



Benchmarks of Authority in Suruhanjaya Perkhidmatan Awam and the Commission of State Civil Services (KASN)

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The purpose of this research is to analyze the performance of the State Civil Service Commission of the Republic of Indonesia with the Sabah Public Service Service of Malaysia. Previous research indicates that Malaysia has a superior governance system compared to Indonesia. To support the performance of civil servants, Malaysia has the Sabah Public Service Center. This institution performs a supervisory role and is also involved in career development. Malaysia ranked third in quality of governance among ASEAN countries as it always upholds the principles of professionalism. Although Malaysia previously had a reputation of corrupt practices, the Malaysian government immediately took measures to restore the country's image. Whereas in Indonesia, since regional autonomy, practices of corruption and politicization of the bureaucracy have always stigmatized the government both at central and regional levels. Although the State Civil Service Commission (KASN) is responsible for recruiting and developing a bureaucratic career, there are still practices of bribery and corruption. This provides the theoretical basis for comparing the performance of KASN with Malaysia's Suruhanjaya Ordinary Service. The purpose of this research to provide recommendations to the government in order to formulate policies to govern KASN. The result of this research paper will allow the government to address various historic issues related to recruitment and career development of ASN.



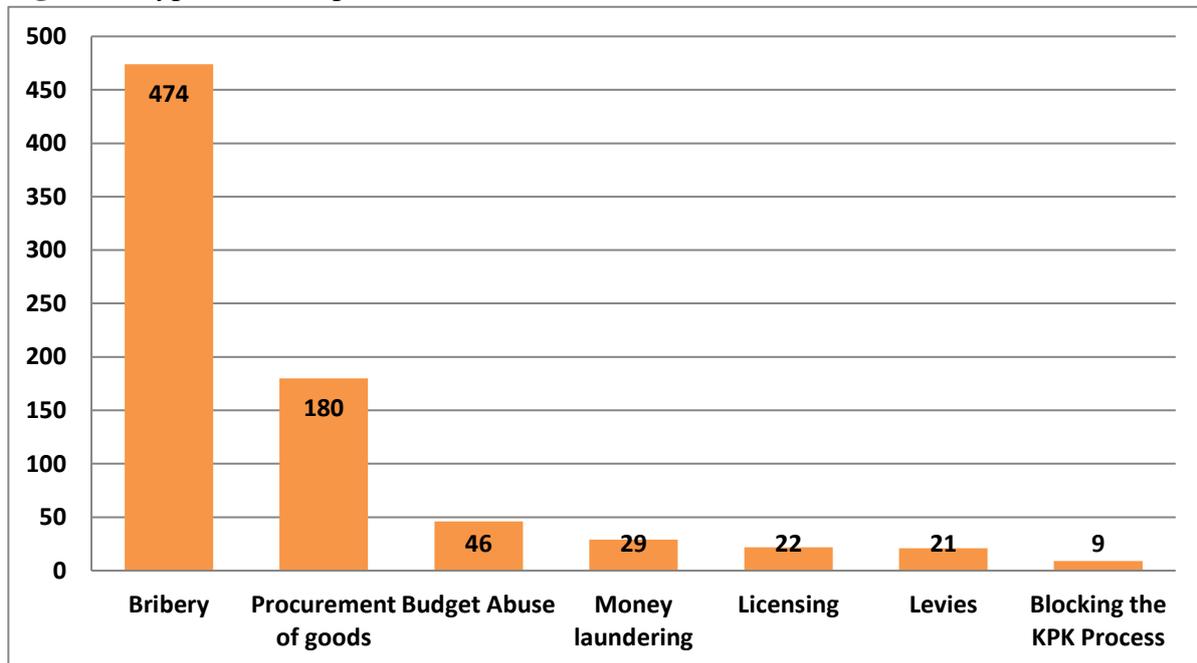
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Introduction

Recently, corruption has been identified in the recruitment of various positions within the Ministry of Religious Affairs, indicating poor conditions of bureaucracy in Indonesia. The Chairman of State Civil Service Commission (KASN), Sofyan Effendi, said "Ministries or Institutions led by cadres of political parties are more vulnerable to the practice of corruption in recruitment". The reason behind this statement is that ministers from political parties often get influenced by their party leaders, but if professional ministers get an appointment by any ministry, they work independently (Dilulio, 2017). There has been a recent case in the recruitment of top level of management positions in the Ministry of Religious Affairs where one of the applicants has had poor credentials and shown bad performance in KASN evaluations but has still managed to gain a position. The person in questions oath was recently administrated by Minister of Religious Affairs, Mr. Lukman Hakim Saifuddin. This indicates that there are loop holes in the process, which are exploited by people working inside (Ferizko, 2012).

