

The Neutrality Dilemma of Civil Servant in 2020 Local Leaders Election on Malaka Regency

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Abstract

Purpose: This study discusses the problem of neutrality of civil servants in the government of Malaka Regency. There are indications of violations committed by civil servants during the campaign period.

Research methodology: This research is a case study where the researcher investigates the phenomena that exist in the field.

Results: (1) The dilemma of neutrality of civil servants in the 2020 Malaka Regional Election occurred because civil servants did not have the power or capacity to fulfill all aspects that would make them neutral, namely legal, material, strategic or superior aspects such as aspects of political action. (2) The cause of the neutrality dilemma for civil servants is due to the patron-client factor and position compensation.

Limitations: Researchers find it difficult to meet civil servants in the Malaka district.

Contribution: Propose efforts to prevent the dilemma of neutrality of civil servants in the 2020 Malaka Regional Head Election by implementing a merit system, clear division of tasks and free from political interference, rational hierarchical authority structure, impersonal relations between members, mechanism for appointment or recruitment and promotion of employee positions civil service based on technical skills and bureaucratic reform.

Keywords: Civil Servant, Dilemma, Local Leaders Election, Neutrality

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1. Introduction

Indonesia has the potential to become an example of a Democratic Country in the Asian Region because Indonesia has created political stability and high economic growth. In addition, Indonesia has also succeeded in becoming a democratic country because it has carried out complex elections. Even though democracy brings chaos and division. For example, in the change of 4 presidents during the 1998-2002 period, Indonesia was able to overcome it ([Zulfa and Ananda, 2019](#)).

In ensuring the smooth running of the election process, the basic thing that must be strengthened is minimizing irregularities, fraud, and other fraudulent practices that can occur either intentionally or unintentionally during the election ([Virbhadra, 1996:11](#)), especially regarding demands for neutrality of civil servants. The current demand for the neutrality of civil servant is inseparable from the birth of the reform era in 1998, which resulted in several policies toward Civil Servants at that time. One of them is that civil servants cannot engage in practical politics and cannot become members of political parties. If you are involved in practical politics and become a member of a political party, you are obliged to resign from a civil servant.

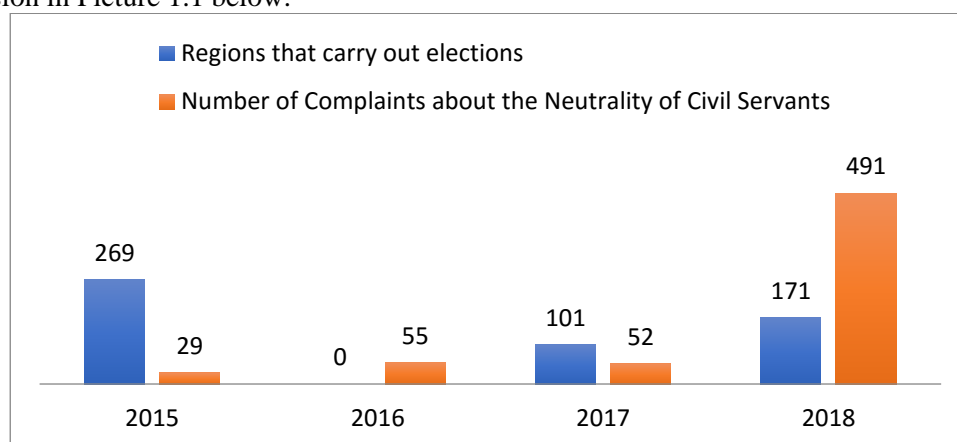
Civil servant Neutrality has always been an issue and news that received a lot of public attention. So far, civil servant is considered not to be neutral or still taking sides and tends to be involved in supporting one candidate pair in the Election. There are also many clear and firm regulatory provisions as well as campaigns or movements for the need for a neutral civil servant.

The Civil Servant Commission (2018) raised several factors causing civil servant to not be neutral, including:

- a. Motives to get/keep the position. Political patronage occurs because the Regional Head is a political office as well as the Personnel Development Officer (PPK). As PPK, it has the authority and power to promote, transfer, civil servant demotion employees. This resulted in civil servant employees being in a dilemma situation. On the one hand, they must be neutral in the sense of not showing partiality to regional heads that ask for support during the Election. On the other hand, their careers are in the hands of regional heads.
- b. There is a primordial relationship. Civil servant violations against the principle of neutrality are also triggered by kinship relations, the similarity of political officials, and both relationships within the organization and outside the organization that interfere with professionalism in carrying out their duties.
- c. Lack of understanding of regulations related to neutrality. There is still civil servant stating that they do not yet know and understand the regulations related to the neutrality of civil servant.
- d. Other factors such as pressure from superiors; low integrity of civil servant; and the notion of neutrality is commonplace; and the sanctions imposed do not have a deterrent effect.
- e. Civil servant experiences a dilemmatic condition when the pair running in the Election is the incumbent or the sole candidate. In this condition, civil servant is used to build strength in gaining votes because there is an assumption that behind civil servant there is a number of supports that can even be obtained and at this moment civil servant also takes advantage of the opportunity to prove their alignment so that it becomes capital to be taken into account by the Incumbent after the election.

The neutral and professional civil servant is the common goal of all Parties. In relation to the Election, the main key is to return to the civil servant itself, to prioritize professionalism without having to be involved and side with certain pairs of candidates. In the election and election stages, civil servant must be able to sacrifice some of their freedom not to do something as regulated in these regulations.

