check for updates

Instrumentalizing community participation with responsive legal internalization in the public sector selection process

Tuhana[1+]
Jamal Wiwoho[2]
I Gusti Ayu Ketut Rachmi Handayani[3]

[1,2,3]Universitas Sebelas Maret, Surakarta, Indonesia.
[1]Email: tuhanatuhana.uns@gmail.com
[2]Email: jwiwoho.uns@gmail.com
[3]Email: igakrhandayani.uns@gmail.com

(+ Corresponding author)

ABSTRACT

There is considerable public demand for transparency and accountability in the selection of public officials due to their responsibility for realizing people's welfare. However, especially in Indonesia, the selection of public officials is still fraught with administrative violations and policy problems, despite the implemented merit system. A form of community participation is necessary as a control mechanism, and this can be realized through instruments under a responsive legal paradigm with the spirit of community participation. This study aims to analyze the public participation needed in the selection of public officials in Indonesia and how community participation can be instrumentalized in the selection of public officials as a form of responsive legal internalization. This research makes use of deductive thinking with a case and conceptual approach. The method used allows us to determine the urgency of the need for public participation in the election of public officials. The results of the study show that the need for bureaucratic reform towards a responsive bureaucracy and the need for preventive control of the bureaucracy are reasons proving the necessity of public participation in the selection of public officials in Indonesia. Moreover, the instrumentalization of community participation in the selection of public officials as a form of responsive legal internalization can be realized by establishing a means of community participation in the checking of track records and other components and parameters of participatory assessment.

Contribution/Originality: This paper is among the first to examine legal responsiveness by employing community participation as a means of providing useful information related to the track records of prospective public officials. Moreover, the study investigates the rationale for using the merit system in the selection of public officials to improve governance and community participation.

1. INTRODUCTION

Poor bureaucratic governance in Indonesia is evident in the selection process of public officials, which is not transparent, does not prioritize qualifications, competencies, performance, and quality, and is fraught with nepotism (Reski, 2019). Bribery and lobbying for positions are still common sights in the selection of public officials in government agencies. This creates a public perception that public office can be obtained through persuasive lobbying rather than personal qualifications or competencies. Therefore, it is easy to find public officials whose qualifications do not align with their duties or roles. This undermines the performance and effectiveness of the bureaucracy, which consequently causes problems in government (bad governance) (Mariana, 2006). The selection

of public officials in Indonesia, although it is now carried out in an open and competitive way using a merit system, is still not free from the age-old problems of persuasive lobbying and nepotism. Therefore, although there are already statutory provisions that accommodate the principle of appropriateness through the merit system, i.e., the ability or eligibility of a person to occupy a public official position, its implementation must be strengthened by community control.

This is also relevant to the responsive legal paradigm, which guides the process of creating good governance. The influence of the responsive legal framework introduced by the Berkeley school of thought in the late 1980s, as stated by Pesch (2008) and Adam (2018), has only been felt in the country since the reformation, with the introduction of a transition period from repressive legal products to responsive legal products (Nonet & Philip, 1978). The modern rule of law is characterized by the strengthening of the democratic system at all levels of government, especially through increasing public or community participation and astute political awareness of the necessity to provide facilities for these forms of community participation (Reid Jr, 2007). Thus, it is becoming more common to find characteristics of a responsive legal paradigm, such as community involvement in various development activities and public services (Mariyam & Setiyowati, 2021). This phenomenon is becoming more and more common in the era of government openness, which is accompanied by the development of information technology, e-governance, and press freedom; therefore, the perspective of administrative law theory and government administration that is limited to government institutions is no longer relevant to explain and solve phenomena of this kind.

Public officials are one of the supporting pillars of governance in Indonesia. The functions and powers attached to public officials show a high degree of interest and responsibility in realizing people's welfare. Public officials are the key to the implementation of policies that meet their targets. However, in practice, the selection of public officials is still affected by violations and problems, despite the implementation of a merit system. There needs to be a form of community participation as a control mechanism, which can be realized through instruments following the responsive legal paradigm with the spirit of community participation. The application of the merit system as a strategy in the management of civil servants' human resources is one of the main attempts to develop the public sector's capacity and competence in various countries. In the implementation of this system, many challenges and inconsistencies have been encountered; these come not only from within the bureaucratic ecosystem but also from ecosystems outside the bureaucracy that indirectly affect it. This study aims to analyze public participation in the selection of public officials in Indonesia and the instrumentalization of community participation in the selection of public officials as a form of responsive legal internalization.

