

MERIT SYSTEM POLICY IN IMPLEMENTING POSITION MOVEMENTS IN THE SIMEULUE DISTRICT GOVERNMENT OF ACEH PROVINCE

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ABSTRACT

Merit System is the placement of someone with a high leadership position based on their competency. The government as the holder of power always makes new regulations or policies and also changes existing policies, to improve the quality of life of the people and the government institution itself. This article aims to analyze the merit system policy in the implementation of the government in Indonesia in implementing the principles of good governance and to see how the role of Baperjakat in making the mutation decision letter has caused problems between ASN and the Regent of Simeulue. The research method uses descriptive qualitative through literature review and research information. Sources of data are obtained through journals, news, and documents. Data analysis techniques using Nvivo plus 12 analysis in the form of the crosstab. The results showed that the procedure for the policy of the position of the State Civil Apparatus (ASN) issued by the Regent of Simeulue was not based on established rules. In the process of mutation, the basic foundation of its implementation is still to use the seniority system and the spoil system where this system is not well used in the mutation process. In this mutation, the application is not by the principles of good governance.

Keywords: *Merit system, Policy, Good Governance.*

A. PRELIMINARY

The reform provides demands for changes in the bureaucratic system. The quality of staffing affects the good and bad of the bureaucracy because the dynamics in the implementation of the bureaucracy has an important role in all aspects of public service and governance (Sudrajat, 2014). To carry out government policy, the bureaucracy becomes the main engine as the actor implementing the policy. In good governance, the bureaucracy must meet at least five aspects, namely: institutions/organizations, human resources, being regular,

sustainable, and goal-oriented (Sawir, 2015). Especially with the development of technology, the government apparatus has a very important role in the administration of government (Nasution, Nasution, & Alpi, 2019).

The support of transformative leadership as an effort to change the bureaucracy is believed to be able to improve the performance of the bureaucracy in facing the challenges of reform and the demands of era change (Umam, 2019). Human resource development is based on a merit system through filling positions openly and competitively supported by strong leadership and a commitment to realizing good government governance. Access to achieving good public services begins with filling positions through the principle of "the right man in the right place" (Sudrajat, 2014). The merit system is the right mechanism for developing bureaucratic human resources because it encourages proportional and professional bureaucratic management. With the application of the merit system, state officials who truly meet the criteria will be selected, not because they are close to related officials so they get the position (Sahambangung et al., 2019). The Merit System is a policy and management of ASN which is based on qualifications, competence, and performance fairly and reasonably without distinction of political background, race, color, religion, origin, gender, marital status, age, or disability.

The implementation of the merit system is carried out by selecting open positions to become the benchmark for the application of this system, which in turn becomes a field for betting on the readiness of implementing the merit system. With a merit system, it is hoped that it can prevent the sale and purchase of positions (Sahambangung et al., 2019). The merit system is implemented with the spirit to increase independence and neutrality, competence, performance, integrity, welfare, quality of public services, as well as supervision and accountability of state civil servants (Nurprojo, 2014). However, in practice, the obstacle that is still difficult to avoid is mainly related to the transfer of officials.

The mutation policy often generates positive and negative responses from both the State Civil Service (ASN) and the community. The Regent of Simeulue, Erli Hasim, has been inaugurated in July 2017 as one of the regional heads who issued a transfer policy but this has caused public controversy in Simeulue Regency. This was in the spotlight after the inauguration of 314 officials from echelon II, III-A, III B, IV A, IV, and head of public health center, then removed 63 civil servants from their positions and lowered their echelons without clear procedures without involving Baperjakat as an advisory body for position and rank. This incident made Simeulue Regent Erli Hasim sued at the Banda Aceh PTUN by 32 people out of 63 who were removed from their posts and not given clarity on where their duties were (dismissed), so they felt treated unfairly and arbitrarily by the regional head. (Republika.co.id, 2018). The lawsuit by 32 State Civil Service Officers (ASN) who were dismissed from their positions by Regent Erly Hasyim was granted by the Banda Aceh State Administrative Court (PTUN) Panel of Judges on 3 September 2018. The panel of judges obliged the Regent of Simeulue to revoke the Decree on the dismissal and appointment of ASN or at least to return to his original position or level because the Simeulue Regent's Decree regarding the transfer was not following procedure (serambinews.com,

2018). The process of appointing a State Civil Apparatus is elected and promoted not based on a merit system but rather due to the politicization of the bureaucracy,

Previous research on the merit system was carried out by Salman (2019), with a focus on describing and analyzing the filling of high-ranking Pratama positions in West Sulawesi from a merit system perspective. The result is that the overall merit system cannot be implemented in filling the high-ranking Pratama leaders in Central Mamuju Regency because in practice it is still done by Job Fit and Inauguration. Then another research conducted by Faiz, Astuti, and Afriza (2020), which has research focuses on describing the merit system in the process of filling and assigning Executive Positions in the Regional Civil Service Agency of Central Java Province and the factors that influence this process. The results showed that in the process of filling and placing HR for the Executive Position, the selection of CPNS in 2014 and 2018 was by the principle of the merit system, although overall it was not yet fully implemented. Then in the process of filling and assigning executive officers, it is influenced by factors, namely leadership commitment, human resources, and regulations.