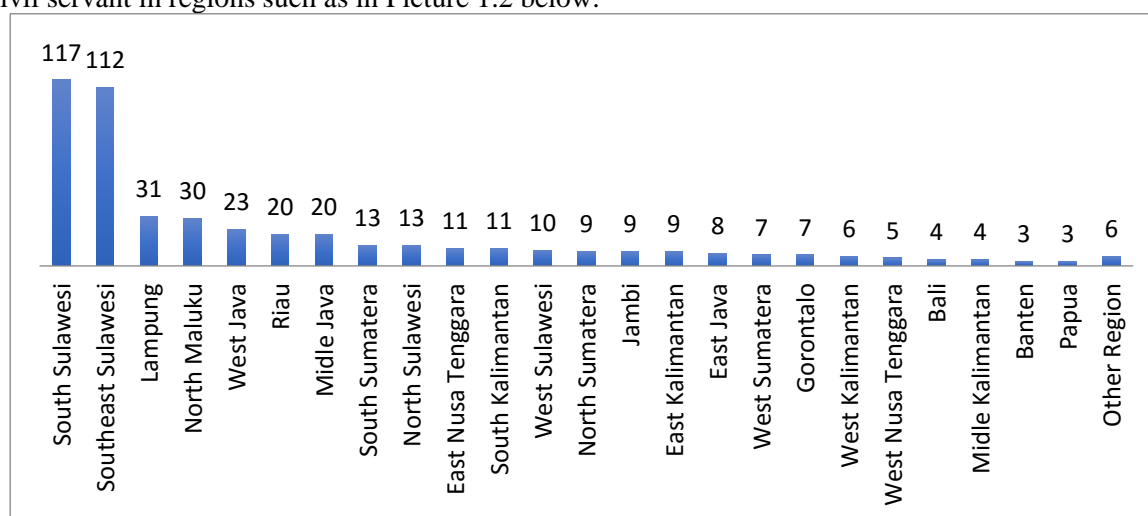
The types of violations most reported related to violations of the principle of neutrality are the involvement of civil servant in campaigning in Malaka Regency, among others in the form of making advertorials to build the image of one candidate pair, implementing programs that benefit one candidate pair, mobilizing the masses to campaign and providing support funds for the campaign. This is reinforced by the findings of violations of the civil servant code of ethics by The Civil Servant Commission in Picture 1.1 below:



Source: Civil Servant Commission, 2018

Figure 1. Number of Civil Servant Neutrality Complaints In 2015 To 2018

Based on data from the System Assessment and Development Sector, Civil Servant Commission (From the Complaints and Investigations Division of Civil Servant Commission & online news portal, 2018) it is known that the neutrality of civil servant in Indonesia tends to fluctuate but increases with East Nusa Tenggara (NTT) Province being in 11 complaints reports related to the non-neutrality of civil servant in regions such as in Picture 1.2 below:



Source: Civil Servant Commission, 2018

Figure 2. Number of Complaints for Violations of Civil Servant Neutrality by Province In 2018

In 2019, the Civil Servant Commission provided records from January 1 to April 15 2019 that there were at least 128 cases regarding the neutrality of civil servant. Not only that, but the State Civil Service Agency (BKN) also provided the same data, quoted from BKN records that around 991 civil servants were involved in violations. Where 99.5% of the violators or the elements come from the Civil Servant with the status of Civil Servants and Contract Workers in Local Government, Malaka Regency is no exception.

In the Malaka Regency itself, the implementation of the Election will automatically involve incumbent candidates who are running for re-election. So this condition is very vulnerable and allows the emergence of potential "pull and pull" interests and abuse of authority with various aspects of the interests and use of civil servant as supporters. This also indicates that the civil servant neutrality concept that has been proclaimed has not yet been fully developed or is still far from being ideal because so far the resonance that has been heard from this polemic has only revolved around the narrative of the words "it should be like this, it should be like this" and so on.

The law has explicitly mandated that the implementation of Civil Servant policies and management must be based on principles, which include neutrality. In Malaka Regency, the authors observed that the impact of the support-support process carried out by bureaucratic officials in Malaka Regency during the Election had a negative impact on the abuse of office authority to assist the process of winning supported candidates.

After the Election, it will greatly affect the management of Regional Personnel Management which is not carried out according to norms and standards or procedures (NSP) in the form of 1) Recruitment of employees, especially Regional Contract Workers (TEDA) to accommodate the Support Team; 2) patterns career become unclear, due to the emergence of arbitrariness in placing people in positions, especially to accommodate the Support Team; 3) The performance of the government bureaucracy is not getting better, because the positions are not filled by competent people.

The involvement of the Civil Servant in the Election must be a serious concern and the root cause of the neutrality of the Civil Servant is of course inseparable from the authority of the Regional Head as

the Personnel Guiding Officer (PPK), which may also influence civil servant in managing the Bureaucracy in various ways hidden goals.

This is done by considering that the form of pressure on civil servant is still vulnerable to occur until the current or future Election, pressure from the power holders is still there in the form of offers, positions, demotions and also mutations that arise from candidates who will advance in the Election. This pressure often occurs in Election cases because the mindset of civil servant is afraid that if it does not meet political pressure, its career will be hampered or even stopped.

Another problem is the widespread culture of hedonism (hedonism) among government officials, especially at the district level. Socio-culturally, this kind of cultural pattern also triggers and preserves the practice of political pressure in the region. When an official is accustomed to a luxurious lifestyle, it is difficult to change his lifestyle to a simple one. The sense is that, for those who come from a well-known family background, it tends to be difficult to change their habits even though they have become high-ranking officials in the government. On the other hand, for those who come from middle-low societies, hedonic culture can drag them into non-neutral politics.

Based on the description above, the author tries to explore in depth each form of real politicization of the bureaucracy regarding the existence of a number of factors that influence the political bureaucracy, namely the strength of personality (personality) in influencing civil servant. Civil servant vested interest in rapid career mobility, weak institutional socialization, manipulation of interpretations, regulation, strong patron-client relationships and the role of Shadow Bureaucracy.

2. Literature Review

2.1 Bureaucracy

The French philosopher Baron de Grimm introduced the word bureaucracy (Albrow, 2007: 3). Bureaucracy comes from the word "Bureau" which means writing desk. This term is always interpreted as a place where officials work. The addition of insertion of 'cracy', which is derived from the Greek word (*'kratein*) which means to the role, results in a term that has very powerful power, penetrating other cultures.

[Heywood \(2013: 641\)](#) says bureaucracy (literally, power by officials) is, in everyday language, a term that has a negative connotation which means unbiased administrative routines. In the social sciences, the concept of bureaucracy refers to the phenomenon of power by unelected officials (through elections), the process of public administration, and a rational organizational style. [Heywood](#) himself in his book writes that Weber himself provides a bureaucratic boundary that is characterized by rationality, behavior guided by rules and impersonal authority.

[Blau and Meyer \(2000: 5\)](#) declare that bureaucracy is a very powerful institution, which has a very large ability to do good or bad because the bureaucracy is a means of rational administration that is neutral on a large scale. Bureaucracy facilitates the expansion of imperialism and economic exploitation so as to damage underdeveloped nations and poor people.

