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Integrating merit systems and talent management: a legal-administrative framework for civil service professionalization

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ABSTRACT

Bureaucratic reform requires a paradigm shift in Indonesia's Civil Service (ASN) management from traditional personnel administration to meritocracy-based human resource governance and talent management. This study aims to analyze the legal framework and harmonization of the Merit System and Talent Management as instruments of legal development for establishing professional and high-integrity BerAKHLAK civil servants, while formulating policy strategies to address the gap between *das sollen* and *das sein*. This research employs a normative legal method using statutory, conceptual, and philosophical approaches, supported by an analysis of civil service policy implementation. The findings demonstrate that effective civil service governance requires integrating the Merit System as the normative foundation with Talent Management as the strategic mechanism for competency development, career advancement, leadership development, and succession planning. The effectiveness of this integration depends on harmonizing legal substance, institutional structure, and legal culture, reinforced by bureaucratic leadership, digital transformation, and the institutionalization of BerAKHLAK values. This study proposes the Harmonized Merit-Talent Governance Based on Legal Effectiveness, Legal Morality, Digital Governance, and Ethical Public Administration (HMTG-LED Model) as a new legal-administrative paradigm for strengthening professionalism, integrity, state capacity, and sustainable public service-oriented bureaucratic reform.



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Introduction

Recent developments in public administration have fundamentally reshaped the governance of civil service systems worldwide. Digital transformation, demographic shifts, fiscal constraints, and increasing citizen expectations for transparency, accountability, and high-quality public services have compelled governments to move beyond traditional personnel administration toward strategic human capital governance (Economic, 2023; OECD, 2023). Comparative evidence further demonstrates that governments implementing integrated merit-based talent management systems achieve higher institutional effectiveness, stronger organizational resilience, and improved public service performance than those relying primarily on seniority-based or administrative personnel systems (Kim et al., 2013; OECD, 2023). Consequently, merit systems and talent management have evolved from administrative functions into strategic governance mechanisms that strengthen state capacity and sustainable public value creation.

This transformation has become a strategic necessity because strategic human resource development directly influences institutional adaptability, organizational resilience, and government effectiveness (Harijanto et al., 2022). Recent empirical studies indicate that the competence, integrity, adaptability, and leadership capacity of civil servants significantly influence government effectiveness, regulatory quality, citizen trust, and institutional performance (OECD, 2023). In the context of Indonesia, the Civil Service (Aparatur Sipil Negara/ASN) is not merely responsible for implementing public policies but also functions as the constitutional representative of the state in exercising public authority. Consequently, civil service management can no longer rely exclusively on conventional personnel administration but must develop professional, adaptive, ethical, and high-performing public officials capable of responding to increasingly complex governance challenges.

From a constitutional perspective, the existence of the Civil Service constitutes part of the state's responsibility to fulfill the constitutional objectives established in the Preamble to the 1945 Constitution of the Republic of Indonesia, namely protecting the nation, promoting public welfare, advancing education, and realizing social justice (Republik Indonesia, 1945). Within Indonesian constitutionalism, the exercise of public authority must always be grounded in constitutional supremacy, legality, and public accountability rather than discretionary power (Prof. Dr. Jimly Asshiddiqie, 2021). Accordingly, civil service development should not merely produce administratively competent personnel but should cultivate public officials capable of exercising authority professionally, ethically, responsibly, and consistently in the public interest.

From the perspective of modern legal development, law should not be understood solely through its formal validity (legal validity) but also through its effectiveness in shaping institutional behavior and administrative practice (social effectiveness of law). Civil service law therefore functions not only as a legal framework governing recruitment, career development, promotion, transfer, and performance evaluation but also as an instrument for institutional transformation and bureaucratic culture. In this regard, Roscoe Pound's conception of law as a tool of social engineering provides an appropriate theoretical foundation for understanding how legal norms should actively shape professional, ethical, transparent, and service-oriented public administration while directing institutional change toward broader social objectives (Pound, 2017).

The normative foundation for this transformation has been strengthened through Law Number 20 of 2023 concerning the Civil Service, which mandates that civil service management be implemented through the Merit System based on qualifications, competence, performance, integrity, morality, and non-discrimination (Indonesia, 2023). The Merit System therefore constitutes the principal legal foundation for ensuring that recruitment, competency development, career advancement, promotion, and performance evaluation are conducted objectively and fairly. Within the Indonesian context, the implementation of merit-based recruitment has long been recognized as a critical instrument for minimizing patronage practices while strengthening professionalism and transparency within the civil service (Daniarsyah, 2017).

Within this legal framework, the Merit System is closely associated with Talent Management. The Merit System establishes the legal principles of fairness, objectivity, and equal opportunity, whereas Talent Management operationalizes these principles through systematic identification, competency mapping, leadership development, succession planning, deployment, and retention of talented civil servants. Consequently, Talent Management represents the strategic mechanism through which meritocratic principles are translated into organizational practice and long-term institutional capacity building.

Recent scholarship has extensively examined merit systems, competency-based human resource management, and public sector talent management from different disciplinary perspectives. Existing studies generally focus on three major themes. First, merit systems have primarily been analyzed as regulatory instruments that promote fairness, transparency, and equal opportunity in public employment (Kim et al., 2013; OECD, 2023). Second, talent management has been examined from a strategic human resource management perspective emphasizing competency mapping, leadership succession, workforce planning, and organizational capability development (Elugbaju et al., 2024; Ingale, 2024). Third, digital governance studies have explored the contribution of integrated information systems and evidence-based decision-making to public sector human resource management (Anupam & Mustafa, 2025; Magakwe, 2025). However, these streams of scholarship generally examine regulatory, managerial, technological, and ethical dimensions separately. Limited attention has been devoted to integrating legal effectiveness, legal morality, digital governance, and ethical public administration within a unified legal-administrative framework capable of strengthening merit-based civil service governance, particularly in Indonesia.

