

Implementation of Policies in Career Development of PNS in West Sumbawa District, West Nusa Tenggara Province Based on Law Number 5 of 2014



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ABSTRACT: This research aims to analyze policy implementation in career development for civil servants in West Sumbawa Regency, West Nusa Tenggara Province. Based on Law Number 5 of 2014, the research method used is an empirical research method with a statutory study approach and a conceptual and sociological approach. Data analysis using. The data analysis used is the method of statutory interpretation and authentic interpretation as well as field data. The results of this research are expected. The specific target to be achieved is the protection of the rights of civil servants in career development so that they become independent and professional civil servants and free from the influence of political interests. As mandated in Law Number 5 of 2014, civil servants must be neutral. Supervision carried out by the State Civil Apparatus Commission (KASN) is carried out continuously in stages, therefore KASN must be present in every provincial capital to reduce injustice towards ASN in districts/cities.

KEYWORDS: State Civil Apparatus.

I. INTRODUCTION

The implementation of regional autonomy to create a clean and authoritative government system and to create good and efficient, effective and quality public services is of course supported by the existence of apparatus resources, especially Civil Servants (PNS) who are professional and responsible, have integrity and credibility. Provisions of Law number 43 of 1999 concerning amendments to Law Number 8 of 1974 concerning the Basic Principles of Civil Service as amended by Law Number 5 of 2014 concerning State Civil Apparatus (ASN) which was passed on January 15 2014. In article 1 paragraph 1 says "State Civil Apparatus, hereinafter referred to as ASN, is a profession as a Civil Servant and government employee with a work agreement who works for a government agency.

The implementation of regional autonomy provides an opportunity for regions to manage and regulate their own regions in order to improve the welfare of their people as stated in the preamble to the 1945 Constitution, paragraph IV. According to the principle of regional autonomy and assistance tasks are directed at accelerating the realization of community welfare through improving services, empowerment and the role of the community as well as increasing regional competitiveness, including placing employees in structural positions and functional positions in a professional and open manner based on Mempan RB Circular Letter Number 16 of 2012 , The circular aims to produce structural officials who have competence. What is new in the circular is the transparency of the selection process where filling structural positions must be carried out using an open selection mechanism carried out by the Regent as regional head. Law Number 5 of 2014 concerning State Civil Apparatus (ASN) in article 51 states that ASN management is carried out based on the Merit System, meaning that the placement of a civil servant in a position must be in accordance with article 19 paragraph 4

In the implementation of government, civil servants are often used as political machines because of their strategic position for vote mobility so they can be expected to be able to influence society. Violations committed by civil servants in regional elections certainly violate Government Regulation Number 53 of 2010 concerning civil servant discipline. The regulation states that civil servants must be neutral and remain professional in the regional election process and are prohibited from taking part in political activities and supporting one of the regional head candidates. The implementation of several civil servant election processes is rarely neutral, whereas Article 9 paragraph 2 of Law Number 5 of 2014 states that "ASN employees must be free from influence

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and intervention from all political groups and parties". Examining the sound of this article, of course ASNs who violate must be given strict sanctions in accordance with the applicable law. The non-neutrality of civil servants in the regional elections will benefit one pair of candidates, especially the incumbent whose position is very close to the civil servants. Based on democratic problems in the implementation of regional elections, according to the results of researchers' observations, there were several structural officials who received unfair treatment in West Sumbawa Regency without seeing any clear mistakes. After 6 months, elected regional heads are allowed to transfer, there are structural officials who are out of work, or become expert staff, echelons are reduced and there are civil servants who are transferred to remote areas with his place of residence in the absence of mechanisms or procedures as set out in the Civil Service Law, including verbal reprimands, written reprimands and written statements. Civil servants who are treated unfairly don't know where to complain, Korpri as an official institution of the civil service is in accordance with its main task of building and maintaining the quality and spiritual and physical well-being of its members so that they become officers of the Republic of Indonesia with high morals, authority, good ability, useful and successfully used while the purpose of forming Korpri is a vehicle to bring together all Officers of the Republic of Indonesia in order to increase the struggle, dedication and loyalty to the ideals of the struggle of the Indonesian nation based on Pancasila and the 1945 Constitution which is democratic, independent, independent and neutral. The Korpri Board is not a political tool but provides protection and assistance to its members or becomes a communicator with the District Head if any member is treated unfairly, but the reality is not done by the Korpri Board. The injustice that happened to PNS in West Sumabawa Regency is caused by the behavior of supporters (NGOs, Political Parties and Community Organizations) who play a major role in the placement of structural officials.