2.2 CIVIL SERVANT Neutrality

Neutrality based on Marbun as quoted by [Hartini \(2009:4\)](#) is that if an active civil servant becomes a member of a political party or member of the legislature, he must resign. Thus the government bureaucracy will be stable and can play a role in supporting and realizing any policy or political will that is in power in the government.

Neutrality in question is the behavior of impartiality, or non-involvement shown by the government bureaucracy during the campaign period for regional head candidates in the Local Leaders Election, either secretly or openly. The indicators used to measure neutrality in research that has been carried out are as follows [\(Hartini, 2009:4-5\)](#):

- a. Not involved, in the sense of not being a candidate's success team during the campaign or becoming a campaign participant either by using party attributes or civil servant attributes
- Not taking sides, in the sense of not helping in making decisions and/or actions that benefit one pair of candidates, not holding activities that lead to taking sides with one of the pairs of candidates for Regional Head/Deputy Regional Head during the campaign period including meetings, invitations, appeals, appeals, or giving goods to civil servants within the scope of their work units, family members, and the community, and not assisting in using state facilities related to positions in the context of winning one candidate pair for Regional Head/Deputy Regional Head during the campaign period.

Law Number 5 of 2014 concerning Civil Servant has been amended with Law Number 8 of 1974 concerning Basic Personnel as amended by Law Number 43 of 1999 concerning Amendments to Law Number 43 of 1999 concerning Amendments to Law Number 8 of 1974 concerning the Basics of Personnel. Although Law Number 8 of 1974 in conjunction with Law Number 43 of 1999 has been revoked, Government Regulation Number 53 of 2010 concerning Civil Servant Discipline is still in effect. Article 4 point 15 of Government Regulation Number 53 of 2010 concerning the Discipline of Civil Servants, regulates the prohibition for every civil servant to provide support to candidates for Regional Head/Deputy Regional Head by being involved in campaign activities to support candidates for Regional Head/Deputy Regional Head, using facilities related to positions in campaign activities, making decisions and/or actions that are beneficial or detrimental to one pair of candidates during the campaign period, and/or holding activities that leading to alignments with pairs of candidates who participate in the general election before, during, and after the campaign period including meetings, invitations, appeals, calls, or giving goods to civil servants within their work units, family members, and the community.

The law has normatively prohibited all Civil Servants in every Local Leaders Election activity. One of the objectives of the establishment of Law Number 5 of 2014 concerning the Civil Servant, is to provide efforts to maintain the neutrality of the Civil Servant from the influence of political parties and to ensure the integrity, cohesiveness, and unity of the Civil Servant, and can focus all attention, thoughts, and personnel on assigned tasks, the Civil Servant is prohibited from becoming a member and/or administrator of a political party.

Normatively, despite the prohibition of the Civil Servant to maintain neutrality in its position as a state apparatus, so that it does not fall into the vortex of political parties as happened during the New Order era. However, the practice that occurs in the lead-up to regional elections is that there are still state civil servants who do not heed the prohibition and instead get involved and sometimes openly support one of the candidates for the regional head, and usually the incumbent is supported.

2.3 Basic CIVIL SERVANT Neutrality Policy

In the implementation, especially in Election on Malaka Regency 2020, the provisions on the neutrality of civil servant are very strict when viewed from the arrangements in several regulations, namely as follows:

Law Number 5 of 2014 concerning Civil Servant has several provisions that regulate the neutrality of civil servant including "Article 2 letter f, stating that one of the principles for implementing civil servant policies and management is "neutrality". It means that every civil servant does not take sides from any form of influence and does not take sides with anyone's interests and Article 87 paragraph 4 letter b, states that civil servants are dishonorably dismissed for being members and/or administrators of political parties.

In the development, based on the decision of the Constitutional Court Number 41/PUU-XIII/2014 dated July 6, 2015, "civil servant who running for the election or are nominated for governor/deputy governor, regent/deputy regent, mayor/deputy mayor must declare their resignation in writing as civil servants since being determined as a candidate for the election of Governor/Deputy Governor,

Regent/Deputy Regent, Mayor/Deputy Mayor” Civil servants who do not implement these provisions will be subject to disciplinary sanctions.

Law Number 10 of 2016 concerning the Second Amendment to Law Number 1 of 2015 concerning Stipulation of Government Regulation Number 1 of 2014 concerning the Election of Governors, Regents and Mayors to become law regulates the Neutrality of civil servant in two articles, namely Article 70 paragraph (1) Pairs of candidates are prohibited from involving Civil Servant, Members of the Indonesian National Police and Members of the Indonesian National Armed Forces and Article 71 paragraph (1) State Officials, Regional Officials, Civil Servant Officials, Indonesian National Army/Police Members, and Village Heads or other designations/Urban Village Head are prohibited make decisions and/or actions that are beneficial or detrimental to one of the pairs of candidates.

A stricter prohibition on the neutrality of civil servants is regulated in PP 53 of 2010 concerning Civil Servant Discipline, which prohibits civil servants, stating that:

1. Provide support to candidates for members of the Regional Representatives Council or candidates for Regional Head/Deputy Regional Head by providing a letter of support accompanied by a photocopy of the Identity Card or Certificate of Identity in accordance with the legislation; and
2. Provide support to candidates for Regional Head/Deputy Regional Head, by:
 - a. Engage in campaign activities to support candidates for Regional Head/Deputy Regional Head;
 - b. Using facilities related to positions in campaign activities;
 - c. Making decisions and/or actions that are beneficial or detrimental to one of the candidate pairs during the campaign period;
 - d. Conducting activities that lead to alignments with pairs of candidates who participate in the general election before, during, and after the campaign period including meetings, invitations, appeals, calls, or giving goods to civil servants within their work units, family members, and the community.

