

## Discretion Dilemma of Street-Level Bureaucracy in Implementation of the Street Vendors Empowerment Policy in Makassar City, Indonesia

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**ABSTRACT :** Street-level bureaucracy is a front-line organization in public policy implementation and service delivery. As a front-line organization in the implementation of public duties, then it is extremely vital in a complex and chaotic situation. Meanwhile, it cannot be separated from the existing bureaucratic system in a country, where in Indonesia it is still ruled and leaders oriented in the implementation of its duties. The main objective of this study is to explain the dilemma of discretion street-level bureaucracy in the implementation of the policy of empowerment of street in the city of Makassar. Based on the analysis techniques pairing patterns, Institute for Community Empowerment (ICE) as the street-level bureaucrat-based network has not been able to empower street vendors, because it does not have members' ability and skills of community empowerment or street vendors in the Makassar City. They became members of the ICE because they are public figures in a village. Therefore, it needs to change the rules of ICE membership arrangement and recruit some cadres of community empowerment in this institution.

**Keywords:** *Discretion, Street-Level Bureaucracy, Policy Implementation, street vendor's empowerment policy*

### I. INTRODUCTION

In the perspective of public policy, policy implementation is one of the important steps to realize the objectives of a policy. For that reason, the role of the lower level bureaucracy is very important because they are in the front line with the implementation of public policy. The lower-level bureaucracy deals directly with the citizens as the target group of those policies, where they have varied and often contradictory interests and needs. This condition demands a lower - level bureaucratic ability to understand and resolve the conflict, so that the policy objectives can be effectively realized.

In addition, the lower-level bureaucracy as an implementation is always faced with conflict situations of rules and objectives. On the one hand, they have to run the rules and on the other they must achieve the policy objectives effectively (Lipsky, 1980). In reality, the rules governing the operationalization of a policy do not always support the achievement of goals. This is because the existing policies are generally Top-Down policies that are usually unfamiliar with the conditions and field realities in which the policy is implemented. This dramatic situation requires that lower-level bureaucracies make decisions that are often contrary to rules to resolve the conflict situation. Therefore, the lower level bureaucracy requires the authority of action or freedom of action to resolve the conflict.

Freedom of action or discretion is seen as the main character of professional workers (Freidson 1994). Professional Workers based on the Street-Level Bureaucracy context in the bureaucratic system in Indonesia is Kelurahan. This village is the leading level of government in the system of governance in Indonesia so that he is very instrumental in the empowerment of street vendors. In carrying out the empowerment activities in the working area, the sub-district has a working partnership namely the Community Empowerment Institute (LPM) as stipulated in Presidential Decree 49 of 2001.

Then, the number of street vendors of the year is growing. In 2007 the number of street vendors in Makassar as many as 10,426. In 2008 PKL amounted to 11,328, and in 2014 street vendors in Makassar City about 14,000, ([www.makassar.go.id](http://www.makassar.go.id)). The addition of these street vendors is a failure of Street-Level Bureaucracy in empowering them. As a result, street vendors caused various problems such as demonstrations that occurred along the coastal roads of Losari, which refused to evict from the policies of the Mayor of Makassar ([Liputan6.com](http://Liputan6.com), Makassar, Tuesday 29/9/2015) and the conflict between Makassar sub-district and PKL, (Kabar

Makassar News.com.Selasa / 30/9/2016). The Makassar city government tried to build PKL Center in karebosi which amounted to 301 both stalls to accommodate the street vendors who does (Makassar.sindonews.com November 24, 2017), will be delayed or fail to operate due to waiting for the maturation of the traders' preconditions, also divert the type of merchant PKL business into a food seller according to the standards desired by Makassar city government, which is very difficult (Makassar.tribunnews.com, January 18, 2018).

This study focuses on the dilemma of street level bureaucracy discretion in the implementation of an empowerment policy of street hawkers in Makassar City. The lower level bureaucracy in this study is the Community Empowerment Institute (LPM), an organization that directly controls and supervises the activities of street vendors (PKL), it also employs to empower the street vendors in their area. LPM is a network-based organization and led the sector in the policy of empowerment of street vendors, and interact directly with the street vendors. As implementor of the policy they have the authority to interpret the existing policy or on certain problems and situations in the field, even though it is not regulated by the applicable provisions.