The implementation of the merit system carried out by the local government through the spirit of the ASN Law shows a strong commitment to continue to carry out bureaucratic reform by increasing independence and neutrality, competence, work performance/productivity, integrity, welfare, quality of public services, as well as supervision and accountability of the State Civil Service. Employment management based on a merit system is carried out by prioritizing the principles of professionalism/competence, qualifications, performance, transparency, objectivity, and freedom from political intervention and corruption, collusion, and nepotism (KKN). Departing from the main problem in the transfer of positions that occurred in Simeulue Regency.

B. LITERATURE REVIEW

a. Concept Merit System

The management of the state civil apparatus based on the merit system is one form of bureaucratic reform that is being used in the principles of governance in Indonesia. (Tondowana, Rorong, & Londa, 2018). The merit system is used as a basis for a good transfer because output and work productivity increase, morale increases, the number of mistakes made decreases, employee absences are getting better, employee discipline is getting better (Meyrina, 2016). This system encourages the process of placing someone with a high leadership position based on their competencies (Ismail, 2019). According to Moekijat (2007), the merit system is a system in the field of employment which is based on practical and theoretical skills in the process of appointing employees. (Supriatna, 2020). Practical skills are proven by how the employees' ability to do practical work daily, while theoretical skills are proven by bypassing the job selection examination.

Management of human resources that is based on achievement (merit) makes all work behavior in its form, whether good or not work and which affects the rise or fall of one's income and career. (Muzakir, 2015). Merit is a form of

appreciation from an agency or company to its employees for their good and satisfying work results. This system is used to oppose the bureaucracy that is full of nepotistic behavior and the spoils system in filling public positions. (Aholiab Mosso & Sumampow, 2018). This system aims to protect the bureaucracy so that it has organic-adaptive characteristics, harmony, politics, neutrality, and orientation to public services and does not have bureaumania disease anymore. (Sahambangung et al., 2019). However, in the implementation of the merit system process, it has started to be contaminated with monopolistic practices, a recruitment system that indicates the influence of political parties and many other practices that affect this system are not running well. (Ismail, 2019).

Merit System is employee mutation based on a scientific basis, objective, and work performance results (Meyrina, 2016). Every employee has a great opportunity to excel. This begins with recruitment, development, placement in Job Promotions, according to the description of the contents of the ASN Law Article 70 paragraph(1). Six important points must be considered in the merit system. First, regarding the organization of ASN planning based on organizational functions through job analysis and workload analysis, staffing audits to adjust the direction of national policies. Second, recruitment oriented towards the best talents, job-based recruitment (diversification of tests) & certification, TKD & TKB computerized systems for each assignment to a new position. Third, capacity building in reducing competency gaps utilizing training 20 hours per year for each civil servant, Training Need Analysis (TNA), Training, Coaching & Mentoring based on performance. Fourth, continuous performance appraisal by forming a Performance Appraisal Team, Performance dialogue, and Merit & performance-based incentives. Fifth, promotion and rotation to dynamic civil servants utilizing talent mapping, succession & career planning, and national rotation as the glue of the Republic of Indonesia. Open recruitment is one way before getting the best candidates in the organization (talent management). Talent mapping needs to be established through a standardized assessment center by BKN, so that every organization needs to form internal assessors to get the best talent. The current government will change the pension system, in which civil servants contribute through defined contributions so that it does not overly burden the state budget (Open recruitment is one way before getting the best candidates in the organization (talent management). Talent mapping needs to be formed through a standardized assessment center by BKN, so that every organization needs to form internal assessors to get the best talent. The current government will change the pension system, in which civil servants contribute through defined contributions so that it does not overly burden the state budget (Open recruitment is one way before getting the best candidates in the organization (talent management). Talent mapping needs to be formed through a standardized assessment center by BKN, so that every organization needs to form internal assessors to get the best talent. The current government will change the pension system, in which civil servants contribute through defined contributions so that it does not overly burden the state budget (Appreciate properly with changes in pension systems and adequate compensation systems. The current government will change the pension system, in which civil servants contribute through defined contributions so that it does not

overly burden the state budget (Appreciate properly with changes in pension systems and adequate compensation systems. The current government will change the pension system, in which civil servants contribute through defined contributions so that it does not overly burden the state budget (www.menpan.go.id).