In the case of corruption in recruitment at the Ministry of Religious Affairs, the Corruption Eradication Commission (KPK) has identified three suspects: Mr. Haris Hasanudin (Head of the East Java Ministry of Religious Affairs's Regional Office), Mr. Muhammad Muafaq Wirahadi (Head of Gresik Ministry of Religious Affairs Office), and PPP Chairperson, Mr. Romahurmuzyi. Regarding the mala fide recruitment of positions within the Ministry of Religious Affairs, KPK has initiated Hand Catch Operations (OTT) carried out in several regions related to bribery from 2004 to 2018, with 474 complaints (Setyo, 2014). Details of cases handled by KPK can be seen in the following Figure 1.

Figure 1. Types of Corruption Cases in Indonesia 2004-218



(Source: Media of KOMPAS TV Indonesia)

The data above shows that bribery cases are ranked at the top, among several other corruption cases in Indonesia. This indicates that there is a weakness in the existing rules and regulations, compared to political interests, which are more dominant in controlling and intervening in bureaucracy of government (Rufaidah, AtIrsyadi, Saregar, & Umam, 2018). Regulations in Indonesian have been described in detail regarding processes in bureaucracy to minimize the possibility of corruption, but the actions of few politicians and bureaucrats are damaging the existing system of bureaucracy (Huda, Tsani, Syazali, Umam, & Jermisittiparsert, 2020). Political interests damage the bureaucratic system and create hurdles in establishing clean, transparent, and professional bureaucracy (Said, 2002).

Due to the above corrupt practices, researchers in Indonesia have tried to compare bureaucratic positions of management services. This is in accordance with Article 5 (2014), concerning the State Civil Apparatus Commission (ASN) and PP No. 11 (2017). This article deals with the management of civil servants. The ASN is responsible for the creation of professional and competitive processes for bureaucratic careers in management services in order to obtain professionals, which are of high integrity, and ready to serve the community (Setyo, 2014). After just five years, some of the previously mentioned short comings have been observed in this process. During this descriptive study, we have outlined problems in the bureaucratic careers in management services in Indonesia. This was achieved by highlighting the authority of the KASN as the main part of this study and making Malaysia's Suruhanjaya Empowerment Service Institution a Benchmark, for the authority possessed by KASN itself.



The purpose of this study is to provide an input to the performance of stakeholders in formulating policies regarding the management services, especially KASN in the future.

Results and Discussion

Performance Management of State Civil Apparatus Commission of Republic of Indonesia

The State Civil Apparatus Commission (KASN) was established as an overseeing body of the implementation of basic norms, codes of ethics, and ASN codes of conduct, as well as to ensure the implementation of the merit system in the formulation of ASN policies and management of government agencies. In the constitution of KASN, article No.5 / 2014 states that the State Civil Apparatus Commission (KASN) is a non-structural institution that is independent and free from political intervention to produce and train ASN employees (PNS, PPPK, and TNI / Polri members assigned to ASN positions) who are professional and can perform their duties, and can provide services with honesty and integrity and facilitate the unity of the nation. The merit system of ASN management is based on qualifications, competencies, and performance. In addition, this system will pass fair decisions, regardless of political background, race, colour, religion, origin, gender, marital status, age, or disability status (Cetin & Tortop, 2018).

KASN has the responsibility to maintain the merit system for ASN employees, supervise ASN professional development, and report and evaluate the implementation of ASN management policies to the President. As the KASN has the task to maintain the impartiality for ASN employees, it is expected that these employees would concentrate on their responsibilities and perform community service.

- Function & Responsibility

1. The ASN Commission has the responsibility of overseeing the implementation of basic norms, codes of ethics, and ASN codes of conduct. In addition, the ASN commission must guarantee the implementation of the merit system in the formulation of ASN Policies and Management for government agencies.
2. In carrying out supervision, KASN has the authority to decide whether there is any violation of basic norms, codes of ethics, or codes of conduct for ASN Employees.