Government Regulation Number 42 of 2004 concerning the Guidance of Corps Spirit and the Code of Ethics for Civil Servants regulates civil servant including Article 11 letter c stating that in terms of ethics towards oneself, civil servants are obliged to avoid conflicts of personal, group or class interests. Related to this, the civil servant Commission in the book “Supervision of the Neutrality of Civil Servant (2018) states that civil servants are prohibited from taking actions that lead to the partiality of one of the candidates or actions that indicate they are involved in practical politics/affiliated with political parties, such as:

- a. Civil servants are prohibited from approaching political parties regarding their plans to propose themselves or others as candidates for Regional Head/Deputy Regional Head.
- b. Civil servants are prohibited from putting up banners/billboards promoting themselves or other people as potential candidates for Regional Head/Deputy Regional Head
- c. Civil servants are prohibited from attending the declaration of candidate pairs/prospective pairs of candidates for Regional Head/Deputy Regional Head with or without using the attributes of prospective pairs of candidates/attributes of political parties.
- d. Civil servants are prohibited from uploading, responding (such as likes, comments, etc.) or disseminating pictures/photos of prospective candidates/prospective pairs of candidates for Regional Head, vision and mission of prospective candidates/prospective pairs of candidates for Regional Head, as well as other relationships with prospective candidates/prospective pairs of candidates for Head of Region Regions through online media and social media
- e. Civil servants are prohibited from taking photos together with prospective Regional Head/Deputy Regional Heads by following the hand symbols/movements used as a form of partisanship.
- f. Civil servants are prohibited from being speakers/resource persons at political party meetings

KPU Regulation Number 3 of 2017 concerning Nominations for the Election of Governors and Deputy Governors, Regents and Deputy Regents, and/or Mayors and Deputy Mayors requires prospective candidates to declare in writing their resignation as members of the Indonesian National

Army, Indonesian National Police, Civil Servants, and village head or other designations since they are appointed as candidates.

Substantially, the provisions related to the need for civil servant neutrality and their prohibitions are more regulated in Laws and Government Regulations related to civil servant itself, not in the Law on Election. The Law Of Election places more emphasis on political parties and pairs of candidates not to involve civil servant and regulates that civil servant who wants to become prospective candidates will take a nomination mechanism that is in accordance with the provisions including submitting their resignation and for those who have been designated as candidates, starting from 60 days after the stipulation must submit a decision on his dismissal as a civil servant.

3. Method

The method used in this research is a qualitative research method, with a case study approach. The types of data in this study are qualitative data and quantitative data. Sources of data in this study are primary data and secondary data. Data collection techniques are observation, interviews and document searches. The informants were determined purposively with a total of 35 people.

Because this research is a case study research, namely an empirical investigation that investigates contemporary phenomena in the context of real life ([Yin, 2009:18](#)), the data analysis technique used is opinion ([Yin, 2009:34](#)) with the dominant form of analysis carried out in this research, namely (a) pattern matching, making explanations and time series analysis.

4. Results and Discussion

4.1 The dilemma of CIVIL SERVANT neutrality in 2020 Local Leaders Election on Malaka Regency

Neutrality in question is an impartial or uninvolved behavior shown by the government bureaucracy during the campaign period for regional head candidates in the Local Leaders Election, both secretly and openly ([Hartini, 2009:4](#)). Based on the findings that the author developed, it appears that in the first month of the 2020 simultaneous regional election campaign in Malaka Regency, the provision of support to candidate pairs, both incumbents and others, alignments through social media (social media) became the highest trend violation of the neutrality of civil servant from existing forms of violations. Based on data obtained at the Malaka Regency BKPSDM as of September 30, 2020, the number of Malaka Regency Civil Servants recorded on the BKN SAPK is 3891 civil servants.

The large number of civil servants as stated in the Malaka Regency BKPSDM document data as of September 30, 2020, has a tendency to be used as a political resource to be mobilized by candidate pairs in the 2020 Local Leaders Election in Malaka Regency and in fact this violation has occurred by civil servants who should be neutral. The violation of civil servant neutrality reached its peak when the Election Supervisory Body of Malaka Regency determined several names to be reported in the alleged case of the Local Leaders Election Crime based on Law Number 10 of 2016 as stipulated in the provisions of Article 188 Juncto Article 71 paragraph (1) concerning the Second Amendment to Law Number 1 of 2015 concerning the Election of Governors, Mayors and Regents.

Some of the names that have been reported by CIVIL SERVANT both in high leadership positions, functional and even in administrative positions in the alleged case of the Local Leaders Election Crime in Malaka Regency based on Recommendation Letter from the Civil Servant Commission Number R-2499/KCIVIL SERVANT/9/2020 dated 3 September 2020 Regarding Recommendations for Violations of CIVIL SERVANT Neutrality and Kristina Ngadji et al and Recommendation Letter from the Civil Servant Commission Number R-2551/KCIVIL SERVANT/9/2020 September 8, 2020, Regarding Recommendations for Violations of CIVIL SERVANT Neutrality an Hironimus Vinsen Seran et al.

The Election Supervisory Agency findings above are an indication for the author that there has been a dilemma of civil servant neutrality in the 2020 Local Leaders Election in Malaka Regency and to find out this, the author uses [Hill's opinion \(1992: 89\)](#) which states that political resources or power ideal

that must be owned by the bureaucracy (civil servant) to maintain the neutrality of civil servant in 2020 Local Leaders Election on Malaka Regency includes four aspects, namely legal aspects, material aspects, operational strategic aspects, aspects of political action and when all these aspects are not fulfilled there will be pressure on civil servant so that civil servant will ignore its neutrality and support one of the candidate pairs in 2020 Local Leaders Election on Malaka Regency.

The author's findings are based on [Hill's opinion \(1992: 89\)](#) it is known that in the legal aspect of its implementation in Malaka Regency, civil servant cannot control the implementation of policies made by the incumbent because civil servant is only an implementer of policies, on the material aspect, civil servant access to budget use state expenditure (national budget), equipment such as computers, data and reliable human resources (HR) material aspects, strategic aspects or civil servant advantages in terms of expertise, knowledge, specialization, and information control, as well as decision making and aspects of political action, namely the ability of civil servant to utilize all the resources they have to implement policies efficiently or to pursue their own goals cannot be carried out because civil servant is the implementer of the political policy of the elected regent and when all these aspects are not met then There will be pressure on civil servant so that civil servant will ignore its neutrality and support one of the candidate pairs in 2020 Local Leaders Election on Malaka Regency and this is evidenced by taking into account the recommendation letter from the Civil Servant Commission Number R-2499/KASN/9/2020 September 3, 2020 Regarding Recommendations for Violations of Civil Servant Neutrality an Kristina Ngadji et al and the recommendation of the Civil Servant Commission Number R-2551/KASN/9/2020 dated September 8, 2020 Regarding Recommendations for Violations of Civil Servant Neutrality an Hironimus Vinsen Seran et al by the Regent of Malaka through the BKPSDM of Malaka Regency with Number: BKPSDM.820/145 /IV/2021 concerning Moral Sanctions Open Statements Civil Servant provides moral sanctions and public statements.

