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**A BENCHMARKING OF BUREAUCRATIC PRACTITIONER
RECRUITMENT BETWEEN INDONESIA AND MALAYSIA**



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RESEARCH ARTICLE

A BENCHMARKING OF BUREAUCRATIC PRACTITIONER RECRUITMENT BETWEEN INDONESIA AND MALAYSIA

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ABSTRACT

This paper discussed a benchmarking of recruitment of bureaucratic practitioner between Indonesia and Malaysia. The aim of this paper is describing the differences process of recruitment system of bureaucratic practitioner in Indonesia and Malaysia. Referring to the theoretical perspective and research paradigm, and derived from its nature of describing the condition of recruitment process of the identified objects, this research used descriptive qualitative analysis.

The results of this research shows that Indonesia and Malaysia employ different recruitment process. In Indonesia, the recruitment of bureaucratic practitioner is conducted overtly, but alteration of process must be evident during its implementation. While in Malaysia, the recruitment is conducted overtly and the results of the recruitment must be published in newspapers; moreover, the process is managed based on the adjusted procedures.

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INTRODUCTION

The recruitment of the civil servant candidates (bureaucrat) is a very important process within the employment management since any alterations occurring in this phase will cause the bureaucratic resources to be worsened. Due to this condition, the recruitment should be conducted in a neutral and professional context. This statement is in line with several results of researches, particularly the review conducted by Pope (2000) which conveyed that bureaucratic recruitment is an occasion in which nepotism of the political official takes place by hiring their closest relatives and friends (spoil system). A review by Transparency International (referred to Pope, 2000) underlined that nepotism in bureaucracy is the gate of corruption within public bureaucracy and the initial foundation of the worsening public bureaucratic service of the country.

These following phenomena are the evident proofs of the implication of the effects of bureaucratic practitioner recruitment system towards the public service of bureaucracy official in two different countries. The first case is a case of bureaucratic practice of recruiting Civil Servant Candidates in Sulawesi Tenggara happened in 2009. Based on the statement of an executive of State Employment Agency, Sulawesi Tenggara is the busiest area and it must deal with some obstacles during the recruitment of Civil Servant Candidates; it reached its climax in April, 2009. At that particular period,

several peculiarities occurred during the recruitment managed in this province; some of the peculiarities are the multiple announcements in which the last announcement amended the former decision. (*Kendari Pos*, and *Kendari Ekspres*, news published on April, Mei 2009). This condition evidently enlighten the peculiarities occurred within the system of public services and the system of recruiting bureaucratic practitioner in Indonesia, particularly in Sulawesi Tenggara

To deepen the research, a case occurred in Malaysia, particularly in Sabah State, is taken in account for the contrast. The utmost case of political intervention over the bureaucracy of Malaysia took place in 1998. In this year, the Federal of Malaysia attempted to enhance the bureaucracy in term of teacher professionalism; some of the teachers were going to be transferred from Kelantan State to Sabah State.

Due to the critiques and protests held by Malaysian teachers, Anwar Ibrahim, the Minister of Education, on the behalf of Federal of Malaysia, decided to withdraw the program. For the substitute, the Federal even organized a new legal position which is called *Jabatan Pembangunan Persekutuan*; it was held to recruit new employees which were expected to support the ruling party within the Federal of Malaysia that is UMNO (Ali, 1988) This condition was further elaborated within a context that the ruling officials in Malaysia dealt with difficulties to manage a kind of alteration within the bureaucracy.

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Derived from those two different cases, the researcher are interested in contrasting the form of recruitment of bureaucratic practitioner in Indonesia and Malaysia. Even-though the researcher recognize that Malaysia and Indonesia have different governmental form and system and consider the paradigm of comparison method which requires similarities of two or more countries being compared, several information concerning Malaysia allow this country to be the comparator in this research.

Firstly, Malaysian and Indonesia are located in the same region; they are the members of ASEAN. Malaysia has a close association with Indonesia. Secondly, in many surveys held by independent institutions, e.g. PERC, Malaysia is always positioned in better indexes than Indonesia, either in the index of corruption and index of public service. Thirdly, Malaysia is relatively more proportional to be selected as a comparator rather than Singapore, to deem that Singapore is a small country and it has a smaller population than Malaysian and Indonesia.