2. LITERATURE REVIEW

Changes in mindset from rule governance to good governance are characteristic of the bureaucratic reform movement (Sirajuddin & Sukriono, 2011). In this case, a shift has also occurred in the role of civil servants in government administration, who have become public servants with a responsibility to provide excellent public services (Rusnan, 2014). Good governance requires a government to include community participation. This participation can be realized using an open system of merit and qualification in the selection or recruitment process for government positions. Participation means taking part in an activity, from the planning to the evaluation phase (Sirajuddin & Sukriono, 2011). In civil servant recruitment, participation means accommodating the community by using a merit system that focuses on qualifications, competencies, and performance in a fair and reasonable manner, without discriminating on the grounds of political background, race, color, religion, origin, gender, marital status, age, or disability. The demand that qualified candidates prove themselves in an open system is one realization of community participation. Today's society is a benchmark and parameter for measuring the effectiveness of a policy. Bureaucrats are expected to compete to provide excellent service to the community. Therefore, in the dynamics of the welfare state, a paradigm shift has taken place towards excellent public service based on good governance and

developmental growth, with people's welfare as its main goal. This gave rise to the idea that the government is in charge of realizing the general welfare of its citizens (Candeub, 2020; Pojanowski, 2019; Ridwan, 2011). Thus, it can be understood that the various problems that arise, especially in the selection of public officials, must be urgently addressed and that bureaucratic reform towards a responsive bureaucracy is required. The responsiveness side can be tackled by inviting community participation in the selection process of public officials. Of course, this involvement must not be interpreted as biased, nor can it be interpreted as full involvement. However, it must be included as an assessment component that accommodates the need for community participation. In this case, the selection of track records based on a community participation-centered assessment component is the answer that is sought.

Controlling the bureaucracy is not easy, because the combination of bureaucratic and governmental traditions that prioritize a culture of power as the remnant of the feudal order has resulted in bureaucrats being trapped in a political system in which they are not focused on serving the needs of the community. The role of public officials, especially high-ranking officials, must be urgently addressed because they are direct stakeholders of policies to serve the community. The State Civil Apparatus Law regulates the requirements of an open system of qualifications for public officials, but it does not run smoothly in practice and there are several weaknesses (Rosmiati, Sumaryana, Saefullah, & Buchari, 2019). Concerning the adoption of a merit system, regional heads, in this case mayors, still use spoils system methods, which prioritize the selection of candidates based on personal relationships, because the regulations do not absolutely demand a merit system. This is contrary to the principles in the State Civil Apparatus Law. Stakeholders' lack of commitment to implementing an open system based on qualifications contributes to the weakness so that the screening that is meant to create high-integrity bureaucrats actually becomes a new vehicle for the practice of collusion and nepotism.

Weber explained that a bureaucracy is a rational organization with all the characteristics inherent in it (Cochrane, 2018; Lounsbury & Carberry, 2005). The characteristics in question include, among others, the existence of positions, duties, authorities, hierarchies, systems, formalities, disciplines, professional competencies, and seniority (Kärreman, Sveningsson, & Alvesson, 2002). These characteristics shape the bureaucracy as a means to achieve collective goals (Kallinikos, 2004). The ideal type concept, pioneered by Max Weber, captures the essential components of a phenomenon, although it is not actually found in its entirety in the real world (Barbalet, 2008; Esau, 2006).