- Authority & Supervision

1. Supervising each stage of the process of recruitment of candidates in top leadership positions, starting from the formation selection committees, job advertisements, implementation of selection procedure, and nomination of candidate names etc.



2. Supervise and evaluate the implementation of principles, basic values, codes of ethics, and codes of conduct for ASN employees.
3. Collect information from ASN employees and the general public regarding any reports of violations of basic norms, code of ethics, and code of conduct for ASN employees.
4. Check documents related to the violation of basic norms, codes of ethics and codes of conduct for ASN employees, and
5. Request clarification and / or documents required from government agencies to examine reports of violations of basic norms, codes of ethics and codes of conduct for ASN employees according to Article 32 (Law 5/2014)

To support the implementation of the ASN Law, KASN has developed the application of the High Leadership Information System (SIJAPTI) as a form of innovation in the field of e-government. On October 4, 2017 at the Office of the Ministry of Administrative and Bureaucratic Reform (PAN-RB), seven innovations related to e-government were launched. The purpose of e-government innovation is to make bureaucracy effective and efficient. These developments are important as the proliferation of information technology has influenced and caused revolutionary changes in every field of human life (Vrasidas & Nicosia, 2001).

Implementation of Merit System

In accordance with Article 111 of the ASN Law, for the implementation of JPT policy transparent selection is required for all government agencies. In this regard, KASN has developed and established a criteria and procedures to evaluate, the level of implementation of merit system in Government agencies. This guideline is intended to provide measurable parameters that can be used as a reference for KASN in conducting assessments so that the results of these assessments are objective and consistent. The outcomes of these assessment are expected to be used as input for the agencies in making improvements to the management of institutions of ASN (Sriyakul et al., 2019).

The model developed for evaluation is self-assessment, where agency conducts an independent assessment based on criteria established by KASN, and the results are then verified by KASN. Based on the results of these evaluation, KASN establishes the scale to which merit criteria has been implemented and agencies can assess and recommend any improvements that still need to be made. For agencies, which are responsible to implement a merit system in accordance with the provisions, KASN can recommend an exception to the agency to conduct an open selection. The criteria used for assessment is derived from the rules of ASN management, as mentioned in Law Number 5 (2014) concerning ASN and PP No. 11 of 2017 regarding the management of civil servants. This assessment considers the

merit criteria and their application in the private sector as well as in other countries. In short, the criteria are built as follows.

One of the challenges in developing a merit system related to ASN management in government sectors is the formation of talent pool. A talent pool can guarantee the availability of employees with required qualifications and competencies according to agency needs. Many agencies have not yet realized the importance of skills and expert human capital. At present, in order to reduce costs and maintain the quality of assessments, BKN has developed a Competency Assessment Unit (assessment centre) in number of provinces. BKN has also provided guidance to assessment centres built by other agencies and evaluators who are civil servants and non-civil servants. Changes have also been initiated by the Institute of State Administration (LAN) by adopting different approach in the implementation of leadership training.

The KASN is a notable and successful institution and was significant contributor to Indonesia's 5th place ranking in ASEAN countries based on the quality of governance. This result is due to the hard work of KASN to create good governance. The quality of governance can be seen from various indicators or parameters, such as the competitiveness index, Ease of Doing Business (EoDB), Government Effectiveness Index, and Corruption Perception Index (CPI). The progress on the quality of Indonesia's governance and its comparison with other ASEAN countries can be seen in the following table:

Table 1: Comparison on the Quality of Governance in Indonesia and Asean Countries

Contry	<i>Global Competitiveness Index (GCI) 2017 - 2018</i>		<i>Ease Of Doing Buisness (EoDB) 2017 – 2018</i>		<i>Corruption Perceptions Index (2016)</i>		<i>Government Effectiveness Index (2016)</i>	
	Rank	Score	Rank	Score	Rank	Score	Rank	Score
Singapura	3	5,71	2	84,57	7	84	1	100
Korea	26	5,07	4	83,92	52	53	41	80,77
Malaysia	23	5,17	25	78,43	55	49	51	75,96
Thailand	32	4,72	26	77,44	101	35	71	66,35
Indonesia	36	4,68	72	66,47	90	37	98	53,37
Vietnam	55	4,36	68	67,93	113	33	99	52,88
Philippines	56	4,35	113	58,74	101	35	101	51,92

Source: *World Bank Global Governance Index Transparancy International 2016-2017*

Table 1 shows that, in terms of the quality of governance, Indonesia is still behind other countries in ASEAN, especially Malaysia and Thailand. It is known that quality of governance is strongly influenced by the management system and the performance of the



governance apparatus. Therefore, the government's efforts to make an efficient, effective and high-performing bureaucracy have shown results. This can be seen from the World Economic Forum (WEF) report where Indonesia's competitiveness rank was raised by 5 (five) levels between 2016/2017 and 2017/2018. (KASN 2017 annual report).

