

STRUCTURAL POSITION MUTATION OF DISTRICT HEAD IN BIREUEN REGENCY

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Received : 23 November 2024

Revised : 30 November 2024

Accepted : 17 December 2024

Published : 15 January 2025

DOI : <https://doi.org/10.54443/ijset.v4i2.672>

Publish Link : <https://www.ijset.org/index.php/ijset/index>

Abstract

The Structural Position Mutation System for Sub-district Heads within the Bireuen Regency Government is not based on educational background and competence in its implementation. Unfortunately, there has been a neglect of Law Number 23 of 2014 concerning Regional Government. This study aims to describe the structural job mutation system of sub-district heads in the Bireuen Regency Government using three bases, namely the Merit System, Seniority System and Spoil System, and to analyze the inhibiting factors for structural job mutations of sub-district heads in Bireuen Regency including budget limitations, lack of human resources who master technical knowledge of government and bureaucratic culture. Qualitative methods with a descriptive approach have been used in this study. Researchers used observation, interviews, and documentation to answer two research objectives. The results of this study found that the implementation of the Merit System foundation has not been fully optimal, the Seniority System runs by prioritizing work period and work experience but not for age, the Spoil System can still provide gaps for politicization. The obstacles to its implementation are budget limitations, lack of human resources who master technical knowledge of government and bureaucratic culture. This study suggests that the Bireuen Regency government optimizes the performance assessment team in making mutation decisions using the Merit System, Seniority System and Spoil System foundations and optimizes the budget for the competence of prospective sub-district heads.

Keywords: *Mutation, Sub-district Head, Merit System, Seniority System and Spoil System.*

INTRODUCTION

Structural job mutations as a program and activity originating from the core tasks and functions of the Human Resources Development and Personnel Agency (BKPSDM). BKPSDM is an entity responsible for personnel affairs that are the authority of the regional government. BKPSDM is tasked with regulating, managing, and coordinating various activities related to employee mutations and promotions in accordance with applicable legal provisions. Regarding the implementation of tasks that include controlling policy formulation, policy implementation, monitoring, evaluation, and reporting. The State Civil Apparatus (ASN) mutation and promotion activity program originates from the goal of realizing good governance in the 2023-2026 BKPSDM strategic plan which is stated in the target of increasing the capacity of ASN Human Resources (HR).

Structural job mutations are one of the means to improve public services. According to Siagian(2013) through mutation, officials actually gain quite a lot of benefits, namely: (1) New experiences; (2) Broader horizons; (3) No boredom or tiredness; (4) Acquisition of knowledge from new skills; (5) Acquisition of new perspectives on organizational life; (6) Preparation to face new tasks, for example promotions; (7) Higher motivation and work decisions thanks to new challenges and situations faced. According to BKN Regulation Number 5 of 2019 concerning Procedures for Implementing Mutations, mutation is defined as the transfer of tasks and/or work locations, both within and between central government agencies, regional government agencies, and to representatives of the Republic of Indonesia abroad, which can be carried out according to individual requests. Planning for ASN mutations carried out by the government must consider several factors, including competence, career paths, employee evaluations, career development, performance, organizational needs, and technical characteristics of work or policies based on job classification. Mutation activities are carried out at least every two

years and a maximum of every five years, taking into account the principle of preventing conflicts of interest. Mutations can be carried out by changing tasks and/or locations. ASN are allowed to submit applications for assignments or transfers on their own initiative, taking into account career paths, without violating legal and internal agency regulations, and without being undergoing a sentence or judicial process signed by the ASN work unit. The BKPSDM mutation and promotion division in the mutation and promotion process is required to carry out inaugurations for, namely Certain Functional Positions (JFT) and Structural Positions. JFT includes skill and expert levels, while Structural Positions in local governments consist of Primary High Leadership Positions consisting of Echelon II/a, namely Regional Secretary and Echelon II/b such as Head of Service, then Administrator Positions consisting of Echelon III/a, namely Secretary of Service, Sub-district Head, Head of Section, and Head of Special Secretariat, while Echelon III/b is Secretary of Sub-district Head and Head of Division. Furthermore, Supervisory Positions are divided into two levels, namely Echelon IV/a which includes Head of Sub-division and Head of Section, and Echelon IV/b which includes Head of UPT Service and Head of Sub-district at the Sub-district level.

The sub-district head is the main leader in the sub-district who cannot be separated from his main duties, namely carrying out the authority delegated by the Regency/City government and other tasks regulated in accordance with applicable legal provisions. The sub-district head is an official in the district government administration body who is responsible for coordinating government in the sub-district area (Indriana F. 2019:37). As a leader and coordinator of government administration in his work area, a sub-district head acts as an executor of duties and receives delegation of authority from the regional government, namely the Regent/Mayor, to take care of part of regional autonomy affairs and carry out general government tasks. In accordance with Government Regulation Number 17 of 2018 concerning Sub-districts, the sub-district head is the head or leader of the public sector at the sub-district government level. The working area of a sub-district head is part of the district and city areas that have a role as a leader and coordinator in government and development at the sub-district level, which plays an important role in determining the success of the sub-district organization in this field.

