

INDONESIAN CIVIL SERVICE MANAGEMENT AND CORRUPTION

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ABSTRACT

Indonesian government has tried to reform every aspect of the country including civil service system. A legal background was established by the Law No. 5/2014. The aim of this law is to improve the competitiveness of the Indonesian bureaucracy, therefore personnel management – is critical. Effective Civil service management is considered as a key element to create good civil servant since the human element is involved in realizing good governance. This study seek to answer the research problem, – what areas are prone to open the door of corruption, collusion and nepotism. For this purpose literature is conducted to analyze data from various sources. The research finding showed that some areas such as recruitment, placement, promotion and training are positively related to corruption, collusion and nepotism.

Keyword: Civil servant, Indonesia, Management

1. INTRODUCTION

Civil servant is the agent of reform, the policy maker and policy executor. Good or bad the policy implementation is depend on the users or civil servants implement it. In that position, civil servant have the important position to create the good or bad governance. In Indonesia, the journey of policy employment management system was begun in 1974, when the first act of public employee management system was published. The act was called UU No. 8, 1974, about the public personnel principles. Because of the political condition and the development of Human Resource Management system in global world, this act experienced adjustments, after more than twenty years in 1999 and 2014. Unfortunately, the new act of public personnel management system was not fundamentally reform. Though it is hard

to define corruption, on a world scale the Indonesian civil service system seems fairly corrupt (Warwick, 1987).

Both of the personnel system emphasize on the career, which is the right obligation, duties, and its management system of civil servant were centralized. The professionalism of the civil servant is not realized yet, even though the regulation requires every promotion should be based on competency, job performance, and the rank of the employee without any objection about sex, race, religion or class of community. In the promotion system for instance, both of policy stated about merit as one of requirement but unfortunately it's not clear stated, and because of that the system never run well and there're lot of misappropriation. According to Prasojo and Rudita (2014) if the public personnel management is not well transformed to

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the integrated practical management, promotion system would become un-merit. In practice, promotion system was dominated by subjectivity, seniority, closeness with the authority, like and dislike or political order were became the failure of meritocracy implementation (Herman, 2012; Nasir, 2009; Halim, 2002).

Public personnel management declares merit as a based system to run the better management system of civil servant to prevent from the patronage and spoils system. Higher ranking Position can be traded like what happened in Cirebon and Bekasi regency. The two regents are apprehended by Corruption Eradication Commission (KPK) because they received bribe from civil servants who are promoted (Yunto,2018)

Since bureaucratic reform has been implemented in 1999, Indonesian governments is demanded to be more creative in managing their human resources due to their responsibility increasing competitiveness. The public sector organization have been the subject of criticism from the society due to their lack of productivity and efficiency (Kim, 2010). In Indonesia, there is corruption in some units, but also agencies (Warwick, 1987). Corruption is a social-political problem that needs to be tackled carefully (Sihombing ,2018) and structural position trading is one of the modes of corruption commonly carried out by regional heads. Focus in the area of bureaucracy management such as recruiting process, promotion, training and education, and interaction between costumer and those who administer civil service administration, this paper analyze the corruption which is rampant in the current civil service system.

2. THEORICAL BASIS

Literature Study

Employees are the backbone of an organization. Hence, the human resource management (HRM) is important in keeping the public organization on track. In order to motivate employees, HRM aimed at satisfying employees' need are

implemented, regardless in central or local government. Generally, an effective human resource management practice can be the main factor for the success of a firm Starvrou-Costea, as supported by Le and Lee (2007) HRM practice on business performance, namely, training and development, team work, compensation/incentives, HR planning, performance appraisal, and employee security help improve firms' business performance including employee productivity, product quality and firm's flexibility.