b. performance assessment

Performance appraisal/work performance of employees is also defined as the process of observing (observing) the implementation of the work of an employee/member of an organization or work team. (Wijaya, Sumardjo, & Asngari, 2017). The results of these observations are measured which are expressed in the form of scores or values that indicate weaknesses or strengths as well as the success or failure of an employee and member of the organization in carrying out their main job (Hacinamiento & El, 2017). Productive or competence as the basis for a merit system, which means that each individual is assessed based on proficiency, ability, authority or competence, capability, and agile (Meyrina, 2016). Human resource competency indicators are in improving performance: a. Employee skills in using information technology, employee knowledge of the accounting cycle, expertise in compiling and presenting reports, Have attended report administration training, prioritizing ethics, and code of ethics (Sapartiningsih, Suharno, & Kristianto, 2018). Job performance appraisals compare a person's work performance with the standards or goals developed for that person's position (Iskarim, 2017). Low performance may signal a need for corrective action, such as additional training, demotions, or layoffs, while high performance may result in rewards, such as a raise, bonus, or promotion (Iskarim, 2017). Although an employee's direct supervisor conducts performance appraisals, the HR management department is responsible for working with top-level management to establish policies by which all performance appraisals guide. (Sahambangung et al., 2019).

c. Good governance

The desire of the government to make changes in governance that serves to realize better services. So far, public perception of public services is not good, service bureaucracy is slow, less professional, and high costs. Halim & Damayanti, (2007) state that Good Governance is a solid and responsible government administration, efficient and effective by maintaining constructive interactions between the domains of the state, private sector, and society. (Putu & Raheni, 2019). Good governance is a government activity that is carried out based on the interests of the wider community to realize the goals of the country which have been regulated through official regulations at various levels of government related to socio-culture, politics, and economy. (Maryam, 2016). In simple terms, good governance can be defined as good governance based on the basic principles of good governance.

To be able to realize good governance, the principles of good governance are an obligation that must be implemented in every important government institution, both the executive, legislative and judicial branches. When the principles of good governance have been implemented, the state or government, the private sector, and civil society must also support each other and participate

actively in the ongoing process of governance. The basic principles of good governance are participation, rule of law, transparency, responsiveness, consensus-oriented, equity and inclusiveness, effectiveness and efficiency, accountability. (Asharri & Astuti, 2018).

C. METHODS

The research method uses qualitative methods that are descriptive through literature reviews and research information. Qualitative research is research on research that is descriptive and tends to use analysis, process, and meaning (subject perspective) are emphasized and prioritized in qualitative research (Agung, Dian, 2019). This article discusses the policy of the merit system in the implementation of the government in Indonesia. Sources of data are obtained through journals, news, and documents. The data analysis technique uses the Nvivo plus 12 analysis in the form of the crosstab. NVivo is an application that can answer the needs of qualitative and mixed methods researchers (qualitative and quantitative) in managing and analyzing data effectively and efficiently, both for individual research and team research.

D. EXPLANATION

a. Good Governance in the Implementation of Mutation Policy in Simeulue Regency

The implementation of a state government that is solid and responsible, as well as efficient and effective, by maintaining the synergy of constructive interactions among the three domains: the state, the private sector, and society (society). Good governance has eight very principle characteristics, namely: participation, rule of law, transparency, responsiveness, consensus-oriented, equity and inclusiveness, effectiveness and efficiency, accountability (Asharri & Astuti, 2018).

1. Participation

In making policy, it must involve all sectors that have their respective roles and authorities in the policies to be taken. This is to get a good policy result. However, from the results of the study, it was found that in making this transfer policy, the Regent as an employee coach did not involve the Baperjakat team as a team that had the authority to evaluate ASN to be transferred. This is in line with the results of the researcher's interview with the Regent and the findings of the researcher regarding the result of the Hearing Meeting (RDP) by the DPRK of Simeulue Regency with the Head of the Baperjakat Team, namely the Regional Secretary of Simeulue. The RDP discussed the involvement of the Baperjakat team in the transfer. From the results of the RDP, the transfer process did not involve Baperjakat as the party having the authority.

In the mutation process, it can be said that it is not following the applicable regulations because it does not involve the party in the process. As stipulated in Article 72 of the ASN Law. With the absence of Baperjakat, this transfer process has resulted in the disapproval of ASNs who were transferred from their positions. This has made ASN question the validity of the mutation procedure.

2. Rull Of Law

In stipulating the mutation policy carried out by the Simeulue Government it was not by statutory regulations. Because it does not involve Baperjakat in the mutation process and does not make prior summons to ASNs that will be derived from their echelons in this mutation. Law enforcement or following applicable rules must be carried out in various actions taken by the government. So that the policymaking process does not cause problems because it does not comply with what has been regulated by law. This is to create equitable policies for all parties and must be enforced by the government.