Recent reports issued by the Civil Service Commission (KASN, 2023), together with empirical studies on Indonesian public administration (Firmansyah, 2023; Sobandi, 2019; Suparman & Soantahon, 2022),

indicate that the implementation of the Merit System and Talent Management continues to encounter substantial institutional challenges. These include fragmented competency mapping, inconsistent succession planning, limited integration between performance management and talent development, uneven implementation across government institutions, and persistent bureaucratic practices influenced by seniority and patronage. These conditions demonstrate a continuing discrepancy between *das sollen* (the legal ideal prescribed by law) and *das sein* (the reality of administrative practice).

These conditions suggest that the principal challenges of civil service reform extend beyond regulatory issues to encompass legal effectiveness, institutional capacity, organizational leadership, digital transformation, and bureaucratic culture. According to Lawrence M. Friedman & Hayden (2017) Legal System Theory, the effectiveness of legal implementation depends upon the harmonious interaction of legal substance, legal structure, and legal culture. Consequently, transforming civil service governance cannot be achieved solely through legislative reform but requires institutional strengthening, integrated digital governance, leadership commitment, and organizational cultures that internalize professionalism and integrity as fundamental institutional values.

Meritocracy also strengthens constitutional governance because objective and accountable personnel administration reduces opportunities for arbitrary decision-making and reinforces public accountability within democratic institutions (Syaidi, 2025). Accordingly, meritocracy should be understood not merely as an administrative mechanism but as a legal and philosophical principle that strengthens fairness, professionalism, accountability, and good governance.

Within the Indonesian context, the BerAKHLAK Core Values—Service Oriented, Accountable, Competent, Harmonious, Loyal, Adaptive, and Collaborative—constitute the ethical foundation of the national civil service. Rather than positioning BerAKHLAK as the principal theoretical contribution of this study, it is treated as the Indonesian ethical and organizational context through which internationally recognized principles of merit-based governance are operationalized. These values therefore function as an institutional culture that complements legal norms by strengthening integrity, ethical responsibility, and professional public service.

Integrity represents a critical element of Talent Management because competent civil servants without integrity remain vulnerable to abuses of public authority and corruption (Ahmad et al., 2024). This perspective is consistent with Tarigan (2024), who argues that integrity and accountability constitute essential safeguards for preventing abuses of public authority within governmental institutions. Civil servants possessing high technical competence without integrity remain vulnerable to abuses of public authority, whereas integrity without competence may undermine administrative effectiveness. Consequently, civil service development should integrate competence, integrity, ethical responsibility, and organizational commitment as inseparable characteristics of professional public officials.

Similarly, work ethic has become an essential component of modern bureaucracy because contemporary public administration evaluates organizational performance not merely through procedural compliance but through measurable public value and service outcomes. Consequently, Talent Management should be integrated with competency development, performance management, and organizational objectives to strengthen institutional effectiveness and national development. Rapid changes in the global governance environment—including digitalization, artificial intelligence, evolving competency requirements, and adaptive governance—have further reinforced the urgency of strengthening merit-based civil service management. Within Indonesia's vision of Golden Indonesia 2045, the capability of the Civil Service constitutes a strategic determinant of national competitiveness, institutional resilience, and sustainable public governance.

Although previous studies have examined merit systems, competency-based human resource management, talent management, and digital governance individually, few studies have analyzed how these governance mechanisms can be legally harmonized into a comprehensive framework integrating legal effectiveness, institutional implementation, ethical governance, digital transformation, and organizational culture. Existing scholarship therefore remains fragmented and provides limited theoretical guidance for bridging the persistent gap between *das sollen* and *das sein* within Indonesia's civil service governance. This unresolved theoretical and legal gap constitutes the central motivation for the present study.

Accordingly, this study addresses this gap by proposing an integrated legal-administrative governance framework that harmonizes Merit Systems, Talent Management, legal effectiveness, legal morality, digital governance, organizational ethics, and public administration principles. Rather than examining these

governance components separately, the study develops the Harmonized Merit–Talent Governance Based on Legal Effectiveness, Legal Morality, Digital Governance, and Ethical Public Administration (HMTG–LED Model) as a comprehensive framework for civil service professionalization.

This study therefore conceptualizes the integration of Merit Systems and Talent Management as a legal-administrative governance framework capable of strengthening civil service professionalism through the harmonization of legal norms, institutional governance, digital transformation, organizational culture, and integrity standards. By positioning the proposed HMTG–LED Model as a theoretically transferable governance framework while remaining grounded in Indonesia's ongoing bureaucratic reform agenda, this study contributes to the broader literature on merit-based governance, public sector talent management, and legal-administrative reform beyond a single national context.

Method

Research Design

This study employs a normative legal research method (doctrinal legal research), which focuses on examining positive legal norms, legal principles, legal doctrines, and the synchronization and harmonization of legislation governing the Merit System and Talent Management within Indonesia's Civil Service (ASN). This methodological approach is consistent with Indonesian doctrinal legal scholarship, which regards normative legal research as a systematic examination of legal norms, legal doctrines, and legal principles to formulate prescriptive legal arguments (Marzuki, 2017). This approach is employed to provide an in-depth analysis of the legal framework and policy paradigm for strengthening merit-based civil service governance and promoting professional, integrity-based public administration within the context of bureaucratic reform.

Consistent with contemporary doctrinal legal research methodology (Majeed et al., 2023; Roy, 2023), this study treats legal norms and authoritative legal documents as the primary unit of analysis. Rather than collecting empirical data from respondents, doctrinal legal research systematically examines statutory provisions, legal doctrines, constitutional principles, judicial and administrative interpretations, and scholarly opinions to evaluate legal coherence, normative consistency, and institutional implications. The primary objective is to reconstruct the legal-administrative framework governing the integration of Merit Systems and Talent Management while formulating prescriptive legal recommendations for strengthening civil service professionalism. Accordingly, doctrinal legal analysis is considered appropriate because the research seeks to address normative inconsistencies and institutional harmonization rather than behavioral or perceptual phenomena requiring empirical investigation.