Based on those conditions, the researcher conducted a research entitled "A Benchmarking of Bureaucratic Practitioner Recruitment between Indonesia and Malaysia"

MATERIALS AND METHODS

Types of data and technique of data collection

Since this research aims to describe a condition between Sulawesi Tenggara, Indonesia, and Sabah, Malaysia, qualitatively and since [Strauss and Corbin \(1990\)](#) stated that a research which mainly describe a current condition of a single place so this research used descriptive qualitative research method. It collected primary data in the form of direct data which obtained from the doers or past doers involved in the process of regional governance in Sabah and Sulawesi Tenggara. The primary data are in the form of in-depth interview results. The secondary data are legislation documents, submissions of the experts, researches, and/or previous authors, reviews of printed mass media, etc.

Scope

The scope of this research is bureaucratic recruitment process in Sulawesi Tenggara Province and in Sabah State which stands as the benchmark.

Research Informants

In addition to the use of secondary data in the form of written regulations of the two research objects, results of previous researches, scientific journals, magazines, newspapers, and other related references, this research also attained the desired information from several professional figures that have particular expertise regarding to this particular field of discussion.

Technique Analysis

The approach used to manage the comparison towards the intended aspects is systematic approach. According to

[Martadisastra \(1987\)](#), systematic approach within as study of administration comparison is an approach which sees and establishes administration as a system to be compared; since the objects to be compared are two different countries, the greater approach is employed. The analysis of the compared aspects was managed by using inductive and deductive methods.

RESULTS AND DISCUSSION

The development of review in the field of management, especially human resource management and the sector of bureaucracy management should be led to follow the concept of "the new public service" proposed by Denhart and Denhart (2003) stating that the latest obligations of the state employee are:

1. to serve the citizens as citizens, not as costumers;
2. to prioritize public interests;
3. to value citizenship over entrepreneurship;
4. to have strategic visions and mission, to act democratically;
5. to recognize that accountability is demanding;
6. to serve than to steer; and
7. to value people, not just the productivity.

It can be said that human resource management is an important issue within an organization in either public or private sector. [Foulkes \(1975\)](#) as cited in [IK-LAN \(2006\)](#) argued that:

"For many years, it has been said that capital is the bottleneck for developing industry. I do not think this any longer holds true. I think it is the work force and the company's inability to recruit and maintain a good work force that does constitute the bottleneck for production ... I think this will hold true even more the future".

In its relation to employment, every country has different employment management institution. Nevertheless, the functions of these institutions are principally the same. In Indonesia, definition of civil servant management stated in Law Number 43 Year of 1999 concerning Employment Article 1 Verse 8 clarify that: Civil Servant management is the overall attempts of increasing efficiency, effectiveness and professionalism rate of the executors, and functions and obligations of employment including planning, founding, developing qualities, assigning, promoting, earning, maintain prosperity, and retiring.

In Malaysia, based on Law Number 22 Year of 2004 concerning Regional Government, civil servant management is driven by Public Service Department of Malaysia; it is an institution responsible for instructing the public human resources (bureaucracy). The pattern of management is in accordance with the function of Public Service management and Civil Service Commission.

Bureaucracy position is a position based on the bureaucracy career. Unfortunately, the regulation rules related to the employment management is not run explicitly considering the overlapping of the authority and inexplicitness the boundary of

authority between employment builder in the region and central level. Bureaucracy position is organized based on the regulations published by central government, but those who will take the position are becoming an executive politician's authority, such as governor.

Meanwhile, the bureaucracy position in Sabah is included all the head of employee, secretary of ministry and regional civil servant. Those employees are recruited by Civil Servant Commission through strict selection. Then, it is SPANS who will decide the passing and position, whether it is in bureaucracy or government organization. The ministry or the head of ministry only proposes. The one who has right to decide the organization and position is SPANS. The head of ministry might do intervention to SPANS but he cannot his own decision about bureaucracy career. The employee is organized based on merit system, seeing the professional and technical ability.

Further explanation about bureaucracy position in South East Celebes and Sabah can be seen through the table below:

Table 1 Comparison of bureaucracy position between Sulawesi Tenggara and Sabah

South East Celebes		Sabah	
Position name	Technical promotion	Nama Jabatan	Tehnis Pengangkatan
Province secretary: civil servant Eselon I/b	Appointed from civil servant bureaucracy who has minimum position of IV/d. proposed by a governor and decided by Mendagri	Sekretaris Negeri Sabah (Sabah secretary)	Position from PTD profession is proposed by SPANS and appointed by <i>Ketua Negeri Sabah</i>
Asisten dan Ka. Dinas Civil servant eselon II/a Ka. Kantor Civil servant eselon II/a	proposed by Baperjakat and decided by a governor from bureaucracy. proposed by Baperjakat and appointed by a governor.	Sekretaris Kementrian (secretary of ministry) Ketua Jabatan (the head of Jabatan) Pegawai Daerah (province employee) Bupati Administrasi	A high position of bureaucracy is proposed by SPANS and appointed by <i>Ketua Negeri Sabah</i> proposed by SPANS and appointed by <i>Ketua Negeri Sabah</i>
Sekretaris Daerah Kab. Kotacivil servant Eselon II/a	Proposed by a governor and appointed by a governor.	Jabatan birokrasi dibawah jabatan tersebut diatas (bureaucracy members below the positions stated above)	Proposed by province government placement and appointed by SPANS
Civil servant eselon II/b until eselon IV/a in province and eselon II/b until eselon IV/b in a city.	If in province, it is appointed by the governor and in a city is appointed by the mayor.		Proposed by the ministry or related position to Spans and then also appointed by SPANS

The Recruitment of Civil Servants in Sulawesi Tenggara, Indonesia

Recruitment is a process of hiring bureaucratic practitioner or candidates of civil servants through the process of determining formation, managing the process of recruiting, and administering the process of verifying the candidates of civil servants who passed the test of becoming Civil Servant. Each stage is administered based on the adjusted legislations of the institutions and countries.

The recruitment process is conducted in three stages; first, adjusting the criteria covering the adjustment of weight of the criteria based on the required technical competences; second, managing Candidate Assessment after the announcement and the criteria adjustment; and third, managing evaluation towards the competences of the candidates in order to be able to select the most eligible candidates (Wibawa, 2006).

The aforementioned statement is supported by Thoha (2005) arguing that the recruitment process should cover these following activities:

1. Need identification for managing Civil Servant recruitment;
2. Identification of operational provisions;
3. Adjustment of the resources of the candidates;
4. Selection of candidates;
5. Announcement of the selected candidates; and
6. Employment of the selected candidates.

Principally, Civil Servant recruitment is an important process in the field of employment management as any peculiarities occurred during recruitment will worsen the future bureaucratic resources. Thus, it is vital that the recruitment be administered professionally and transparently.

Civil servants in Indonesia are categorized into three groups; they are Civil Servants consisting of Central Civil Servants and Regional Civil Servants; Members of National Armed Forces of Indonesia consisting Army, Navy, and Air Force; and Members of National Police of Indonesia.

Since the focus of this research is the civil servants working in the sector of regional government, the following discussion will be focused on the context of civil servant recruitment process in Indonesia, particularly the recruitment of regional civil servants. Generally, civil servants recruitment system in Indonesia is divided into two groups. First, centralized recruitment held by Employment Team (National Employment Agent, Ministry of Employment, and other related institutions). The institution or the region will recruit civil servants based on the required formation standards. Second, decentralized civil servant recruitment which general authorities are adjusted by National Employment Agency. The recruitment process is held by the local institutions. The test is arranged in collaboration with universities.

At the beginning, civil servant will be employed as the candidate of Civil Servant with one or two years of trial period. The government can directly employ an individual as Civil Servant if he/she has been working in an institution supporting national interests (i.e. provisional freelance employees hired by the local government). Somebody is eligible to apply for Civil Servant recruitment when he/she is 18 – 35 years old. However, for those who have been had tenure period, the maximum ages for becoming a civil servant is 46 years old for

the honorary employees working for regional government and central institutions and 51 years old for those working as village secretary.

During the presidential era of Susilo Bambang Yudhoyono, a national policy was adjusted; this policy clarifies that honorary civil servants can directly be employed as Civil Servant if their tenure periods are beyond 10 years, then they will be registered in the data base of honorary employees and signed up for the civil servant employment. This term is also applicable for the employment of village secretary.

Once the requirements are fulfilled, the applicants will join the process of selection. The materials of the test are compiled by the driven team and the materials are arranged based on the sub-materials tested. The team is encouraged to collaborate with university(s) after obtaining an approval from the employment-training official. The materials will cover three issues: General Ability Test including the issues of ideology, politics, economy, social, culture, national defense and security, and law; Scholastic Test including test of verbal, quantitative, and reasoning abilities; and, Substantive Test measuring the ability and competences of the applicants related to the occupational competences of the field they apply for. Since 2007, Substantive Test was altered by Occupational Competence Test and Maturity Scale Test.