In order to improve the professionalism of sub-district heads in carrying out their duties and functions, and to ensure that sub-district heads have reliable knowledge and skills in the field of government and also to improve the quality of public services in the government sector. In accordance with Law Number 23 of 2014 concerning Regional Government Article 224 paragraph (2), the requirements for a sub-district head including having a civil servant professional certificate regulates that one of the requirements to become a sub-district head is to have a civil servant professional certificate. The Ministry of Home Affairs reiterated in the circular Number 800/5884/SJ dated November 22, 2019 concerning the Acceleration of Sub-district Head Certification to encourage the acceleration of certification for sub-district heads who do not yet have it. The results of the quality of the Sub-district Head's human resources can be seen from his real performance which is measured by comparing it with the established standards. To increase the potential of the sub-district head based on HR policies in an organization, assessment is the main performance factor. To ensure balance in the organization, it is important to carry out mutations and promotions in order to enforce employee competency development practices, in line with the provisions of Law Number 23 of 2014 concerning Regional Government Article 224 paragraph (2) which emphasizes that sub-district heads are required to have a civil service profession certificate.

According to Hasibuan, SP Malayu (2020:102) performance assessment defines the main factors in the process of developing employee expertise effectively and efficiently, the need for appropriate policies or programs that grow and develop regarding human resources in an organization. Individual performance assessments are considered to have a very strong influence on the growth and development of the organization. In order to create order, it is very important to carry out mutations and promotions to realize the implementation of competency development. The provisions of Law 23 of 2014 implicitly refer to the requirements for sub-district heads which are diplomas/bachelors of government or Civil Service Professional Certificates (SKP). SPK is an important tool to improve the quality and professionalism of sub-district heads and realize good governance at the sub-district level. The SPK curriculum is designed to meet the competency standards set by the government.

This aims to ensure that ASN who will be inaugurated as sub-district heads have adequate and professional qualifications (Jones, 2017). In order to improve professionalism, SPK instills the values of professionalism and the civil service code of ethics in ASN which is expected to encourage ASN to work with more integrity, accountability, and transparency. Overall, SPK is an important instrument to improve the quality of ASN who will occupy the position of sub-district head and are expected to provide better public services, build a more brilliant career and contribute to the development of a more advanced nation. Diplomas/bachelors of government or SPK are important for ASN who want to improve their competence and professionalism. Before being inaugurated as a sub-district head by the Personnel Development Officer (PPK) or the Regent, ASN must go

through a mutation and promotion process based on the Performance Assessment Team to provide consideration to the PPK or Regent in the appointment, transfer, and dismissal in and from structural positions of Echelon II and below. Law Number 23 of 2014 concerning Regional Government, Article 224 Paragraph 2, namely that there are still sub-district heads who are not graduates of government diplomas/bachelors or do not have SPK. In reality, based on the data obtained, there are only 4 sub-district heads who have SPK, while the other 13 sub-district heads are not graduates of government diplomas/bachelors or have SPK. This should refer to Law Number 23 of 2014 concerning Regional Government, Article 224 Paragraph 3, the appointment of sub-district heads who do not comply with the provisions must be revoked by the governor as a representative of the Central Government. This has been going on for years and no problem points have been found regarding the non-application of SPK requirements to the mutation and promotion policies of the Bireuen Regency Sub-district Head. The structural position of the Camat in the Bireuen Regency work environment can be concluded that the placement of the Camat structural position when viewed from its educational background is not in accordance with the provisions contained in Law Number 23 of 2014, which in mutation and promotion as well as in the placement of the Camat structural position must be a graduate or have a background in government science education and already have a SPK. However, based on the facts in the field contained in the table above, the average Camat structural official in Bireuen Regency does not have these two points but is still inaugurated to occupy the position even though the requirements are not met.

A serious attitude and attention is needed from the Bireuen Regency Government Performance Assessment Team to provide consideration to the Regent as PPK in appointing, transferring and dismissing structural positions of echelon II and below including sub-district heads. Of course, this serious attention is in the form of policies that are able to provide explanations and certainty regarding the process and information for the general public and State Civil Apparatus (ASN) who want transparency in structural position mutation activities. Efforts to adjust the sub-district head mutation and promotion process in accordance with Law 23 of 2014 can be done by maximizing the role of the Performance Assessment Team in structural position mutation activities so that mutation and promotion activities can be carried out more effectively, efficiently and transparently.

Observing this condition, a serious attitude and attention is needed from the Human Resources Development and Civil Service Agency in coordinating the implementation of mutations and promotions of structural positions of Sub-district Heads in order to improve the performance of Sub-district Heads. This serious attention is like a policy that is right on target and is able to explain the certainty of the process and information for ASN and the community in the regions who crave transparency in the process of structural position mutations. To achieve this, efforts that should be made are to consider the mandatory requirements for having a civil service professional program certification in holding the structural position of sub-district head, so that it can improve the performance of BKPSDM in general regarding the mutation and promotion of structural positions of Sub-district Heads so that they become more effective, efficient, transparent and right on target and the performance of Sub-district Heads in particular

LITERATURE REVIEW

In previous studies there are similarities, namely researching and discussing job mutations and promotions, thus in the use of theory there are similarities but also differences and updates in the focus aspects studied from previous studies that discuss the appointment of sub-district heads regulated in law as a guideline. So the previous studies cited by the author include the following:

Table 1
Previous Research Results

No	Researcher Name	Title	Results	Similarities and Differences
1.	English: (2013)	Implementation of Transfer Mutation and Promotion of Civil Servants at the Regional Secretariat in Kapuas Regency	Based on the results of the research and discussion to answer the formulation of the problem, it was found that the implementation of transfer mutations and promotions of civil servants at the Regional Secretariat in Kapuas Regency tends to adopt a spoil system,	the research conducted by the author with the research conducted by Fitria Ulfah (2013) Both researched about job mutations and promotions in local government. While the difference in the research conducted by the author is that the author focuses more on the