The placement of structural offices (echelon II and III offices) that do not match their competence will have bad consequences for the survival of an organization. In the survival of an organization, Organization Theory is an idea about the organization in carrying out its role, influencing others, delegation of authority, problem solving, and decision making. The appointment of someone to a position is in order to provide the best service to the community as a shareholder because the people as taxpayers have the right to get good service. Position holders as stated by (Muekijat; 2007:10) that this position is actually part of the accountability called tax pavers who pay taxes have the right to be served by competent people. Various problems in the appointment of structural officials in the Regional Government of West Sumbawa Regency have occurred so far, there are officials who are appointed to occupy a position not in accordance with the requirements of the position and the needs of an organization, but more due to the existence of an emotional relationship between officials who have authority in the field of human resources and civil servants. This means that the substance of the appointment to the position is not a consideration, but is due to political interests (power).

State Civil Apparatus (ASN) as civil servants as mandated in Law Number 5 of 2014 concerning ASN in carrying out their duties and roles must not conflict with the contents of articles 11 and 12. In order to carry out these duties and roles, civil servants as bearers of the civil servant professional mandate need to to have noble moral integrity (Akhlaqul karimah) and it is also necessary to provide an understanding of State administrative law because State administrative law will provide limits on authority, processes and procedures that may be carried out and which actions may not be carried out by ASN as civil servants in carrying out their duties and functions. This, as well as being a reference and benchmark in efforts to provide good and clean governance from KKN (Good governance and clean governance) practices. State administrative law too provide the widest opportunity for every citizen to file a lawsuit with the State Administrative Court (PTUN), and make a report to the State Civil Apparatus Commission (KSAN) if they are harmed by State administrative officials as a result of wrongly determined decisions or policies.

II. METHODS

The research used in this research is empirical legal research, combining normative and empirical patterns to answer the problems in this research. The approach method used in this research is as follows: 1) Sociological Approach, namely the type of approach used to find out how legal rules are implemented in reality, related to the effectiveness of the operation of law in society. 2) Conceptual Approach, namely an approach that departs from the views and doctrines that have developed in legal science. 3) Statutory Approach, namely an approach that examines statutory regulations consisting of primary legal material and secondary legal material that is related to the issue being studied by examining all statutory and regulatory regulations related to the issue. that is being faced. Primary Data is data obtained from research in the field through interviews, with a direct question and answer process related to the problem being studied. This question and answer was conducted with the Head of the West Sumbawa Regency Community and Village Empowerment Service, as well as the community in Taliwang District. Secondary data is data obtained through literature study related to research, by collecting data obtained from official documents, books, statutory regulations, the internet and other library data related to research. The source of field data is data obtained through interviews conducted with informants, namely the Head of the West Sumbawa Regency Community and Village Empowerment Service, the

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Taliwang District Head, the Village Head/Lurah in Taliwang District and also respondents, namely community representatives at the research location. Library data sources are data obtained through collecting data or information related to research. Whether it comes from documents, books, statutory regulations, theses, journals, the internet, and other sources related to literature.

Direct observation is a way of collecting data using the senses without the help of other standard tools for this purpose. Observation or observation is a very important research technique. Interview technique using an interview guide so that the questions that will be asked to the resource person regarding the implementation of the Regional Mutual Cooperation Empowerment Program in Taliwang District do not deviate from the problem. Documentation, namely a method of collecting data and reviewing literature, where documents are considered to support and be relevant to the problem to be studied in the form of literature, annual reports, magazines, journals, tables, scientific papers, documents government regulations and laws that are available to the relevant institutions are studied, studied and arranged/categorized in such a way that data can be obtained to provide information related to the research to be carried out. Before analyzing legal materials, the legal materials are first processed, namely processing which is carried out deductively, namely drawing conclusions from a general problem regarding the concrete problems faced and by looking at methods of legal interpretation that are relevant to the existing problems. Next, the existing legal materials and data are further processed in accordance with the research objectives and problems discussed in this research.