Management of human resources is not a matter that arises suddenly. It has been a long time since humanity has organized itself, along with that human resource management has actually been carried out. Priyono and Marnis (2008,p.4) define human resource management as HRM is an acknowledgment of the importance of energy organizational work as human resources very important in contributing to organizational goals, and uses several functions and activities to ensure that the HR is used effectively and fair to the interests of individuals, organizations and society. Lobanovaa, Ozolina-Ozolab (2013) identify aspects of human resource management practices in context of the high performance human resource management. Theoretical and empirical analysis of the various functional areas of human resource management confirms that the 18 human resource management practices can be significant to provide effective human resource management. According to Amstrong (2010) the 18 human resource management practice are attract, develop and retain high-quality people, talent management, job and work design, learning and development, manage knowledge and intellectual capital, increase engagement. Communication and motivation, psychological contact, high performance management, reward management, employee relation, working environment, core values, leadership, work-life balance, managing diversity, secure employment.

An organization's performance and

competitiveness greatly depend on how its employees are managed. A concept concerning all activities regarding employing and managing people in organizations is considered human resource management. Hamlin and Stewart (2011) conducted an extensive literature review and derived the following main goals for human resource development: (1) Improving individual / group effectiveness & performance; (2) Improving organizational effectiveness & performance; (3) Developing knowledge, skills & competencies; (4) Enhancing human potential & personal growth.

A major challenge for countries undergoing rapid change is the establishment of an effective and socially responsible bureaucracy or, in other words, an efficient and innovative civil service. The civil service is an important agency of routine government activities. Accountability, transparency, and public participation are some of the ways in which the behavior of civil servants can be influenced. Many developing states are viewed as weak mainly because of their inability to control their civil servants and obligate them to enforce the will of the state (Fukuyama, 2004). (Fukuyama, 2004).

The role of human resource management determines organizations' performance results and its position in the market, i.e. it enables to achieve greater income and take a good position in the market (Nijolė Batarlienė, Kristina Čižiūnienė, Kristina Vaičiūtė, Ingrida Šapalaitė, Aldona Jarašūnienė, 2017). According to them In order to eliminate problems, certain measures should be taken: to reduce bureaucracy and bribery. (Kumarotomo,1992,) says that corruptions itself can take the form of various kinds, from abuse of positions in such subtle way and not felt by the wider community to patterns that are gross and inhuman. According to him, corruption in civil service management include bribery, nepotism, graft, extortion, and fraud. From the above context, according to Shukla (2013) new changes require new HR practice and

policies and these should be focused on HR issues, such as: staffing and promotion, compensation and incentives, performance appraisal and leadership and succession planning.

Bureaucracy Reform Policies in Indonesia

Although political and economic reform has begun in 1998, bureaucratic reform in Indonesia was still partial and not comprehensive. The changes did not cover all aspects. Therefore, the government issued various policies regarding the importance of bureaucratic reform.

In 1998, the Assembly of Public Deliberation/ Majelis Permusyawaratan Rakyat (MPR) issued Decree No. XI / MPR / 1998 on State Implementation of Clean Government and Free of Corruption, which is then followed by the issuance of Law No. 28 of 1999 on State Implementation of Clean and Free of Corruption and Law No. 31 of 1999 which later converted into Law No. 20 of 2001 on the Eradication of Corruption. The government subsequently issued Law No. 20 of 2012 on the Corruption Eradication Commission/ Komisi Pemberantasan Korupsi (KPK) as the institution that has mandate to crack down corruption in Indonesia. Bureaucratic reform in Indonesia started to have clearer direction since 2010. To implement bureaucratic reform, the government issued Presidential Regulation No. 81 of 2010 about Bureaucratic Reform Grand Design of 2010-2025 and MAEBR Regulation No. 10 of 2011 about Bureaucratic Reform Road Map for the implementation of change management programs. Various policies are expected to become the basis for the development of bureaucratic programs reform either in central and regional levels. As stated in Bureaucratic Reform Grand Design and Road Map, there are two areas of change that interrelated each other, namely : human resources and public service (Source : MAEBR Regulation No. 10 of 2011 about Bureaucratic Reform Road Map)

3. METHOD

This paper use qualitative approach, which collect secondary data. The data collection techniques applied in this research is literature study. The process to analyze the data collection this research use model of Milles and Huberman (1992) through three activities: data reduction, data presentation and verification. Narrative method was used to present the research findings.