Research Approaches

To ensure comprehensive legal analysis, this study employs multiple complementary legal approaches that enable triangulation across legal substance, legal philosophy, and comparative governance perspectives. Each approach contributes to a distinct analytical dimension of the research problem while supporting the reconstruction of an integrated legal-administrative governance framework.

Statutory Approach

The statutory approach is used to examine and analyze the legal norms governing: (1) The 1945 Constitution of the Republic of Indonesia; (2) Law Number 20 of 2023 concerning the Civil Service; (3) Government Regulation Number 17 of 2020 concerning Amendments to Government Regulation Number 11 of 2017 on Civil Servant Management (Pusat, 2020); (4) Presidential Regulation Number 95 of 2018 concerning the Electronic-Based Government System (Perundang-undangan, 2018); (5) Regulation of the Minister of Administrative and Bureaucratic Reform Number 3 of 2020 concerning Civil Service Talent Management (Birokrasi, 2020); (6) Circular Letter of the Minister of Administrative and Bureaucratic Reform Number 20 of 2021 concerning the Implementation of the BerAKHLAK Core Values for Civil Servants; and (7) Civil Service Commission (KASN, 2023). KASN Annual Report 2023.

These legal instruments were selected purposively because they represent the principal hierarchical regulatory framework governing merit systems, talent management, digital governance, bureaucratic ethics, and civil service administration in Indonesia. Selection criteria included: (1) legally binding authority within the Indonesian legal hierarchy; (2) substantive relevance to merit-based civil service governance; (3) direct regulation of competency development, career management, performance evaluation, or public sector ethics; and (4) official policy documents supporting implementation of statutory provisions. Legal instruments lacking direct normative relevance to the research objectives were excluded from the analysis.

Philosophical Approach

The philosophical approach is employed to identify, interpret, and evaluate the fundamental legal values underlying civil service governance, including justice, legal certainty, legal effectiveness, professionalism, accountability, equality, integrity, and public service ethics. These values are examined through legal hermeneutics by interpreting constitutional principles, administrative law doctrines, and major legal theories developed by Lawrence M. Friedman. This approach enables the study to assess whether the existing legal framework adequately reflects the philosophical objectives of public administration within a democratic constitutional state.

Comparative Legal Approach

A comparative legal approach is employed to examine merit-based civil service governance practices adopted in selected jurisdictions, including Singapore, Australia, and New Zealand. These jurisdictions were selected purposively because they consistently demonstrate high levels of public sector effectiveness, meritocratic recruitment, competency-based talent management, digital human resource governance, and leadership succession planning. Comparative analysis is not intended to transplant foreign legal systems into Indonesia but rather to identify transferable governance principles that may strengthen the harmonization of Merit Systems and Talent Management within Indonesia's constitutional and administrative context.

Sources of Legal Materials

Legal materials were selected purposively according to their normative authority, substantive relevance, and contribution to the research objectives. Selection emphasized authoritative legal sources directly regulating civil service governance, merit systems, talent management, digital governance, bureaucratic reform, and administrative ethics. Primary Legal Materials : (1) The 1945 Constitution of the Republic of Indonesia; (2) Law Number 20 of 2023 concerning the Civil Service; (3) Government Regulation Number 17 of 2020 concerning Amendments to Government Regulation Number 11 of 2017 on Civil Servant Management; (4) Presidential Regulation Number 95 of 2018 concerning the Electronic-Based Government System; (5) Regulation of the Minister of Administrative and Bureaucratic Reform Number 3 of 2020 concerning Civil Service Talent Management; and (6) Circular Letter of the Minister of Administrative and Bureaucratic Reform Number 20 of 2021 concerning the Implementation of the BerAKHLAK Core Values for Civil Servants (Birokrasi, 2021). Secondary Legal Materials : (1) Peer-reviewed journal articles concerning administrative law, public administration, merit systems, talent management, and bureaucratic reform; (2) Scholarly books and legal doctrines discussing constitutional law, administrative law, legal philosophy, and public sector governance; (3) Official reports published by government institutions and international organizations relating to civil service reform; and (4) Previous scholarly studies relevant to civil service governance and legal development. Tertiary Legal Materials : (1) Legal dictionaries; (2) Legal encyclopedias; (3) Kamus Besar Bahasa Indonesia (KBBI); and (4) Other relevant reference materials.

Legal Material Collection Technique

Legal materials were collected through a structured library research protocol consisting of four sequential stages. First, relevant legal sources were identified through official legislation databases, government publications, and scholarly databases. Second, documents were screened according to their normative relevance to merit systems, talent management, public administration, and bureaucratic reform. Third, selected legal materials were classified according to legal hierarchy, governance themes, and analytical relevance. Finally, legal principles and governance concepts relating to meritocracy, competency development, digital governance, organizational integrity, ethical public administration, and civil service professionalism were extracted systematically for subsequent legal analysis.

Legal Material Analysis Technique

Legal materials were analyzed using qualitative doctrinal legal analysis supported by systematic legal hermeneutics and thematic legal coding. The analytical procedure consisted of six sequential stages. (1) Identification of legal norms governing Merit Systems, Talent Management, digital governance, organizational ethics, integrity, and public administration; (2) Coding legal provisions into thematic analytical categories, including merit principles, competency development, talent management, performance management, legal effectiveness, institutional governance, digital governance, ethical public administration, and organizational culture; (3) Interpretation of legal norms through grammatical, systematic, teleological, and philosophical interpretation to determine legislative intent, normative consistency, and legal objectives; (4) Normative harmonization analysis to identify regulatory consistency, overlap, legal gaps, and potential disharmony among constitutional provisions, statutory regulations, implementing regulations, and administrative policies governing civil service management; (4) Comparative doctrinal synthesis by integrating statutory analysis, legal doctrine, administrative law theories, and comparative governance

principles to reconstruct a coherent legal-administrative governance framework for civil service professionalization; and (5) Prescriptive legal reasoning through deductive analysis to formulate recommendations for strengthening the harmonization of Merit Systems and Talent Management while narrowing the gap between *das sollen* (normative legal expectations) and *das sein* (administrative implementation).