3. Transparency

In terms of transparency on these mutations, the government has not implemented transparency in this transfer process. This can be seen in the absence of prior notification to ASN that there will be mutations. Previous summons to ASN who will be demoted from their positions is also not made in this transfer. There should be a summons from the government to the ASN who will be demoted from their position and notified of the mistakes made by the ASN so that they are demoted from their position. The mutation process should not be covered up but can be accessed by everyone so that the process can be known. The application of transparency is also explained in Article 76 Paragraph 2 of the ASN Law that the assessment of civil servant performance is carried out in an objective, measurable, accountable, participatory, and transparent manner.

4. Responsiveness

The responsiveness of the government is still not good. As from the research results, after the transfer was made, the ASN who was removed from his position submitted an objection letter to the Regent as the policymaker. The ASN also asked to meet with the Regent to ask about the reasons for his removal from office. However, the government did not respond to the letter. This should not have happened. The regent must be responsive to the problems that occur. The Regent can at least meet the ASNs to provide insight and explanation regarding the objections raised by the ASNs.

5. Consensus Orientation

According to Rewansyah in Mustafa (2014: 194), a good government must act as an intermediary for various interests to reach a consensus or the best opportunity for the interests of each party. However, what happened in the field was that the government did not mediate between the various interests that existed in Simeulue. In Simeulue Regency, four different languages become the identity of each of these areas. These four languages are spoken in different regions. Like the first, the Jame language is used by the people of the district capital. The second language is the Defayan language used by people in six sub-districts. The third, Sigulai language is used by people in three sub-districts in Simelue Regency.

The differences in the language mentioned above are characteristic or different between regions in Simeulue. In this case, the researcher sees that the government cannot mediate between the various interests that exist from these various regions. This can be seen from the majority of those who were promoted at the transfer were people using the Sigulai language. On the other hand, those

who were demoted from their positions were the majority of the Defayan language. Researchers see that in this mutation, the Regent still uses regional egos. Where the Regent is from the area with the Sigulai language. As stated by Nofriadi, starting from the teacher level to the top level those who were promoted were people from the area of origin of the Regent. This is very inconsistent with the principles of good governance where the Regent should be able to accommodate and mediate for various interests. The Regent should not differentiate between people from their political background and the background of their region of origin. Also, the Simeulue Government did not act as a mediator for the problems that occurred. This can be seen from the absence of summons from the government to ASN who wish to contest the transfer decision. When an objection is made by ASN, the government should call to explain the transfer. This is done to minimize ASN suing to the Administrative Court. The Regent should not differentiate between people from their political background and the background of their region of origin. Also, the Simeulue Government did not mediate the problems that occurred. This can be seen from the absence of summons from the government to ASN who wish to contest the transfer decision. When an objection is made by ASN, the government should call to explain the transfer. This is done to minimize ASN suing to the Administrative Court. The Regent should not differentiate between people from their political background and the background of their region of origin. Also, the Simeulue Government did not act as a mediator for the problems that occurred. This can be seen from the absence of a summons from the government to ASN who wish to challenge the transfer decision. When an objection is made by ASN, the government should call to explain the transfer. This is done to minimize ASN suing to the Administrative Court. When an objection is made by ASN, the government should call to explain the transfer. This is done to minimize ASN suing to the Administrative Court. When an objection is made by ASN, the government should call to explain the transfer. This is done to minimize ASN suing to the Administrative Court.

6. Equity and inclusiveness

In making the transfer policy, the government must treat it fairly. However, this was not done by the government. During the transfer process, the government unilaterally removed thirty-two ASNs from their posts. Where previously these ASNs never received a warning letter or summons because they had committed a disciplinary violation. This is certainly not following the applicable procedures. By the Government Regulation of the Republic of Indonesia Number 53 of 2010 concerning Discipline of Civil Servants (PP 53 of 2010) Article 7, namely:

- (1) The disciplinary levels consist of:
 - a. light disciplinary punishment;
 - b. moderate disciplinary punishment; and
 - c. severe disciplinary punishment.
- (2) Types of mild disciplinary punishment as referred to in paragraph (1) letter consist of:
 - a. verbal warning;
 - b. a written warning; and
 - c. dissatisfied statement in writing.

- (3) Types of moderate disciplinary punishment as referred to in paragraph (1) letter b consist of:
- a. postponement of periodic salary increases for 1 (one) year;
 - b. postponement of promotion for 1 (one) year; and
 - c. promotion for one (1) year lower level.
- (4) Types of severe disciplinary punishment as referred to in paragraph (1) letter c consist of:
- a. demotion to a lower level for 3 (three) years;
 - b. transfer in the context of a lower level demotion;
 - c. exemption from office;
 - d. honorably dismissal not at his request as a civil servant; and
 - e. dishonorable discharge as a civil servant.