A bureaucracy, in a concrete sense, is an organization with a pyramid-shaped chain of command, where more people occupy lower levels than upper levels, both in military and civilian institutions (Labolo & Indrayani, 2017). Therefore, it is only natural that bureaucratic reform is needed. At the juridical level, Presidential Regulation No. 81/2010 concerning the Grand Design of Bureaucratic Reform 2010-2025 was implemented. This shows normative progress because a basic plan has been prepared in an effort to achieve bureaucratic reform. However, in practical terms, it is necessary to control the process through community participation, meaning that bureaucratic reform is expected to run simultaneously with the overseeing role of the community.

The community can actually be an effective means of preventive control. In the previous literature, the community's participation has been shown to strengthen the government and the resilience of the bureaucracy through the emergence of community legitimacy, rather than the bureaucracy being controlled by the community itself (Diprose, Wulandari, Williams, & Yustriani, 2020). Thus, the community is positioned as an agent that functions as a means of preventive control, especially if community participation is included in the selection process of public officials. That is, in its position as the agent, the community becomes the first filter. The goal is to use the community's assessment and participation at the time of track record selection. Therefore, the assessment component of community participation can be a means of preventive control in the selection of public officials (Tobing, 2016).

Community involvement in the form of community participation is actually in accordance with the principles and mandates of the legislation. This must be achieved by urging the public in the matter of selecting public officials who are ready to lead and serve the needs of the community. Thus, the nature of leadership must be established, namely, to lead means to serve. Without this element of service, the other elements of leadership only allow a person to become a skilled leader or a capable leader; however, he cannot qualify as a true leader (Tanya, 2011). Community participation as an instrument of control must be combined with the willingness to introduce an assessment component that becomes the forum. Thus, community participation can be realized through an assessment component in the selection of public officials.

3. RESEARCH METHODS

This research is normative in nature and is conducted by means of literature research, which is discussed through inductive thinking patterns and compiled to assess the problem of selecting public officials, particularly the selection parameters that have been used so far. Therefore, this study adopts a case study approach to determine the urgency of the need for public participation in the election of public officials; its conceptual approach aims to formulate the instrumentalization of public participation in the election of public officials as a form of responsive legal internalization.

4. RESULTS

Indonesia has not yet achieved the expected bureaucratic reform; on the contrary, it is currently experiencing several challenges. The existing structures, norms, values, and regulations are still oriented toward the interests of the authorities/bureaucrats, which causes the power culture to remain sustainable. The bureaucratic culture has not yet become a service delivery culture. In addition, uncertainty in the bureaucracy is still high, demanding a high cost of uncertainty. Moreover, the patron-client culture and affiliation culture lead to moral hazards. The bureaucrats themselves are also subject to low competency standards (Sudrajat, 2008). This condition is exacerbated by a destructive bureaucratic pathology. This pathology refers to the silo mentality that is widely used to criticize the inefficiency and unresponsiveness of public sector organizations. The silo mentality is seen as stemming from the rigidity of the hierarchy of public organizations that are not flexible in planning, organizing, coordinating, and cooperating between individuals, units, teams, and institutions (Liebrecht, 2011). This problem becomes more complex when it is exacerbated by an overlap of authority between one public institution and another (Danzman, 2019). So, based on this context, to improve the bureaucracy, there must be bureaucratic reform in Indonesia.

Bureaucrats are key to the creation of policies that are in line with the goals of the state. However, in practice, the policies created are more concerned with the fulfillment of the personal interests of corrupt bureaucrats and interest groups. This is the beginning of the assumption that bureaucrats can create and preserve policies that are corrupt and detrimental to the state, thus creating a corrupt culture (Khairo, Busroh & Riviyusnita, 2019). Indonesia is a country with a fairly high corruption index. Data from the International Corruption Watch (ICW) concluded that the losses suffered by the state due to corruption reached IDR 9.29 trillion in 2018 (Kompas.com, 2019). The state thus pays a high price for corruption; in addition to losses to state finances, there is a tendency to neglect corrupt actions or, in other words, to accept corruption as traditional (Justine & Okoye, 2014; Pattawe et al., 2022).

Based on statistical data released by the Corruption Eradication Commission (*Komisi Pemberantasan Korupsi*; KPK), the level of corruption in Indonesia is still very high. The practice of corruption occurs in all three branches of government, the executive, legislative, and judicial. Corrupt behavior seems to be a trend among bureaucrats today. With the authority they possess, officials create policies that contain elements of self-benefit (Hartono, 2016).