No	Researcher Name	Title	Results	Similarities and Differences
			<p>because work performance, ability and DUK are not the main factors for an employee to be transferred, everything depends on how close the relationship or ability to cooperate with the leader or Regent who makes the final decision and the existence of individual interests or political interests of the leader/Regent himself.</p>	<p>sub-district head mutation system in the Bireuen district work environment. Meanwhile, the research conducted by Fitria Ulfah (2013) More emphasis on the implementation of transfer mutations and promotions of civil servants at the Regional Secretariat</p>
2.	Eddy Samsoleh (2018)	Design and Construction of Structural Position Mutation and Promotion System in Local Government Environment	<p>from the results of this study, among others, the Simupro application is an application used for personnel management purposes. This application is a further development of the Personnel Information System (Simpeg) application. Therefore, the main requirement for implementing this Simupro application is the availability of the Simpeg application. There will be no Simupro application without the Simpeg application. Then the provision of complete employee profile data will be useful in the review process (analysis) of an employee who will be made an official. In the results of this study, a feature has been built to display employee profile data. This feature is very important because application users will later be able to easily and quickly search for complete data about an employee. This ability is very important considering that it would be very tiring if the mutation and promotion committee had to search for employee profile data manually. The third is that the job map is the main requirement for the mutation and promotion process.</p>	<p>Equation of research conducted by Eddy Samsoleh with the research conducted by the author is the same as researching the process of mutation and promotion of positions in the government environment. While the difference in this research is that the author focuses more on the sub-district head mutation system in the Bireuen district work environment, while the research conducted by Eddy Samsoleh more focused on building a system of job transfers and promotions in the structural environment of local government.</p>
3.	Garry, et al (2023)	Interest in the mutation of State Civil Apparatus in Bungo Regency in 2021	<p>The results of this study indicate that the Bungo Regent's interest in the bureaucracy is to want a loyal bureaucratic machine so that it is able to fulfill his interests in realizing the vision and mission in</p>	<p>The similarity of the research conducted by Putra, et al. (2023) with the research conducted by the author is that both are researching the process of mutation and</p>

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No	Researcher Name	Title	Results	Similarities and Differences
			<p>terms of developing Bungo Regency and also other interests such as maintaining his power.</p>	<p>promotion of positions in the government environment. While the difference in this research is that the author focuses more on the sub-district head mutation system in the Bireuen district work environment, while the research conducted by Putra, et al. (2023) focuses more on the interests of the Bungo Regent towards the bureaucracy, namely wanting a loyal bureaucratic machine so that it is able to fulfill its interests in realizing the vision and mission in terms of development of Bungo Regency.</p>
4.	Baihaqi (2019).	<p>Implementation of Article 224 Paragraph (2) of Law Number 23 of 2014 concerning Regional Government Regarding Sub-district Head Requirements (Study at the Regional Civil Service, Education and Training Agency, Paser Regency, East Kalimantan)</p>	<p>from the results of this study, among others, the Sub-district as one of the Regional Apparatus of the Regency/City so that the filling of Positions in the Regional Apparatus is regulated through laws and regulations, this is regulated in the provisions of Law Number 23 of 2014 concerning Regional Government, Article 224 paragraph (2) namely the Regent/Mayor is obliged to appoint sub-district heads from civil servants who master technical knowledge of government and meet the requirements for personnel in accordance with the provisions of laws and regulations. Paser Regency, East Kalimantan consists of 10 (ten) sub-district areas, 5 (five) sub-district areas are led by Sub-district Heads who have non-governmental educational backgrounds which are classified as follows: 3 (three) Sub-district Heads have attended Sub-district Head Training and 2 (two) Sub-district Heads have not attended Sub-district Head Training, so that regulations regarding sub-district head requirements have not been fully implemented.</p>	<p>the research conducted by the author with the research conducted by Baihaqi (2019). Both researched Article 224 Paragraph (2) of Law Number 23 of 2014 concerning Regional Government Regarding Sub-district Head Requirements. Meanwhile, the difference between the research conducted by the author and the research conducted by Baihaqi (2019). The author focuses more on the sub-district head mutation system with inhibiting factors of lack of budget, minimal human resources and the existence of a bureaucratic culture in the Bireuen district work environment. Meanwhile, the research conducted by Baihaqi (2019). more on the implementation of these regulations.</p>