From the 2010 PP above, it can be seen that ASN is demoted from its position lower than the previous position if it has a mistake and violates ASN discipline. As stated by Zainal Abidin, if indeed the ASN has an error, it will be examined by the competent body and then the ASN will be guided. The mutation process was deemed unfair because the ASNs had never committed any violations, whether minor or serious violations. The government should treat ASN fairly. It is better not to look based on closeness but by first assessing the educational background and performance results and achievements of the ASNs.

7. Effectiveness and efficiency (Effectiveness and Efficiency)

Every activity and the institutional process is directed to produce something that is really by the needs through the best possible use of the various available sources. Utilization from various parties is needed to meet the desired needs. In this mutation process, it does not take advantage of available sources such as not involving Baperjakat in this mutation process. Also, the use of human resources can be seen from the ASNs who have been demoted from their positions are ASNs who work well and have achievements both personally and institutionally. However, they were not involved and were not put to good use.

8. Accountability (Accountability)

In making policy, the government must be accountable both legally and to the wider community. However, this mutation is not accountable because the first Baperjakat is not involved in the mutation process, the second mutation is not by the merit system, and the third process is not by the applicable rules in the ASN mutation.

The foregoing cannot be accounted for because it is not by applicable law and is not by the procedures that should be carried out. As a rule of law, everything the government should do must be based on applicable law. The government should not act at will without the law because it is not justified in a country of law. The government should make the transfer according to the laws and regulations because all the procedures have been regulated in the ASN Law and PP 11 of 2017 Article 56, namely.

- (1) Every civil servant who meets the requirements for a position has the same opportunity to be appointed in a vacant JA.

- (2) PyB proposes the appointment of PNS in JA to PPK after receiving consideration from the PNS performance appraisal team at Government Agencies.
- (3) The consideration of the PNS performance appraisal team as referred to in paragraph (2) shall be carried out based on an objective comparison between competence, qualifications, position requirements, assessment of work performance, leadership, cooperation, creativity, regardless of gender, ethnicity, religion, race, and group.
- (4) PPK determines the appointment decision in JA.
- (5) PPK as referred to in paragraph (4) may authorize officials in its environment to determine appointments in JA.
- (6)(5) Further provisions regarding the procedure for granting the power of appointment in the JA as referred to in paragraph (5) shall be regulated in a Ministerial Regulation.

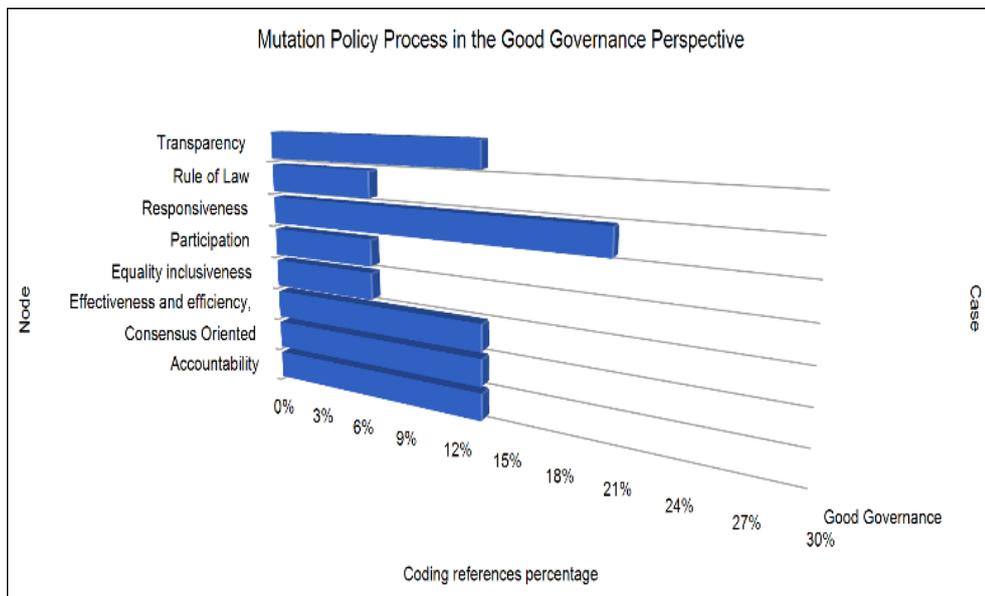


Figure 1: Results of the Nvivo 12 Plus analysis, processed by researchers, 2020.

