of competency standards of job used in the placement of officials to the structural position. Obstruction of Merit System Application in the Implementation of Policy of Civil Servants Placement to the Structural Positions in the Government Institutions of Muna during the years 2008-2011 is the application of the spoil system, nepotism and patronage. In addition, unclearness of policy contents and unlimited authority of Regent in appointing, remove and dismissing officials also becomes factors affecting the policies of civil servants placement to structural positions in Muna Regency Government area during 2008 to 2011.

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