Research Trustworthiness

Because doctrinal legal research does not employ statistical reliability or inter-coder reliability commonly used in empirical social research, analytical trustworthiness was strengthened through methodological triangulation. Interpretation of legal materials was cross-validated using four complementary sources: statutory regulations, constitutional principles, authoritative legal doctrines, and contemporary scholarly literature. In addition, consistency of legal interpretation was maintained through systematic cross-referencing among legal norms, administrative theories, and philosophical foundations, thereby minimizing interpretative bias and enhancing the credibility of doctrinal findings (Baplawat et al., 2025).

Research Specification

This study is characterized as descriptive-analytical and prescriptive legal research. The descriptive-analytical dimension systematically examines the legal framework governing Merit Systems, Talent Management, bureaucratic reform, and civil service governance in Indonesia. The prescriptive dimension formulates legal recommendations concerning institutional harmonization, legal effectiveness, digital governance, organizational ethics, and policy implementation strategies for strengthening merit-based civil service professionalization. Accordingly, this study combines descriptive legal analysis with prescriptive legal reconstruction, enabling systematic evaluation of existing legal norms while proposing an integrated legal-administrative governance framework for harmonizing Merit Systems and Talent Management within Indonesia's ongoing bureaucratic reform.

Results and Discussions

Findings from the Doctrinal Legal Analysis: Harmonizing the Merit System and Talent Management for Professional and High-Integrity Civil Servants

The doctrinal analysis conducted through statutory, conceptual, philosophical, and comparative legal approaches demonstrates that the principal challenge in Indonesia's civil service reform is not the absence of an adequate legal framework but the limited harmonization between the Merit System and Talent Management across regulatory, institutional, technological, and organizational dimensions. An examination of Law Number 20 of 2023 concerning the State Civil Apparatus, implementing regulations, and relevant legal doctrines indicates that merit-based civil service governance has been comprehensively recognized as a legal principle. Nevertheless, its implementation remains fragmented, resulting in a persistent gap between the normative objectives of the law (*das sollen*) and administrative practice (*das sein*).

Unlike empirical studies that rely on surveys or interviews, the findings of this research originate from a systematic doctrinal examination of legal norms and their consistency with contemporary public administration principles. The analysis reveals that existing regulations provide a sufficiently comprehensive legal basis for merit-based civil service management, yet they have not fully established an integrated governance framework capable of aligning competency development, talent management, ethical administration, and digital governance within a coherent legal system. To clarify these findings, the doctrinal analysis identified five interrelated dimensions requiring legal reconstruction, as summarized in Table 1.

Table 1. Principal Findings of the Doctrinal Legal Analysis

Analytical Dimension	Main Findings	Implications for Legal Reconstruction
Regulatory Framework	Merit principles are comprehensively regulated under Law No. 20 of 2023, but operational provisions remain fragmented across implementing regulations.	Harmonization of legal instruments governing Merit System and Talent Management is required.
Institutional Governance	Coordination among civil service institutions remains inconsistent, producing uneven implementation of merit-based policies.	Stronger institutional integration and accountability mechanisms are necessary.

Analytical Dimension	Main Findings	Implications for Legal Reconstruction
Talent Management	Competency mapping, succession planning, and career development have not been fully integrated into merit-based governance.	Talent Management should function as the operational mechanism of the Merit System.
Digital Governance	Existing personnel information systems remain partially integrated, limiting evidence-based decision-making.	Integrated digital governance should support transparent and objective personnel management.
Ethical Governance	BerAKHLAK values are formally institutionalized but have not yet become an embedded organizational culture.	Ethical values should be operationalized throughout the civil service management cycle.

The findings indicate that Indonesia's civil service legal framework has progressed significantly in establishing meritocracy as the normative foundation of personnel management. However, doctrinal analysis demonstrates that regulatory completeness alone is insufficient to achieve legal effectiveness. The principal deficiency lies in the absence of a governance architecture capable of integrating legal norms with institutional practice, competency development, digital systems, and organizational culture. Consequently, the challenge confronting civil service reform concerns the effectiveness of implementation rather than the quantity of legal regulation.

The first finding relates to the regulatory dimension. Law Number 20 of 2023 establishes the Merit System as the primary legal principle governing recruitment, promotion, career development, and performance management within the civil service. The legislation emphasizes qualifications, competence, integrity, performance, and equal opportunity while prohibiting discrimination and political intervention. From a doctrinal perspective, these provisions adequately reflect the constitutional principles of equality before the law, legal certainty, professionalism, and accountability. Nevertheless, the analysis reveals that implementing regulations governing competency development, talent management, succession planning, and performance evaluation continue to operate as separate policy instruments rather than as components of a unified legal framework. This fragmentation reduces regulatory coherence and limits the practical realization of merit-based governance.

The second finding concerns institutional governance. The legal framework assigns responsibilities for civil service management to several governmental institutions, each possessing distinct regulatory and administrative functions. Although this institutional arrangement strengthens specialization, doctrinal analysis indicates that coordination mechanisms remain insufficiently integrated. Consequently, policy implementation frequently varies across institutions and levels of government, reducing consistency in competency assessment, career planning, and personnel decision-making. These findings suggest that legal effectiveness depends not only on statutory regulation but also on institutional synchronization capable of translating legal norms into coherent administrative practice.

The third finding demonstrates that Talent Management has not yet been fully institutionalized as the operational extension of the Merit System. Existing regulations recognize competency development, leadership preparation, and succession planning as essential elements of civil service management. However, doctrinal analysis indicates that these components continue to be implemented independently rather than through an integrated governance framework. As a result, competency mapping is not always systematically connected to career advancement, organizational workforce planning, or strategic leadership development. This condition weakens the capacity of government institutions to ensure that the most qualified individuals occupy positions corresponding to organizational needs.