This implies that policies are prone to be hijacked by certain interests that are beneficial to individuals or groups while bringing material and moral losses to the state.

Keeping tabs on track records is an important way to assess candidates for public office; this relates to historical facts concerning the personal and professional actions of prospective public officials. Tracing track records can involve community participation in the selection of public officials. Track records can be obtained from the applicant's job history, colleagues, and neighborhood. Track record tracing is carried out anonymously by extracting information directly from the public or informants by distributing questionnaires to interested parties.

Track record tracing has so far been regulated in the Regulation of the Minister for Empowerment of State Apparatus and Bureaucratic Reform Number 15 of 2019 concerning the Open and Competitive Filling of High Leadership Positions in Government Agencies. Also, the Regulation of the Minister for Empowerment of State Apparatus explains the mechanism for tracing track records by the Selection Committee. This can be done through an evaluation of the applicant's profile to check the suitability of the position being applied for and their potential to carry out the duties of the position. It includes: (i) positions that have been and are currently being occupied, (ii) formal educational background, (iii) leadership and technical/functional education and training that has been attended, (iv) outstanding achievements while carrying out tasks, and (v) integrity possessed. Tracing the track record takes place at the applicant's place of work, including with superiors, colleagues, and subordinates, and in other related environments (Menpan, 2019). However, community participation, which is of particular interest in this study, is not explicitly regulated in the regulation mechanism.

Accordingly, the Regulation of the Minister for Empowerment of State Apparatus and Bureaucratic Reform Number 15 of 2019 concerning Filling High Leadership Positions Openly and Competitively in Government Agencies is still limited to regulating elements of record tracking in general and does not specifically discuss public participation in the selection of public officials. Therefore, it is important to regulate the community's participation in tracing the track record, as referred to above, by including the widest possible community participation. Community participation is very useful in providing information relating to the track records of prospective public officials. For the track record to be complete and comprehensive, it must include the attitudes and behavior of prospective public officials obtained from their place of work, superiors, colleagues, and subordinates, and it must effectively involve the participation of the public, who act as informants to supply the track records of the candidates for public office.

5. DISCUSSION

5.1. Creating Participatory Assessment Components and Parameters

To define the components and parameters of participatory assessment, the assessment must be classified into 3 (three) types, namely: (i) assessment within the family environment of prospective public officials, (ii) assessment in the work environment of prospective public officials, and (iii) assessment in the community surrounding the candidate for public office. The parameters of each assessment type are further explained as follows:

First, the assessment in the family environment of prospective public officials is specifically carried out in the realm of the family. The goal is to get a clear picture of the life and activities of prospective public officials in their family environment. Thus, the objects of the assessment are family members and people who live in the family environment of the candidate for public office. The assessment parameters in the families of candidates for high-ranking office are the most basic components of the assessment (basic indicators). However, they have the lowest level of validation because they are prone to intervention and conflicts of interest.

Second, the assessment in the work environment of prospective public officials zones in on aspects of the work environment. The aim is to discover their track record in terms of work ethic, performance, and character. Thus, the objects in this study are colleagues up and down the chain of command who are questioned to discover the candidate's performance track record so that the assessment will be as objective as possible. Assessment parameters

in the work environment of candidates for high-ranking office are mid-level components. These parameters have a medium level of validation because they are still vulnerable to lobbying and persuasive approaches.