The authors' findings also note that the trend of Complaints of violations of the neutrality of civil servant in the 2020 Local Leaders Elections in Malaka Regency has increased from the previous period (Malaka Regency Election 2015). So it can be explained that one of the supporting factors for the increasing number of complaints against civil servant neutrality is one of them is the growing use of social media that encourages partiality. This can be seen from the high data on violations of neutrality of civil servant where civil servant use the medium of social media activities during the 2020-2021 campaign period like participating in a campaign/socializing with one of the candidate pairs through social media and this becomes a dilemma in the midst of demands for regulations that prohibit civil servants from entering the world of practical politics. Civil servant involvement in organizing campaigns in Malaka Regency includes making advertorials to build the image of one candidate pair, implementing programs that benefit one candidate pair, mobilizing the masses to campaign and providing financial support for the campaign.

The current demand for the neutrality of civil servant is inseparable from the birth of the reform era in 1998, which resulted in several policies towards Civil Servants at that time. One of them is that civil servants cannot engage in practical politics and cannot become members of political parties. If you are involved in practical politics and become a member of a political party, you are obliged to resign from a civil servant. This has been proven since the 1999 election, that civil servants are no longer nominated to become members of the legislature. Civil servants who became members of the legislature in the previous election were finally given a choice and many chose to return to the world of bureaucracy after being in the legislative world for so long. From here the starting point for the echo of civil servant neutrality began to be inflamed with the hope of returning to the field of service for the community.

The minimal neutrality of civil servant in the 2020 Malaka Regional Election is based on [Hill's opinion \(1992: 89\)](#) because civil servant does not have access to legal aspects, which in implementation in Malaka Regency civil servant cannot control the implementation of policies made, by the incumbent and the incumbent couple. The election-winning pair, on the material aspects, namely civil servant access to the use of the national budget, equipment such as computers, reliable data and human resources (HR), strategic aspects or civil servant advantages in terms of expertise,

knowledge, specialization, and control information as well as decision-making and aspects of political action, namely the ability of civil servant to utilize all the resources they have to implement policies efficiently or to pursue their own goals cannot be carried out because CIVIL SERVANT is the implementer of the political policies of the elected regent and when all these aspects are not met then There will be pressure on civil servant so that civil servant will ignore its neutrality and support one of the candidate pairs in 2020 Local Leaders Election on Malaka Regency.

This finding is in line with the findings of [Wiwid Ambarwati, Gustiana Anwar Kambo, Muhammad \(2020\)](#) where the mobilization of the Civil Servant carried out by the IYL-Cakka candidate pair in the 2018 South Sulawesi Governor and Deputy Governor Election process in Gowa Regency is very structured and massive. This allegation is evidenced by the victory of IYL-Cakka in Gowa by 68.38 percent. Most of the Population Identity Card support for IYL-Cakka's candidacy came from Gowa Regency with a total of 260,650. Based on the results of administrative verification, support from civil servant is 0.50 percent and factual verification is 1.53 percent. While the symbol support is proven through the many cases of civil servant violations reported at Bawaslu.

Several studies (Wilson 1887; Goodnow 1900; [Weber 1946](#); Holcombe and Gwartney 1989; Rahman 2014; Muhdiarta, Haning, and Ahmad 2017; Dasandi, and Esteve 2017) show that the politicization of the bureaucracy is not only happening in the Malaka Regency Election but is on the rise globally and in line with the times. Political involvement in the bureaucracy such as this in the appointment and functioning of the bureaucracy is considered to be at the center of controversy regarding the poor performance, mismanagement and maladministration of government institutions and the politicization of the bureaucracy is at the core of public sector corruption, service delivery bottlenecks, governance and administration failures, lack of accountability and transparency, and poor financial management.

4.2 Factors That Caused CIVIL SERVANT Dilemma, Neutral CIVIL SERVANT, Non-Neutral CIVIL SERVANT And Gray CIVIL SERVANT In 2020 Local Leaders Election On Malaka Regency

The aura of the Regent's interest in making decisions to place strategic officials gives rise to a powerful nature. In this dimension, primordial and closeness elements trump quality with the consequence that the placement of officials is not in accordance with their competence. In the context of governance, there is a recruitment of bureaucratic leadership and this is an arena that is full of dynamics of political and bureaucratic relations, and there are often conflicts of interest between the two. Politically advantaged officials then often behave as tyrannies of the winners, winners who dominate vital bureaucratic positions.

On the other hand, contrary to the current political rulers, dreams and future careers are hampered, even marginalized. The bureaucracy became polarized and officials obsessed with gaining power quickly became the political hands of the rulers. Top rulers in the regions feel they have full authority to choose, appoint and replace structural officials who will assist them in government ([Edison, 2011](#)). Finally, civil servant is more oriented towards building political closeness with the authorities rather than building competence and performance to ensure their career ([Prasodjo & Rudita, 2014](#)).

The ideal theoretical model to examine the dilemma of civil servant neutrality in the 2020 Local Leaders Election on Malaka Regency can be approached with the Karl D Jackson approach, ([Jackson et al. 1978:4](#)) related to bureaucratic policy (bureaucratic political society) so that it becomes relevant to see the political and bureaucratic relations in the local democratic regime of Malaka Regency, where regional heads as the ruling elite use their power to make the bureaucracy an effective political tool with the following factors with the findings as follows:

a. There is a patron-client relationship

The patron-client relationship, namely a special relationship, namely family and kinship, ethnicity and ethnicity, religion, reciprocity affects the neutrality of civil servant in the 2020 Local Leaders Election in Malaka Regency. This political patronage will hinder the application of the civil servant neutrality principle. The current political system costs a lot of money. This resulted in the candidates for regional heads/political officials must have enough capital to be able to win the election. Political

officials, especially the elected regional heads, have the authority and power in managing civil servant resources. It is very possible for them to use this power by mobilizing the support of civil servant employees who have authority over state/regional budgets and assets. This makes it difficult for civil servant employees to be neutral.

It should be noted that Simon Nahak and Kim Taolin (SN–KT) succeeded in overthrowing the incumbent and is also his father who is paired with Stef Bria Seran and Wande Taolin (SBS–WT). Kim Taolin, a candidate for Deputy Regent (Cawabub) of Malaka, overthrew his father, Wande Taolin, who is also a candidate for Cawabub of this Regency in the 2020 Election. Kim overthrew his father for the plenary results of votes from 12 sub-districts.