4. RESEARCH RESULT AND DISCUSSION

From the literature review, the implementation of civil servant management system have many obstacles. The obstacles related to the situation and condition of political situation in the time that controlling and influence the public personnel management system. Indonesian public services have long been infamous for their low performances, vulnerability to political intervention, endemic corruption and inefficiency.

Civil service system in Indonesia has been made in three time. The first act, is called UU 8, 1974 about personnel issues or the principles of personnel. The second act is called UU 43, 1999 about the revised version from UU 8, 1974. And finally the third is UU ASN or UU 5, 2014 about Civil State Apparatus. Theoretically, the third legislation applies more recent strategic human resource management thinking that views employees as the most important asset of an organization. Based on this rationale, the law then requires the application of merit principles in the recruitment, placement, promotion and recompense of public employees. A new public service culture, morally driven and based on public responsibility, will be created in the Indonesian Public Service profession. These all are expected to substantially improve the performance of the civil service.

Some implications of the new law. First, all jobs in state institutions in national, provincial and local governments will be known as the Indonesian Civil Service (ICS). Indonesian missions overseas are included.

Those who work in the institutions will be called ICS employees. The ICS is legally declared a noble profession regulated under ICS norms, code of ethics and code of conduct, and is subject to sanctions. Punishments will be dealt out in where there are breaches of norms and the code of conduct. The ICS will have two employment streams; contract-based Government Employees (PPPK) and civil servants (PNS). PNS are ICS employees recruited by agency's authorities to carry out policy implementation and the general administrative work of the government. PPPK are ICS employees who are recruited by agencies to carry out the public service functions of the Indonesian government. The Indonesian public service will comprise three types of services: the Senior Leader Service (SLS), the General Administrative Service and the Special Functional Service. The SLS comprises middle and top executives of the ICS elected to positions based on outstanding leadership skills, competence and knowledge. A new independent body, the Indonesian Civil Service Commission (ICSC) of seven members representing the government, academia and civil society, will have oversight authority for the implementation of ICS norms and the code of ethics in all government agencies, and the application of the code of conduct by individual ICS employees.

Civil Service System

Indonesian civil service system has 4 levels (I-IV) with 17 grades: 3 levels (I-III) have four grades each (A-D), and the highest level (IV) has 5 grades (A-E). Indonesia has four echelons (I-IV) directly attached with structural positions which mean positions with decision making authority. Echelon I is the highest ranking official (Pimpinan Tinggi Utama) and it assumes such positions as director generals, deputies, prime secretary, secretary general or top management of non ministerial organization. Each echelon is matched with grades as follows.

Table 1
Match with Echelon and Grade

Echelon	Minimum grade
Echelon 1 (Pimpinan Tinggi Utama)	IV/d
Echelon II	IV/b
Echelon III	III/d
Echelon IV	III/b

Resouce: Law Number 5/2014

Tabel 2
Match with Education and Prospective Civil Servant's rank

Rank	Level	Minimum Education
JuruMuda	I/a	Elementary school
JuruMuda Tingkat I	I/b	Elementary school
Juru	I/c	Junior high school
Juru Tingkat I	I/d	
PengaturMuda	II/a	Senior high school
PengaturMuda Tingkat I	II/b	Diploma 1 and 2
Pengatur	II/c	Diploma 3
Pengatur Tingkat I	II/d	
PenataMuda	III/a	Bachelor degree
PenataMuda Tingkat I	III/b	Master degree/Medical doctor/ Parmachist
Penata	III/c	Doctor degree

Source: Government Regulation Number 11/2002

Table 1 shows civil servants who want to be promoted to the higher rank must have minimum grade. The sooner he or she has minimum grade, the opportunity to be promoted is greater.

Each echelon has a minimum grade, but this minimum period is currently rather high in Indonesia. If staff member starts his or her career at the entering grade of III a, it takes 28 years to reach echelon 1. However, the starting grade is determined by the schooling year: II - a for high school graduates; III-a for those with bachelor's degree; and III-b for master's degree holder, as the following table shows.