Figure 1 shows that in the policy process, mutations in the perspective of good governance have different percentages. It can be seen that transparency, effectiveness, consensus-oriented, and accountability have the same percentage in the policy transfer process. Then the Rule of law, participation, and equality have the same position. Lastly, Responsiveness is one of the points that can be said to be the highest point than the others. However, in the transfer policy process carried out by the Simeulue Government, there were still some deficiencies in the application of the concept of good governance. The ASN transfer process does not go through Baperjakat as the employee performance appraisal team to be transferred. This is not following the ASN Law which regulates the mechanism for implementing ASN mutations. According to Erli Hasim, the transfer was taken over by the Regent himself without involving Baperjakat for the technical

implementation. The policy was taken directly by the regent because he felt that he had a need that had to be met. This transfer policy does not involve Baperjakat but is implemented by a special team that is formed by the Regent himself even though the formation is not official. In this transfer, the Regent selects an assessment team based on the people he has entrusted, namely the people closest to him. The Baperjakat team, which is the assessment team authorized in the transfer, was not given the trust to manage this mutation. The formation of the ASN assessment and drafting team to be transferred is not a team formed officially and not following applicable regulations. (Nurprojo, 2014).

b. Policy Procedure for Transfer of Position of State Civil Apparatus Issued by the Regent of Simeulue

The policy of transferring the State Civil Apparatus (ASN) issued by the Simeulue Government was the result of decision making by the government as an increase in efficiency and effectiveness at work. This policy was taken by the government to refresh work and build new work experiences with different workloads for ASNs. Government policy is to make or make decisions to then take action by the government together with the people who are controlled and regulated and or unilaterally by the government against the people (Wati, Herawati, & Sinarwati, 2016). At the locus of government, the policy must be understood as government policy which can be interpreted as a statement of will carried out by the government based on the power it has. (Feri & Fithriana, 2019) Government is power, without power government has no meaning.

The policy taken by the Simeulue Government as the holder of power was the policy of transferring ASN. This policy was to change the system to make it even better for Simeulue's government organizations. However, in making the policy, the transfer must be by the established rules so that the implementation of this policy does not cause problems. The procedures and rules in the transfer policy have been regulated in Law Number 5 of 2014 concerning State Civil Servants (ASN Law) Article 51, namely: ASN management is organized based on a Merit System.

c. Employee Mutation System

A mutation is a change in position /job that is carried out both horizontally and vertically (promotion/demotion) within an organization (Iskarim, 2017). The mutation is included in the employee development function because the goal is to increase the efficiency and effectiveness of work in the company. Three systems form the basis for implementing employee transfers (Jelfi H. Tampilang & Pangemanan, 2019), that is:

- 1) Seniority System: This is a transfer based on or based on the length of service, age, and work experience of the employee concerned. This mutation system is not objective because the skills of people who are transferred based on seniority are not necessarily able to occupy new positions. Based on interviews with researchers, the Simeulue District Government in policy making still uses this system. The Simeulue government is still looking at the length of service for the ASN to be transferred. As stated by Sabu Nasiran assessment of the aspect of the rank of the employee and also seeing the tenure, with ASN's experience in working so far is considered capable of carrying out new tasks.

In other words, the government is still using a system deemed unsuitable for use in the transfer policy. Because seeing from the aspect of work tenure, age, and long work experience which are not necessarily by the science of the ASN.

- 2) Spoil System: This is a mutation that is based on kinship. This mutation system is not good because it is based on considerations of like it or not. The Simeulue government is still adopting this system, in which the regent as the holder of power in the area plays an important role in this policy of transfer. From the interview results, it was found that the mutation process was taken over directly by the regent. In other words, Baperjakat as the authorized party in the assessment of ASNs to be transferred is not given the trust of the Regent to carry out his duties in this transfer. As explained by Erli Hasimalready communicating with several elements, although technically this is not done by the Barakat. but the policy was taken purely because they felt that they had a need. In the formulation of this policy, the Regent gave confidence to his closest people. This means that ASN performance assessment is not carried out by the Baperjakat team which should have the authority to assess ASN. This is not by the prevailing regulations, namely the ASN Law Article 77 as follows:

- (1) The performance appraisal of civil servants is under the authority of the competent officials in their respective government agencies.
- (2) (2) The civil servant performance appraisal as referred to in paragraph (1) is delegated in stages to the direct supervisor of the PNS.
- (3) (2) The civil servant performance appraisal as referred to in paragraph (2) may consider the opinions of colleagues at the same level and their subordinates.
- (4) The results of the PNS performance appraisal are submitted to the PNS performance appraisal team.
- (5) The results of civil servant performance appraisals are used to ensure objectivity in the development of civil servants and are used as requirements for appointments and promotions, granting allowances and sanctions, transfers, and promotions, as well as for attending education and training.
- (6) Civil servants whose performance appraisals do not reach the performance target will be subject to administrative sanctions up to their dismissal by the provisions of laws and regulations.

