

Merit System Principle: A Missed Opportunity for Fairness in Indonesia's Civil Service

Sofyan^(⊠), Thahir Haning, and Tang Abdullah

Department of Public Administration, Hasanuddin University, Makassar, Indonesia sofyan.ian13@gmail.com

Abstract. This descriptive qualitative research aims to identifythe implementation of the merit system principle in promotions and mutations carried out in Majene Regency after changing leadership, and to propose recommendations to improve the process. The study uses primary data in the form of in-depth interviews and studying archives and documents. The findings show that the merit system principle is not properly implemented in filling echelon III positions, with political and emotional closeness factors still dominating the process. However, the echelon II positions are filled more appropriately. The mechanism for filling positions in Majene Regency consists of promotions, rotations, and demotions. To improve the process, the study recommends the establishment of clear and technical rules, a clear career pattern, and providing a place for State Civil Apparatus (ASN) talents who have the ability as structural officials. This study provides valuable insights for the improvement of the promotion and transfer process in Majene Regency and similar regions facing similar problems.

Keywords: meritocracy · merit system · mutation · promotion

1 Introduction

The dynamics that often occur after the election of regional heads, whether the elections for governors, regents or mayors, are the phenomenon of shifting positions within the State Civil Apparatus (ASN), be it promotions, transfers or even non-jobs. This is basically legal to do, but sometimes transfers and promotions are carried out because of subjectivity or political elements from the elected regional head. Salim (2016) stated that elements of politics and subjectivity often dominate in every filling of civil servant (PNS) structural positions [1]. This phenomenon is known as bureaucratic politicization. Bureaucratic politicization can be understood as a phenomenon when political actors try to exercise control over the bureaucracy [2].

The mutation process, which is part of personnel management in a government, turns out to be used as a political tool to seek support from bureaucrats. This practice will not give birth to employees who have high professionalism, are creative and skilled and violate Law no. 5 of 2014 concerning the State Civil Apparatus, namely the management of PNS must go through a merit system based on the qualifications, competencies and performance required by the position as a measure of objectivity agreed in managing the State Civil Apparatus.

The implementation of the merit system has actually been implemented in several countries, including Indonesia. This is stated in Law Number 5 of 2014 concerning the State Civil Apparatus, Chapter VIII Articles 51–52 it states that ASN Management is organized based on a merit system. In Chapter I, Article 1 it is said that the merit system is basically the policy and management of ASN based on qualifications, competence, and performance in a fair and reasonable manner, regardless of political background, race, color, religion, origin, gender, status. Marriage, age, or disability. This system intends to develop employee careers and also to reward the achievements of employees in carrying out their duties. Therefore, the process of promotion and transfer of Civil Servants must prioritize the expertise of the employee itself in the sense that the transfer process must be a merit system.

The implementation of promotions and transfers is also carried out within the scope of the regional government of Majene Regency. In accordance with the Majene Regent's decision letter number 125/HK/KEP BUP/2022 on December 31, 2021 the Majene Regent carried out transfers and promotions with a total of 279 echelon IV officials within the Majene Regency government, then on January 31, 2022, Regent Andi Achmad Syukri Tammalele re-appointed 116 echelon III officials after going through a promotion and mutation process.

However, the implementation of promotions and transfers reaped polemic, because there were attempts to carry out promotions and transfers outside of the merit system, such as the implementation of promotions full of political and subjective elements and promotions carried out within the scope of the government this time it was suspected that there was an element of kinship towards the regent and deputy elected regent. Promotions and transfers are not half-hearted this time, apart from carrying out promotions from functional positions to structural positions, the reverse is also done. In fact, in this rotation, there are officials who used to serve in OPD agencies, being shifted down to the sub-district level. Starting from the Pamboang sub-district office to the Tubo Sendana, Ulumanda and Malunda sub-district offices.