Third, assessment in the community around prospective public officials aims to objectively discover their social behavior, association with the community, and other track records originating from the surrounding environment through community participation. Thus, this form of assessment depends on the people who live around the domicile of the prospective public official. Direct participation is necessary because it can be an indicator of prospective public officials' track record in the surrounding community. The community evaluation parameters are the highest components of the assessment (high indicators). They have the highest level of validation because if the assessment is carried out correctly and comprehensively, they are gathered directly from community members who have no interest in high-ranking officials. The three components of participatory assessment are shown in Figure 1.
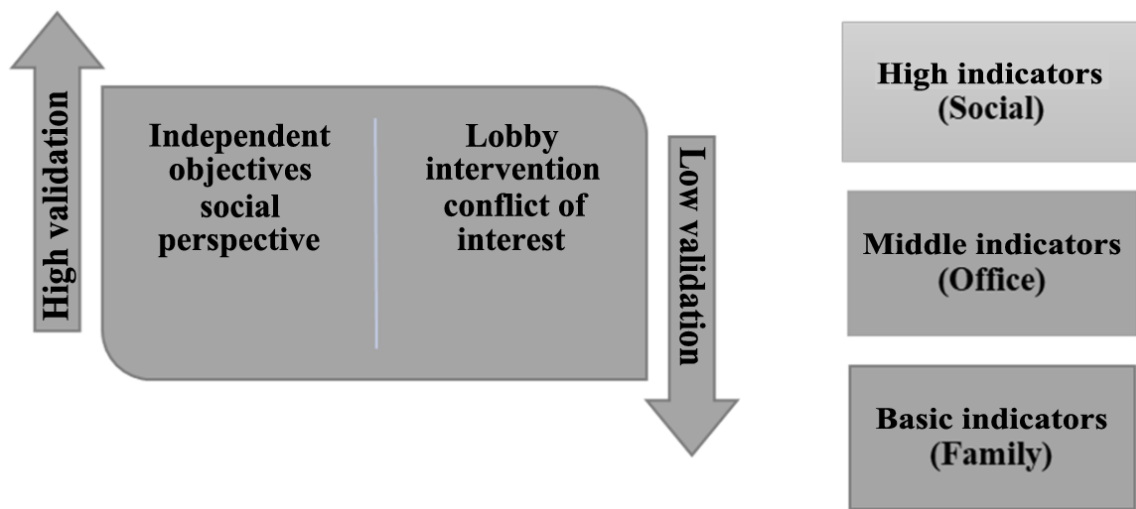

Figure 1. Three components of participatory assessment.

The three forms of assessment components are appropriate and have relevance to responsive legal rules. This parameter also characterizes a democratic country by its responsive stance toward public participation, whereas an authoritarian state tends to be repressive and not invite public participation (Daraba, Cahaya, Guntur, Aslinda, & Akib, 2018; Graham, Amos, & Plumptre, 2003; Okere & Okoroafor, 2019; Pomeranz & Stedman, 2020). The results show that changes in personnel management in Indonesia are subject to administrative reforms to improve governance. The selection and recruitment process, as well as the placement of officials in certain positions in line with the need for a merit system and public openness, changes the model from time to time. However, when the need for professionalism, transparency, and merit increases, it does not massively change personnel managers' way of thinking. The results highlight the challenges of merit bureaucracy in Indonesia, as it is closely related to political interests. This is in line with previous research findings (Dahlström, Lapuente, & Teorell, 2012; Dussauge Laguna, 2011; Kasim, 2013; Meier, Compton, Polga-Hecimovich, Song, & Wimpy, 2019; Poocharoen & Brillantes, 2013; Turner, Prasojo, & Sumarwono, 2022).

In practice, there are still gaps where the patronage and spoils system that has been ingrained for hundreds of years is perpetuated (Ali, 2019; Berenschot, 2020). Bolder system boundaries are needed to limit these practices based on a clearer and more targeted merit system (Ali., 2021). In an open career system, professionalism, openness, competitiveness, fairness, welfare, and objectivity are the main principles that must be upheld (Napitupulu, Haryono, Laksmi Riani, Sawitri, & Harsono, 2017). These principles are collectively known as the merit principle. The merit system has been explicitly adopted in the personnel policy known as Law No. 5 of 2014 concerning the State Civil Apparatus.

Furthermore, the main requirement for an employee to produce a good performance is to have the capacity, willingness, and opportunity to perform (Ivancevich & Konopaske, 2014). The merit system is a process of planning, procurement, selection, placement, compensation, and employee evaluation whose policies, provisions, and steps must take into account the minimum qualification requirements, competency standards, and performance so that the result is professionalism (Becker & Gerhart, 1996). The open selection process for filling positions in the public sector is an elaboration of the principle of merit in an effort to select the best candidate through a fair and transparent competition mechanism based on the competence of each employee. In a government bureaucracy, human resources are one indicator that determines the success or failure of a country. Human resources contribute to the strength of a country's competitiveness. Therefore, human resources greatly influence the extent to which a country can realize its strategic plans (Huselid, 1995).