From ASN Law above, it is clear that the mutation process is not by the applicable regulations. This can result in the placement of people to be transferred as those closest to the Regent. The impact also occurs in inappropriate performance appraisals where there should be people who excel and can improve the quality of work but are not used because they are not close to the regional head. This should not happen again because this system is considered to be outdated and not by current conditions. This system is also not good because it emphasizes the personal desires of the regional head by looking at whether they like it or not.

- 3) Merit System: This is a mutation of employees based on a scientific basis, objective, and work performance results. The merit of this system is the basis of a good transfer because Output and work productivity increase, morale increases, the number of mistakes made decreases, employee absences are

getting better, employee discipline is getting better. From the results of research conducted, this system has not been implemented by the Government of Simeulue. This was conveyed by Ahmadlyah said meanwhile, regarding the merit, the system has not yet fully implemented it until today. Because there are still too many requirements that need to be addressed, especially the readiness of human resources. This system should be the basic basis for implementing mutations. This system looks at the performance, work results, and scientific suitability of ASN with the position to be given. The application of this system has also been described as in ASN Law Article 51, namely: ASN management is organized based on a Merit System. And also Article 72 Paragraph 1, namely:

Civil servant promotion is carried out based on objective comparisons between the competencies, qualifications, and requirements required by the position, an assessment of work performance, leadership, cooperation, creativity, and consideration of the PNS performance appraisal team at government agencies, regardless of gender, ethnicity, religion, race, and groups.

From the explanation above, it is clear that this system is the basis for making the mutation policy which is best used compared to the other two bases. Because this system performs transfers fairly without distinguishing political background, ethnicity, race, and age based on the competency qualifications and performance of ASN. The application of this system aims to obtain professional ASN at work so that it can improve the quality of the government organization system itself.

d. The Role of Baperjakat on Mutations in the Government of Simeulue Regency in Implementing the Culture of Meritocracy

Baperjakat has a very important role in the procedure for making transfer policies. Baperjakat has the authority to assess the ASN who will be transferred. The assessment from the Baperjakat is then reported to the Personnel Development Officer, namely the Regent to be considered in making the transfer policy. The need for an assessment from Baperjakat is very important to produce a quality transfer with the use of human resources who are considered capable of carrying out the tasks that will be given later.

In the implementation of this transfer, the Regent of Simeulue as an employee guidance officer has not yet formed an Employee Performance Assessment Team as regulated in Law Number 5 of 2014 concerning ASN. Since the team has not yet been formed, it should be Baperjakat that has the authority to become the assessment team. However, during this mutation process, the Regent did not involve the Baperjakat team as the authority to assess and regulate this transfer process. This is against the prevailing rules and procedures.

The mutation process should have been carried out by Baperjakat, but this transfer was carried out by the people closest to the Regent. All of the mutation processes were immediately taken over by the Regent and people whom he considered could be entrusted without involving the Baperjakat team. Of course, this procedure is not appropriate and the transfer policy can be canceled because the Regent is considered arbitrary in policymaking. As stated by Zainal Abidin, mutations that are not by regulated procedures can be canceled.

As stipulated in Article 72 of the ASN Law, the transfer must involve the Employee Performance Appraisal Team, in this case, Baperjakat. Baperjakat should be involved in the mutation process. Because Baperjakat is in charge of evaluating the performance of ASNs and also evaluating the performance of ASNs to get ASNs who have good loyalty, have good performance, and have good achievements. This includes the application of the merit system. However, in this sub, researchers will still see the application of the merit system in these mutations.

e. Result

Merit system as human resource management based on merit, namely all employee work behavior in its form as good or bad, which directly affects the increase or decrease in income and / or career of the employee position (Tondowana et al., 2018). Described in Law no. 5/2014 Article 1 Paragraph 22, namely the Merit System, is a policy and management of ASN which is based on qualifications, competence, and performance fairly and reasonably without distinguishing political background, race, color, religion, origin, gender, marital status, age, or condition of disability. It can be concluded from the literature above, the merit system is the use of existing resources based on the competency assessment of ASNs fairly without discriminating against their backgrounds. The implementation of a merit system is indispensable in making quality transfer policies. In this case,(Aini, 2019) defines four main factors for appraising employee work, namely performance, ability, motivation, and potential.

Aspect	Sub-Aspects	Information
<i>Performance</i>		<i>Performances</i> from the work of ASN. When viewed from the performance or work achieved by the transferred ASNs, all of them have good work results. The work results can be seen from the achievements and ideas made by these ASNs.
Ability	Leadership	When viewed from the leadership point of view of these ASNs. Researchers see ASN as having leadership. This can be seen from the ability of the ASN to coordinate the assigned tasks. From the various activities that were coordinated directly by the ASN, they produced proud results. This cannot work if the ASNs are not able to encourage their colleagues and subordinates to be able to carry out these tasks properly.