The fourth finding concerns digital governance. Contemporary civil service management increasingly requires evidence-based decision-making supported by integrated information systems. Nevertheless, analysis of the current regulatory framework demonstrates that digital personnel management remains fragmented across different administrative platforms. Although Electronic-Based Government Systems (SPBE) and national civil service databases have significantly improved administrative efficiency, interoperability among competency records, performance evaluation systems, career planning, and Talent Management remains limited. Consequently, legal reconstruction should incorporate digital governance as an integral component of merit-based administration rather than treating digitalization merely as technological modernization.

Finally, the analysis identifies ethical governance as an essential dimension of legal effectiveness. The institutionalization of the BerAKHLAK Core Values represents a significant normative development in Indonesian public administration because it integrates ethical principles into civil service governance. Nevertheless, doctrinal analysis demonstrates that these values continue to function predominantly as normative standards rather than as operational principles embedded throughout recruitment, competency development, promotion, succession planning, and performance evaluation. Consequently, the effectiveness of ethical governance depends upon transforming BerAKHLAK from declaratory values into measurable institutional practices that guide administrative decision-making.

Taken together, these findings demonstrate that Indonesia's civil service reform has entered a new stage in which the primary legal challenge is no longer the formulation of additional statutory provisions but the harmonization of existing legal norms within an integrated governance system. The doctrinal analysis therefore indicates that effective legal reconstruction should simultaneously address regulatory coherence, institutional coordination, digital governance, Talent Management integration, and ethical public administration. Such harmonization provides the necessary foundation for narrowing the gap between *das sollen* and *das sein* while strengthening the professionalism, integrity, and accountability of the Indonesian Civil Service.

Interpreting the Legal Reconstruction of Merit System and Talent Management

The findings demonstrate that Indonesia has established a relatively comprehensive legal foundation for merit-based civil service governance through Law Number 20 of 2023 concerning the State Civil Apparatus. However, the doctrinal analysis indicates that the effectiveness of this legal framework remains constrained by limited integration among regulatory provisions, institutional arrangements, Talent Management practices, digital governance, and organizational culture. These findings suggest that the principal issue in contemporary civil service reform is not regulatory insufficiency but governance fragmentation, which prevents legal norms from being consistently translated into administrative practice.

This finding is consistent with studies emphasizing that merit-based civil service reform depends not only on formal legal provisions but also on institutional capacity and organizational implementation. Research by Azzizah & Syahrul (2024) argues that merit principles become effective only when recruitment, career development, and performance management are implemented through coherent institutional mechanisms rather than isolated administrative procedures. Likewise, Samuel & Isa (2024) demonstrate that Talent Management contributes to organizational performance only when competency development, succession planning, and leadership preparation operate within an integrated human capital strategy. The present study extends these perspectives by demonstrating that, in the Indonesian legal context, harmonization must encompass legal, institutional, technological, and ethical dimensions simultaneously rather than focusing exclusively on human resource management.

The first doctrinal finding concerning regulatory fragmentation reinforces Lawrence M. Friedman's theory that legal effectiveness depends upon the interaction of legal substance, legal structure, and legal culture. The analysis confirms that legal substance has developed considerably through comprehensive statutory regulation of the Merit System. Nevertheless, the absence of operational harmonization across implementing regulations limits the capacity of legal norms to function effectively in practice. Consequently, legal development should prioritize regulatory coherence rather than expanding the quantity of legislation. This interpretation also supports previous comparative studies showing that successful civil service reform requires consistency between legislative design and institutional implementation. This interpretation also reflects the concept of responsive law proposed by Nonet et al. (2017), which emphasizes that legal systems should continuously adapt institutional arrangements to achieve substantive social objectives rather than merely maintaining formal regulatory compliance.

Similar observations have been reported in comparative public administration literature, which concludes that fragmented institutional authority frequently produces inconsistent implementation of merit-based personnel policies (Peters, 2020). Although responsibilities for civil service governance have been distributed among specialized institutions, coordination mechanisms remain insufficiently integrated. Similar observations have been reported in comparative studies of public administration, which conclude that fragmented institutional authority frequently produces inconsistent implementation of merit-based personnel policies. The present study contributes to this discussion by demonstrating that institutional coordination should be regarded as a legal issue rather than merely an administrative concern because fragmented governance ultimately weakens the realization of constitutional principles of equality, professionalism, and accountability.

The third finding concerns the relationship between the Merit System and Talent Management. Previous studies generally conceptualize these two approaches as complementary human resource management instruments. However, the present analysis proposes a broader legal interpretation by positioning the Merit System as the normative foundation of public administration and Talent Management as its operational mechanism. Under this interpretation, Talent Management is no longer viewed simply as an administrative process for identifying and developing high-potential employees but as an essential legal instrument through which constitutional principles of meritocracy are implemented. Consequently, competency mapping, leadership development, succession planning, and career advancement should be legally integrated rather than administratively separated.

The findings also highlight the growing significance of digital governance in strengthening legal effectiveness. Contemporary public administration increasingly depends upon integrated information systems capable of supporting objective and evidence-based personnel decisions. Similar conclusions have been reached by recent studies on digital government, which emphasize that digital transformation improves transparency, accountability, and administrative efficiency. Nevertheless, this study argues that digital governance should be interpreted not merely as technological modernization but as an integral component of legal reconstruction. Integrated personnel information systems enhance legal certainty by ensuring that recruitment, promotion, competency development, and performance evaluation are consistently based on documented evidence rather than subjective discretion.

Another important finding concerns the institutionalization of the BerAKHLAK Core Values. Previous research generally discusses BerAKHLAK as an ethical framework intended to improve bureaucratic professionalism and public service quality. The present study expands this perspective by arguing that ethical values should be incorporated into the legal architecture governing civil service management. Integrity, accountability, adaptability, collaboration, and service orientation therefore function not only as organizational values but also as legal principles guiding administrative decision-making. This interpretation aligns with Lon L. Fuller's conception of the internal morality of law, which emphasizes that legal effectiveness depends upon ethical commitment in addition to formal compliance. Similar findings were reported by Dewi (2020), who argues that talent management contributes to leadership quality only when competency development is systematically aligned with organizational objectives and institutional succession planning.