Practically, several strategies can be implemented to strengthen the human resources capacity of civil servants. The most important is strengthening the database related to the progress of the bureaucracy, including the management of civil servants, to obtain a reliable method (Handoko & Yubaidi, 2020). This is important because every policy that is implemented, especially relating to the merit system, requires precise and accurate data. The next step is to encourage the implementation of a civil servant management system using an integrated application. Currently, each government agency still uses many different applications, causing inefficiency. Therefore, it is necessary to have a digital platform that manages all information concerning the management of civil servants. Merit system supervisors in Indonesia have displayed good performance by applying merit system assessments to government agencies and encouraging full implementation at the agency and local government levels.

6. CONCLUSION

The results highlight the need for public participation in the selection of public officials in Indonesia as the basis for bureaucratic reform into a responsive bureaucracy in the context of various substance and culture-based problems and the need for preventive bureaucratic control involving the community as an agent. The instrumentalization of community participation in the selection of public officials as a form of responsive legal internalization can be realized by establishing a means of community participation in the tracing of track records as well as components and parameters of participatory assessment in the selection of these track records.

We, therefore, recommend the injection of components or indicators of participation-based assessment into regulations at the central level and their structuring into regulations at the regional level. Moreover, the findings suggest that government agencies should reinterpret the urgency of public participation in the selection of public officials based on the research in this paper so that it is more integrated and relevant. The limitation of this research is that it used qualitative methods with a case and conceptual approach, and different results may be obtained from quantitative research methods. Data from each region may reveal a different relationship between public officials, or prospective public officials, and the community. Therefore, the authors encourage further research using data collection on the community level to investigate satisfaction with the local government and how transparent the government is to the community. Harmony and trust will only be apparent between the community and the local government when the continuity of welfare for all communities can be realized.

REFERENCES

Adam, A.-K. (2018). The importance of public administration towards achieving good governance for positive national development by using SmartPLS 3. *International Journal of Public Policy and Administration Research*, 5(2), 68-97. https://doi.org/10.18488/journal.74.2018.52.68.97

Ali, S. (2019). Indonesian civil service management and corruption. *Asia Pacific Fraud Journal*, *4*(1), 16-26.

Ali., D. M. (2021). *Implementation of the Merti system in the selection of high leadership positions (JPT) in Employment in Indonesia*. Yogyakarta: Indonesian National Civil Service Agency.

Barbalet, J. W. (2008). *Passion and profits: The protestant ethic and the spirit of capitalism in context*. Cambridge: Cambridge University Press.

Becker, B., & Gerhart, B. (1996). The impact of human resource management on organizational performance: Progress and prospects. *Academy of Management Journal*, *39*(4), 779-801. https://doi.org/10.5465/256712

Berenschot, W. (2020). Patterned pogroms: Patronage networks as infrastructure for electoral violence in India and Indonesia. *Journal of Peace Research*, *57*(1), 171-184. https://doi.org/10.1177/0022343319889678

Candeub, D. A. (2020). Preference and administrative law. *Administrative Law Review*, *72*(4), 607-648.

Cochrane, G. (2018). *Max Weber's vision for bureaucracy*. Cham, Switzerland: Palgrave Macmillan.

Dahlström, C., Lapuente, V., & Teorell, J. (2012). The merit of meritocratization: Politics, bureaucracy, and the institutional deterrents of corruption. *Political Research Quarterly*, *65*(3), 656-668. https://doi.org/10.1177/1065912911408109

Danzman, S. B. (2019). *Merging interests: When domestic firms shape FDI policy* (1st ed.). Cambridge: Cambridge University Press.