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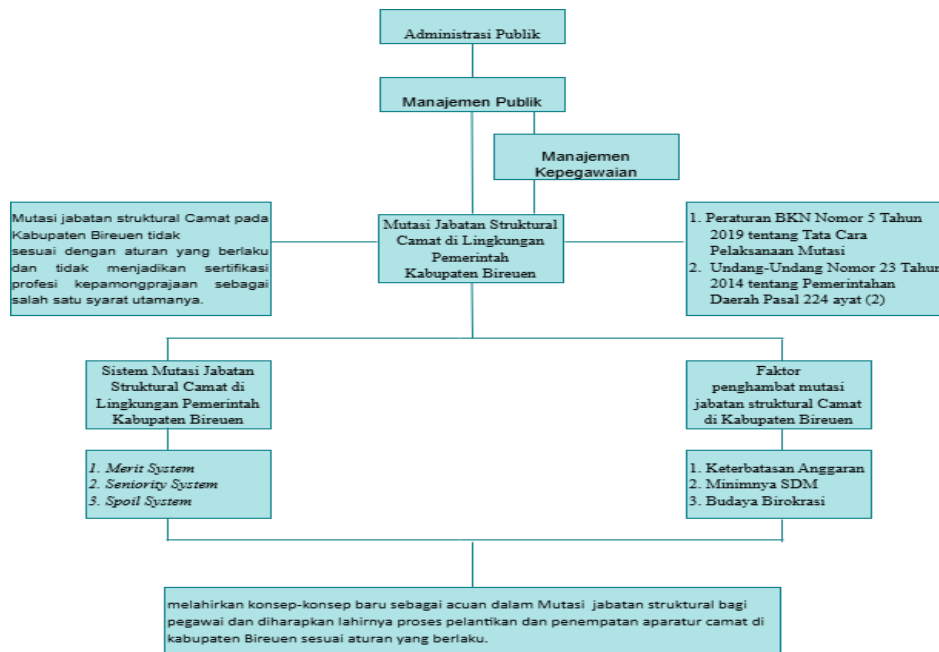
No	Researcher Name	Title	Results	Similarities and Differences
5	Bataha, K. (2013).	The Impact of Structural Job Mutation Policy in Public Services (A Study in Sangihe Islands Regency)	<p>Structural position mutation policy within the scope of the district government Sangihe Islands is carried out according to the needs of the organization or needs public service. There are no political mutations due to elements of revenge or retribution.</p> <p>post-election because everything is done based on the provisions in force in Sangihe Islands Regency. Professionalism in duties and responsibilities becomes guidelines for regional personnel development officials, in this case the regent, with coordinate with Baperjakat in formulating and considering implementation of structural position mutations within the scope of the district government Sangihe Islands.</p> <p>Through the implementation of structural position mutations, new experiences are gained. by an employee or official who is transferred. Work experience speaks about the maturity of a public servant in carrying out his/her service duties as a public servants. Because they master the work, employees or officials will be more proactive in his duties and work. In addition, through mutation there will be knowledge and new skills that are acquired because of not being monotonous in one workplace. the same for years and there will be no saturation that can reduce employee skills or creativity in carrying out tasks and responsibilities.</p> <p>In addition, structural position mutations are carried out for the purpose of empowerment or</p>	<p>the research conducted by the author with the research conducted by Bataha, K. (2013). Both researched the Structural Job Transfer Policy in the scope of local government. While the difference between the research conducted by the author and the research conducted by Bataha, K. (2013). The author focused more on the sub-district head transfer system in the Bireuen district work environment. While the research conducted by Bataha, K. (2013). more on the Structural Job Transfer Policy which is carried out according to the needs of the organization or the needs of public services.</p>

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No	Researcher Name	Title	Results	Similarities and Differences
			<p>employee empowerment. Employees are facilitated to innovate in their service tasks. public and matured to be ready for promotion or career development. The officials of Sangihe Islands Regency who experienced mutations responded positively implementation of structural position mutations and being responsible for the position given as a trust from superiors. And in principle Civil Servants (PNS) must be ready to be placed anywhere and must be loyal to superiors and positions given, must learn and adapt and provide the best in service public, although from a scientific perspective it is not quite right for the new position.</p>	

Framework of Thought

Uma Sekaran argues in (Sugiyono, 2019) that the conceptual model has a structured framework regarding how the relationship is built between various factors that have been recognized as important issues.



Source: Processed by the Author, 2024

METHOD

The research location should be described clearly, for example geographical location, physical buildings (if necessary, include a location map), organizational structure, programs, and daily atmosphere. The selection of the location should be based on considerations of interest, uniqueness, and suitability to the chosen topic. (Saebani & Afifuddin, 2018). This research was conducted at the Human Resources Development and Civil Service Agency (BKPSDM) of Bireuen Regency. The reason for choosing BKPSDM Bireuen Regency was because of the uniqueness of the structural position of Sub-district Head in the Bireuen Regency Government. The researcher's observations showed that the Bireuen Regency Government had not fully implemented Law Number 23 of 2014 concerning Regional Government. Article 224 paragraph (2), the Law states that sub-district heads must have a civil service profession certificate. One of the uniquenesses observed was the absence of women holding the position of Sub-district Head. This often becomes a topic of conversation related to denbro, the achievements and work motivation of the sub-district head who came from the results of implementing mutations and promotions who essentially has the authority to implement its duties and functions of carrying out assessments of the Cveryand required to be able to act appropriately objective in the implementation of mutations and promotions without any intRussia from various parties, in order to realize bureaucratic reform and improve government accountability performance I don't know the area.

The research approach used in this study is to use a qualitative approach, with the intention of obtaining a deep and comprehensive picture, the final results of this study are described in words or sentences that show the final results of the study. While to present this study the author uses a descriptive research method. According to Pasolong (2010) the data sources in this study were obtained through primary data sources and secondary data sources. Informants in the study are people who provide data or information related to the formulation of the problem and the focus of the research that will be studied and reviewed. Then the informants selected in this study are indeed people who really understand the problems in the process of implementing mutations and promotions of sub-district heads in the Bireuen Regency area.

In this study, the researcher used an unstructured interview technique, which means that the interview was conducted freely. In this context, the researcher did not have interview guidelines that had been prepared systematically and completely. Instead, the researcher only prepared an outline of the interview guidelines to interact with related informants and discuss issues relevant to the research object. Interviews in the study were conducted by first preparing important points in the form of questions that would be discussed with previously determined research informants to find facts about the research so that existing problems can be resolved with the help of field facts from informants.

RESULTS AND DISCUSSION

Structural Position Mutation of Sub-district Head In the Bireuen Regency Government Environment

According to Sastrohadiwiryo (Kadarisman, 2012:68) mutation is an employment activity related to the process of transferring the function, responsibility, and employment status of workers to certain situations with the aim that the workers concerned obtain deep job satisfaction and can provide maximum performance to the agency. Mutation or better known as transfer of job positions is carried out solely to fill vacant positions. The word mutation is sometimes seen as something bad by most people. However, sometimes mutation is a career development activity carried out by leaders to improve the performance of their employees or as an award for achievements that have been achieved.