Taken together, these findings indicate that the effectiveness of Indonesia's Merit System cannot be evaluated solely through the existence of statutory regulation. Instead, legal effectiveness depends upon the successful integration of five mutually reinforcing governance dimensions: regulatory coherence, institutional coordination, Talent Management, digital governance, and ethical public administration. This interpretation extends previous scholarship by demonstrating that bureaucratic reform should be understood as a process of governance harmonization rather than isolated regulatory reform.

Compared with previous studies, this research offers three principal contributions. First, it reinterprets the relationship between the Merit System and Talent Management from a legal-administrative perspective rather than a conventional human resource management perspective. Second, it integrates digital governance and ethical public administration into the doctrinal analysis of civil service law, thereby expanding existing discussions of legal effectiveness beyond statutory interpretation alone. Third, it demonstrates that the persistent gap between *das sollen* and *das sein* originates primarily from fragmented governance rather than inadequate legislation, providing a stronger analytical basis for legal reconstruction.

These findings also have important policy implications. Future civil service reform should prioritize harmonization of implementing regulations, strengthen coordination among civil service institutions, institutionalize integrated Talent Management, accelerate interoperable digital personnel systems, and embed BerAKHLAK values throughout the entire civil service management cycle. Such reforms would improve legal effectiveness while strengthening institutional integrity, bureaucratic professionalism, and public accountability. The importance of organizational integrity is also consistent with Utami et al. (2022), who demonstrate that public service motivation and ethical leadership significantly strengthen organizational commitment and public service performance. The synthesis of these findings forms the basis for the Harmonized Merit–Talent Governance Based on Legal Effectiveness, Legal Morality, Digital Governance, and Ethical Public Administration (HMTG–LED) Model, proposed in the following section as the principal theoretical contribution of this study.

Proposed Harmonized Merit–Talent Governance Based on Legal Effectiveness, Legal Morality, Digital Governance, and Ethical Public Administration (HMTG–LED Model)

The doctrinal findings and comparative analysis indicate that existing civil service governance frameworks remain predominantly regulatory in orientation. Most legal and administrative approaches emphasize either merit-based recruitment, competency development, Talent Management, or bureaucratic ethics as separate governance instruments. However, the findings of this study demonstrate that the persistent implementation gap between *das sollen* and *das sein* cannot be adequately addressed through isolated reforms. Instead, effective legal reconstruction requires an integrated governance framework capable of simultaneously harmonizing legal norms, institutional arrangements, digital governance, organizational culture, and ethical public administration.

Based on these findings, this study proposes the Harmonized Merit–Talent Governance Based on Legal Effectiveness, Legal Morality, Digital Governance, and Ethical Public Administration (HMTG–LED Model) as a conceptual framework for reconstructing Indonesia's civil service governance. The model is derived from the doctrinal synthesis of statutory analysis, legal philosophy, legal system theory, and comparative public administration literature. Rather than introducing additional regulatory provisions, the framework seeks to strengthen the effectiveness of existing legislation by improving governance integration across multiple dimensions. The HMTG–LED Model consists of five mutually reinforcing governance dimensions, each addressing a specific weakness identified through the doctrinal analysis.

Legal Harmonization

The first dimension concerns the harmonization of legal substance. The findings demonstrate that Indonesia possesses an adequate statutory framework regulating merit-based civil service governance; however, implementing regulations remain fragmented across competency development, Talent Management, performance evaluation, and succession planning. Consequently, legal harmonization should focus on improving coherence among statutory provisions, implementing regulations, and administrative policies to ensure that the Merit System functions as a unified legal framework rather than a collection of separate regulatory instruments.

Institutional Harmonization

The second dimension emphasizes institutional integration. Effective implementation of merit principles requires coordinated interaction among institutions responsible for civil service governance. The findings indicate that fragmented institutional authority contributes to inconsistent implementation and uneven administrative practices. Institutional harmonization therefore seeks to establish integrated governance mechanisms, strengthen accountability, improve policy coordination, and ensure consistent implementation of merit-based personnel management throughout government institutions.

Digital Governance Integration

The third dimension focuses on digital governance. The doctrinal analysis identifies fragmented personnel information systems as a significant obstacle to evidence-based decision-making. Accordingly, the proposed framework recommends integrating Electronic-Based Government Systems (SPBE), the National Civil Service Database, competency assessment systems, performance management platforms, and Talent Management applications into a unified digital ecosystem. Such integration enhances transparency, accountability, objectivity, and legal certainty by reducing administrative discretion while supporting strategic workforce planning based on comprehensive personnel data.

Merit-Based Talent Management

The fourth dimension positions Talent Management as the operational mechanism of the Merit System rather than as an independent administrative process. Under this framework, competency mapping, leadership development, career planning, succession management, and employee development become interconnected components of a continuous governance cycle. This integration ensures that personnel decisions are consistently based on competency, integrity, organizational requirements, and measurable performance, thereby strengthening state capacity through strategic human capital management.

Ethical Public Administration

The fifth dimension incorporates ethical governance through the institutionalization of the BerAKHLAK Core Values. The findings indicate that ethical values remain predominantly normative and have not yet become fully embedded within personnel management practices. The proposed model therefore integrates Service Orientation, Accountability, Competence, Harmony, Loyalty, Adaptability, and Collaboration into every stage of civil service governance, including recruitment, promotion, competency development,

leadership succession, and organizational evaluation. Ethical governance thus functions not merely as behavioral guidance but as an operational principle reinforcing legal effectiveness and public accountability.

Integrated Governance Architecture

The interaction among these five dimensions forms an integrated governance architecture in which each component reinforces the others. Legal harmonization establishes regulatory certainty; institutional harmonization ensures effective implementation; digital governance supports evidence-based decision-making; Talent Management operationalizes meritocratic principles; and ethical public administration embeds integrity within organizational culture. Collectively, these dimensions transform legal norms into consistent administrative practices capable of narrowing the gap between *das sollen* and *das sein*.