Based on the results of the vote count from the 12 sub-districts, the SN KT Package received 50,890 votes (50.49%). Meanwhile, SBS–WT collected 49,906 votes (49.51%). 5 seats in DPRD from 3 political parties, namely PKB with 3 seats, PSI with 1 seat, and Perindo with 1 seat supported Simon Nahak and Kim Taolin. Meanwhile, incumbent Stef Bria Seran and Wande Taolin were promoted to 20 seats in the Malaka DPRD. The details are 8 seats for Golkar, 3 seats for PDIP, 2 seats for Democrats, 3 seats for NasDem, 3 seats for Gerindra, and 1 Hanura. Taolin won in 4 districts.

In the local democratic regime of Malaka Regency where the regional head is the ruling elite and the candidate for regional head with family relations, each uses power and connections to make the bureaucracy an effective political tool to form a patron-client, namely a special relationship, namely family and kinship, ethnicity and ethnicity, religion, reciprocity affect the neutrality of civil servant in 2020 Local Leaders Election on Malaka Regency.

In the results of interviews and observations of the author, it is known that there has been a patron-client for civil servant in Malaka Regency when the 2020 Election was held because they honestly stated that they felt a double dilemma and dilemma because on the one hand civil servant had a close family relationship with the representative of the incumbent candidate and as civil servant they must follow the direction of the leadership, namely the incumbent regent candidate while on the other hand, the civil servant also has a family relationship with the deputy regent who is the opponent of the incumbent candidate and there is an emotionally close relationship and reciprocation and they honestly admit because of the closeness of this patron-client in the end it caused them not to be neutral in the 2020 Malaka Regency Election.

b. There is job compensation

Position compensation also means the compensation received by civil servant for the services or results of their work in the election contestation to win the candidate for regent they support by being given a higher position than their current position or maintaining their position and this also affects the neutrality of civil servant in 2020 Local Leaders Election on Malaka Regency.

Based on these findings, it can be stated that at the level of implementation in the field, so far the CIVIL SERVANT cannot be said to be neutral, as evidenced by the authors' findings that although the successful teams of the incumbent pairs are not immediately replaced when their opponents are inaugurated when they finish serving, these positions will be filled by a successful team of elected regents and deputy regents.

This can happen because of the attitude of civil servant who are vulnerable and easily carried away by political currents and need to lobby to get promotions. The actions of civil servant elements in supporting this pair of candidates for the Regional Head and Deputy Regional Head also seem to have become cases that often occur.

It appears that even with the various forms of preventing violations of the neutrality of the civil servant, a significant number of civil servant persons are still seen case by case when an individual within the Malaka Regency Government Scope supports one of the candidate pairs to get a higher

position promotion and the Regent's political power. Malaka to control the neutrality of the civil servant is increasingly legitimized by the Regent with the Malaka Regent Regulation No. 3 of 2013 concerning the Establishment of the Organization and Work Procedure of the Malaka Regency Offices in Article 14 paragraph 2 which states that the secretary, head of the division, head of sub-section, head of the section, head of UPTD, Heads of sub-sections at UPTD and functional officers are appointed and dismissed by the Regent and this is proven by the election of SN KT, compensation for positions has been given as Acting Secretary of the Malaka Youth and Sports Office through the Acting Executor's Order Number: BPKSDM.824/289/ V/202.

4.3 Efforts to Be Done to Prevent CIVIL SERVANT Neutrality Dilemma in 2020 Local Leaders Election on Malaka Regency

Based on the findings of this study related to the neutrality of civil servants at the Malaka Regency Election in 2020, then The effort that must be made to prevent the dilemma of civil servant neutrality in the 2020 Local Leaders Election on Malaka Regency is to place the bureaucracy as the implementation of policies that work efficiently, professionally, rationally and serve the people. Or in other words, bureaucratization is the implementation of ideal and rational organizational principles and when all these efforts are fulfilled, the dilemmatic pressure on the neutrality of civil servant will be reduced or even lost, namely as follows:

1. Application of merit system

In this case, the Merit system according to discipline is a personnel management system that emphasizes the basic considerations of competence for candidates who are appointed, placed, promoted and retired according to the applicable law. According to Article 1 of Law Number 5 of 2014 concerning Civil Servant, the Merit System is a policy and management of civil servant based on qualifications, competence and performance in a fair and reasonable manner without distinction of political background, race, color, religion, origin, gender, marital status, age or disability conditions such as the phenomena that occurred in 2020 Malaka Regional Election.

There are six important points that must be observed from the Merit system that must be carried out in Malaka Regency. First, regarding the organization of civil servant planning based on organizational functions through job analysis and workload analysis, personnel audits, and adjustments to national policy directions. Second, recruitment is oriented to the best talent, job-based recruitment and certification. Third, capacity building in overcoming competency gaps by training 20 hours per year for each civil servant. Fourth, continuous performance appraisal by forming a performance appraisal team. Fifth, dynamic promotion and rotation of civil servants through talent mapping (through assessment) and career planning (open recruitment). Sixth, appreciate proper changes to the pension system and an adequate compensation system.

According to Article (8) of Permenpan No 40 of 2018, the scope of the Merit system includes:

1. Carry out recruitment, selection and promotion based on open and fair competition by preparing human resource planning for the apparatus in a sustainable manner.
2. Treat civil servant Employees fairly and equally.
3. Manage civil servant employees effectively and efficiently.
4. Provide equal remuneration for equal work with regard to performance results.
5. Provide awards for high employee performance.
6. Provide penalties for disciplinary violations.
7. Maintain high standards of integrity, conduct, and concern for the public interest.
8. Implement filling positions with competency tests according to the required job competency standards.
9. Provide opportunities to develop competencies for civil servant employees.
10. Implement employee performance management to achieve organizational goals.
11. Protecting civil servant employees from political intervention and arbitrary actions.
12. Provide protection to employees.

However, the most basic thing from implementing the Merit system is the concept of developing civil servants with integrity, ethics, strategic thinking, collaborating, making firm decisions, innovating and working thoroughly and maximally without political intervention.