The discourse of community empowerment institution (LPM) as a network based organization and also as Street Level Bureaucracy In Implementation of PKL Empowerment Policy in Makassar City includes 4 important components, namely delegated authority, interest representation, freedom of judgment, and public value. These four components are described below.

## II. THEORITICAL FRAMEWORK

### *Concept of Discretion and Street-Level Bureaucracy*

Street-level bureaucracy is a concept that has been introduced by Lipsky (1980) (2010). In the *Street\_level* book of bureaucracy: Dilemmas of the individual in public services analyze the behavior of lower level bureaucratic staff in government agencies that administer public policy. They are government officials who interact directly with the community and have substantial discretion in the execution of their work (1980, p.3). Examples are teachers, police officers, general practitioners, and social workers. Interactions with street-level bureaucracies are 'places where citizens experience of the government, they implicitly constructed' (1980/2010, p xi). According to Lipsky there is a gap between written policy rules and 'policy as performed' (1980/2010, p. xvii) which gave birth to a paradox. Lower-level bureaucratic workers face a dilemma where on the one hand, they must abide by written policy rules, on the other hand, the work they do requires improvisation and responsiveness to the individual case (1980/2010, p xii). The term street-level bureaucracy itself embodies this paradox: 'How to treat all citizens alike in their claims on government, and how at the same time to be responsive to the individual case when appropriate' (1980/2010, p xii). An important element Lipsky deems inherent to the work of street-level bureaucrats is the presence of discretion.

Street level bureaucracy seems important to recognize the extremely varied task. They have to respond to citizens with a limited amount of information or time to make a decision even though the rules written in a policy do not match the situation at hand. Street-level bureaucrats develop coping mechanisms because they have autonomy in their work (Lipsky 1980, p.14). Street-level bureaucrats have a specific occupation for which they have been trained in a sustained way. Because of these joint characteristics, street-level bureaucrats, by implication, have inherent discretion while functioning as policy co-makers. Following the work of Lipsky, the concept of discretion has received wide attention in the policy implementation literature (Brodkin 1997; Buffat 2011; Hill and Hupe 2009; Sandfort 2000; Tummers et al. 2009; Vinzant et al., 1998).

Furthermore, by assigning responsibility to Street-Level Bureaucracies to implement it, it will enhance Street-Level Bureaucracy compliance to implement the policy (Meyers and Vorsanger 2003; Sandfort 2000). Tummers (2011) demonstrated this effect while studying 'policy alienation', a new concept for understanding street bureaucratic issues with new policies. One of the mechanisms underlying the relationship between wisdom and willingness to apply seems to be that some policies increase trust (felt) for clients, which in turn increases their willingness to implement this policy (Hill and Hupe 2009; Lipsky 1980)

Therefore, when Street-Level Bureaucracy gives confidence in implementing policies or programs, it is hoped that they will have more flexibility in helping the community, which in turn is willing to implement the policy or program without causing conflict. (Maynard-Moody and Musheno 2000). While Bureaucracy is essentially often an attachment to the rules that protect the internal system of social relations to protect them from common conflicts with society, it serves to provide security in carrying out the policy, the rules of this kind, which are likely to be transformed into absolutes. Policy goals are distorted as means are treated as ends, and this often happens in a bureaucratic organization.

Public officer has discretion whenever the effective limits on his power leave him free to make a choice among possible courses of action or inaction.' Discretion as the freedom that street-level bureaucrats have in determining the sort, quantity and quality of sanctions, and rewards during policy implementation (Hill and Hupe 2009; Tummers 2012). Street-level bureaucrats may experience different levels of discretion within the same policy because, for example, (a) they possess more knowledge on loopholes in the rules, (b) their organization operationalized the policy somewhat differently, (c) they have a better relationship with their

manager which enables them to adjust the policy to circumstances, or (d) the personality of the street-level bureaucrat is more rule-following or rebellious (Brehm and Hamilton 1996; Prottas 1979). Discretion is important in the implementation of top-down and bottom-up policies. In a top-down perspective, discretion is often not allowed, discretion will be misunderstood by the Street-Level Bureaucracy for personal purposes, the discrete will affect the performance of a policy program towards negative and results ineffective and unauthorized policies of the legitimacy of a program (Brehm and Gates 1999) To address this problem, control mechanisms are often carried out to achieve compliance. In a bottom-up perspective, discretion is inevitably used to enforce effective government and regulatory regulations. It is important that street-level bureaucrats can prioritize what rules should be applied, given the specific circumstances in which they operate (Brodkin 1997; Maynard-Moody and Musheno 2000; Maynard-Moody and Portillo 2010).