Employee Mutations Based on Scientific, Objective Basis and Work Performance Results (Merit System)

The policy for implementing job transfers must be based on a person's professionalism based on work performance, competence and rank level and objectively without distinguishing between ethnicity, religion, race or class and gender in order to create a professional bureaucratic climate in public service. If the principle of the right man in the right place is applied in the system of implementing the wheels of government, it can guarantee stability, smoothness and efficiency of work. The professionalism of the Bireuen Regency government administrators is absolutely necessary in order to realize the implementation of government properly (good governance) and cleanly (clean governance). Various indicators that greatly influence the implementation of transfers for an agency. One of the indicators that plays a very important role and gets a lot of attention is increasing employee productivity by implementing a targeted transfer system and policy according to their respective fields. The objectives of implementing transfers according to the State Civil Service Agency Regulation Number 5 of 2019 include competency assessment, employee mapping sector, planning groups, employee careers, employee development resources, achievements, organizational vacancies, technical nature and policy criteria.

The implementation of sub-district head mutations should apply a merit system that does not escape the role of the Performance Assessment Team which functions to provide employee performance assessments to the Regent of Bireuen Regency. The Regional Secretary as the head of the Performance Assessment Team is assisted by members consisting of the Head of BKPSDM, Inspector, Assistant for General Administration, Head of Mutation and Promotion Division. The implementation of mutations is carried out based on BKN RI Regulation Number 5 of 2019 concerning Procedures for Implementing Mutations and the regulations above. Mutations of sub-district head employees based on scientific foundations (Merit System) must focus on individual competence and performance (Kalesaran, 2021). Permata, D., & Mubarak, A. (2023). explained that the Implementation of the Merit System in the implementation of job promotions prioritizes employees who have managerial competence and technical competence. Job promotions are given to employees who have above average abilities with the hope of providing competition for employees to improve performance in their respective work units. The author conducted an interview to obtain a clear description of the implementation of the Merit System in the process of mutation of sub-district heads in Bireuen Regency. The first informant was Mr. A, S.Sos who is the Sub-district Head of Peusangan Siblah Krueng as an employee who was transferred:

"When I was transferred, I did not know why I was transferred as a sub-district head for the Peusangan Siblah Krueng area. However, I tried to be responsible for the mandate that had been given and tried to build this area."

The second informant is Mr. S, SKM, M.Kes, who is the Head of Pandrah District as an employee who was transferred:

"I do not know why I was transferred and actually my placement as a sub-district head does not match my educational background which focuses on the health sector. However, because of the mandate from the regent, I am ready to contribute."

Based on the results of the submission of the 2 transferred sub-district heads, it can be concluded that the current sub-district head mutation process is closed, but not yet based on a merit system based on employee competency and sub-district head position requirements according to applicable regulations. The inauguration of sub-district heads who do not match their competencies is not in line with the principles of the merit system which focus on qualifications, competencies, and performance. This approach is not entirely in line with the study of Sofyan et al. (2022) who stated that filling structural positions can be done through a closed or open system. However, this mutation process must still be based on the principles of objective and transparent merit.

The third informant is the Head of BKPSDM, Mr. Z, AP, S.Sos as a member of the Performance Assessment Team, who stated that:

"The sub-district head mutation process has not fully implemented the merit system, but we only use the principle. Sub-district head mutations focus more on employee performance, not based on political relations or other subject factors. Therefore, every mutation that is carried out must be based on performance, this is because there are written terms and conditions in the legal regulations for the mutation implementation mechanism."

Based on the results of the submission by the Head of BKPSDM as the compiler of the list and assessor of the performance of the sub-district heads who will be transferred, it can be concluded that the application of the principle of the merit system that is only applied is by assessing the performance of employees. This is contrary to the concept of the merit system which emphasizes the mutation process based on scientific, objective foundations and employee work performance results. Ulfa's study (2013) shows that work performance is not the only consideration in the implementation of employee mutations with a merit system. However, there are still other considerations that are the basis for the implementation of mutations with a merit system based on the ASN Law Article 51, namely that it must align aspects of competence, qualifications, work performance, fairness and openness.

The fourth informant, Mr. A, SE as Head of the Mutation and Promotion Division and Member of the Bireuen Regency Performance Assessment Team, stated that:

"The criteria applied in the placement of sub-district heads are based on the principle of a merit system that uses several indicators such as educational qualifications and work experience, although it still faces challenges in its implementation. One of the challenges is in terms of the educational qualifications of the sub-district heads who will be transferred, where there are still many prospective sub-district heads who are not graduates of Diploma/Bachelor of Government or have taken the Civil Service Professional Certificate"

The fifth informant is Mr. H, SP as inspector and member of the Performance Assessment Team, who stated that:

"The Inspector as a member of the Performance Assessment Team ensures that the officials to be inaugurated are in accordance with the qualifications, competencies and laws and regulations. However, the limited complete and accurate data is also an obstacle to ensuring the right officials, so we maximize discussions within the team to obtain the best results."