Suruhanjaya Public Service Malaysia

Suruhanjaya Perkhidmatan Awam is an institution that embodies the Institute of Suruhan Jaya Public Service in the central government. In general, the responsibilities, rules, and regulations of both organizations are the same. The aim of Suruhanjaya Public Service is to manage the affairs of recruitment, appointment, service, and the procedures of the bureaucratic staff which are to be carried out fairly, thoroughly, precisely, quickly and efficiently.

Recruitment For the Selection of Civil Servants (Bureaucracy)

Referring to the laws and regulations in Malaysia, the recruitment of civil servants starts from the appointment as contract employees, then temporary employees, then as retired employees. Anyone who is selected as a contract employee by a government office can be considered for the selection of permanent and retired employee. This is dependant upon the number of vacancies available, and provided the performance evaluation of the employee is satisfactory. If the performance evaluation is not up to the required level, the employee can not be considered for selection and, in the case of a contractual job, the employee cannot continue his contract period. (Kasayanond, Umam, & Jermisittiparsert, 2019).

The appointment of a contract employee is administrated by the official of Sabah office. Likewise, a contractual employee seeking extension of contract period should convey their intent to the workplace's management team (Ghaniy & Hastiadi, 2017). If the chairman of that office is in need of this contractual employee, then they would write a proposal to public service of Sabah, requesting for extension. In this request, the chairman has to mention the reasons for extension, along with any additional terms and conditions. It is prerogative of the Public Service office to approve or reject the extension. (Jermisittiparsert, Sutduean, & Sriyakul, 2018).

Salaries of contract employees are issued from Malaysia's own Sabah state finances, while salaries of permanent and retired employees and other employment benefits are the responsibility of the Malaysian central government.



Procedure in Recruitment of Civil Servants

In the Malaysian government system, the recruitment procedure for civil servants, judges, and education personnel, is carried out by an agency. The selection of a police officer is the responsibility of Suruhan Jaya Polis Malaysia, whereas the selection of a judge is processed by Suruhan Jaya Law and Judicial Commission. Hiring teachers and other education personnel is the responsibility of Suruhan Jaya Education Institute. Suruhan Jaya Community Development Association and the Suruhan Jaya Public Service Center facilitate the procedure of recruitment, promotion, transfer, retirement, as well as dismissal of civil servants who work in the public sector (Rock, 2009). For the recruitment of Civil Servants, Layman Service works in accordance with Commandments Chapter A, 1973. Procedures and stages that must be followed in the recruitment process are as follows:

1. Initial stages :
 - Categorization of applications and jobs to be offered for recruitment;
 - Advertisement
 - Terms and conditions for required competencies;
 - The responsibility of head of office
2. The Student Service Scheme / type of job competency required
 - Name of service, classification, collection of services, grade and salary schedule
 - Minimum and maximum age limits, conditions needed, work experience, examinations.
3. Official Circular: usually the lay officer will issue a official circular addressed to the chief of staff, which concerns the hiring of these employees.
4. The process of selection: SPA must ensure that selection of civil servants should be according to the professional principles, which are generally accepted. Selection process should not be biased, should base on feasibility, experience and merit. Before the selection process, SPA should issue a request letter to ministries, government offices. The ministries and offices that receive the acceptance letter will make proposals according to the needs of the organizations / institutions. Proposals from the top leadership of an institution should include:
 - The number of vacancies and from which date these vancancies are available.
 - Number of candidates required;
 - One copy of a letter from JPA related to fraud cases (transfer from employees) to skim that is vacant,
5. Once application against vacant position is received by SPA, JPA sets criteria, and require competency of applicant. This application then returned to ministry or agency that require additional staff for advertisement. In advertisements following information must be included:
 - Name of organization

- Job requirements;
- Gred / staff collection and salary scheme;
- Feasibility to occupy that position / job;
- Address to receive application and closing date/time of receipt of application.