	Decision-making	In making decisions, researchers see that these ASNs can make the right decisions. This can be seen from the achievements. Without the right and effective decision making, it is difficult to achieve. So it takes the right decision making to answer the existing problems.
	Job Skills	The work skills of these ASNs can be seen from carrying out existing tasks. Like one of these ASNs, it can change the administration system in the service where it works so that it becomes organized, easy, and becomes even better.
	Job Knowledge	Knowledge of the positions held by these ASNs, researchers see that each one knows what their duties and functions are in that position. This research observes from the achievements of the ASN towards its work unit. Where each has achieved achievements in his work unit. This cannot be achieved if the ASNs do not know what their duties and functions are in that position.
Motivation	Responsible	Researchers see these ASNs as having responsibility for the assigned task. This sense of responsibility can be seen from the still operation of these ASNs even though they do not know or do not know their position after the transfer. This is because the decree has not been given to these ASNs. However, these ASNs still enter and work even though they are only regular staff in the same work unit.
	Cooperation	Researchers see various achievements. In achieving this, cooperation between various parties is required. Like one of the informants in the work unit, the Social Service is collaborating with

		the Disaster Management Agency, and there is also an innovating 119 emergency service that involves collaboration between health offices, public health center, and hospitals.
	Discipline	When viewed from the discipline of these ASNs, the researchers saw that the ASNs were disciplined. This can be seen from the fact that ASNs have never been given a light or severe warning letter. These ASNs have never received disciplinary sanctions since they started working as ASNs.
Potency	Initiative	Looking at the initiative of ASNs to work creatively and innovatively to gain performance. Researchers see that these ASNs have the initiative, where each ASN has achievements both individually and in their work units. This innovation can be seen from one of the ASNs initiating a 119 public service center for emergency handling by hospitals and health centers. Some initiate a smoke-free area and its implementation is the first in Aceh.
	Improvement of Job Duties	Of the various tasks and achievements achieved by these ASNs. It appears that ASNs are capable of taking on new tasks and can carry out them well. From these results, one ASN has received a Satya badge award from the president. The award is the result of work achieved by ASN in carrying out its duties.

Source: Processed research data, 2020

From the explanation above, it can be seen that these ASNs have good achievements and work results in their positions. ASNs have also never committed disciplinary offenses, whether minor or serious. Researchers also see the reason for the decline in the echelons of ASNs is due to political factors. Pilkada in 2017 became a consideration in determining this transfer. After the election of the Regent Erli Hasim, six months later, he immediately carried out an

overhaul within the Simeulue Regency Government. The six months were chosen because, under the prevailing regulations, the elected Regent could make a transfer after six months of work. Transformative leadership is needed as an effort to change the bureaucracy, which is believed to be able to improve bureaucratic performance (Umam, 2019)

The regent considers that the people who are demoted from his post are not the ones who voted for him during the elections. This is by the researcher's interview with Erli Hasim, saying that the regional head elections factor greatly influenced the transfer process and there were separate records from people who were entrusted with who were people who did not support the elected Regent. The people he deems to be trustworthy are the assessment team for this transfer. Human resource development based on a merit system through open and competitive positions needs to be supported by strong leadership capital and fully committed to realizing good governance (Sudrajat, 2014).

So it is not appropriate for the regent as an official who has the authority to determine the transfer, to demote the ASN positions which are much lower than the previous positions. Seeing that these ASNs have never committed a violation, even they have good performance and achievements. This mutation should also not be seen from the political background of ASNs. The socio-political constellation at the local level makes unclear the politicization of the bureaucracy (Nurprojo, 2014). This mutation policy is not based on a merit system. This means that this policy is considered invalid because it does not comply with the rules and this transfer can be canceled.

E. CONCLUSION

Based on the results of research that have been conducted regarding "Regent Policies Against Movements of State Civil Servants (ASN) in the Government of Simeulue Regency" the following conclusions can be drawn:

1. The policy procedure for transfer of positions to the State Civil Apparatus (ASN) issued by the Regent of Simeulue has not been based on the stipulated rules. In the mutation process, the basic basis for implementation is still using the seniority system and the spoil system, where these systems are not good for use in the mutation process. In this mutation, the implementation is not by the principles of good governance. This mutation procedure must use the principles of good governance so that the results of its implementation are as expected.
2. The role of Baperjakat on transfers in the Simeulue Regency Government does not exist. In this mutation, Baperjakat is not involved by the Regent in its implementation. In the formulation of the policy, this transfer was directly held by the Regent and his close friends. Also, this mutation has not implemented a merit system as the basic basis for its implementation. Another factor that is the most important assessment in the process of determining this mutation is the election factor.

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