Accordingly, the HMTG–LED Model conceptualizes bureaucratic reform as a process of governance harmonization rather than isolated legal or administrative reform. The model recognizes that legal effectiveness depends upon the simultaneous interaction of regulatory coherence, institutional capacity, technological support, organizational culture, and ethical commitment. This multidimensional approach provides a more comprehensive governance framework than conventional Merit System or Talent Management models, which generally emphasize individual components without adequately explaining their legal interrelationships.

Theoretical Contribution

The proposed framework offers three principal theoretical contributions to the literature on public administration and administrative law. First, it reconceptualizes the relationship between the Merit System and Talent Management by positioning the Merit System as the normative legal foundation and Talent Management as its operational governance mechanism. This perspective extends previous studies that primarily discuss Talent Management from a human resource management perspective without explicitly integrating it into the legal architecture of civil service governance.

Second, the model expands existing theories of legal effectiveness by incorporating digital governance and ethical public administration as essential components of legal implementation. Whereas previous legal frameworks have largely emphasized legal substance, institutional structures, and legal culture, the HMTG–LED Model demonstrates that digital integration and organizational ethics have become equally important determinants of effective public administration in the era of digital government.

Third, the framework introduces governance harmonization as a new analytical perspective for evaluating bureaucratic reform. Rather than assessing legal reform solely through regulatory development, the model evaluates the interaction among legal, institutional, technological, managerial, and ethical dimensions as a unified governance ecosystem. This perspective provides a broader explanation of why implementation gaps persist despite increasingly comprehensive legislation.

Policy Implications

The findings suggest that future civil service reform should prioritize governance integration instead of producing additional regulations. Policymakers should focus on harmonizing implementing regulations, strengthening institutional coordination, integrating national personnel information systems, institutionalizing Talent Management across government agencies, and embedding BerAKHLAK values within organizational governance. Such reforms would improve legal effectiveness, strengthen bureaucratic professionalism, and enhance institutional accountability while supporting Indonesia's long-term objective of establishing a world-class civil service.

Finally, the HMTG–LED Model provides a practical governance framework capable of guiding future legal development and administrative reform. By integrating legal effectiveness, institutional coordination, digital governance, Talent Management, and ethical public administration into a single conceptual model, the framework contributes both to the theoretical development of administrative law and to the practical implementation of merit-based civil service governance in Indonesia.

Conclusions

This study examined the harmonization of the Merit System and Talent Management within Indonesia's civil service through a normative doctrinal legal approach employing statutory, conceptual, philosophical, and comparative analyses. The doctrinal analysis indicates that Indonesia has established a comprehensive legal foundation for merit-based civil service governance through Law Number 20 of 2023 and related regulatory instruments. However, the analysis also reveals that the existing legal framework remains

fragmented in several respects, particularly regarding the integration of Merit System principles with Talent Management, institutional coordination, digital governance, and ethical public administration. These findings suggest that the principal legal challenge is not the absence of regulatory provisions but the limited coherence among legal norms and their implementation framework. The findings further demonstrate that effective harmonization of the Merit System and Talent Management requires an integrated governance approach rather than isolated regulatory or administrative reforms. From the perspective of legal effectiveness, the doctrinal analysis supports the view that statutory regulation alone is insufficient to ensure effective governance unless it is accompanied by coherent institutional arrangements, interoperable digital systems, competency-based personnel management, and organizational values that reinforce integrity and accountability. In this respect, the concepts of *das sollen* and *das sein*, together with the distinction between law in the books and law in action, are employed as analytical perspectives for interpreting the consistency between the normative objectives of civil service law and the governance mechanisms established to implement those objectives, rather than as empirically tested variables.

Based on these findings, this study proposes the Harmonized Merit–Talent Governance Based on Legal Effectiveness, Legal Morality, Digital Governance, and Ethical Public Administration (HMTG–LED Model) as its principal theoretical contribution. The model synthesizes the results of the doctrinal analysis into an integrated legal-administrative framework that connects regulatory coherence, institutional governance, Talent Management, digital transformation, and ethical public administration. Rather than introducing new legal principles, the framework provides a conceptual approach for strengthening the implementation of existing civil service regulations while supporting meritocratic governance, bureaucratic professionalism, institutional accountability, and the realization of BerAKHLAK Civil Servants within Indonesia's constitutional and administrative system.

References

- Ahmad, r., hashim, r., & latiff, a. (2024). Ethical behaviour and integrity among employees in the public sector: a critical review. *International journal of entrepreneurship and management practices*, 7, 467–496. <https://doi.org/10.35631/ijemp.725036>
- Anupam, m. F. E., & mustafa, s. A. (2025). Integrated data governance and predictive analytics for enhancing public service management in bangladesh: a framework for evidence-based decision-making. *Bangladesh journal of administration and management*, 38(1). <https://doi.org/10.56379/bjam.v38i1.100>
- Azzizah, u., & syahrul, l. (2024). Implementing the merit system through talent management as career development basis. *Journal publicuho*, 7(1), 312–323. <https://doi.org/doi.org/10.35817/publicuho.v7i1.362>
- Baplawat, a., shete, j., kurup, s., thomas, s., bhosale, y., & priya, a. (2025). Ai-driven policy enforcement in local governance: legal frameworks and ethical boundaries. *Vascular and endovascular review*, 8, 442–449.
- Birokrasi, i. K. P. A. N. Dan r. (2020). Peraturan menteri pendayagunaan aparatur negara dan reformasi birokrasi nomor 3 tahun 2020 tentang manajemen talenta aparatur sipil negara. Kementerian pendayagunaan aparatur negara dan reformasi birokrasi. <https://peraturan.bpk.go.id/details/143662/permen-pan-rb-no-3-tahun-2020>
- Birokrasi, i. K. P. A. N. Dan r. (2021). Surat edaran menteri pendayagunaan aparatur negara dan reformasi birokrasi nomor 20 tahun 2021 tentang implementasi core values dan employer branding aparatur sipil negara. Kementerian pendayagunaan aparatur negara dan reformasi birokrasi. <https://peraturan.bpk.go.id/details/334314/se-menteri-pan-rb-no-20-tahun-2021>
- Daniarsyah, d. (2017). Penerapan sistem merit dalam rekrutmen terbuka promosi jabatan pimpinan tinggi asn (suatu pemikiran kritis analisis). *Civil service*, 11(2), 39–48.
- Dewi, i. (2020). Manajemen talenta dalam mewujudkan pemimpin berkinerja tinggi (studi pada instansi pemerintah provinsi bali). *Jurnal good governance*. <https://doi.org/10.32834/gg.v16i1.154>
- Economic, d. Of. (2023). *World public sector report 2023: transforming institutions to achieve the sustainable development goals after the pandemic*. Stylus publishing, llc.
- Elugbaju, w., okeke, n., & alabi, o. (2024). Human resource analytics as a strategic tool for workforce planning and succession management. 744–756.
- Firmansyah, a. (2023). Manajemen talenta berdasarkan smart asn di lingkungan pemerintah (sebuah kerangka konseptual). *Civil service journal*, 16, 92–116. <https://doi.org/10.61133/pns.v16i2.392>
- Friedman, l. M., & hayden, g. M. (2017). *American law: an introduction*. Oxford university press.