So it is not surprising that the national ASN management system merit index through ASN promotions and transfers is in the poor category (by 0.57 or 81.43% of the target of 0.71). This result is obtained from the average index in central and regional government agencies. Local governments (provincial, district and city) implementing the merit system are still in the less category (Kemenpan/RB, 2019). From these various polemics, researchers are interested in examining more deeply related to the promotion and transfer of civil servants after the election of the Regent and Deputy Regent of Majene in 2020 with a focus on studying the implementation of a merit system in every promotion and transfer process as mandated by Law no. 5 of 2014 concerning ASN.

The term meritocracy was first introduced by Michael Young in 1958 in his book entitled The Rise of The Meritocracy. Young says that meritocracy can be interpreted as one view or providing opportunities for individuals to advance based on merit, namely based on their worthiness and skills or brilliance. Gradually the term meritocracy was derived into the term merit system [3].

McCourt in (Daniarsyah, 2017) emphasized that the merit system is a staffing system where there is a comparison of skills or achievements that affect each selection and progress of individuals in service and where performance conditions and rewards contribute to competence and continuity of service [4]. Based on some of the definitions above, the authors are of the view that the merit system is basically a placement to place someone in a position on the basis of objectivity in terms of ASN qualifications, competence or performance. The merit system is the main principle in the ASN Law, in fact this law also provides institutional rules to guarantee the existence of a merit system in ASN management.

According to US Merit Systems Protection Board, said that there are 9 basic indicators in the implementation of the merit system, namely: a. Recruitment, Selection, and Advancement; b. equity; c. Compensation; d. conduct; e. Utilization; f. retention; g. Employee Training and Development; h. Neutrality; i. Public Interests [5]. Referring to some of these views, the authors argue that the principle of merit put forward by US Merit Systems Protection Board, according to reality in the context of this study. Therefore, the authors use this theory as a basis for dissecting the application of the principle of merit in the promotion and transfer of ASN in Majene Regency. By adjusting the context of this study, the authors only use the 6 principles of the merit system proposed by Grundman, namely Recruitment, Selection, and Advancement, Equity, Utilization, Retention, Neutrality and Public Interest.

The application of the merit system in the promotion and transfer of State Civil Apparatus in Regional Government can be carried out by dividing it into 2 (two) dimensions, namely the process dimension and the content dimension. In the process dimension, it will study the principles of fairness and equality, openness, while from the content dimension, it will examine competence [6]. This merit system is implemented in the process of promotion and transfer of positions within the scope of the State Civil Apparatus.

Promotion is a form of reward or award given to an employee who has good work performance in the form of a promotion with greater responsibility so as to obtain greater facilities, status and salary than before with the aim of giving recognition, position and greater service rewards to employees with high performance in filling vacant positions.

The promotion requirements for each agency are not always the same depending on each agency. In general, some of the conditions for promotion are having high honesty, having good work discipline, having good work performance, being able to work together, being competent, creative, and innovative, being loyal to the company, having leadership, communicative, and education in accordance with position [7]. There are several indicators of promotion, namely honesty, loyalty, level of education/work achievement, and work experience/seniority [8].

Mutation is an act of transferring an employee to another position at the same or lower level to obtain maximum job satisfaction for the company. Implementation of mutation, appointment and dismissal of Civil Servants. Mutation can also be said as a change in position/position/place/work that is carried out both horizontally and vertically (promotion/demotion) in an environment work [7]. Basically, mutation is included in the employee development function, because the aim is to increase the efficiency and effectiveness of work within the company.

There are three bases for implementing employee transfers known as the merit system, the senior system, and the spoiled system. In each employee mutation implementation, the company selects and determines in advance the basis of consideration that will be used as a guideline for choosing which employee to transfer, in general the company chooses a different basis of consideration or basis in determining the employee to be transferred. Indicators of mutation consist of experience, knowledge, needs, skills, and responsibilities [7].

