

FORMALISM IN THE OPEN SELECTION OF LOCAL GOVERNMENT OFFICIALS

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Abstract: *The City of Surakarta has conducted an open selection to fill local government officials' positions. This activity was aimed at finding qualified officials in accordance with the mandate of the law to enforce the merit system. With ethnographic methods, including participant observation, indepth interviews, and secondary data collection, the study found that the open selection process was implemented not in accordance with the mandate of the law to enforce the merit system. It was intervened by the local mayor's interests, so there is no guarantee that those who pass the selection were candidates with the required competencies, but rather reflect the interests of the mayor. The selection mechanisms were conducted only as a formality to meet regulatory demands. The study also found the existence of bureaucratic pathology but conducted legally, reflected in the form of mayor demand to the selection committee in order to accommodate the chosen names to be passed in the selection, although they do not meet the best competencies. Selection committees tend to accommodate the interests of the authorities because they have a vested interest in continuing to be employed again in the future when they show a harmonious interest with the authorities. The condition is caused by a strong culture of patrimonialism that still occur in the Indonesian Government and the enactment of decentralization system which gives the local government too much of authority.*

Keywords: *Policy Implementation, Human Resource Management, Selection and Promotion*

Introduction

This paper explains the implementation process of the open selection on filling the position of echelon II in Local Government of Surakarta. Human resource management views that employees are one of the production factors, so they must be optimized and managed

professionally. Employees are the main component of the organization in achieving its vision, goals and objectives. Optimal utilization of human resources can be achieved if every employee has the best skills and working motivation, so they be able to contribute to the achievement of organizational goals (Irianto, 2002). In the field of government, the conditions of employees are in line with the quality of public services. Employees with qualified knowledge and skills will have an impact on the effectiveness of government, that can be felt through public service.

The government bureaucracy organizes very broad and complex affairs, even said that as a public organization, bureaucracy has the largest size and scope of services. To realize their goals in carrying out various affairs, it is necessary to have employees and officials who are able to transform their vision, mission, and goals, including the ability to translate long, medium and short development planning, as well as within the central and local government area, so that the development programs can run continuously. Especially for officials, they must be able to mobilize subordinates to run work programs.

A mechanism to choose the best people to lead and manage public organizations is through selection and promotion, which is intended for outstanding employees. It must be done with much consideration, by emphasizing the principle of the "right man on the right place". Errors in implementation will have a detrimental effect on institutional productivity. Therefore, the selection and promotion process should be carried out objectively and based on clear standards, according to the qualifications of the job in the position to be filled.

On the New Order Era the Government of Indonesia set the selection process and the promotion of government employees through Law No. 8 Year 1974 about Staffing Principles. The law states that the appointment of state apparatus is carried out based on the principle of professionalism in accordance with competence, work performance, and rank without discriminating gender, ethnicity, religion, race or class. Furthermore, at the beginning of the Reform Era the government issued derivative regulations, namely Regulation No. 100 of 2000 concerning Appointment of Civil Servants in Structural Position. The regulation also states that the appointment, transfer and dismissal of state apparatus in and from structural positions must pay attention to seniority in rank, age, education and training positions, and experience.

Although from time to time it has been regulated by the government, the reality are still many practices of promotion of officials who do not refer to employee competencies and do not follow regulatory requirements, but tend to use spoil systems. The poor management of the state apparatus and promotion of bureaucratic employees in Indonesia are caused by a) the large institutional government bureaucracy is not supported by professional apparatus resources, b) patron clients in the government bureaucracy hinder efforts to realize meritocracy, c) the lack of a "sense of accountability" both institutional as well as individually, d) bureaucratic positions that are often filled not based on the competencies needed, but prioritize closeness, kinship, and political factors, e) the placement of state apparatus is not adjusted to the institutional needs of the bureaucracy (Thoha, 2005).

In the New Order Era, the practice of spoil system thrives within the circles of power. The President's family became a symbol of the practice of nepotism at that time. The form of nepotism practices was the appointment of military officers in various civilian positions. Suharto was known as a figure who likes to appoint his military colleagues in various

military positions. From the position of vice president to the mayor at that time it was filled by the military.