When the rank of scores of the applicants is made, the employment-training official will make an announcement publicizing the applicants who pass the tests without pronouncing the rank. Those who passed the test are fixed with the status of Civil Servant Candidates with a year of trial period and they will be paid by 80% of the total earning of the civil servant within their fixed level of employment. When the trial period is over, they will be employed as civil servant.

Generally, the bureaucratic recruitment in Indonesia is relatively uncomplicated and it does not require physical competences, but educational competences to fulfill the formation proposed by the employment-training official of each institution to the central employment-training official. Once the proposal is approved, central employment-training officials (National Employment Agency and Ministry of Employment) provide the total employees required based on the needs of particular field knowledge and educational standards.

The official of the Ministry of Employment and the official of National Employment Agency stated that civil servant recruitment process held in Sulawesi Tenggara is the most peculiar recruitment process. Sarwo Pambago, the Chief of Ministry of Employment Official Recruitment Division as cited in Media Sultra (16-3-2009) told his team that “the recruitment process in Sulawesi Tenggara is odd and troublesome.” This statement is evidently true. During civil servant recruitment held in 2008, many peculiarities occurred and these were publicized by many printed media, e.g. Kendari Post, Kendari Express, and Media Sultra in January to March 2009. Some of the headlines are listed as follows:

1. The Announcement of Civil Servant Formation is Blurry.
2. The Incidence of Double Announcement made by Regional Employment Agency.
3. The Incidence of Withdrawing 21 Civil Servant who had been pronounced conceded in the first announcement and replacing them with other candidates by making an excuse of the excessive formation.
4. The Inaccuracy of data input; a bachelor of Islamic major was pronounced conceded as mathematics teacher.
5. The Demonstrations concerning the alteration happened to make Regional Employment Agency undertake that Sultra would have 3,200 vacant positions in the civil servant recruitment of 2009.
6. Central Ministry of Employment and National Employment Agency came clean about the illegal recruitment as obtained from the visit of Regional Parliament.

An interesting story was told by an applicant, Norma, S.Pd with the number of 7401301715. This applicant felt aggravated by the system of the recruitment. Following is extract of the story:

“... The announcement of Regional Civil Servant Recruitment dated 12th of January was very odd. For instance, a test-taker whose name ST.JM with the test number of 7401301714 conceded as an English Teacher never did the test held on 17th of December ...There were only two applicants for the formation of English teacher and we sat down side by side based on our test number, ST.JM did not show up. How could he pass the test if he never actually did the test? It was not possible that he sat down on the other seat since the seats were arranged based on the applicants’ test numbers.” (Kendari Post, 6th of January 2009).

In addition to the abovementioned story, the reporter of Kendari Post discovered an immense oddity and it was publicized on 6th of January 2009. This oddity was related to the decision of conceding the Regional Civil Servant Candidates of 2008 during the civil servant recruitment in Sulawesi Tenggara which was still centralized to the provincial government. The oddity is explained as follow:

“The other odd problem was the disappearance of the formation of bachelor of automotive within the announcement of Regional Civil Servant Candidates whereas this formation was listed within the test announcement. The formation of Statistics Department in Bombana Regency required applicants whose title is S.Si or Bachelor of Science, but, as the matter of fact, the applicant who was conceded had a title of Bachelor of Social Science. There were also four mathematics teachers of Bombana Regency whose field of expertise did not meet the requirement; they are Ags Kr, S.Ag, RSN, S.Ag, Hrt, S.Ag, and Shi, S.Ag. All of them had their degree on religious science department.”

Since the recruitment of Regional Civil Servant of Sulawesi Tenggara was managed by provincial government, Assistant III

of Provincial Secretary gave a response for this situation in such a way described as follow:

“How could we possibly concede any individuals who did not take the test? If there is an indication of fraud, I will make a confirmation for I am the person in charge. If it is evident that there are peculiarities in the process of recruitment, we will withdraw the result. We have to investigate it ... related to those who did take the test but pronounced conceded, please ask for confirmation to the regional government” (Kendari Post, 6th of January 2009).

Aswadi Lenit Pagala, S.Pd with the test number of 7407301790 dealt with a confusing problem as well. During the announcement of test result, his test number was listed as the applicant who passed the test but the name of his was altered into Muhmad Yunus Muslim, S.Pd (Media Sultra, 8th of January 2009).