2 Methodology

This type of research is a qualitative research with a descriptive approach. This method was chosen because the researcher tried to describe the facts from the events studied so that it would be easier for the writer to obtain objective data related to the promotion and transfer of Civil Servants in the Majene Regency Government after the election of the regent and deputy regent of Majene in 2020. By linking merit system as the basis for managing the management of the State Civil Apparatus in Indonesia.

The research was conducted in Majene Regency, West Sulawesi. The focus of this research is the merit system; the principles in implementing the merit system are Recruitment, Selection, and Advancement, Equity. Utilization, Retention, Neutrality and Public Interest. From this principle, it becomes an indicator for researchers to examine more deeply related to the implementation of the merit system in ASN management, especially in terms of promotions and transfers carried out in the Majene Regency government; as well as promotions and mutations. In this study there were five informants, namely the Head of Position and Rank Consideration Agency, Head of Staffing & Human Resources Development Agency Majene Regency Majene Regency, Head of the Promotion and Transfer Development Division at Staffing & Human Resources Development Agency Majene Regency, and civil servants who were promoted and transferred in 2022 to Majene Regency.

The data collected are primary data and secondary data through observation, interviews, and documentation which are analyzed using three activity lines according to Miles, Huberman and Saldana namely data condensation, data display, and conclusion drawing/ verifications [9].

3 Results and Discussion

There are 2 (two) main findings that will be the subject of research discussion, related to the principles of the merit system applied in promotions and transfers of positions in Majene Regency and the mechanisms used in filling positions. The research data shows that there are 3 (three) methods used in filling positions within the Majene Regency government, namely through open selection, job fit and based on the assessment of the Position and Rank Consideration Agency. Meanwhile, to see the application of the merit system principle in filling positions through promotion and transfer of State Civil Apparatus (ASN) positions in the Majene Regency government, researchers analyzed using the 6 (six) merit system principles described by Grundman in the US merit system protection board (2016), namely Recruitment, Selection, and Advancement, Equity. Utilization, Retention, Neutrality and Public. The research data shows that there are 3 (three) methods used in filling positions within the Majene Regency government, namely through open selection, job fit and based on the assessment of the Position and (2016), namely Recruitment, Selection, and Advancement, Equity. Utilization, Retention, Neutrality and Public. The research data shows that there are 3 (three) methods used in filling positions within the Majene Regency government, namely through open selection, job fit and based on the assessment of the Position

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3.1 Application of the Merit System Principle in Filling Promotional Positions and Transferring Positions of State Civil Servants in the Majene Regency Government

Recruitment, Selection, and Advancement

Recruitment, Selection, and Advancement is the process of selecting employees based on abilities or qualifications fairly by competing openly to achieve representative employees and determining selection criteria by using structured, valid and reliable assessments. as desired in ASN management based on the merit system. In addition, information related to vacant positions is announced openly both through electronic media, print media and through circulars addressed to agencies within the Majene Regency government. Since being appointed on June 27 2021 as regent and deputy regent of Majene Regency, Andi Achmad Syukri Tammalele (AST) and Arismunandar (Aris) have carried out promotions and transfers 4 times, namely on 05 November 2021 for Echelon II (through open selection), 31 January 2022 for echelon IIIA and IIIB (closed selection), 13 April 2022 for echelon IIB (Job fit) and 4 July for echelon II (Job fit).

From the information obtained, there are differences in treatment in terms of filling positions between echelon II and echelon III which are carried out in Majene Regency, including (a) the mechanism for filling positions is different between echelon II and echelon III positions. (b) information related to vacant positions tends to be closed to echelon III, however echelon II is informed through circulars, print and online media or the official website of the Majene Regency government. (c) the requirements that must be met in the echelon III selection process are closed and subjective because there is no explanation or confirmation by the personnel management authority but it is different from echelon II which refers to Permenpan RB no. 15 in 2019 including educational qualifications of at least bachelor or diploma IV, having held the position of administrator or JF at the intermediate expert level for at least 2 (two) years, having a good track record of position, integrity and morality and being linear to position with education.