6. Interviews and Selection

The above description becomes relevant to the statement delivered by Dr. Nurhidayah binti Zaenal that the "Purpose of advertisement for the recruitment of employees through publications in all mass media, is to recruit people who are interested to join as Civil Servants, against criteria that have been determined and in accordance with predetermined standards. According to Dr. Nurhidayah, during the process of recruitment, we must prioritize the principles of transparency and accountability and there should be no political interference from political parties. Kingdom of Johor in Malaysia always implement the rules made by the central government (Kuala Lumpur) as mentioned in description of JPA. When asked about the dynamics of the bureaucracy in the Kingdom of Johor Malaysia, if there is any political interference by political parties or politicians, who can use their personal influence, then Dr. Nurhidayah responded that it is not applicable on bureaucratic system of Malaysia and the Kingdom of Johor. However, Dr. Nurhidayah further elaborated that in certain cases and at certain levels there are some questions of distrust among lower cadre of agency. For example: in health sector, for strategic matters, and for policy makers, there is no political interference." (*interview, 15 December 2018 together with the head of human resource development to order to be a laity in layman Malaysia*)

In addition to what has been described above, the same information was also conveyed by Saepul bin Muhammad. Saepul bin Muhammad said that "Malaysia, being a specialized country in human resource development, must prioritize quality of public services. The quality of public services especially human resource development must be priority and goal of the kingdom of Malaysia is that in 2024 we will join to era of globalization". (*interview, 15 December 2018 along with the lay devotee employee of human resource development, enjoining jaya pengkhidmatan awam Malaysia kingdom of Johor*)

Another explanation related to the problem of bureaucracy within the scope of human resource development is due to lay blessing, as revealed by Rizal bin Abdul Madjid. In addition, similar information was also conveyed by Nurul Asma, "that to improve the skills and quality of employees is not something easy, but we have to make measurable goals to motivate employees". (*interview, December 15, 2018 along with the lay devotee employees in developing human resources for the prosperity of the blessing of lay people in the kingdom of Johor*)



Conclusion

It is undeniable that in this era of globalization and transformation, the field of technology, there is a need for a new breakthrough in preparing face the increasingly complex challenges, not only in Indonesia, but also Malaysia. For this reason, human resources are a top priority for the Johor kingdom, with more emphasis on regular training so that civil servants have adequate skills. The success of the Malaysian government, which ranks 3rd (three) in providing quality governance among ASEAN countries, has a system of recruitment that uses the merit system and implements the principle of professionalism. During its development, the culture of corrupt practices had stigmatized the government bureaucracy in Malaysia. The Malaysian government is currently trying to restore the merit system.

Indonesia ranked 5th in quality of governance after Thailand and Malaysia. This means that Indonesia is still 4 (four) grades lower than Malaysia in quality governance among ASEAN countries. Since the regional autonomy, the practice of politicizing the bureaucracy has become a routine practice both at central and regional government level. The procedure for the recruitment of high officials or career development does not use the merit system but tends to facilitate the patronage system. Another point of view is that this is a legacy of an authoritarian new order and a patron client culture. The reputation of bureaucracy in Indonesia has been quite bad due to corrupt recruitment practices that produce corrupt bureaucrats (Pedell, 2006).

The establishment of the KASN institute is expected to create a professional government to address various bureaucratic problems in Indonesia. The function of KASN is as an institution of supervision and implementation of merit systems, so that government can provide good governance. KASN has developed the application of High Leadership Information System (SIJAPTI) as a form of innovation in the field of e-government. Although KASN is successful in providing clean government and good governance, there are still some problems of bureaucracy in Indonesia, including the distribution of employees that are not in accordance with requirements, high number of employees aged 50+, lack of technical staff and quality education. Based on KASN 2017 annual report data, there were 50% of civil servants aged over 45 years, whereas civil servants under the age of 30 are less than 10%. In addition, civil servants who have age 55 years and over and will retire in next 10 years have reached 11%. (KASN 2017/2018 performance report).

It is not easy for the current Indonesian government to revitalize ASN to fulfill its requirements, but it is not impossible if the government continues to make improvements in the governance sector. The ideals for attaining good governance can be achieved through bureaucratic reform and mental revolution.



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