Daraba, D., Cahaya, A., Guntur, M., Aslinda, A., & Akib, H. (2018). Strategy of governance in transportation policy implementation: Case study of bus rapid transit (BRT) program in Makassar City. *Academy of Strategic Management Journal*, *17*(3), 1-12.

Diprose, R., Wulandari, P., Williams, E., & Yustriani, L. (2020). *Bureaucratic reform in indonesia: Policy analyst experiences*. Jakarta: Knowledge Sector Initiative (KSI)/The University of Melbourne.

Dussauge Laguna, M. I. (2011). The Challenges of implementing merit-based personnel policies in Latin America: Mexico's Civil Service Reform Experience. *Journal of Comparative Policy Analysis*, *13*(1), 51-73. https://doi.org/10.1080/13876988.2011.538541

Esau, M. V. (2006). Max Weber's bureaucracy-a structure or obstacle to improved service delivery? *Journal of Public Administration*, *41*(1), 47-60.

Graham, J., Amos, B., & Plumptre, T. (2003). *Principles for good governance in the 21 st Century*. Ontario: Institute on Governance.

Handoko, W., & Yubaidi, R. S. (2020). Information Technology in Electronic Land Registration System as the Standard of Government Performance in the Industry 4.0 Revolution. Lex Publica, 7(1), 82–94. https://doi.org/10.58829/lp.7.1.2020.82-94

Hartono, M. S. (2016). Policy corruption by public officials (An Analysis of the Criminological Perspective). *Journal of Legal Communication*, *2*(2), 212-227.

Huselid, M. A. (1995). The impact of human resource management practices on turnover, productivity, and corporate financial performance. *Academy of Management Journal*, *38*(3), 635-672. https://doi.org/10.5465/256741

Ivancevich, J., & Konopaske, R. (2014). *Organizational behavior* (10th ed.). New York: McGraw-Hill.

Justine, I.-I. C., & Okoye, J. C. (2014). Anti-corruption crusade in Nigeria: More words than deeds. *International Journal of Public Policy and Administration Research*, *1*(2), 47-63.

Kallinikos, J. (2004). The social foundations of the bureaucratic order. *Organization*, *11*(1), 13-36. https://doi.org/10.1177/1350508404039657

Kärreman, D., Sveningsson, S., & Alvesson, M. (2002). The return of the machine bureaucracy?-Management control in the work settings of professionals. *International Studies of Management & Organization*, *32*(2), 70-92. https://doi.org/10.1080/00208825.2002.11043661

Kasim, A. (2013). Bureaucratic reform and dynamic governance for combating corruption: The challenge for Indonesia. *International Journal of Administrative Science & Organization*, *20*(1), 18-22. https://doi.org/10.20476/jbb.v20i1.1862

Khairo, F., Busroh, F. F., & Riviyusnita, R. (2019). Urgency of Separation of Powers in State Institutions to Defend Against Corruption in Indonesia. Lex Publica, 6(2), 36–42. https://doi.org/10.58829/lp.6.2.2019.36-42

Kompas.com. (2019). ICW: State losses due to corruption in 2018 reached IDR 9.29 trillion. Retrieved from:: https://nasional.kompas.com/read/2019/04/28/15294381/icw-kerugian-negara-hasil-korupsi-pada-2018-reach-rp-929-triliun?page=all. (Accessed, 11 October 2021).

Labolo, M., & Indrayani, E. (2017). Bureaucratic reform and the challenge of good governance implementation in Indonesia. *Journal of Asian Review of Public Affair and Policy, 2*(4), 25-47.

Liebrecht, T. (2011). Challenging the use of collaboration in the public sector. *Public Administration Today*(26), 34-39.

Lounsbury, M., & Carberry, E. J. (2005). From king to court jester? Weber's fall from grace in organizational theory. *Organization Studies, 26*(4), 501-525. https://doi.org/10.1177/0170840605051486

Mariana, D. (2006). Post-new order government bureaucratic reform. *Sociohumanities, 8*(3), 240-255.