III. RESULTS AND DISCUSSION

Implementation of policies and career development strategies for civil servants in West Sumbawa Regency based on Law Number 5 of 2014

Career planning is a relatively new personnel function and robust programs are still rare, except in large or advanced organizations, but organizational involvement in career planning is increasing. Many prospective employees, especially highly educated candidates, want a career, not just a position. Career planning not only benefits individual employees, but also benefits the organization. By developing employees for future positions, the organization is guaranteed a supply of capable employees, who can be trusted to replace capable employees who can be trusted, who can be trusted for higher level employees, both those who leave and those who get promotions. Career planning is a plan regarding the possibility of a civil servant in an organization going through the process of being promoted to a rank or position according to the requirements and abilities. "A person's career success is influenced by, among other things: formal education, work experience, attitude of superiors and work performance and work discipline. Career planning strategies enable organizations to develop and place employees in positions that suit their interests, needs and career goals. This can increase employee satisfaction and make optimal use of employee abilities. Career planning can help retain and motivate employees. Viewed from the perspective of employee expectations, career planning is made after the employee concerned has worked for some time and after the organization has had the opportunity to assess the employee's work performance. The West Sumbawa Regency Regional Civil Service Agency has implemented an IT-based Employee Information System which is usually accessed in all Departments, Agencies and Districts. The Regional Civil Service Agency, in collaboration with Regional Work Units, uses work implementation assessment data as a basis for identifying civil servants who have the ability to advance or be promoted to positions with greater responsibility. That civil servants who have records of good work performance in another position. Based on records regarding past work implementation, employees who have high abilities have the right to take advantage of opportunities and career development that will prepare civil servants for future positions in the organization. One of the responsibilities of the career planning function is to provide information to employees regarding career opportunities in the organization. The elements of career planning are (1) individual assessment of abilities, interests, career needs and goals (2) organizational assessment of employee abilities and abilities (3) Communication of information regarding freedom to choose career opportunities in an organization, (4) career counseling for determine realistic goals and plans to achieve them.

In order to realize good governance through institutional structuring of regional government administration, policies in structuring institutional administration of government, both central and regional governments, are more directed at efforts to simplify government bureaucracy to perfect and develop organizations with more professionalism, transparency, shorter hierarchies, and decentralized authority. . Therefore, regional apparatus organizations need to be structured based on the regional vision and mission, while the organizational structure pattern is prepared based on real needs and follows strategies in achieving the organization's vision and mission. With these efforts, it is hoped that regional apparatus organizations will not be too large, and their divisions will not widen as has happened so far. With the spirit of renewal of government functions in order to support the realization of good regional governance, the regional government of West Sumbawa district is expected to be able to create more efficient regional apparatus organizations by providing space for greater participation by the people of West Sumbawa in

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implementing development in West Sumbawa Regency. Apart from that, for the smooth implementation of personnel administration in the regions, the Regional Personnel Agency (BKD) was formed, which is an autonomous regional apparatus formed by the Regional Head. The Regional Civil Service Agency (BKD) carries out management of regional civil servants, and is responsible to the Regional Head through the Regional Secretary. The West Sumbawa Regency Government has made Regent Regulation Number 27 of 2022 concerning the position, organizational structure, main duties and functions and work procedures of the West Sumbawa Regency Inspectorate and Regional Agency.