In the Reform Era, the implementation of staffing was still dominated by the spoil system phenomenon, such as the promotion of officials through closed processes, and the recruitment of government employees who were still not objective and not transparent (Waluyo, 2015). There are also many problems in managing bureaucratic officials at the local government level. The implementation of regional autonomy in the reform era has led to the phenomenon of "regional kings". The regional heads felt that they were kings in the region, they could arrange everything including filling and structuring the positions of bureaucrats according to their desires and interests without regard to the applicable ethics and laws. (Simajuntak, 2013).

To improve this situation, the government issued Law No. 5 of 2014 concerning the State Civil Apparatus. The law states that in order to carry out the tasks of public service, government duties, and development tasks, career development of government employees must be based on merit system. Merit refer to the employment management which is based on capability, not on the basis of family, welfare or social background (McDonnell, 2009), (Castilla & Benard, 2010). The law requires for recruitment and the filling of the position should be based on qualifications, competence, and performance in a fair and reasonable with no distinguishing political background, race, skin colour, religion, origin, type of gender, marital status, age, and disability.

The enactment of the law has consequences for the renewal of the mechanism of filling and promotion of officials must be carried out openly and competitively among employees. The mandate provisions of the law are clarified by the Minister of State Apparatus Empowerment and Bureaucratic Reform Regulation Number 13 of 2014 concerning Procedures for Filling High Leadership Position Openly in Government Institutions, which regulates the selection system for High Leadership Position (Echelon II Official). The ministerial regulation obliges every government agency to apply the merit principle and avoid practices that are prohibited in the merit system at every stage of filling in positions.

The existing research on the open selection issues indicates that the implementation of those policy varies across Indonesia. Setiawan & Putri (2016) conducted a study on open selection for echelon II officials in Bandar Lampung City. The research found that the selection process has not been transparent and there is an indication of nepotism. Hakim (2016) also conducted the same research in Makassar City. He saw the ability of local governments to develop open selection policies. The result showed that the Government of Makassar has not been able to develop a perfect open selection, because of their inability in conducting professional open selection system and their less attention to the track record of promoted officials. In Garut regency, Yuanita (2017), also conducted a research on the same issue. She states that the open selection on those local government has been done properly, however nepotism, patronage, and spoil system still looks clearly. While Taufiq & Syafiq (2017) stated in his research, that according to the data from National Civil Service Agency, during the implementation of open selection mechanism there are 34.57% echelon II and echelon III who still do not meet the competency standards.

The Local Government of Surakarta has conducted an open selection to fill echelon II position according to the latest regulatory demands. This activity was carried out because of

the absence of leadership in some institutions as a result of organizational arrangements, which include Head of Communications Informatics Statistics and Encoding Office, Head of Population and Family Planning Office, Head of Youth and Sports Office, Head of Culture Office, Head of Archives and Library Service, and Head of Fire Service.

Literature Review

Definition and Concept of Policy Implementation

Mazmanian (1945) stated that policy implementation is events and activities that occur after the issuing of authoritative public policy directives, which include both the effort to administer and the substantive impact on people and events. Van Meter and Van Horn as cited in Wahab (2004:65) define policy implementation as those actions by public or private individuals (or groups) that are directed at the achievement of objectives set forth in prior policy decisions. Ripley & Franklin as cited in Winarno (2008:145) define policy implementation is activity that happens after the law is established which gives the program authority, policy, profit, or some kind of real output. While according to Nugroho (2003:158) in principle, policy implementation is a way for a policy to achieve its goals.

Implementation is a very important step in the policy process. Without implementation, a policy is merely a meaningless document in social life. Many policies have been made by governments in various countries, but have not brought any changes due to implementation failures (Abidin, 2016). It can be say that the success of a policy contributed by 20 % of excellent formulation planning, 60% of genius implementation, and 20 % of the success in control the implementation (Nugroho, 2012).

Since implementing the policy is more difficult than just formulating it, not all policies are implemented in a perfect way. Even public policy will experience resistance if the policy is contrary to the existing value system, or the absence of legal certainty in enforcing the policy, or the existence of personal conflicts of interest among the executor (Agustino : 2008). Therefore, to analyze a policy especially a top down policy which based on enforcement and market mechanism, Nugroho (2012) suggested to be able to use the implementation model of Donald Van Meter and Carl Van Horn. According to them, there are 6 variables that will affect the performance of a policy, as follows:

Standard and Objectives

The performance of policy implementation will be measured if the goal of the policy is realistic and in accordance with the existing social and cultural conditions. Yet if the policy is too ideal, then the policy will be difficult to realize to the point that it can be said to succeed.