2. Strengthening degree specialization or clear division of tasks and free from political interference
The first effort that must be made to eliminate the dilemma of civil servant neutrality in the 2020 Local Leaders Election in Malaka Regency is to have a clear division of tasks for civil servant in Malaka Regency. Strict division of tasks makes it possible to employ only experts with certain specializations in certain positions and make them responsible for carrying out their respective duties effectively without the dilemma of fear of political interference and also to be in line with Law Number 5 of 2014 regarding the Civil Servant which states that in the context of implementing the ideals of the nation and realizing the goals of the state as stated in the preamble to the 1945 Constitution of the Republic of Indonesia, it is necessary to build a Civil Servant that has integrity, is professional, neutral and free from political intervention, free from corrupt practices, collusion, and nepotism, as well as being able to provide public services for the community and being able to carry out the role as an adhesive element of national unity and integrity based on Pancasila and the 1945 Constitution Republic of Indonesia.

There are degrees of specialization or clear division of tasks according to [Tompkins \(2005:60\)](#) is called standardization by identifying four aspects of standardization in classical organizational theory literature, namely standardization of work processes, standardization of work outputs, standardization of worker skills and standardization of values as rational methods to coordinate and control civil servant work activities to be free from political activities.

This standardization in the bureaucracy refers to the degree to which the work carried out by civil servant is standardized, namely the extent to which regulations, procedures, instructions and communications are written (Robbins, 1994:103) and if each of these activities gets interference from politics, these activities need to be re-evaluated carefully strict sanctions. [Daft \(1989: 180\)](#) states that formalization refers to regulations, procedures and written documentation outlining the rights and responsibilities of civil servant according to [Organ and Greene \(1981: 238\)](#), namely by exercising permanent control over office activities through regulations and administrative procedures are not based on political rules. Examples of formalization in the bureaucracy are policy guidelines, terms of reference, procedural manuals, organizational charts, evaluation technical guide and program review ([Alavi et al., 2010:87](#)).

3. The existence of a rational hierarchical authority structure with limits of responsibility clears the answer.

The second effort that must be made to eliminate the dilemma of civil servant neutrality in the 2020 Local Leaders Election in Malaka Regency is to implement a rational hierarchical authority structure based on clear boundaries of responsibility by organizing the bureaucracy following the hierarchical principle, namely that lower units in the organization are under the supervision and guidance of higher units. His superiors are responsible for all decisions and actions taken by his subordinates and he trusts every civil servant who is in this administrative hierarchy.

In order to be responsible for the work carried out by his subordinates, he is given the authority to regulate them, he has the right to give orders and his subordinates have the obligation to obey them. However, it must be remembered that this authority only applies as long as it relates to tasks with rational and clear boundaries in accordance with statutory regulations such as official activities and not for political activities such as carrying out a black campaign to support one of the pairs of candidates for regent in the Local Leaders Election of Malaka Regency 2020.

In the bureaucracy, the division of labor for civil servant only refers to the area of official jurisdiction of the civil servant because according to [Hummel, 2000:121](#)) that vague and unsystematic tasks clearly hinder organizational development, one example of which is becoming a successful team for one of the candidate pairs, especially incumbent candidates. The classical public administration

literature includes this division of labor and specialization as one of the administrative principles. One of the general principles in the literature is the principle that administrative efficiency increases due to task specialization among groups (Simon, 2004:39).

4. The relationship between members is impersonal, namely, the separation between official affairs and personal (political) affairs which will ensure the efficient execution of tasks

The third effort that must be made to eliminate the dilemma of civil servant neutrality in the 2020 Local Leaders Election in Malaka Regency is the ideal civil servant carrying out their duties with the *spirit of sine ira et studio* (formal and impersonal), without feelings of resentment and lust and without liking and disliking. So that rational guidelines can influence the course of carrying out their duties without being interfered with by matters of a personal nature in the bureaucracy (especially in political choices) civil servant must display an approach that does not contain personal ties such as patron-client ties or due to promotions.

Civil servant only needs to obey the authority of the candidate pair for regent only in their capacity as leaders during their term of office and the most important thing to obey is solely the basis of the rule of law. Personally, a civil servant is a free person; he is subject to authority only with regard to the impersonal obligations of his position. Obedience is aimed not at individual officials but solely at orders based on the law so as to form an impersonal order that will ensure the efficient implementation of the duties of civil servants.

Bureaucracy with its extension, namely civil servant is a logical consequence of a democratic life that requires objectivity and policy consistency. Therefore, the bureaucracy is impersonal ([Wibawa, 2009:103](#)). The impersonal nature of the bureaucracy is needed so that the services provided by the bureaucracy to the community meet the principles of justice (equity) and avoids partisan culture.

5. Mechanism of appointment or recruitment and promotion of civil servants based on technical skills

The fourth effort that must be made to eliminate the dilemma of civil servant neutrality in the 2020 Local Leaders Election in Malaka Regency is the mechanism for the appointment or recruitment and promotion of civil servant positions in bureaucratic organizations in Malaka Regency based on technical qualifications and must be protected from unilateral dismissal because is a political opponent of the candidate who won the 2020 Malaka Local Leader Election because the appointment or promotion in a bureaucratic organization should include a career path and contain a promotion system based on technical skills or achievements or a combination of both.

Generally, positions in a department in Indonesia consist of political positions (non-career) and bureaucratic positions (career). The implication is that politicians who gain political power through general elections occupy political positions, while positions below them such as the positions of Regional Secretary, Head of Service and District Head (Camat) are held by professional employees (career bureaucrats). The presence of political parties in a government system also affects the government bureaucracy ([Thoha, 2005:151](#)).

According to [Max Weber \(1947:331\)](#) candidates for officials in the bureaucracy must be selected according to technical qualifications, filling positions through selection that is free from political intervention, only people who have adequate technical training can be considered qualified to occupy administrative staff positions and only people like That is also the one who meets the requirements to be appointed to the position.

6. Required bureaucratic reform

In order to realize the success of bureaucratic reform to realize good government, the concept of developing apparatus resources must be carried out in a sustainable way. In the concept of bureaucratic reform, there are 4 pillars in the implementation of which Presidential Decree No. 81 of 2010 circulates, namely:

1. The realization of an effective and efficient government
2. The creation of competent and competitive human resources for the apparatus
3. An open and serving government
4. Clean government apparatus, free of corruption and accountability.