From a top-down and bottom-up perspective, it can be argued that discretion has a different meaning for citizens as a client. In the top-down perspective, discretion could possibly harm the position of a citizen because private considerations and interpretations of the goals of the policy program by the street-level bureaucrat prevent citizens being treated equally. In the bottom-up perspective, discretion will help to strengthen the value/meaningfulness of a policy for clients, as policy programs can be targeted to their specific situation. Hence, from a bottom-up perspective discretion might increase the client meaningfulness, that is, the value of the policy for clients (Barrick et al. 2012; Brodtkin 1997; May et al. 2004; Maynard-Moody and Musheno 2003; Tummers 2011). Client meaningfulness can be defined as the perception of street-level bureaucrats that their implementing a policy has value for their own clients. Client meaningfulness is therefore about the perception of the street-level bureaucrat that a policy is valuable for a client (the client may not feel the same way). For instance, a social worker might feel that when he/she implements a policy focused on getting clients back to work, this indeed helps the client to get employed and improves the quality of life for this client. Granting street-level bureaucrats discretion during policy implementation can increase the client meaningfulness as several situations, street-level bureaucrats face is too complicated to be reduced to programmatic formats. Discretion makes it possible to adapt the policy to meet the local needs of the citizens/clients, increasing the meaningfulness of the policy to clients.

The discretion Public policy also has a positive impact on the implementation of the street-level bureaucrats, the disruption that occurs indicates the good intention for the street-level bureaucrats to run the policy, the purpose of this to succeed in implementation. Discretion on Essential Policy Implementation Bottom-up shows when a delegation of authority is given to making decisions for those working on the front line.

### ***Street-Level Bureaucracy in Public Policy Perspectives***

The role of street-level bureaucrats and their importance to the implementation of public policy has never been more important and more scrutinized. It is not an overstatement to argue that the success of these new public management strategies rests on street-level bureaucrats in public, nonprofit and for-profit agencies providing public service. As noted by Lipsky (1980:13)

The power of street-level bureaucrats to influence public policy implementation derives substantially from their discretion and their relative autonomy from organizational authority. This discretion and autonomy, give street-level bureaucrats substantial power actually to make policy, rather than simply to implement the directives of superiors (Bardach, 1997; Behn, 2001; Brehm and Gates, 1997; Carroll and Siegel, 1999; Elmore, 1979-1980; Lipsky, 1978, 1980; Maynard-Moody and Musheno, 2000; Rothstein, 1996; Sandfort, 2000, Vinzant and Crothers, 1998; Wilson 1978).

Street-Level Bureaucracy in Perspective Public Policy proved to be very generative, The number of policies formed from lower-level bureaucracy. In the public policy of this realm show that what you see in terms of policy-as-produced. More importantly, these studies analyze what you actually get as policy and how you get it. One of the keys to the success of a policy lies in street level bureaucracy, as it is at the forefront of public policy implementation. They are required to realize the policy objectives, namely to solve public problems and meet public needs. To achieve these policy goals, they are always dealing with the interests of people who are different from each other and even those interests often occur contradictory.

Street-level studies have provided empirical confirmation that Lipsky identifies both prevalent and plentiful. They document varieties off-the-books strategies that street-level practitioners manage their work lives in a context in which resources are rarely adequate to the demands of the job. This literature shows not only that resources matter, but, more importantly, how they matter.

From a lower-level bureaucracy, they are the bureaucracy that must make decisions about service delivery, for administrators in an organization that must translate the vague legislative mandate into organizational procedures, discretion is often an important part of the public administrator's job description. With this discretion, scientists have found that administrators often test their power over the representation of

citizens' interests (Mosher 1982; Rourke 1984). Street level bureaucrats subject to different influences, shaped by changing organizational forms and evolving managerial strategies. In light of this transformation,

it is not only the street-level bureaucracy that are of interest, but also the broader array of street-level organizations that are now engaged in policy delivery.