Resources

Three important resources in the implementation process are human resources, primarily qualified human resources as required by policy, financial resources, and time resources.

Characteristic of The Implementing Agencies

This relates to policy coverage and the nature of the implementing organization. For policies with a large area coverage, demands a large number of implementers. As well as for policies that are changing the behavior of the community, requires a policy implementer who has a hard and strict nature.

The Disposition of Implementer

The attitude of the implementing agency will greatly influence the success of public policy performance. Rejection occurs when policy is more of a one-sided decision without knowing the root of the problem, and fail to consider difficulties faced by the implementer.

Interorganizational Communication and Enforcement Activities

Communication and coordination are powerful mechanism to control a policy implementation. The better communication and coordination among the parties involved in the implementation process, the less errors that will occur.

Economic, Social, and Political Condition

The process of policy implementation should consider the external environmental conditions. Unfavorable external conditions can be a major contributor for the failure of a policy implementation.

Echelon II Officials

Based on Law No. 5 of 2014 on State Civil Apparatus, echelon II officials are referred “*pejabat pimpinan tinggi pratama*”. Their function is to lead and motivate every apparatus in government agencies. This position can only be occupied for maximum of 5 years. The vacancy in this position must be done through an open selection, whose mechanism has been elaborated in Ministerial Regulation No. 13 of 2014. The selection activity at least consists of 3 components, namely: preparation, implementation, and monitoring & evaluation.

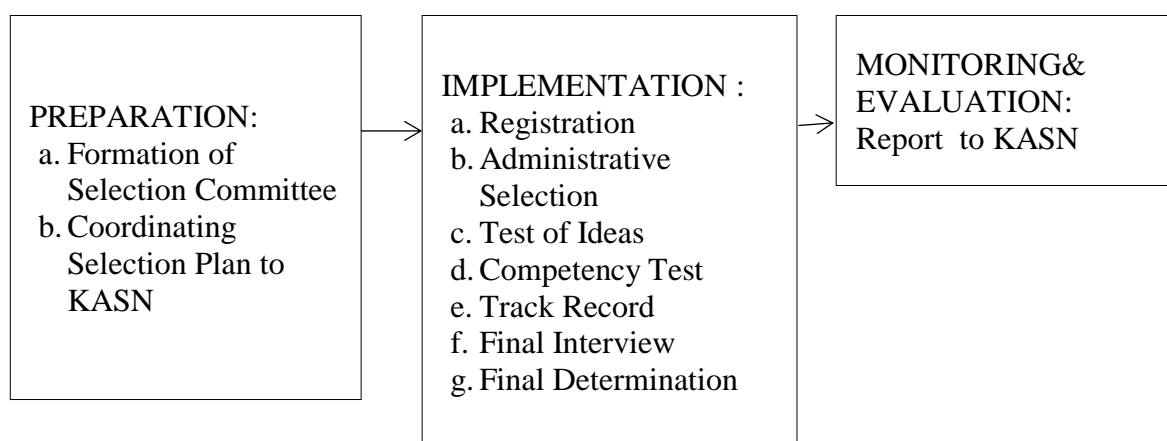


Figure 1. Open Selection Mechanism

Methods

This research uses qualitative descriptive approach, by taking the location in the city of Surakarta, Central Java Province. Data collection using ethnographic methods includes participant observation, in-depth interview and secondary data collection. Informants are selected based on their interrelationship with research problems; consist of Selection Committee, Assessment Center Team, and State Civil Apparatus Commission (KASN). Data analysis is done by reviewing the results of literature study, interview, and observation.

Result

The Implementation of Open Selection

Preparation

In accordance with the provisions of legislation, selection begins with the preparation stage which includes the establishment of selection committee, and communicating of selection plan to KASN. Structurally the selection committee is not part of the local government organization, but it stands alone independently. The selection committee at the open selection of government officers in Surakarta consists of 5 people, they are 3 lecturer, 1 secretary of Surakarta government, and 1 journalist. The membership of the selection committee from the academic and professional elements was determined by the Mayor of Surakarta based on the consideration of their ability in conducting selection as well as their expertise.

The open selection committee of government officials is a prestigious and strategic position, how not, they play a very important role in filling executive positions for local governments. Thus the Mayor of Surakarta was not carelessly selecting them. Based on interviews with the coordinator of the selection committee, it is known that in determining the personnel of selection committee, the mayor choose the person close to him, although there are many other options from incoming proposals offered for selection committee membership. The chosen coordinator of the selection committee is a lecturer at one of the private universities in Surakarta City. Beside his closeness with the mayor, his appointment as selection committee also due to his willingness to compromise and cooperate with the mayor. According to him, the selection committee should be ready to cooperate with the head of every region, so that they will always be employed in the future on other working opportunities.