This system encourages the civil servant candidate to enter the government through an easy ground-level door through the grade II exam, and then to take an elevator to grade III by receiving a bachelor's degree. This match between education level and the minimum grade

for promotion has two major problem. The first is that an applicant's educational attainment cannot fully represent his or her competency. Second, this system encourage civil servants advance to a higher grade through schooling in order to receive an automatic leap-forward in their grade. II-a graders will advance to III-a as soon as they receive bachelor's degree. Such a practice sets up wrong incentive, which are already prevalent in Indonesian civil service system.

Civil State Apparatus Management (ASN Management)

Based on Law Number 5 Year 2014, Civil Service Commission has been established. Therefore the division of responsibilities in relation to human resources among line ministries and other public sector entities is as shown in table below:

Table 3 shows, National Civil Service

Agency is implementing institution in managing Civil State Apparatus technically.

ASN Management aim at produce professional ASN Employees, basic values, professional ethics, free from political interference, free from corruption, collusion, and nepotism. Based on the law, there are principles, values basis, and code of conduct as shown in table 4.

Table 4 shows the important role of civil servants as agent of reform on morality basis.

In examining corruption, the paper focus on two aspects, namely: potential corruption due to poor civil servant management and the corruption involves interaction between costumer with officials, who administer civil service administration.

The potential corruption due to poor civil servant management:

1. Civil Servant Procurement (Pengadaan PNS)
Applicants who have been declared passed the entrance test and accepted

then resign or die, Civil Service Official (PPK) immediately reports to the Head of National Civil Service Agency (NCSA) and Head of Regional Office of NCSA by attaching the relevant resignation letter or declaration of death from the local Head of Village / Village Head. To replace applicant who resigns or dies, the PPK takes the name of applicant in the next order from the highest ranking of field competence test (TKB) according to the vacancies and is determined by the PPK Decision and announced to the public through agency websites, local newspapers, and bulletin boards or other media available. The PPK's decision on the replacement of applicants who resigned or died was submitted to the Head of NCSA and Head of the Regional Office of NCSA.

Common problem :

When PPK replace one who resign or die with the next applicant from the highest ranking, the process is still not sufficiently transparent. A case in Bengkulu Province (2013) PPK called

Table 3
The Institutions Responsibility for Civil State Apparatus Management

Agency	Function
Ministry of Administrative Reforms	held government affairs in the field of utilization of state apparatus, with regard to the authority and the establishment of policy formulation, coordination and synchronization policies, and monitoring of implementation of the ASN policy
Ministry of Finance	Civil service pay and pensions (state-owned enterprises are responsible for their own pay and pensions under the supervision of the State Ministry for State-Owned Companies)
Civil Service Commission	relating to the authority of the monitoring and evaluation of policies and management of ASNs to ensure the realization of the Merit System and supervise the application of the principles and code of ethics and code of conduct ASN
National Agency for the Civil Service	relating to the implementation authority ASN management, supervision and control of the implementation of norms, standards, procedures, and criteria ASN Management.
National Institute of Public Administration	with regard to the authority of the research, policy assessment ASN management, coaching, and providing education and training ASN

Source: Law Number 5/2014

Table 4
Principles, Value Basis, and Code of Conduct of ASN

Principles in implementing policies and management of ASN	Principles as profession	Code of conduct
legal certainty;	basic values;	aims to safeguard the dignity and honor of ASN.
professionalism;	code of ethics and code of conduct	settings that employee behavior ASN:
proportionality;	commitment, moral integrity, and responsibility in the public service;	perform their duties honestly, responsibly, and high integrity;
integration;	competencies required in accordance with the tasks;	perform their duties carefully and discipline;
delegation;	academic qualifications;	serve with respect, courtesy, and without pressure
neutrality;	guarantee legal protection in performing the task; and	carry out their duties in accordance with the provisions of the legislation;
accountability;	Professionalism	carry out their duties in accordance with the orders of superiors or the Authorized Officer to the extent not inconsistent with the provisions of legislation and government ethics;
effective and efficient;		provide information correctly and not misleading to others who need information regarding the interests of official;
openness;		using the wealth and state property responsibly, effectively, and efficiently;
Non discriminative;		not abuse the internal state information, tasks, status, power, and position to obtain or seek profit or benefit for themselves or for others;
unity and integrity;		uphold the basic values of the ASN and always maintain the reputation and integrity of the ASN
justice and equality; and welfare.		implement the provisions of the legislation regarding employee discipline ASN.;