That the formation of Regent's Regulation Number 27 of 2022 is felt to be very effective in carrying out government tasks, poor in structure, rich in function and maximizing services to the community. "That with the formation of the Regent's Regulation, it is hoped that the placement of civil servants will be adjusted to their expertise, in the context of implementing regional autonomy and assistance duties as well as accommodating the existing institutional organizational conditions in West Sumbawa Regency, a Regional Regulation concerning institutions has been formed. An organization can be considered to have a closed or open system depending on the starting point of the approach it adopts. A closed system is a system that does not depend on its environment, it moves independently, limits itself and is very closed from the outside world. Although it is not possible to find the continuity of a perfect closed system. On the other hand, an open system organization is a system that seeks to maintain its performance in an interrelated and sustainable manner with its environment in order to achieve all the goals it has set. In this way, the organization is considered as a relationship between the system and its external environment that connects input (input) to output (output). Civil servant education and training is intended for all civil servants, both newly appointed employees (CPNS) and old employees in order to increase their existence. The implementation of training must be carried out continuously to anticipate unexpected and rapid changes so that civil servants as state officials and state servants and public servants must be able to anticipate change and public servants must be able to anticipate change and be able to respond to all the challenges of the times. In West Sumbawa Regency, career management has been carried out by providing technical guidance, training and granting study permits to civil servants who wish to continue their studies. In the context of developing civil servant careers in West Sumbawa Regency, efforts to improve quality, such as: skills, knowledge, expertise and character of civil servants, are carried out through education and training provided to employees which must be in accordance with the required requirements, so that improving the quality of employees will truly be fulfilled. , to develop civil servants based on the results of preparing a job analysis.

Civil servants in West Sumbawa Regency are given the opportunity to take part in training according to their expertise. The West Sumbawa Regency Government has collaborated with various parties to improve the competency of civil servants in West Sumbawa Regency, including the provincial government, BPK, Higher Education and other technical departments. The West Sumbawa Regency government has always improved from year to year, especially in career development for civil servants. It is time for the West Sumbawa district government to make improvements in the career development system for civil servants. One of the career development methods that it wants to develop in West Sumbawa district is the Merit System. In essence, this method is to appreciate the achievements that have been made by employees in an organization. "The implementation of a merit system can create transparency in career management, in addition to that there will be healthy competence among employees in the organization, so that there will no longer be an impression of like or dislike in promoting someone to occupy a position.

Law Number 5 of 2014 emphasizes the consistent implementation of the merit system. This system emphasizes the competency and professionalism of candidates who are planned to occupy the same position or in line with the competency of their position. Apart from that, the morality of the candidate is also a consideration in the appointment and promotion process. The career development path is determined openly and is based on a merit system based on the individual competency of the candidate in accordance with the competency of the position occupied. If the basic competencies are not met, then the method of recruitment or promotion means violating the merit system. Administrative positions and functional positions can openly occupy high leadership positions with open applications and selection. The basis for appointment and promotion is not determined by the candidate's rank but rather by competency. This State Civil Service Law is no longer based on rank, but on the basis of competency regardless of rank. This means that a person's career development is largely determined by expertise, knowledge, experience, skills, professionalism, which are collected in one understanding of competence. Supervision is an important aspect in the management of State apparatus so that all tasks, functions and programs carried out by the government can run as they should. The monitoring function is also very important has an effect on performance because the monitoring process can control the implementation of established policies. Therefore, in order for government officials or employees to achieve good performance, a good supervisory function is also needed. "Supervision is very necessary in building an organization. To get a good organization, officials or civil servants must be professional in their field of duty and follow existing career paths so that in the end the State's goals as stated in the preamble to the 1945 Constitution are realized.

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"To achieve good governance and clean government, awareness of each individual civil servant is needed because it is clearly stated in the regulations what civil servants cannot do and every civil servant must comply with Pancasila and the 1945 Constitution." within an organization and the commitment of the government bureaucracy must be implemented for every apparatus or civil servant who violates it so that it becomes a good example in the implementation of government and society in general. There is synchronization and firmness in regulations to obtain good bureaucracy so that policy implementation runs well, that synchronization is meant by looking at the suitability or harmony of statutory regulations vertically based on the systematization of positive law, namely between higher statutory regulations and statutory regulations. lower invitation. The synchronization of laws and regulations gives rise to conflict regarding which laws and regulations are more appropriate to use for a particular case, because regional government administrators need to pay attention to the application of the principles of laws and regulations. The principle of *lex superiori derogate legi inferiori* explains that if there is a conflict between laws and regulations that are hierarchically lower and those that are higher, then the laws and regulations that are hierarchically lower must be set aside.