The street-level perspective has contributed to understanding changes in governance and management, exploring the mechanisms through which they alter organizational practices, particularly how they change the conditions of work and to what effect. Street-level studies have taken management research as a matter of performance. They show that whether in public agencies or private ones, street-level practitioners retain discretion, to adapt to their environments affect the conditions under which discretion takes place.

One Street-Level Bureaucracy study is to perform performance measurements that show that when time and resources are limited, attention to unmeasured aspects of performance, even critical ones, are likely to be displaced, so that policy practitioners create a policy that fits policy performance. It is expected that a measurement of performance even with an informal pattern will be able to convey the policy objectives.

### ***Network Based Organization: Resolving Dilemma of Discretion***

Network-based organizations are different from individual organizations, because these organizations are places that can bring together stakeholders to run certain activities. Network-based organization is an organization, which brings together all stakeholders, in the implementation of organizational tasks effectively and efficiently. Thus, this organization has a high spirit of togetherness among stakeholders in the provision of services and public policy.

Network-based organizations as public policy implements can eliminate the dilemma of street level bureaucrats in policy implementation, as it gathers all stakeholders. This organization has characteristics, such as: 1) oriented to higher purpose / common vision; 2) activity affects the whole system (assumption); 3) horizontal organization; 4) voluntary participation; 5) decentralized; 6) member-controlled; 7) self-regulating; 8) collaborative; 9) cognitive; 10) involves a division of labor; 11) autonomous members; and 12) deliberative (Hill, 2002).

For that matter, he must deal directly with the citizens as a target group of policies that demand the fulfillment of its needs quickly on the one hand and must run the rules on the other side. Such conditions require the disclosure of street level bureaucracy to resolve the conflict. Discretion is always confronted with conflict situations in administering public services and policies. It is always required to rule the rules and simultaneously prosecute citizens' wishes through public policy, so Hupe (2013) points out that the main constituents in discretion are rules. Yet, he built the dimension of discretion from various theoretical perspectives. Based on the perspective of the theory Hupe gave birth to the dimension of discretion that includes, delegated authority, interest representation, freedom of judgment, and public values via public power.

Delegated authority is one of the main dimensions of discretion from juridical view. The foundation for discretion is situated in legal rules. These rules may have been formulated in law in a literal sense, but in fact this applies to the formal rules of laid down in public policies. According to Hawkins cited by Hupe (2013) that law is fundamentally an interpretive enterprise, discretion, as the translation of the rule in action, is inevitable. On legitimate basis margins are circumscribed within which a degree of freedom for the rule of application is granted.

In the economic view of interest representation is central. The principal makes rational choice about how interests can be realized. The freedom granted to an agent is checked by controls. Being aware that other actors may be useful to realize his preferences, the principal seeks an agent. The choice of the agent must be functional to the realization of the interests of the principal. The problem of trust is addressed in terms of adverse selections. When the agent works in the name of the principal, their relationship is characterized by information asymmetry. Because the behavior of the agent cannot be completely supervised, the principal makes a claim to the loyalty of the agent. However, even when monitoring procedures have been designed, control of the agent by the principal remains a risk (moral hazard).

Another dimension of discrimination derived from sociological view is freedom of judgment. This dimension depends on the individual capacity to assess situations in the interaction with the clients, and the result of professional training and experience. Furthermore, the reference point is the pursuit of public values in the name of the common good.

## **III. RESEARCH METHOD**

### ***Research Location***

This study located in Makassar City with the consideration that it has a lot of street vendors in comparison with other cities in South Sulawesi Province. Street vendors are also a serious problem, because they can cause chaos and congestion of city traffic. The number of street vendors about 14,000 people in 2016 (Disperindag, 2016).

### Research Design and Strategy

The research design is a qualitative and the strategy is a case study. The use of this design is to uncover the empowerment of vendors based on context. In the case study, there are three types of research, namely the type of explorative, descriptive, and explanative (Yin, 2000). This research strategy uses explanative research type.