5. Conclusion

Based on the description related to the introduction, literature review, research methods and analysis and discussion in this study, it can be concluded that:

1. The dilemma of civil servant neutrality in the 2020 Local Leaders Election in Malaka Regency occurred because civil servant did not have the power or capacity to fulfill all aspects that would make it neutral [Hill \(1992:89\)](#) namely legal, material, strategic or superior aspects as well as aspects of political action and when all these aspects are not met, there will be pressure on civil servant so that they ignore their neutrality and then support one of the candidate pairs in 2020 Local Leaders Election on Malaka Regency.
2. Factors that cause the dilemma of civil servant neutrality in the 2020 Local Leaders Election in Malaka Regency using the [Karl D Jackson approach \(1978:4\)](#) related to Bureaucratic-Policy (bureaucratic political society) with the findings that the cause of the dilemma of civil servant neutrality is because there are patron-client factors and position compensation.
3. Efforts must be made to prevent the dilemma of civil servant neutrality in 2020 Local Leaders Election on Malaka Regency, namely by implementing an effective merit system, strengthening the degree of specialization or division of tasks that are clear and free from political interference, the existence of a rational hierarchical authority structure with the boundaries of responsibility are also clear, the relationship between members is impersonal, namely the separation between official affairs and personal (political) affairs which will ensure the efficient execution of tasks, the mechanism for the appointment or recruitment and promotion of civil servant positions based on technical skills and bureaucratic reform.

References

- Alavi, M.M., Almashaqba, Z.M.S., and Al-Qeed, M.A.N. (2010). The Classical Theory of Organisation and It's Relevance. International Research Journal of Finance and Economics. Issue 41.
- Blau, Peter M. dan Meyer Marshall. (2000). *Birokrasi dalam Masyarakat Modern*. Jakarta: UI Press.
- Daft, R.L. (1989). *The Learning: The Craft of Organizational Research*. Academy of Management Review. Vol. 8, pp. 539±546.
- Denhardt, R. B and Denhardt J. B. 1998. *Public Administration: An Action*. New York: Wadsworth Publishing.
- Edison. (2011). *Meritokrasi vs Politisasi Jabatan Karir Dalam Birokrasi Lokal : Sebuah Paradoks Netralitas Birokrasi*. Jurnal Kebijakan dan Administrasi Publik vol. 16 no. 1, 67-76. Universitas Gadjah Mada.
- Etzioni dan Halevy. (2011). *Social Change, Sources, Patterns and Consequences*. New York, London: Basic Books Inc Publishers.
- Evers, Hans Dieter dan Tilman Schiel. (1992). *Kelompok-Kelompok Strategis: Studi Perbandingan Tentang Negara, Birokrasi dan Pembentukan Kelas di Dunia Ketiga*. Jakarta: Yayasan Obor.
- Feith, Herbert. (1999). *Pemilihan Umum 1955 di Indonesia (The 1955 Indonesian General Election)*. Jakarta: Kepustakaan Populer Gramedia.
- Hartini. (2000). *Penegakan Hukum Netralitas Pegawai Negeri Sipil (CIVIL SERVANT)*. Purwokerto: Dinamika Hukum, FH Unsoed Purwokerto.
- Heywood, Andrew. (2013). *Global Politics*. New York: Palgrave Macmillan.
- Hill, Larry B. (ed). (1992). *The State of Public Bureaucracy*. New York: M. E. Sharpe Inc.
- Hummel, Ralph P. (2000). *Bureaucracy. In Defining Public Administration: Selections from the International Policy and Administration*. Edited by Jay M. Shafritz. Colorado: Westview Press. pp. 121-128.
- Islamy, Muh. Irfan. (1998). *Agenda Kebijakan Reformasi Administrasi Negara*. Malang: Fakultas Ilmu Administrasi-Universitas Brawijaya.

- Jackson Kard D and Lucian Wpye. Ed. (1978). *Political Power and Communication in Indonesia*. California: University California Press.
- Krieken, R. V. et al. (2000). *Sociology Theme and Perspective*. Second Edition. French Forest: Longman.
- Martini Rina. (2012). *Birokrasi dan Politik*. Semarang: UPT UNDIP Press.
- Newton Kenneth dan Van Deth Jan W. (2017). *Perbandingan Sistem Politik: Teori dan Fakta*. Bandung: Nusamedia.
- Organ, S.R., dan Greene, N. (1981). *Power and Organizations*. London: Sage Publications
- Prasodjo, Eko & Laode Rudita. (2014). *Civil State Apparatuslaw: Building The Professionalism Of Civil State Apparatus*. Jurnal Kebijakan dan Manajemen ASN vol. 8, 13-29. Badan Kepegawaian Negara.
- Rozi. Syafuan. (2006). *Zaman Bergerak, Birokrasi Dirombak: Potret Birokrasi dan Politik di Indonesia*. Jakarta: P2P-LIPI
- Taylor, R.H. (1996). *Elections and Politics in Southeast Asia* in *The Politics of Elections in Southeast Asia*. (Ed. R.H. Taylor). Cambridge: Woodrow Wilson Center Press and Cambridge University Press.
- Thoha, Miftah. (2005). *Dimensi-dimensi Prima Ilmu Administrasi Negara*. Jakarta: Rajawali Pers.
- Tompkins, Jonathan R. (2005). *Organization Theory and Public Management*. Belmont: Thomson Wadsworth.
- Virbhadra Singh. (1996). *Corrupt Practice in Elections*. New Delhi: Deep & Deep Publications.
- Weber, Max, (1947). *From Max Weber: Essays in Sociology*. Edited by H.H. Gerth and C. Wright Mills. New York: Oxford University Press.
- Wibawa, Samodra, (2009). *Politik Perumusan Kebijakan Publik*. Edisi Pertama. Yogyakarta: Graha Ilmu.
- Wiwid Ambarwati, Gustiana Anwar Kambo, Muhammad. (2020). *The Violation of Bureaucracy at Local Election in Gowa South Sulawesi: Based on Weberian and Marxism Concept*. Jurnal Aristo (Social, Politic, Humaniora) Vol. 08, No.2 (2020): Juni, pp. 297 - 311 Social and Political Science Faculty, Universitas Muhammadiyah Ponorogo. 297 p-ISSN 2338-5162 / e-ISSN 2338-5162 <http://journal.umpo.ac.id/index.php/aristo/article/view/AMBKMMM>.
- Yin, R. K. (2008). *Studi Kasus, Desain dan Metode*. Penerjemah Mudzakir. Jakarta: Raja Grafindo Persada, Jakarta.
- Zulfa M., Ananda Lisa P.S., Agustya Panca P., Waziroh Nurul H., Aldy Nata M. (2019). *Demokrasi Indonesia*. Jurnal Departemen Teknik Universitas Airlangga. <https://osf.io/hwesf/download>.