The selection plan was then consulted to the KASN for being reviewed about the reasons of filling officials' position, the structure and background of selection committees, and the selection mechanism to be used. In the consultation, KASN team unable to find any problems and they assume that the selection planning was suitable with the regulation, so they issued a recommendation and suggesting to shift the selection into the implementation stages.

Implementation Stages

Selection stage begins with announcement and registration. The selection committee announces registration of selection through several means such as advertisements in local mass media, distribution of letters within the Surakarta municipal government, posting on bulletin boards, and posting announcements through the official website of the Government of Surakarta.

The use of different means of announcement intended to show a transparent mechanism and to give wide opportunity for local civil servants who meet the requirements and qualifications to apply for echelon II candidate, as mandated by the law, that a selection to be carried out openly. Based on the submitted application, the selection committee than conducts administrative selection to verify the conformity of the participants with the required qualifications. From the administrative selection the committee obtained 43 applicants.

The author found, many applicants register because of a compulsory. They were asked by the mayor to participate in the selection. Without this deployment the selection will only be followed by a few participants, since actually the employees have learned that the selection process is done only as a formality, and there is no guarantee that their participation will bring success. The employees already know that the mayor actually has the names of the candidates he wants. This low enthusiasm of applicant was seen from the lack of registration in the first week of the announcement, as reported by the mass media of the following:



Figure 2. News Related to the Low Enthusiasm of Open Selection Applicants

Based on the mass media coverage, it is known that although registration has been opened for one week, there has been no applicant. Whereas the selection committee has conducted socialization to the civic apparatus in the Government of Surakarta and also known that there are hundreds of potential officials to apply.

The results of administrative selection, successively followed by other stages including idea test, competency test / assessment center, track record, final interview and final selection result, by applying knockout system at every stage. The idea test is conducted through the assessing applicant's papers and presentation. The selection committee also looks at their understanding on duties and functions in the proposed position. At those occasion, known that the selection committee has raised the results of some candidates although they were unable to convey the idea well. It was deliberately made by the selection committee because of the request from the mayor to pass the names he wanted, as follows:

Table 1. Initial Names Ordered by the Mayor

No	Vacancy	Initial Candidate Wanted by The Mayor
1.	Head of Archive and Library Service	<i>KSH</i>
2.	Head of Communications Informatics Statistics and Encoding Office	<i>SW</i>
3.	Head of Fire Service	<i>GS</i>
4.	Head of Culture Office	<i>SI</i>
5.	Head of Youth and Sports Office	<i>JHS</i>
6.	Head of Population and Family Planning Office	<i>P</i>

The next stage is the competency test. This activity was conducted by a competency assessor team from a state university in Surakarta. As an independent entity, the team of assessor

conducted test professionally. However, in the end of the test the selection committee ask them to change the results of competency tests in the group positions Head of Archive and Library Service. Their reason was that the name desired by the mayor did not acquire the top 3 ranking. The assessment center team could not refuse the request, because they have to keep the relationship with the selection committee in order to be employed again in the future.

After finishing the competency test, the selection committee conducting track record and final interview. Track records were done by looking at the suitability of applicant's experience with the proposed position, tracking to the place of origin including work colleagues, subordinates, and neighborhood residence. While the final interview confirms the applicant's conditions deeply which include their interest, motivation, behavior, and character. At this stage of the interview, elimination of some participants was made to produce 3 candidate names in each formation to be recommended to the mayor. The mayor chooses 1 of the 3 best people who qualify for each formation. The stages of the track record and final interview appear to be done only as a formality, since the names of candidates ordered by the mayor still be able to pass the final stage of selection, where some of the names desired by the mayor are not the best candidates. Here is the final result of selection:

Table 2. Recapitulation of Selection Results

No	Vacancy	Initial Candidate Ordered by The Mayor	Initial of Candidate Pass the Selection	Initial Officers Inaugurated by The Mayor
1.	Head of Archive and Library Service	<i>KSH</i>	TW <i>KSH</i> GP	<i>KSH</i>
2.	Head of Communications Informatics Statistics and Encoding Office	<i>SW</i>	KR <i>SW</i> LSN	<i>SW</i>
3.	Head of Fire Service	<i>GS</i>	<i>GS</i> EN HM	<i>GS</i>
4.	Head of Culture Office	<i>SI</i>	BS RK <i>SI</i>	<i>SI</i>
5.	Head of Youth and Sports Office	<i>JHS</i>	AW <i>JSH</i> H	<i>JHS</i>
6.	Head of Population and Family Planning Office	<i>P</i>	<i>P</i> AI STCK	<i>P</i>

Discussion

Standard and Objectives

Open selection is aimed to realize the objective of Law on State Civic Apparatus, especially on the effort of creating merit-based apparatus management. Government then established a selection mechanism which follows the principle of human resource management. As stated by Mondy (2008), in screening the participants, the committee could use 5 stages of selection which include preliminary interview, application examination, selection test series, job

interview, and reference checking. This process is so mechanical that any government organization be able to overcome. The effort to realize a merit system is something new for most of local governments in Indonesia. This policy is too ideal, and not in accordance with the existing socio-cultural conditions.

Since the colonial era, Indonesia has inherited a patrimonial system of government (Sudarmo, 2012). As expressed by Alfian & Sjamsuddin (1991), in the era of traditional kingdoms, the king was an incarnate god and had absolute power. In his palace the king was assisted by nobles or “*priyayi*”, who in general still have kinship, with the king. Similarly, the Dutch Colonial Government formed a powerful administrative corps as a tool to preserve power and to fool the people. Furthermore, at the beginning of independence, this culture was continued by President Soekarno through his appointment as a lifelong president who was not possible to be corrected, and in the new order era President Soeharto established himself to continue to rule as president through manipulated elections (Asy’arie, 2005).

Resource

The existence of human resources to implement an open selection policy can be said to be very fulfilling. This is proven by the large number of groups involved, such as the mayor, selection committees, and local civil service bodies acting as secretariats or supporting administrative. In addition, the selection committee was also assisted by assessment center team as competency appraiser. Qualification of the selection committee can be seen in the following table:

Table 3. Qualification of Selection Committee

No	Name	Occupation	Competence
1.	Selection Committee 1 (Coordinator)	Lecturer	Organizational Management
2.	Selection Committee 2	Lecturer	Human Resource Management
3.	Selection Committee 3	Lecturer	Communication
4.	Selection Committee 4	Local Government Officers	Governance
5.	Selection Committee 5	Journalist	Public Relation

Meanwhile, the City Government of Surakarta provides sufficient funds. In the government's point of view, open selection is one such important, strategic and political event, the budgetary need for this activity is always provided. Even the budget for a process of officials selection can reach hundreds of millions of rupiah. While from the time aspect, there is no crucial problems were found since the process has been arranged systematically in a schedule.

Characteristic of the Implementing Agencies

The open selection for echelon II positions is applied nationally by the central and local government agencies. This policy is controlled by the KASN as a regulatory institution of the merit system, which has the task on examining the open selection plan proposed by each government agency and reviewing the selection results conducted by institutions. The matters

examined by the KASN relate to the selection committee neutrality, and the obedience of institutions in applying the selection mechanisms mandated by law and regulation. Any violations of this law, KASN commits a reprimand or legal action. However, based on observations and interviews, the examination conducted by the KASN is only normative by examining and verificating documents through interviews, so they unable to see deeper to the existence of intrigues and manipulations that occur in the selection. While on the implementation level, the regional heads, selection committees, and assessment center teams actually work together to manipulate the selection process. Thus, it appears that these policy actors are not seriously implement the policy.

The Disposition of Implementer

The implementers who violate the policy objectives are caused by a top down formulation of policy without considering the root of the problem. Such actions will produce formalism, a policy implemented only as a formality to meet regulatory requirements (Riggs, 1964). Hence, even though the laws and regulations have been enacted, they are still unable to realize their objectives. This will occur in almost of every policy implementation as long as no attempt to make fundamental changes (Farazmand, 2002). This reality is experienced by many other developing countries, where there is a wide gap between what is to be displayed and what happened in reality (Heady, 1966:71). In this case, Riggs called developing countries as *prismatic society*. The society undergoing a transition from a traditional to a modern system. In the life of prismatic society usually found intersect conditions between modern values and traditional values, between the desire to advance with the desire to preserve the old cultural heritage, the desire to execute the rules of the order with the desire to accommodate certain interests.