Article 46 paragraph (2) of Law 12 of 2011 concerning the Formation of Legislative Regulations stipulates that the harmonization, rounding up and stipulation of draft laws originating from the DPR are coordinated by the DPR apparatus which specifically handles the legislative sector, so that synchronization occurs. Laws with Special Regional Regulations regarding Civil Servant careers and producing good work patterns require the existence of Regional Regulations (PERDA) on Career Management in West Sumbawa Regency. That in order to create a clean and dignified government system as well as realizing good and efficient, effective and quality public services, of course it is supported by the existence of human resources (HR) for civil servants who excel are given awards and civil servants who violate are given warnings as mandated by law. The era of reform and the competitive impact of globalization have encouraged accelerated changes in globalization, accelerated changes to improve the performance of government officials. Civil Servants (PNS) as elements of the government apparatus are required to work more professionally, morally, cleanly and ethically in supporting bureaucratic reform and supporting the smooth running of government and development tasks. For this reason, a civil servant must be an example in social life. "The success of government tasks is largely determined by the quality of civil servants and of course the existence of regulations that regulate them. To produce a good work pattern in a bureaucracy, there needs to be management and evaluation of main duties in stages from staff to the Regional Secretary so that the results of the work of these civil servants can be known. If you excel, you are proposed to hold a higher position than the one you have now, so the Regent is not wrong in making decisions in this case to implement his policies. This research found that there are no achievement measures, performance standards and accomplishments for civil servants (PNS) in West Sumbawa Regency, so leaders really need to provide competitive opportunities, so that they can motivate civil servants (PNS) to work, especially if the workload is based on ability. Apparatus (PNS) which can ultimately encourage increased employee performance. The results of employee work in each period must be evaluated, so that the next policy that will be taken by the leadership can be determined, so it is necessary to carry out a performance assessment which is a way of measuring the contribution of individual members of the organization to the organization. Performance appraisal aims to reward performance in the previous period and to motivate performance improvements in the future.

Factors that hinder the implementation of policies in developing civil servant careers in West Sumbawa Regency, West Nusa Tenggara Province

For more than 32 years, this situation has persisted, and the era of reform that has emerged has made it very difficult to change and free the government bureaucracy from political influence. The existence of political interference in the bureaucracy worsens the legacy of the Indonesian bureaucracy. Government and politics must be understood as a means of competition between minority interests and in determining specific policies regarding the development and placement of structural officials in positions that cannot be separated from political interests which, although now somewhat reduced with the enactment of Law Number 5 of 2014 concerning The State Civil Apparatus, in West Sumbawa Regency, is currently starting to hold auctions for positions with the formation of a selection committee (Pansel). Meanwhile, the involvement of civil servants in the Regional Head Election (PILKADA) still exists, although it is not yet clear and difficult to prove, that in the implementation of government so that it can running according to what is required by Pancasila and the 1945 Constitution, there needs to be clear transparency in government implementation and professionalism in the placement of structural officials so that corruption, collusion and nepotism do not occur. The steps are:

- a. Developing Civil Servant competencies
- b. There is a need for Regional Regulations regarding career management.
- c. Structuring Civil Servants.
- d. Provisions of income must be auctioned off.

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- e. There must be regulations governing the relationship between regional heads and regional secretaries and civil servants (PNS).