Mariyam, S., & Setiyowati, S. (2021). Legality of Artificial Intelligence (AI) Technology in Public Service Transformation: Possibilities and Challenges. *Lex Publica, 8*(2), 75-88. https://doi.org/10.58829/lp.8.2.2021.75-88

Meier, K. J., Compton, M., Polga-Hecimovich, J., Song, M., & Wimpy, C. (2019). Bureaucracy and the failure of politics: Challenges to democratic governance. *Administration & Society, 51*(10), 1576-1605. https://doi.org/10.1177/0095399719874759

Menpan. (2019). *Ministerial regulations for the utilization of state apparatus and bureaucratic reform regarding filling high leadership positions in an open and competitive manner within the government.* Retrieved from Government Regulations, No. 15.:

Napitupulu, S., Haryono, T., Laksmi Riani, A., Sawitri, H. S. R., & Harsono, M. (2017). The impact of career development on employee performance: An empirical study of the public sector in Indonesia. *International Review of Public Administration, 22*(3), 276-299. https://doi.org/10.1080/12294659.2017.1368003

Nonet, P., & Philip, S. (1978). *Law and society in transition: Toward responsive law.* New York: Harper & Row.

Okere, J. O., & Okoroafor, G. I. (2019). Good governance and national development. *African Journal of Social and Behavioural Sciences, 9*(2), 405-415.

Pattawe, A., Abdullah, M. I., Karim, F., Kahar, A., Din, M., Zahra, F., . . . Dharma, D. M. A. (2022). Improving regional financial management through administration of regional property and financial reporting on regional assets. *Research Horizon, 2*(1), 283-294. https://doi.org/10.54518/rh.2.1.2022.283-294

Pesch, U. (2008). The publicness of public administration. *Administration & Society, 40*(2), 170-193.

Pojanowski, J. A. (2019). Neoclassical administrative law. *Harvard Law Review, 133*, 852.

Pomeranz, E. F., & Stedman, R. C. (2020). Measuring good governance: Piloting an instrument for evaluating good governance principles. *Journal of Environmental Policy & Planning, 22*(3), 428-440. https://doi.org/10.1080/1523908x.2020.1753181

Poocharoen, O.-o., & Brillantes, A. (2013). Meritocracy in Asia Pacific: Status, issues, and challenges. *Review of Public Personnel Administration, 33*(2), 140-163. https://doi.org/10.1177/0734371x13484829

Reid Jr, C. J. (2007). Judicial precedent in the late eighteenth and early nineteenth centuries: A commentary on Chancellor Kent's Commentaries. *Ave Maria Law Review, 5*(1), 47-112.

Reski, N. (2019). Are bureaucrats clean on 2019 CPNS acceptance?. Retrieved from: https://www.kompasiana.com/nadilareski/5dd3fe14d541df2ac5559a52/apakah%20burokrat-net-pada-penerimaan-cpns-2019. (Accessed, 12 October 2021).

Ridwan, H. R. (2011). *State administrative law* (Revision ed.). Jakarta: King Grafindo Persada.

Rosmiati, M., Sumaryana, A., Saefullah, A. D., & Buchari, A. (2019). Open recruitment of high leadership positions at the Bandung City Regional Personnel Agency. *Journal of Public Administration, 9*(2), 27-39.

Rusnan, R. (2014). Concept of rule of law in related to freiss ermerssen authority on welfare state. *IUS Journal of Legal and Justice Studies, 2*(1), 1-10.

Sirajuddin, D. S., & Sukriono, D. (2011). *Winardi, public service law based on participation and information disclosure.* Malang: Equivalent Press.

Sudrajat, T. S. T. (2008). The problem of enforcing employee discipline penalties. *Journal of Legal Dynamics, 8*(3), 213-220.

Tobing, R. D. . (2016). Asas kebebasan berkontrak dalam perjanjian modal ventura. *Lex Publica, 3*(1), 417-430.

Tanya, B. L. (2011). *Law enforcement: In the light of ethics.* Yogyakarta: Genta Publishing.

Turner, M., Prasojo, E., & Sumarwono, R. (2022). The challenge of reforming big bureaucracy in Indonesia. *Policy Studies, 43*(2), 333-351. https://doi.org/10.1080/01442872.2019.1708301