### Informants

Informants in the study were determined purposively, i.e. they are deemed to have competence in relation to the implementation of the street vendor's empowerment policy in Makassar. Such determinations are based on the judgment of experts (or the researchers themselves) for a specific purpose or specific situations (Neuman, 1997). The informants in this study were: (1) the Mayor of Makassar City; (2) Community Empowerment Institution (LPM); (3) Street Vendors Arrangement and Empowerment Coordination Team; (4) Head of Trade Department of Makassar City; (5) Head of Community Empowerment of Makassar City; (6) Street Vendors in Makassar City; (7) NGOs relating street vendors; and (8) The community leaders in Makassar City.

### Data Collection Techniques

Data collection techniques used in this study are observed, in-depth interviews, and documents. Observations were made primarily related to the tangible object, such as the condition of the place and goods sold by street vendors. Depth interviews were conducted in the informants mentioned above, while documentation technique is collecting documents such regulations, journals, and research results related to this study.

## IV. RESULT AND DISCUSSION

The discourse of community empowerment institution (LPM) as a network based organization and also as Street Level Bureaucracy In Implementation of PKL Empowerment Policy in Makassar City includes 4 important components, namely delegated authority, interest representation, freedom of judgment, and public value. These four components are described below.

### Delegated Authority Analysis To LPM as Street Level Bureaucracy In Implementation of PKL Empowerment Policy in Makassar City

Delegated authority is one of the important components in LPM discretion as street level bureaucracy. Delegated authority derives from the rule of law which is used as the basis in the implementation of policy by street vendors in Makassar. In this case, there are some legal rules that serve as the basis for implementers to implement this policy, namely Local Regulation no. 10 of 1990, Decree of the Mayor of Makassar. 44 Year 2002, Decision of Mayor of Makassar. 20 of 2004, and Presidential Regulation no. 125 Year 2012. This can be seen in table 1 below.

Table 1

No	Regulation	Substance	Implementation
1.	Local Regulation No. 10 Year 1990	Supervision on Street Vendors in Ujung Pandang City Neighborhood (Makassar)	Ineffective
2.	Makassar Mayor Decision No. 44 Year 2002	Appointment of Multiple Places which Can and Cannot be Used By Street Vendors in Makassar City Area	Ineffective
3.	Makassar Mayor Decision No. 20 Year 2004	Permanent Procedure (Protap) Ordering of Informal Sector Traders (PKL) in Makassar City Region	Ineffective
4.	President Regulation No. 125 Year 2012	Coordination of Structuring and Empowerment of street vendors	Ineffective

Source: Data Reduction Result, 2017

Based on table 1 above, there are 4 rules that become the basis for LPM in carrying out its authority as an institution of street vendors in Makassar. These four rules also serve as a reference and at the same time restrict their authority to empower street vendors in Makassar. The rule did not work effectively, because the implementers, namely the Civil Service Police Unit, Sub-District, Sub-district, and LPM did not build synergy in the socialization and enforcement of these rules.

Civil Service Police Unit in carrying out guidance, as arranged in Local Regulation no. 10 Year 1990 always use power or physical approach in the form of threat in enforcement of rules so PKL run when they come, but when they are away, then the street vendors run their activity in the same place, not only that, it is often conflicting of fight between street vendors and civil service officers in accordance with the rules of their main duty is to carry



out the maintenance and the implementation of tranquility and public order, enforcing local regulations and regulations of the mayor / regent. Subsequently, Sub-districts and Sub-districts as well as coaches in their respective areas were unable to perform their duties effectively. This is due to their inability to approach persuasion of street vendors in their area, as well as the lurahs consider the guidance of the street vendors is not their responsibility so that the form of non-ignorance and stupid in handling street vendors in their region.

The result is an increasing number of street vendors from year to year as mentioned in the introductory section above. All of the above regulations require the development of street vendors, but the implements from upper to lower levels, including LPM cadres can not stop the activities of street vendors in public places or places that are prohibited from the activities of street vendors. This happens because they do not have a place to sell that allows goods merchandise purchased by consumers. In general, they sell on the main street of Makassar. LPM cadres cannot afford to approach persuasive to them, because in addition to not having authoritative power they also do not have the skills of street vendors.