Based on the interview results above, it can be seen that the application of the Merit System principle in the sub-district head mutation system considers educational qualification and competency indicators. However, there are obstacles in the implementation of this system, namely educational qualifications which should be based on Law 23 of 2014 concerning Regional Government Article 224 Paragraph 2 which states that the educational qualifications of sub-district heads must master government techniques as evidenced by a Diploma/Bachelor of Government or SPK and must meet the requirements according to the rules. However, if there is an appointment of a sub-district head that is not in accordance with the provisions of the law, it must be followed up by canceling the appointment decision by the governor as a representative of the central government. Secretary The region as the head of the Performance Assessment Team and the head of the Regional Government Budget Team has the authority to budget for SPK training and formulate general policies related to sub-district head mutations based on the merit system. The team leader plays an active role in compiling and finalizing the results of his members' decisions to be submitted to the regent as suggestions and input. Regarding the application of scientific, objective, and work achievement bases, the regional secretary said that:

"As the team leader, I ensure that the sub-district head mutation process is carried out objectively and based on work performance results. Overall, there are major obstacles in the implementation of the merit system so that it is not fully implemented. However, only the principles of this merit system are optimized in its implementation" (Interview October 30, 2024)

Based on the results of the interview with the Bireuen Regency Government Performance Assessment Team above, the implementation of the merit system has not been fully implemented. However, only the principles of the merit system are implemented, such as considering employee performance, competence and qualifications in the mutation process. This is in line with the results of the study by Permata et al. (2023) and Faiz et al (2020) which reveals that the mutation process often only applies the merit system principle as a formality without any substantial implementation. Research by Prayogiet al (2024) also emphasized that the implementation of the merit system in practice still faces challenges even though there is encouragement for ASN governance reform as stated in ASN Law No. 5 of 2014.

Mutations Based on Length of Service, Age, and Work Experience of the Employee Concerned (Seniority System)

According to the rules, the new sub-district head mutation process can only be carried out if the sub-district head candidate has held rank IV/a or one level below, and has held a supervisory position for at least 2 years. This must also be based on other terms and conditions that must be met based on Bireuen Regent Regulation Number 40 of 2022 concerning Guidelines for Civil Servant Career Patterns in the Bireuen Regency Government Environment. There are elements of the ASN Career Pattern arranged according to the needs of the Regency Government which are integrated nationally as stated in Article 4 Paragraph (1).

The interview above illustrates that employee transfers based on the length of service, age, and work experience of the employee concerned have been objective, because the skills of the person being transferred based on the rules have regulated at what level they can be transferred to certain positions, this is related to seniority but still giving opportunities to younger ones on condition that their rank and length of service have been met. age factors alone are not necessarily capable of holding the position of sub-district head, many elements and fulfillment of requirements must be taken into consideration in determining and making decisions in the transfer process, not only looking at the fulfillment of the requirements in terms of certificates and bachelor's degrees but also the length of service and work experience of the prospective sub-district head must be considered. Research by Darmawati, et al. (2024) strengthens this view, that the Seniority system is proven by transfers that consider the age of employees and length of service because they have a basis for carrying out the new tasks that will be carried out. Then regarding Transfers Based on Length of Service, Age, and Work Experience of the Employees Concerned (Seniority System) Mr. Ir I, M.Si as the Regional Secretary as the Head of the Bireuen Regency Government Performance Assessment Team said that:

"Mutation in based on the requirements contained in the applicable laws and regulations. The purpose of this mutation is to develop and improve the potential of employees, mutations are not based on age, but on rank and class and work experience. With the existence of job mutations, it will provide

encouragement for every public official to improve the quality of their performance". (Interview October 30, 2024)

Based on the interview results above, employee mutations are based on the length of service, age, and work experience of the employee concerned (Seniority System), Mr. A, SE as the Head of Mutation and Promotion in the Bireuen Regency Government Performance Assessment Team stated that:

"Mutations are carried out with applicable provisions with the aim of improving the quality of human resources in an agency, to occupy the position of sub-district head must have rank IV/a or one level lower according to applicable regulations. Mutations based on the Seniority System are one of the bases for considering mutations as a form of recognition of a person's experience and dedication in working in government. However, this system cannot be used as the only basis because there are several other things that must be considered."

The process of mutation and promotion of structural positions in the local government environment has so far been carried out more manually, making it vulnerable to abuse. This vulnerability occurs because the process of proposing mutations and promotions is not based on accurate data. For example, someone with a rank III/a is proposed to become an echelon IV/b official, whereas according to the rules, someone with a rank III/a who has not had experience as a staff for at least 4 (four) years is not allowed to occupy a structural echelon IV position. Without data and processes that can identify a person's rank in real time, it is not impossible that the person will then be appointed as an echelon IV official. Research by Ruitan et al. (2018) contradicts this view, which states that mutations based on the Seniority system or based on length of service, age and experience sometimes hinder the work of ASN because when the length of service is too long and the age is getting higher, ASN becomes more negligent in their work. When work experience increases, the enthusiasm for work decreases because they are doing work that has been done before or repeating the same work.

Mutation employee Which is based on mutations which are based on length of service, age and work experience employee The person concerned (Seniority System) Mr. D, S.Hut as a team member said that:

"Based on what I know about Mutations, it does not look at age, but considers the Length of Service and Work Experience of the employee concerned. The implementation of mutations is in accordance with applicable regulations and is inaugurated in accordance with applicable laws". (Interview July 15, 2024)

Then Mr. H, SP as Inspector who is a member of the Bireuen Regency Government Performance Assessment Team said that:

"Employee mutations do look at the employee's work experience aspect, this is in line with the employee's flight hours according to the employee's length of service, but the age factor is not a reference, as long as the employee meets the requirements and/or is proposed, it will be discussed in the Performance Assessment Team meeting". (Interview July 15, 2024)

Based on the results of the interview above, the inauguration process of the transferred public officials has been carried out properly in accordance with applicable provisions by prioritizing aspects of work experience and length of service of employees, but not solely looking at the age of employees by considering the applicable requirements. Work experience speaks of the maturity of an employee in carrying out the duties and responsibilities of work as a public servant in several agencies due to mutation. After experiencing a mutation, there should be experience gained at the previous workplace or agency. Mutations are carried out to increase the work experience of employees because they can master several fields of work according to the workplace (Bataha, K. 2013).