Another objection came from National Sport Committee of Indonesia concerning the formation of athletes establishing gold medals. At first, there are five athletes proposed for this formation. In fact, one of those five individuals was not the person who was first proposed. Following is the statement of Ashari, General Secretary of PASI Sulawesi Tenggara to Kendari Post dated 12th of January 2009:

“Hariawan Yuniar, the person conceded in the athletic division, is not a sprinter. Why would he be selected whereas we did not propose him?”

The bad management of Regional Civil Servant Recruitment held in Sulawesi Tenggara in 2008 occurred in every regency and city, including Konawe Utara Regency in which as many as 107 applicants' answer sheets were gone. There was also an alteration of announcement within the formation of mathematics teachers; at the beginning, the formation only required four applicants, however, there were five individuals who were conceded (Kendari Post, 6th of January 2009). In Kolaka Regency, there was a formation for Diploma III of sanitary, but this formation was withdrawn during the announcement (Kendari Express, 12th of January 2009). In Muna Regency, there were 11 candidates of Civil Servants which were withdrawn (Kendari Express, 16th of January 2009). In addition, multiple announcement occurred to Susianti whose the test number was 7410200794, Nurani whose the test number was 7410200800, Herlina whose the test number was 7410 200799, Hasraningsi whose the test number was 741 200806, Wekoila whose the test number was 741200812, Gusti Ayu Raisriadyana whose the test number was 7410200813, and Masniawati whose the test number was 7410200815 (Media Sultra, 8th of January 2009).

Corruption, collusion, and nepotism within civil servant recruitment of 2008 became an issue in the meeting of Regional Parliament of Sulawesi Tenggara and the committee of recruitment. The meeting was led by Assistant III and Rector of UNHALU joined this meeting as the person in charge of IT. This meeting was held on 12th of January 2009 in the dome of Regional Parliament of Sulawesi Tenggara. The members of parliament pointed out several issues regarding the incidence of

bribing the steering committee in order to concede the applicants. It was asked by Frans Delu. “Frans Delu admitted that he got many reports from Muna Regency. The reports stated that the applicants who did not have any close relations with the governmental official should pay IDR 30-40 millions to be able to pass the test. This is a public secret. So, where is the professionalism of the committee?”

Because of those problems, thus, on 16 January 2009 the IT committee of South East Celebes CPNSD (Civil Servant Candidate) declared the second announcement by cancelling some names and also raising fourteen new names, but did not accommodate those who still had problems as been explained before in the earlier discussion. The reasons of cancelling and raising some names based on Mukhadima, M.Si. Ka. BKD Kab. Muna is:

“There are two cases. There are overage and lack quota. That is the problem. If we don't do this, means we are not emphatic enough. We expect the pre-final but Unhalu doesn't response. We're only given print out to be signed. Meanwhile, there are some efforts from BKD because we have the same opinion to have briefing in rectorate hall. That's meant to avoid things like this. But the rectorate said that the committee can work professionally, precisely and accurately. Due to that statement, if this condition is seemed as carelessness, her side will give space to those candidates who are cancelled to get litigation.

Members of South East Celebes DPRD especially from A commission, holding meetings in three times about listening opinions with CPNSD committee of year 2008 as the result of repeatedly complaint from the candidates of CPNSD selection who felt harmed. The conclusion of the meeting is: they will analyse the changing formation which is walked with the changing of CPNSD candidates passed till to Menpan and BKN.

“Hearing the explanation of this civil servant, Sarwo Pambagyo is made confuse about the additional formation of CPNSD year 2008. Being emphatic, the acceptance of CPNSD stage two is never exist, and if it is done, thus the consequence is the transgression; the formation is in 2008 and is ending in December 2008. Thus, Sarwo says, Menpan never knew that there is similar policy in South East Celebes. Related to the cancelling of first stage CPNSD candidates, that act is a mistake and cannot be justified whatever the reason is. CPNSD announcement is only done one time, misinformation will never happen. Sarwo admitted that there is complaint from DPRD of South East Celebes every time when CPNSD held. Note from Menpan of South East Celebes, it has been three last years CPNSD acceptance runs with troubles.

Hearing the explanation from Menpan, civil servant commission of South East Celebes recommends to the Governor to take the position of the head of BKD province. Gazali Hafiz confirmed that Harun Haeba (the head of BKD) in his capacity as the head of BKD had done public fabrication. The commission, i this case, will take an act to only accommodate CPNSD from the first stage. (Kepres, 16 February 2009).

The further action of Civil Servant Commission's visit to Menpan office is holding private meeting about hearing opinions from A Commission of Civil Servant of South East Celebes with CPNSD selection committee on 17 February 2009. The private meeting, according to the one of South East Celebes media, resulted agreement that those whom the passing are cancelled will not be harmed (Kendari Pos, 18 February 2009).