So that the implementation of promotion and transfer of positions within the Majene Regency government for echelon III has not fulfilled the merit system principle, namely Recruitment, Selection, and Advancement. In addition, there is no standard or talent poll in determining ASN careers, which is an obstacle in determining promotions or transfers to echelon III officials.

Equity

Basically, the principle of the merit system strictly prohibits discriminatory treatment or unfair action against the whole series of promotion and transfer processes. This action is emphasized in Permenpan RB no. 15 of 2019 on background points which state that

staffing practices, especially in the implementation of the merit system, are prohibited from discriminating against State Civil Apparatus Employees or candidates for State Civil Apparatus based on ethnicity, religion, race, religion, gender, regional origin, age, limitations physical appearance, marital status or political affiliation. Referring to the whole series of promotions and transfers in Majene Regency, they are not completely fair and equal, among others because (a) the lack of clarity on placement (b) there is a mismatch in educational qualifications and (c) open selection participants must be based on the PPK/regent's recommendation.

Utilization

One of the other merit system principles according to US merit system protection board is utilization, this principle views ASNs as having to function effectively and efficiently. Of course, this starts with filling positions based on organizational needs. The aim is to create a balance between the operational efficiency of the organization and the effectiveness of employees in carrying out their duties and responsibilities. Based on the implementation of promotions and transfers in Majene Regency after the inauguration Andi Sukri Tammalele (AST) and Arismunandar (Aris) had several causes resulting in vacant positions, namely (a) officials who retired. This happened to the Office of Education and Youth of Olaharga Majene Regency, which was previously occupied by Ir. Iskandar was then replaced by H. Mithhar, S.Pd., M.Pd who previously served as Head of the Research and Development Agency for Majene Regency. (b) Passed away, as happened in the position of Head of the Youth and Sports Division at the Majene Regency Youth and Sports Education Office. This position was vacant for 2 years because the previous 2 field heads died, until finally Ariansyah, S.STP occupied it through a promotion mechanism in January 2022 at the request of the regent with advice from Posisition and Rank Consideration Agency (c) The previous official received a promotion or transfer. The consequence of carrying out a promotion or transfer is of course that there is a position left which results in the position being vacant. Most of the agencies within the Majene Regency government experienced vacancies after being promoted and transferred on January 31, 2022 (d) receiving sanctions for demotion due to severe discipline, this happened to the Majene Regency Manpower and Transmigration Service in echelon II positions or service heads. So that Hj Hamsinah as head of service was removed from his position and replaced by Hasdinar who was appointed on July 4 2022.

Retention

The implementation of promotions and transfers in Majene Regency when viewed from the principle of retention by measuring the implementation of position evaluation either by promotion or transfer based on employee performance is not a full merit system, especially for echelon III. Competence and performance should be the main indicators in evaluating positions but this was not implemented due to personal preference from superiors. The results of the evaluation of echelon positions carried out in Majene Regency consist of 3, namely promotions, rotations and demotions.

Neutrality

The implementation of the merit system in ASN management activities is a form of overcoming bias or partiality, especially in the promotion and mutation mechanisms. The

stretching of post-conflict local elections with a direct election system raises problems, especially in the relationship between regional heads as political officials and administrative officials (bureaucracy). In line with James Scott's thought in Hidayati (2012) states that the pattern of patron-client relationships is an interaction between two individuals of the patron (political official) and the client (administrative official) which are reciprocal by exchanging resources owned by each party. The patron has resources in the form of power, position, materials and the client has resources in the form of energy, support and loyalty. Reflecting on the implementation of promotions and transfers in Majene Regency, the BKPSDM as the authority agency for personnel management has made various efforts to maintain the principle of neutrality, including (a) BKPSDM cooperates with the selection committee for competency tests and assessments from external parties (b) selection of places that have been accredited A and far from the location of the participants' assignments (c) a long and selective selection mechanism. However, it is different from the echelon III mechanism, this has drawn a lot of criticism because (a) the aspect of political and emotional closeness with the regent still dominates (b) there is bargaining between political officials and structural officials (c) the personnel management authority (Staffing & Human Resources Development Agency and Posisition and Rank Consideration Agency) is dysfunctional.