Mutations Based on Family Basis (Spoil System).

Spoil system in ASN management is a person obtaining a position based on tyranny by the ruling party or the person in power. The high level of violation of the principle of neutrality by ASN, especially in providing services, makes the implementation of HR management prioritize subjective considerations such as political, personal, closeness to political officials. The basis of family has a direct impact on improving or decreasing the performance of ASN. ASN who are placed based on their abilities and competency qualifications will lose out to ASN who are controlled by the spoils system because it is based on the political power behind it or through political intervention and power as an official tasked with fostering personnel by adhering to the Spoils System so that it is far from the General Principles of Good Governance. (Kusmana, D., & Abubakar, MB 2023). Spoil system is a mutation based on the basis of family. This type of mutation system is not good because it is based on considerations of like or dislike. Darmawati, et al. (2024). The following is an excerpt from a direct interview with

regarding mutations based on the basis of family (Spoil System). Mr. Z AP, S.Sos as the Head of the BKPSDM of the Bireuen Regency Government said that:

"Transfers to public officials are not carried out on the basis of family relationships. But transfers are carried out based on performance assessments and work achievements owned by public officials who are used as references in the transfer of structural sub-district heads, not only related to good performance but many other requirements that must be met in accordance with the requirements contained in the Law". (Interview July 20, 2024)

Based on the results of the interview above regarding mutations based on family ties (Spoil System). In the mutation process, it is not seen from family relationships but is carried out based on performance and professionalism as a public official. Then it is also measured based on the terms and conditions contained in the Law and government regulations if they have been met and the related party wants to be transferred, a job mutation will be carried out, with the hope that there will be an increase in the quality of the parties who are entrusted to occupy new positions in other agencies. It can be concluded that the implementation of structural job mutations carried out by the Bireuen Regency Government, the first BKPSDM conducted a structural job analysis based on the job map and list of vacancies in structural positions from the work unit and collected mutation proposals from the work unit. After that, BKPSDM compiled a list of proposed structural job mutations and submitted them to the Performance Assessment Team. The Performance Assessment Team held a hearing and the results were submitted to the Regent for approval. After obtaining the Regent's approval for the proposed structural job mutation from the results of the Performance Assessment Team hearing, the Regent issued a Decree on In-Service Appointment based on the Regent's approval. (Nugroho, et al. 2023)

Then regarding the mutation based on family basis (Spoil System), Mr. A, SE as the Head of Mutation and Promotion Division on the Bireuen Regency Government Performance Assessment Team said that:

"The mutation process is not only done manually but there is an application that is used, therefore there is no such thing as a mutation based on family relationships. If you do not have the capacity to be transferred to a structural position as Caman, then the mutation cannot be carried out" (Interview July 20, 2024)

Then regarding the mutation based on the family basis (Spoil System), Mr. Ir. I, M.Si as the coordinator of the Bireuen Regency Government Performance Assessment Team said that:

"The process of selecting employees who will be transferred does not look at family background, but we provide input to the Regent as PPK based on the results of joint discussions by paying attention to applicable laws and regulations, but whatever it is, what we do is only a suggestion, then the Regent determines how the considerations are". (Interview October 30, 2024)

Based on the results of the interview above regarding employee mutations based on family ties (Spoil System). Research (Ruitan, et al. 2018) explains that mutations based on family ties are not good because they will affect ASN work and even respect for superiors is no longer there because there are family relationships in it. In addition, this system is also not in accordance with the objectives of the Central Government to eradicate nepotism from the existing government system in Indonesia because it seems like building a dynasty or kingdom government.

Furthermore, regarding mutations based on family foundations (Spoil System). Mr. Dr. H. MA, SH, M.Si as the Regent of Bireuen Regency (2020-2022 period) said that:

"The mutation process was carried out wisely with very selective considerations, then those who were transferred to become sub-district heads were indeed people who had the capacity with guaranteed good performance as public officials, I received suggestions from the Performance Assessment Team and also Stakeholders to consider the list of prospective employees who would be transferred". (Interview July 15, 2024)

Based on the interview results above, it can be described that employees who were transferred to become sub-district heads in Bireuen Regency are people with very good performance and have proven their professionalism and work achievements have been very good in the Bireuen Regency government agency environment. Therefore, it is impossible for a transfer to occur due to a family relationship between the leader and the transferred official. However, in addition to considering the suggestions from the Performance Assessment Team, the Regent also considers suggestions from stakeholders in order to obtain constructive suggestions in accordance with applicable laws and regulations. The presence of other considerations besides the Performance Assessment Team which is a stakeholder can open up opportunities for politicization in the transfer process.

Inhibiting Factors From Structural Position Mutation of Sub-district Head In Bireuen Regency Budget Constraints

According to Nenoliu, A. (2023), budget constraints are often one of the inhibiting factors in the process of structural position mutations of sub-district heads in various regions. This is due to the following reasons:

- 1) Administration and Operational Costs
- 2) Training and Capacity Building
- 3) Logistics Needs
- 4) Regional Budget Limitations
- 5) Efficiency and Transparency

The Bireuen Regency local government often faces a high financial burden, especially if there are many obligations or routine expenses that must be met. Limited financial conditions can cause the budget for developing the competence of government officials such as sub-district heads to be one of those affected. This is in line with what was conveyed by Mr. Z AP, S.Sos as the Head of the Bireuen Regency Government BKPSDM who said that:

"Certification of civil service profession is very important to ensure that the selected sub-district head has formally recognized competence. However, due to budget constraints, it is not possible for all prospective sub-district heads to participate in the civil service profession certification."