- Harijanto, d., nik md salleh, n. S., touati, h., dharmanegara, i., & tanjung, h. (2022). Human resource development perspective in analyzing the strategic environment: case on inspectorate probolinggo regency. *Innovation business management and accounting journal*, 1, 86–93. <https://doi.org/10.56070/ibmaj.v1i3.15>
- Indonesia, p. P. (2023). Undang-undang nomor 20 tahun 2023 tentang aparatur sipil negara. Pemerintah pusat. <https://peraturan.bpk.go.id/details/269470/uu-no-20-tahun-2023>
- Ingale, a. (2024). Succession planning and leadership development are important in creating a talent pipeline within human resource management. Available at ssrn 5031223.
- Kasn. (2023). Laporan tahunan kasn tahun 2023. Komisi aparatur sipil negara. <https://www.kasn.go.id>
- Kim, s., vandenabeele, w., wright, b., andersen, l., cerase, f. P., christensen, r., desmarais, c., koumenta, m., leisink, p. L. M., & liu, b. (2013). Investigating the structure and meaning of public service motivation across populations: developing an international instrument and addressing issues of measurement invariance. *Journal of public administration research and theory*, 23, 79–102. <https://doi.org/10.2307/23321085>
- Magakwe, j. (2025). Advancing governance: role of data analytics in driving evidence-based decision-making in public administration. In recent advances in public sector management. Intechopen.
- Majeed, n., hilal, a., & khan, a. (2023). Doctrinal research in law: meaning, scope and methodology. *Bulletin of business and economics (bbe)*, 12, 559–563. <https://doi.org/10.61506/01.00167>
- Marzuki, p. D. M. (2017). Penelitian hukum: edisi revisi. Prenada media. <https://books.google.co.id/books?id=ckzadwaaqbaj>
- Nonet, p., selznick, p., & kagan, r. A. (2017). Law and society in transition: toward responsive law. Routledge.
- Oecd. (2023). Government at a glance 2023. Oecd publishing. <https://books.google.co.id/books?id=avlieaaaqbaj>
- Perundang-undangan, p. (2018). Peraturan presiden (perpres) nomor 95 tahun 2018 tentang sistem pemerintahan berbasis elektronik. <https://peraturan.bpk.go.id/details/96913/perpres-no-95-tahun-2018>
- Peters, b. G. (2020). The politics of bureaucracy: a continuing saga. *Nispacee journal of public administration and policy*, 13, 213–220. <https://doi.org/10.2478/nispa-2020-0021>
- Pound, r. (2017). Social control through law. Routledge.
- Prof. Dr. Jimly asshiddiqie, s. H. (2021). Konstitusi dan konstiusionalisme indonesia. Sinar grafika. <https://books.google.co.id/books?id=qxtweaaaqbaj>
- Pusat, i. P. (2020). Peraturan pemerintah nomor 17 tahun 2020 tentang perubahan atas peraturan pemerintah nomor 11 tahun 2017 tentang manajemen pegawai negeri sipil. Pemerintah republik indonesia. <https://peraturan.bpk.go.id/details/134462/pp-no-17-tahun-2020>
- Republik indonesia. (1945). Undang-undang dasar negara republik indonesia tahun 1945. <https://www.mkri.id/public/content/infoumum/regulation/pdf/uud45 asli.pdf>
- Roy, u. (2023). Doctrinal and non-doctrinal methods of research: a comparative analysis of both within the field of legal research. *Issue 2 indian jl & legal rsch.*, 5, 1.
- Samuel, i., & isa, m. (2024). The mediating role of talent management in succession planning and private organization sustainability: a conceptual article. *Journal of current social and political issues*, 2, 22–33. <https://doi.org/10.15575/jcspi.v2i1.703>
- Sobandi, b. (2019). Strategi implementasi manajemen talenta pada birokrasi di indonesia. *Civil service journal*, 13(2), 15–25.
- Suparman, r., & soantahon, s. M. (2022). Integrasi manajemen talenta dengan pengembangan kompetensi asn. *Journal of government and politics (jgop)*, 4(1), 121–132. <https://doi.org/10.31764/jgop.v4i1.5367>
- Syaidi, r. (2025). Legislative oversight through the right of inquiry in indonesia's constitutional framework. *Jurnal hukum lex generalis*, 6(8).
- Tarigan, r. S. (2024). Kerah putih korporasi: pertanggungjawaban tindak pidana korupsi terhadap korporasi. Amu press, 1–116.
- Utami, i., putranto, r., & agustina, i. (2022). Strengthening public service motivation with spiritual leadership: an empirical study of public organizations in east java. *Wiga: jurnal penelitian ilmu ekonomi*, 12, 338–351. <https://doi.org/10.30741/wiga.v12i4.920>