So it is clear that the mechanism for filling positions, whether promotion or transfer through Posisition and Rank Consideration Agency, does not fulfill the elements of the merit system. This can be seen in the decision to transfer echelon officials based on personal or political connections and not based on merit. Aspects of closeness both emotionally, politically or patron client relations between echelon officials and political officials increasingly show the non-neutrality of staffing managers and users in filling positions for echelon III.

Public Interest

The public should know about the ongoing process and employees are given the opportunity to carry out administrative reviews regarding violations of laws, rules or regulations. This is contained in Permenpan RB no. 15 of 2019 on the background point that in staffing practice using the merit system it is prohibited to take or fail to take action against State Civil Apparatus Employees or Prospective State Civil Apparatuses who file appeals, complaints or complaints with or without providing information that causes someone to violate the rules. This transparency practice has been complied with by the personnel management authority or officials who have authority over promotions and transfers in Majene Regency at echelon II selection. It can be seen that information regarding vacant positions is carried out thoroughly through social media, print media and the official website of the Majene Regency government. However, this openness is still limited by BKPSDM or authorized officials in personnel matters such as the process of carrying out tests and the results of the final score. Which can only be accessed by the panel. Meanwhile, non-transparent and closed actions are shown in the mechanism for filling positions at echelon III. The absence of an explanation regarding the reasons for the echelon III who received the functional further emphasized that the BKPSDM and officials in charge of determining promotion and transfer policies did not provide information space for echelon III officials who received the transfer and this was clearly seen as being covered up.

3.2 Mechanism of Filling Positions by Promotion and Transfer in District Government of Majene

Open Selection

Open selection is a competitive promotion mechanism with an open selection system used by the Majene Regency government in filling positions, especially in primary leadership positions. On November 5, 2021 the JPT pratama selection was carried out for the first time after the election of Andi Achmad Syukri Tammalele (AST) and Arismunandar (Aris) as regents and deputy regents of Majene. The basis for implementing the JPTP selection in Majene Regency refers to PP 11 of 2017 concerning PNS management and Permenpan RB no. 15 of 2019 regarding the filling of high leadership positions in an open and competitive manner within government agencies. The filling of these positions was carried out because there were 2 (two) vacant position clusters in 2 (two) different agencies, namely the administrative and general assistant positions at the regional secretary and the head of the Majene Regency education office. There are several criteria required in filling the 2 (two) formations, including educational qualifications of at least bachelor or diploma IV, having held the position of administrator or JF at the intermediate level for at least 2 (two) years, having a track record of position, integrity, and good morality and linear attitude towards positions with education and have a letter of recommendation from the Civil Service Development Officer (PPK) or the regent. The existence of the recommendation letter was used as a condition for administrative fulfillment but became polemic because previously it was not enforced but only with the recommendation of a superior from the respective ASN agency.

This disqualified Andi Fikri because he did not receive a recommendation from PPK. Enacting a recommendation letter as an administrative requirement is carried out to limit the number of registrants in the JPTP open selection and also as an effort to minimize funding. However, on the other hand, it provides a great opportunity for PPK or the Regent to subjectively assess ASNs who wish to participate in the JPTP open selection so that there will be like and dislike.

In total there were 16 ASNs who joined the registration with details of 11 files for the Administration and General Assistant positions, while 5 files for the Education and Youth Sports Office positions, but only 14 passed, while 2 files did not pass, namely Mr. Andi Fikri and Mrs. Najibah. The stages in open selection consist of administration selection, track record tracking, competency selection with an assessment center, paper writing, interviews in the framework of testing (field technical competence, managerial, social-cultural and government competence). The various stages have their respective weights and will be accumulated until 3 (three) names will be submitted to the regent to be selected based on their progrative rights.