There are constraints on the Budget for the implementation of civil service certification training in the Bireuen Regency Government Environment. The budget for this activity has previously been proposed by the Head of BKPSDM as the spearhead of the implementation of training to the Regional Government Budget Team (TAPD) as the compiler of the Regional Budget Plan (RAD). However, due to budget constraints, civil service certification training in the Bireuen Regency Government Environment has not been able to be implemented and is prioritized for the development of infrastructure, health services and education which are more crucial. The solution that has been tried by BKPSDM in overcoming this problem is to encourage sub-district heads to strengthen training and development of sub-district head competencies through non-formal channels, such as attending workshops, seminars and performance-based training that can be done at a lower cost or free of charge. This is expected to be an alternative to developing sub-district head public services. Based on the interview delivered by Mrs. J, SE as Head of Budget Division of the Regional Financial Management Agency (BPKD) of Bireuen Regency Government, she said that:

"Based on the annual budget, it is divided based on Mandatory spending first, Mandatory spending is regional expenditure or spending regulated by law. The certification of civil service profession is part of the Mandatory spending for Strengthening ASN Capacity which in its provisions is 0.16% (zero point sixteen percent) of the total APBD. However, due to budget limitations, this activity cannot be budgeted for sub-district head candidates". (Interview January 7, 2025)

Lack of human resources master technical knowledge of government.

The limited number of bachelor's/diploma graduates in government will hamper the process of mutation of sub-district heads due to the difficulty in finding qualified replacements. This can cause delays in the replacement of sub-district officials, which in turn can affect the effectiveness of government administration at the sub-district level. In addition, the lack of bachelor's/diploma graduates in government also affects the career development path for ASN, especially those in the sub-district head position. Mutations that should be part of career development become more difficult to do, due to the lack of ready candidates. This can also have an impact on ASN motivation to develop their abilities in the field of government. This problem is in accordance with research (Ruitan, et al. 2018) which explains that the problems faced in implementing mutations are technical considerations, for example 1 organization requires an A educational background but is not available, the local government seeks a solution by holding training, especially for sub-district heads who must have a Kepamongprajaan certificate. However, the solution is different, while the Bireuen Regency Government has not provided a solution, namely holding SPK training for sub-district heads or prospective sub-district heads.

Bureaucratic Culture

Sani et al.'s research (2024) highlights that the issue of women's leadership from the past to the present is still experiencing pros and cons which usually arise if there are female regional head candidates who will compete to become head of government. Until now, there has been no *ijma'* or official fatwa from the fatwa and mufti institutions that prohibit or prohibit women from becoming heads of government. Abuya Professor Muhibuddin Waly as a great cleric of Aceh and a former well-known politician does not prohibit women from becoming regional heads, in fact women can become heads of state if they have certain qualifications. However, this opinion

is contrary to the fatwa of the charismatic Acehese cleric, namely Syaikh Tgk. H. Hasanul Basri (Abu Mudi) regarding the position of women as leaders of government which he conveyed in the Bara News Aceh news:

"Women who run for leadership have committed a sin, because the actions they do are not valid in religious law. Being elected also by the person who elects also makes mistakes, sins. Being inaugurated, the person who inaugurates also sins. After being inaugurated and legally becoming a leader, that is even more problematic."

Regent Dr. MAG as the Regent of Bireuen Regency for the 2020-2022 period conveyed the decision regarding the bureaucratic culture of appointing female sub-district heads as follows:

"In making the decision to transfer, I considered several suggestions from both the Performance Assessment Team and stakeholders including clerics. I have an argument that women cannot be maximized to occupy the position of sub-district head who has high mobility and has limitations in accessing certain things, especially those that are territorial in nature."

CONCLUSION

Based on the research results obtained from interviews and data analysis in the field related to the structural job mutation system for sub-district heads in Bireuen Regency, the following conclusions can be drawn:

1. There are 3 (three) bases in the implementation of sub-district head mutations in the Bireuen district government environment, namely the Merit System, Seniority System and Spoil System. The implementation of the Merit System has not been optimal, in the process of mutation of sub-district heads who do not have an educational background and competence based on Law 23 of 2014 Article 224 Paragraph 2 Concerning Regional Government and the existence of a bureaucratic culture triggered by the fatwa of local clerics by implementing restrictions on women's access in the selection of sub-district head candidates. The basis of the Spoil System still has a gap for politicization by accommodating the interests of Stakeholders, thus triggering dysfunction of the Performance Assessment Team in the Bireuen District Government. The application of the Seniority System in mutations applies in considering the length of service and work experience of employees which underlies the maturity and experience of employees, while age is not a basis because older ones do not always reflect better work experience than employees with less work experience and who are younger.
2. Inhibiting factors of the structural sub-district head job mutation system include budget constraints, lack of human resources who master technical knowledge of government and bureaucratic culture. There are 82.36% of sub-district heads who were transferred not in accordance with Law 23 of 2014 Article 224 Paragraph 2 concerning Regional Government because there has been no budget allocated for the implementation of SPK training/training for prospective sub-district heads. In addition, the lack of human resources who master technical knowledge of government is an obstacle in the implementation of mutations, although there are other employees who meet the educational qualifications, both male and female, but are more trusted to hold other positions. The implementation of bureaucratic culture also implicitly affects the sub-district head mutation process, so that there are considerations from stakeholders such as religious figures in making mutation decisions, which are suspected of causing the elimination of women in holding sub-district head positions because it is believed that there will be limited access in certain matters to high mobility in carrying out tasks.

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