Source: Law Number 5/2014

- by phone the applicant who ranked second from the highest ranking and asked 100 million IDR. Generally, applicants think that no one will resign so they will meet all the PPK's demand as long as they are accepted as prospective civil servant.
2. Promotion in ranks (Kepangkatan)
 1. Regular promotion in rank
 - Requirements:
 - Minimum of four years in the last rank
 - Assessment of employee work objectives is fulfilled
 - Does not exceed the rank of direct supervisor
 2. Choice promotion in rank
 - Requirements:
 - Demonstrating outstanding work

- performance
- Obtain certificate or diploma from university

Common problem

1. Demonstrating outstanding work performance
 - Since there is not specific standard of outstanding work performance but with so much emphasis on the idea of the highest ranking official, open the door to nepotism and even corruption. The standard is normative basis not based on the specific key performance indicator.
 - The candidates who are proposed by their respective institutions will be examined by officials of NSCA not by experts. NSCA's officials do not have expertise on marine, forestry or agriculture technology, so it does not prove the true outstanding of the nominees but, rather, merely formalize their promotion. This mechanism also open the door to nepotism between the civil servant with his or superiors.
2. Obtain certificate or diploma from university

This mechanisms of promotion in rank is called The Grade Advancement Promotion in Rank after requiring a bachelor's degree (Kenai-kan pangkat karena mendapatkan ijazah or Penyesuaian ijazah). This instrument does not prove the true competence of the civil servant, merely formalizes their grade jumps by easily acquired degrees. The civil servant need not to attend the class regularly besides that the class is held on Saturday only. In some cases, one subject can be finished in two weeks or seven session. The fourth session is mid test and the seventh is final test. Most of the lecturers will not interfere in academic process, as long as they receive their honorarium. The civil

servants who attend the evening or Saturday school encourage them to focus more on their school not on their work. This mechanism also open the door to corruption as they will ask other parties to pay their school fee. Beside they will give gratification to the lectures and the university staff.

3. Promotion in higher position
 - Career development for civil servants is based on qualifications, competencies, performance appraisal, and needs of government agencies.
 - The career development of PNS is carried out by considering integrity and morality
 - Competencies include
 - a. Technical competency
 - b. Managerial competency
 - c. Socio cultural competency
 - Integrity

Common problem :
Indonesia with rank-based bureau- cracy system, promotion should be integrated with the career path de- velopment of employees. However, there is no clear standard to deter- mine promotion to higher position, PPK (minister, high ranking offi- cials, governor, regent, and mayor) dominate the promotion decision at their dicreation. As a result, the decision is sometime influenced by cronism or corruption as it hap- pened in the district of Cirebon and Bekasi.
4. Education and training system Civil servant training is divided into:
 1. Pre-service training
 2. In-service training
 - a. Technical training
 - b. Functional training
 - c. Leadership training

Training participant:

 - a) Leadership training is followed by civil servants who have or will hold structural positions
 - b) Functional training participants are civil servants who have oc- cupied certain functional posi-

- tions
- c) Technical training participants are civil servants who need an increase in technical competence in carrying out tasks
3. Organizing
 - Implemented in a classical and non classical manner
 - Technical and functional training is carried out by accredited training institutions

Common problem

Although human resource development for the civil service has received much attention from the government because of the importance attached to the role of the administration in the development process, a mayor weakness of these human resource development efforts has been the lack of linkage between training and the need of civil servant. Indonesian training and education is too often more supplier driven, for example more to use the budget than the needs of civil servants or organizations (Rohdewohld, 1995, p. 111).