In good governance for the career development of structural officials in West Sumbawa Regency, a Selection Committee (PANSEI) has been formed for echelon I and Echelon II, while for echelon III it has not been formed. This is a problem, of course there will be a lot of nepotism, that since the enactment of the Law -The ASN Law has reduced political influence in the placement of structural officials because the results are reported to the State Civil Apparatus Commission (KASN), while the involvement of civil servants in Regional Head Elections still exists but is difficult to prove by the Election Supervisor (PANWASLU). The role of civil servants in the election of Regional Heads includes (1), the civil servants' own will and secretly contributing to one of the candidates for Regent, even secretly joining the success team, although according to Law Number 5 of 2014 civil servants must be neutral. Even though there is a law, civil servants' involvement in politics is still there, but not as much as before, now they are secretly providing support to Regent candidates, as we saw in the 2019 Regional Head Election (PILKADA). Every civil servant who is involved in politics must of course accept all the consequences It is difficult to produce a clean government because there is always political intervention in it (1) implementation of regulations is not running well (2) the supervision system is not working (3) it is difficult to get civil servants who work professionally. The political nuances are very high when there is a transfer of structural officials. Shifting positions is indeed the Regent's right, but please review whether the removal or demotion of someone from office is truly in accordance with the Law. Bureaucracy and politics can be distinguished but cannot be separated. That politics can be the master of bureaucracy, and that master can be separated. That politics can be the master of bureaucracy, and that master can come from political circles whose leaders come and go. Therefore, neutrality for the government bureaucracy regarding the political influence brought by the master is very important to pay attention to. Since the enactment of Law Number 5 of 2014, the State Civil Apparatus (ASN) is considered to be more comprehensive in regulating ASN employees consisting of civil servants and non-permanent employees, the government of ASN positions, institutional rights and obligations, authority, management of civil servants, sanctions, up to nomination and appointment. in state office. In West Sumbawa Regency, to occupy echelon I and echelon II positions, a Selection Committee (Pansel) is held. "For echelon I and echelon 2 positions, BKD, with the approval of the Regent, has sent the names of those who are members of the Pansel to KASN and the names we proposed were approved by KASN. "The members of this Pansel consist of 5 people and are representatives of all aspects of society, they are expected to work optimally without any particular interests in order to create a healthy bureaucracy. The formation of the Selection Committee is very good so that there is no placement of employees who are not in accordance with their expertise, but what we should note is that all members of the Selection Committee must have the approval of the Regent before being sent to KASN. This means there are political interests. The results of the panel's selection of prospective officials who will hold echelon I and echelon 2 positions will be sent to KASN but KASN returns to the Regent who is selected to hold the vacant position because the Regent is the user in the sense of who he wants and can be comfortable working with.

IV. CONCLUSION

Career development is carried out and developed in civil servant human resources (HR) through career coaching and assessment of work performance systems, career systems in general through promotions, job transfers and promotions. Career development through promotions for civil servants is something that is highly expected and is the goal of career planning. In career planning for civil servants, there needs to be good coordination between each work unit in the organization and the personnel department. Career planning can prevent the accumulation of obstructed personnel in career development only because their direct superior is aware of it or does not prevent it, in the event that some of these workers have the ability to be developed, planning for civil servant competency development so that the organization has the availability of employees who can carry out organizational tasks and with planned development the regional apparatus organization have employees who are ready to work when needed for a structural position or functional position. Bureaucracy in providing services based on professionalism, not political interests, the issue of government neutrality regarding the influence and intervention of political parties cannot be taken lightly. The emphasis in expediting the development process is regarding the decisions of bureaucrats in carrying out their duties so that a climate of legal certainty is created. Leadership management is needed so that organizations in regional government run well. There is visible political influence so that what is mandated in Law Number 5 of 2014 can quickly be realized by implementing a merit system in civil servant career development.

Based on the conclusions from the discussion of research results, the following suggestions can be put forward: Practical advice to the West Sumbawa Regency government is to increase financial resource support to improve the performance of civil servants (PNS) through training and training to create civil servants (PNS) who have the identity as civil servants of the Republic of Indonesia, state servants and community servants as well as professional capabilities. high level in carrying out government

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duties so that civil servants (PNS) as state officials and state servants are able to respond to the challenges of the times. The Regional Government of West Sumbawa Regency needs to expand its collaboration network with government and non-government agencies both domestically and abroad in order to increase civil servant human resources in facing the industrial revolution 4.0, even in other places it has already become 5.0 as a result of developments in the use of ICT (Information, Communication and Technology). There should be a State Civil Apparatus Commission in every province so that it makes it easier to monitor the performance of civil servants and arbitrary actions carried out by political officials whose political content is very strong.

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