The phenomenon of unsuccessful empowerment of street vendors in Makassar City because of the inability of the implements or street level bureaucracy to implement discretion but the capabilities of the implements are not adequate. LPM does not have empowerment skills because its members are community leaders who are appointed or made members of LPM as community representatives. In addition, LPM is always faced with conflict situations, where street vendors sell in a public space because the economic demands of the family and the place of selling is a place that is forbidden to sell because it causes congestion and chaos of the city. This situation, according to Lipsky (1980) requires a discretion but LPM can not do it because it does not have skills about it.

#### ***Analysis of Interest Representation LPM as Street Level Bureaucracy In Implementation of Public Policy in Makassar City***

From an economic perspective, interest representation is one of the main components of street level bureaucracy discretion. Interest representation requires the interests of the principal and the interests of the agents in line or the interests of both parties are mutually understood. In the policy of PKL empowerment, the principal in question is the Mayor and the agent is the policy implemented, including the Community Empowerment (BPM), the District Government, the Village Government, and LPM. The interests of principals and agents in the policy of street vendors can be seen in table 2 below.

Table 2

Stakeholders in the Empowerment of Street vendors in Makassar

No	Stakeholders	Interests	Duties	Realization
1.	Mayor of Makassar City	Supervision and Empowerment of Street Vendors in Makassar City	Decision Maker	To release certain policies as indicated in table 1
2.	People Empowerment Bureau, Makassar City	Street Vendor Empowerment	Coordinating and Implementing empowerment policy	Ineffective
3.	District Government	Street Vendor Empowerment	Coordinating and Implementing street vendors empowerment in their areas	Ineffective
4.	Sub-district Government	Street Vendor Empowerment	Coordinating and Implementing street vendors empowerment in their areas	Ineffective
5.	Community Empowerment Institution (LPM)	Street Vendor Empowerment	Government partner in Community empowerment	Ineffective

Source: Data Reduction Result, 2017

Based on the above table, the Mayor of Makassar as a principal has made a policy of coaching or empowerment of street vendors in the city of Makassar. In terms of interest, principal and agents have the same interests, namely the empowerment of street vendors. However, the agents have not been able to realize the policy. Agents as implementers do not yet have the same understanding of empowerment and have no skills about it. In addition, principals and agents do not have a clear contract in the implementation of this policy, so their relationship is always marked by information asymmetry (Hupe, 2013).

This happens, because the principal does not have hierarchical control of the agents so that moral hazard occurs for agents.

In addition, principals and agents do not have a common interest in empowering street vendors. In this regard, these policies have not been regarded as a common movement in overcoming street vendors in Makassar. In the bureaucratic system, hierarchical control is not clear because it is not equipped with clear objectives and achievements from both parties in a contract. As a result, success and failure are difficult to determine in the implementation of policy of street vendors in Makassar.

### *Freedom of Judgment LPM Analysis as Street Level Bureaucracy In Implementation of Public Policy in Makassar City*

The freedom of judgment is one of the main components of discretion. In the sociological perspective the freedom of judgment is determined by the capacity, judgment of the policy implemented, which is largely determined by the experience and training of the implementers of this policy. In this case, discretion will succeed if freedom owned by the implementer is also large. The ability of the policy implementers can be seen in table 3 below.

Table 3  
Training Implemented by Implementers

District	Sub-district	Community Empowerment Institution (LPM)	Street Vendors
<b>Ujung Pandang:</b> ▪ Never	<b>Mangkura:</b> ▪ Never	▪ Customer Service ▪ Technical Guidance	A part: ▪ Customer Service
	<b>Losari:</b> ▪ Never	Technical Guidance	A part: ▪ Customer Service
	<b>Lae-Lae:</b> ▪ Never	Technical Guidance	Never
<b>Makassar:</b> ▪ Never	<b>Lariang Bangi:</b> ▪ Never	Technical Guidance	Never
	<b>Maradekaya Utara:</b> ▪ Never	Technical Guidance	Never
	<b>Bara-Baraya:</b> ▪ Never	Technical Guidance	Never
<b>Bontoala:</b> ▪ Never	<b>Timungan Lompoa:</b> ▪ Never	Technical Guidance	Never
	<b>Malimongan Baru:</b> ▪ Never	Technical Guidance	A part ▪ Proper technology
	<b>Baraya:</b> ▪ Never	Technical Guidance	Never

Source: Data Reduction Result, 2017

Based on table 3 above, there are 2 implementers of this policy have never received training on the empowerment of street vendors, the District Government (Community Empowerment Section) and the Sub-District Government (Community Empowerment Section). Later, LPM generally only received training on technical guidance on the management of LPM grant funds to be channeled to street vendors. The same thing happened to street vendors, in general, also never received training on improving their skills. In addition, the committee and cadres of LPM are representative of citizens who do not understand about the empowerment of street vendors in Makassar.