Job Fit

Job fit for JPT Pratama is one of the mechanisms for filling positions through rotational mutations of the same level. The implementation of job fit in the government agencies of Majene Regency is carried out with the aim of refreshing, this is done as an effort to overcome boredom in carrying out tasks. Job rotation is a process of moving positions in work horizontally with the aim of overcoming burnout at work, and increasing employee

knowledge and expertise [6]. In contrast to open selection, job fit is reserved for echelon II only.Managerial competence is carried out by means of an assessment center while for field competence through presentation of papers and interviews. The third party that acts as an external examiner or committee is from the BKN Makassar and Hasanuddin University. From this job fit, 14 echelon IIB officials were rotated to other OPDs and were inaugurated on April 13, 2022.

Analysis Based on Posisition and Rank Consideration Agency (Closed Selection)

The process of filling positions through Posisition and Rank Consideration Agency analysis was carried out in January. In contrast to the implementation of open selection and Job fit, this mechanism does not go through the selection or competency test stages but through Posisition and Rank Consideration Agency's consideration mechanism. The quality of performance, rank or suitability of the position with the scientific background possessed is an indicator of Posisition and Rank Consideration Agency assessment in deciding whether or not an ASN deserves a promotion or transfer, the reference is obtained from the results of the Employee Performance Target (SKP) report by each ASN. This mechanism has received a lot of scrutiny because it is considered to be less transparent in providing assessments. The absence of a clear career pattern system and an accurate performance appraisal system causes this mechanism to be subjective and even conditional on the interests of superiors. Moreover, the implementation of promotions and transfers was carried out after the stretching of the 2020 local elections. The phenomenon of mutations with patronage criteria that occurred existed because there was a mutual need between political officials who participated in political contestation and bureaucratic officials (civil servants). Political officials who need support both voice and material, need support from civil servants, civil servants as bureaucratic officials want an increase in position in their careers, therefore, conditions arise where there is a symbiosis of mutualism between political officials and bureaucratic officials [10]. So that this has an impact on the mutations that are carried out so that it is not only the merit system that is the basis, but there are other considerations outside the merit system. It is evident from this mechanism that there are ASNs who get promotions but are not in accordance with their educational qualifications, even though they are aware of it, but it happens because of the wishes of the leadership. Even though it is clear in the ASN Law No. 5 of 2014 that ASN management policies must go through a merit system based on qualifications, competence and performance without any differences even if it's a political background. From the results of this mechanism, several echelon IIIA and echelon IIIB officials received mutations to become functional.

4 Conclusion

The findings of this study on the implementation of promotions and transfers in Majene district highlight the importance of implementing the merit system principle in filling echelon III positions. The study shows that political and emotional closeness factors still dominate the process, resulting in inequity, improper utilization of resources, and compromised neutrality. The study recommends the establishment of clear and technical rules, a clear career pattern, and providing a place for State Civil Apparatus talents

who have the ability as structural officials. These recommendations can contribute to improving the promotion and transfer process in Majene district and similar regions facing similar problems. Moreover, the study provides insights into the factors that hinder or support the promotion and mutation process, and thus, could be useful for future research.

The study's implications could be relevant for policymakers, civil servants, and scholars concerned with civil service reform in Indonesia. The findings could inform the design and implementation of policies and interventions aimed at promoting the merit system principle in the recruitment, promotion, and transfer of civil servants. The study highlights the importance of transparency, fairness, and meritocracy in promoting the efficiency, effectiveness, and integrity of the civil service. It also underscores the need to address political interference and emotional connections in the civil service reform agenda. The study's recommendations could help promote a more level playing field for civil servants and improve public trust in the civil service system.

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