Formalism in the implementation of open selection in Surakarta could be seen from the act of discrimination in passing the names desired by the mayor. All selection stages have been performed in accordance with the mechanism set forth in the regulation. However, it is only a formality, the real thing is that policy executives, such as the mayor, the selection committee, and the secretariat attempt to pass the names desired by the mayor. Although the names that passed did not show the best competence in the selection process.

Interorganizational Communication and Enforcement Activities

Coordination and communication are a powerful mechanism in the implementation of public policy. The better coordination and communication among the parties involved in the implementation process, the less errors will occur. Communication in order to control the implementation of open selection has been widely performed, starting from early coordination with KASN, the internal coordination of the selection Committee on local government, and coordination of reporting the results of the selection to the end of KASN. In addition, there is also a communication forum built between implementers of policy in the form of KASN socialization to government agencies, and communication forums of civil service agencies in each province.

Based on the authors' participation in this forum, they are already aware of the political intervention existence in the selection of government officials. They are not trying to reduce the intervention, but they were reminded one another in order to act securely using appropriate selection mechanism as regulated in the law. Even in a coordination forum, the Central Java Governor in his keynote speech acknowledged the large number of manipulations happened in the open selection process of government officials.

Economic, Social, and Political Condition

Economic, social, and political conditions can be classified as external factors that have a strong contribution to the failure or success of policy implementation. The mayor's intervention to the open selection process is closely related to the side effects of the regional autonomy system in Indonesia. The real purpose of regional autonomy is to unify and accommodate the voices of interest groups in the regions, so that no group will ultimately feel left behind and discriminated (Suwandi, 2005 :7). Yet, in practice this authority is widely misused by many heads of region in the form of politizing their bureaucracy. Recently, political intervention on bureaucracy is very difficult to avoid, especially in the context of local election (Agustino : 2014). Political involvement in the bureaucracy can be felt in the form of intervention in determining organizational structure, setting the strategy of policy implementation, and refused a policy budget proposed by bureaucracy. Political interventions also occur in the recruitment and placement process, particularly in the filing of upper echelons of the bureaucracy.

Much research has been conducted on this subject. In Banten Province bureaucratic politicization is done in the form of deployment of regional apparatus to win certain couples in gubernatorial election (Hamid: 2006). While in Muna Regency, Southeast Sulawesi Province, politicization is done through the management of civil servants based on political considerations. Thus, the leadership of structural officials in the area follows the political interests of the authority (Wahiyuddin: 2012).

In Gresik, East Java, the politicization occurred in the form of regional apparatus mutations in a patronage manner by the authorities in order to get rid of unlucky employees and replaced with loyal employees and who support the regent during the election (Hidayati: 2012). The same condition also happened in Siak Regency, Riau Province (Rayadi et al.: 2014). In the regional elections of Siak Regency in 2011, the bureaucrats are forced to support candidates who were campaigning for the upcoming elections.

Meanwhile Asmi (2013), found that the recruitment process of the bureaucratic elite in Pasuruan Government under the leadership of 2008 to 2013, filled by political atmosphere from regional head and political broker. The consideration of elite bureaucratic placement in the area affected by the rulers' vested interest based on the advice of political brokers as actors who have a role in influencing the formation of a policy on recruitment. Saksomo (2013) on his research states that the recruitment process of officials at the Government of Ngawi Regency is very closed, and dominated by regents, thus providing opportunities for the patronage system. Sepriyanto et al. (2013) also found the same result that the promotion of urban village officials in Singkawang City which dominated by regional heads by prioritizing proximity factors, and political interests, thus not in accordance with merit system. Sonhaji and Budiarjo (2014) also found similar results in his research, they state that the process of filling positions in the Government of Surakarta and Boyolali conducted unfairly and more emphasis on non-meritocracy factors, such as political interests, kinship, and economic interests.

Conclusion

This study showed that the open selection for echelon II officials in the city of Surakarta was not well implemented. There was also found the act of discrimination performed by the policy actors in the form of efforts to succeed the names ordered by the mayor, who were

actually not the best candidate. Thus the selection has not followed the request of legislation that ask for the implementation of merit system. This condition is inseparable from socio-cultural and political factors that are happening in the form of patrimonialism culture and political domination of regional heads in various regions in Indonesia. In addition, there is also a tendency of policy implementers to deliberately betray policy objectives through formalism, so even though it seems that the policy has been implemented very well, but the reality is very real flips.

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