During the process until the end of 2009, there is no more news about the harmed CPNS candidates' fate. The act is clearly breaks employment regulation. But as the usual, the transgression of regulation and other government laws is not a new thing. It is because the way to accomplish it is by doing compromising mechanism. Thus, the transgression to other laws is taken as happened in CPNSD candidates' passing which is cancelled.

The recruitment of bureaucracy civil servant in Sabah, Malaysia

To be a civil servant in Sabah is needed to get through some steps of strict selection by an independent institution called Suruhan Jaya Perkhidmatan Awam Negeri Sabah (Civil Servant Commission) which has higher position than the Head Minister's (see the structure of Civil Servant Organization page 97). Thus, it will be difficult if there is a committee force a Civil Servant to put in an employee. This intervention might be done by the head of minister because he has right to propose promotion and retirement of Civil Servant Commission to Yang Dipertua Negeri Sabah. As Susilo Bin Sumarto said:

"The head of minister might have someone put somebody to be a civil servant but the last decision is still based on the selection from the civil servant commission."

When there is an opportunity to have an interview with Datuk Saleh (the Ex-Head of Minister of Sabah), I asked whether a head of minister could ask someone to be a civil servant.

"It could be, as long as the candidate has fulfilled the conditions."

I continue what if the institution does not consider it?

"Spans also has position period, it can also retire."

The difficulty of encouraging someone to be bureaucrat in Sabah is also because of the complicated selection process beginning with the promotion as a freelance employee, an employee without retirement fee, or training employee. To be an employee with retirement fee, they have to be trained in 2 years for further placed with certain position or not. Thus, there is written test made by the civil service commission that must be done by the candidates. The time and difficulty level of the test depend on the *skim* (employee group) entered. Sabah divides the employee in:

1. Group of Management and Professionalism, the code is N3. To enter this group, the employee must have worked for B group (N6) and follow a 9-hour test.
2. Group of Sokongan, the same level with group B. Those who can enter this group are employees who have

devoted (N9) and seemed capable to be tested in one step higher position (N6). Thus, they have to follow an 8-hour test.

3. Group of Sokongan, the same level with group C (N9). Those who can enter this group are employees who have devoted to skim servant of group D (the lowest employee). Thus, they have to follow a two-hour test, added with typing test.
4. The lowest group or group D, they have to follow an hour test with multiple choice questions.

Malaysian civil servant are also forbidden to join in politic but they are given permission to be a usual member of a political party with certain conditions, such as forbidden to talk about political party's problem in the office, wearing political party's clothes, campaigning for a political party and giving statement to support a particular party (see Chapter 21 of civil servant regulations, the act and discipline, 1993).

CONCLUSION

In Indonesia, the selection to get a bureaucracy position is held privately and considered as a secret position which is only known by Baperjakat members as bureaucracy civil servant in the government appointed by the governor. Baperjakat's analysis results then communicated to the governor for further the decree letter is made and the candidates are appointed. A full authority is in governor's hand while Baperjakat does not have power to deny governor's willingness because they might be expelled if they do.

In Malaysia differently, the selection is done opened and it is a must to be reported on a newspaper. If there is a sudden recruitment because of the organization's need, the head of the related institution must propose it to SPANS to be tried in court. If it is passed, then the candidates will be appointed. Civil servant candidates' selection process is done by SPANS with independent members. The next process is, the result will be handed over to the institutions which need employees. For a high bureaucracy position such as *Ketua Jabatan* (similar with the head of government and office) and *Setia Usaha Negeri* (similar with region secretary) and *Setia Usaha Kementerian* (similar with the government secretary) are appointed by *Tuan yang di Pertua Negeri Sabah*. The head of ministry (as the same as a governor) does not have authority to hold a bureaucracy members' inauguration. All of them must be inaugurated and placed by SPANS.

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Respondent

1. Tun Seri Panglima Datuk Salle Bin Keruak
2. Yang Berhormat Nilwan Kaban Kabang
3. Said Hinayat
4. Susilo Bin Sumarto
5. Muhamad jahani Bin Abdullani
6. Dr. Norazmi
7. Arif Akmal Bin Ayub, B.A. Hons
8. Drs. H. Zainal Abidin Rafiudin
9. Drs. H. Hamsudin Sanusi, M.Si.
10. Drs. Hamirudin

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