This phenomenon indicates that the discretion of the implementers is very difficult because of a very strong hierarchical authority in government bureaucracy (Weber bureaucracy). Autonomy and freedom of the implementers are very limited in implementing this policy. They just wait for orders from superiors to do and not to do an activity. Therefore, education and training on the tasks of the implementers does not mean much in the implementation of their duties. Education and training in the bureaucracy does not improve their ability especially increase their autonomy and freedom. This happens because the bureaucratic system in Indonesia is still rule-oriented, not goal-based.

Furthermore, LPM as a sub-district government partner in community empowerment and in the study identified as a network-based organization has been designed to resemble a bureaucratic organization. It has the task of empowering the community but the government has determined its membership i.e. community leaders in the region, where the figure has no community empowerment background. As a result, the LPM does not have high autonomy and freedom in carrying out empowerment tasks.

**Public Values Analysis To LPM as Street Level Bureaucracy In Implementation of PKL Empowerment Policy in Makassar City**

Public values are one of the important dimensions of discretion from a political perspective. To achieve these values, the implementers of this policy require public legitimacy, including LPM. The implementers will get legitimacy from the public if they have the ability or expertise to carry out their work. This can happen if the recruitment process is done professionally. Table 4 below shows the recruitment process of the implementers of this policy.

Table 4  
Recruitment of Empowerment Policy Implementers of Street Vendors in Makassar City

District	Sub-District	Community Empowerment Institution (LPM)
Ujung Pandang: ▪ No	Mangkura: ▪ No	Representatives of citizens
	Losari: ▪ No	Representatives of citizens
	Lae-Lae: ▪ No	Representatives of citizens
Makassar: ▪ No	Lariang Bangi: ▪ No	Representatives of citizens
	Maradekaya Utara: ▪ No	Representatives of citizens
	Bara-Baraya: ▪ No	Representatives of citizens
Bontoala: ▪ No	Timungan Lompoa: ▪ No	Representatives of citizens
	Malimongan Baru: ▪ No	Representatives of citizens
	Baraya: ▪ No	Representatives of citizens

Source: Data Reduction Result, 2017

Based on table 4 above the recruitment process of implementers of empowerment policy of street vendors in Makassar City through the process of appointing civil servants for implementers at the sub-district and village level, but LPM through citizen representatives as determined by the Government. Such recruitment process, of course, will not grow a legitimate implementer, because the process does not solely rely on professional factors but more emphasis on citizen representation or caliber. LPM as an organization in charge of empowering the community but its members do not have sufficient ability to empower them.

The above phenomenon shows that the discretion can achieve public value such as justice (Hupe, 2013) if they get public legitimacy. This does not happen because the implementers of this policy do not have the ability to empower the street vendors. The implementers work in a bureaucratic system, in which the system is not oriented to public values but more of a rule of thumb. In the context of the political-administrative dichotomy as suggested by Wilson (1887) and Goodnow (1900), that what has been legitimately decided upon in the institutions of state and democracy, should be done accordingly. This means that political decisions are decisions that have public values and implementers running values.

## V. CONCLUSION

Community Empowerment Institution as a network-based organization was not able to overcome the dilemma of discretion in the implementation of an empowerment policy of street vendors. LPM or Community Empowerment Institution is always faced with complicated situations, where street vendors run their activities in public space due to family economic demands, on the other hand, where street vendors sell is a prohibited place because it causes city chaos and traffic jam. In this case, the dilemmatic situation between goals, - empowerment, with rule enforcement.

This happens because this institution does not have professional cadres in community empowerment. This is caused by the recruitment process that has been established by the government does not solely rely on professional factors but also other factors. Thus, LPM cadres are actually unable to empower the community because these cadres come from community figures (representatives of citizens).



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