Several corruption regarding civil servant training and education:

1. Shorten the training periods i.e. from 5 days to 3 days so that organizers save the expenditure for their benefits.
2. The training is held at a certain hotel from which the organizers receive some money.
3. The Director or the head of training bureau deliberately invite the top management at the opening and closing ceremony to give speech and provide honorarium even though it is not strategic training, i.e. leadership or pre-service training. For some middle or high officials, this is the way to thank the top management for their promotion, not only training but other program activities, such as, coordination or evaluation meeting in a directorate or bureau are expected to be attended by top ranking officials.

The potential corruption because of interaction between costumers with officials who administer the civil service administration.

Besides containing different connotations, the practice of public administration that can be classified into corruption is very diverse. Techniques or tricks for corruption may always develop. We will see that the manipulation and fraud techniques have never been revealed and are unthinkable by law enforcers and endanger the authority of Indonesian personnel management.

1. Awarding honorarium as a fictitious key speaker.
2. Funding trips out of town for non-essential activities (delivering a decree)
3. Inviting to make resource persons that can be done by subordinates or other competent parties.
4. Provision of honorarium as a member of the committee team to do work that has indeed become its main task
5. Invite high officials to open and close activities that are not so important (coordination directorates / bureaus)
6. Receive full rewards for four days but present only one day as a member of the joint team
7. Give permission to subordinates to become facilitators or carry out tasks outside the city by asking for compensation in money
8. Provision of honorarium without receipt.
9. Subordinates seek honorariums for superiors from agencies or groups requesting employment services

Moral Issues

The development of the political and economic constellation in Indonesia over the past few decades has revealed three main trends. First, prosperity has increased with the fulfillment of the people's economic needs. Second, the expansion of bureaucratic power at every level of government administration. And finally, increased political power for

executives in the ranks of government. Increasing political power of executives means increasing the role of bureaucrats and administrators in determining policies concerning the wider community. Can be said at this time we are watching the executive era in government (executive era of government).

An official who makes a decision because he or she has the legitimacy of compelling power to regulate that civil service management is effective. The requirement to complete documents before the appointment of prospective Civil Servants, the obligation to have competence for employees who will be promoted, to have rank and position, have employee cards, and receive salaries from the state in accordance with applicable regulations, etc. based on powers obtained from civil service laws or regulations. Therefore, the wise nature of managing civil servants is very necessary for the realization of good civil state apparatus management.

The higher the position of an employee or staff management officer, the more required the terms of wisdom because he will be increasingly involved in managerial rather than technical fields. The logic is that the higher the position of someone the more other people will be influenced by the decisions of the official, so the greater the risk of dissatisfaction among subordinates and the community. A wise official is an official who is able to keep the decision based on truth.

In addition, officials who manage staff have an obligation to use the state's financial budget. State finance is people's money because receiving unlawful money is a form of betrayal to the people. Resilient staffing responsibilities not only to the leader alone but also to the entire ASN community and society as a whole. According to Gatcher and Renner (2018):

An interesting new insight of our laboratory approach is that there is a 'multiplier effect', because a bad example (dishonesty in tax matters, corruption, and unethical behavior in other domains)

may not only have direct effects on a follower but may also trigger belief effects about how others will react. The path-dependency effect may affect morale adversely in the long-run. Leaders should thus be role models for whom high moral standards should hold

So if a the highest-ranking official (Pimpinan tinggi utama) of civil service shows corrupt behavior, he does not only encourage higher official level two (Madya), higher official level one (Pratama) to do the same thing but also all civil servants who administer civil service administration both in central and local governments and even the wider community.

5. CONCLUSION

This study makes a qualitative examination on the civil service management in Indonesia and conduct analysis the system based on secondary resources. From qualitative perspective, this paper touched upon corruption and potential corruption regarding civil service management system. As it stands now, Indonesian civil service reform depends only on reform from inside of bureaucracy. This method has proven ineffective in eradicating corruption, collusion and nepotism. This paper suggests that the government of Indonesia have a strong and determined reformer from outside bureaucracy. While effective civil service management is a central pillar for dealing with good governance, ensuring that civil servant give high priority in relation to their day-to-day activities and routine duties, strong, integrity and determined leadership in Indonesian civil service management system is crucial and needed.

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