

# Civil Servant Neutrality in Regional Head Election

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## ABSTRACT

This study aims to determine the neutrality of the Civil Servant in the Regional Head Election by taking the research location at the local government agencies of Palu City and Sigi Regency. To understand and know this, several theories are used to explain the problem. In this case, the theory of democracy is used, the theory concerning the election of regional heads, and the theory concerning the neutrality of the civil servant. The research method used is a qualitative method with a phenomenological approach, looking at the meaning for research subjects as the main thing in understanding the phenomena experienced regarding neutrality in regional head elections. In carrying out this research, a number of informants were involved, especially from civil servant circles, officials or civil servant leaders who were deemed to know and understand the nature of neutrality of civil servant in their respective work environments, and also the Commissioner of Regional Election Commission and Regional Election Monitoring Bureau of Sigi Regency and Palu City, which each are as also election organizer. In addition, secondary data searches were also carried out to complement primary data obtained from informants, by conducting library studies, document studies, and searching for secondary data directly at local government institutions or services deemed to have the data. Furthermore, data analysis was carried out by following the analysis path recommended by Miles and Hubermann: collecting data, displaying data, reducing data, analyzing data, conclusion, and verifying data. This study found that the neutrality of civil servant was not yet fully underway. Many civil servant elements turned out to be siding with the Candidate Pair for Regional Head/Deputy Regional Head. Incumbent Candidate Pairs who most influence civil servant through various Pilkada activities that can be seen as partisipans.

**Keywords:** *Regional Head Election, Civil servant Neutrality, Political Participation, and Democracy*

## 1. INTRODUCTION

Civil servants, for the people is the apparatus that is relied upon to fill, mobilize, and manage government organizations commonly called the bureaucracy. civil servant in the bureaucracy work in their respective fields, taking care of the people according to their main duties and functions in accordance with the purpose of their formation (raison d'atre). In connection with this, the people always hope and demand that civil servant does not engage in politics. civil servant by the people is expected not to submit to the power of individuals or groups, but to serve the power of the state [1][2]. In the context of the Regional Head Election, it is hoped that civil servant will carry out their daily duties, not being affected by the hustle and bustle of the democratic event of changing regional leaders which is held once in five years. civil servant is expected to fully concentrate on carrying out their daily tasks, especially serving the people with all their soul and heart provided [3][4][5]. The formatter will need to create these components, incorporating the applicable criteria that follow. Realizing a truly neutral civil servant in the implementation of the Regional Head

Election, does not seem easy [6]. Because civil servant is actually two-faced. Namely, on the one hand they are the people and on the other hand they are also state officials. These two faces more or less cause civil servant to have dual interests as well. The role as a state apparatus often gets political temptations and even challenges that require it to openly or covertly carry out political activities as part of the regional election where the civil servant should show a neutral attitude and behavior [7][8]. In that context, the question arises whether civil servant should be neutral in the process of organizing the regional election or as people whether they should not channel their political rights, be elected and vote in the regional election event. The election of regional heads is a means for the people to realize their sovereignty (Law No. 1 of 2015). This is a manifestation of the embodiment of the concept of democracy in which sovereignty belongs to the people [9][10][11]. The form, among others, is to elect regional leaders through the mechanism of the Regional Head Election once in five years. In this election, the people have the widest opportunity to seek, see, weigh, evaluate, determine and then elect their leaders in the regions directly

[12][13][14]. The people realize that only good leaders, elected through the right election process, are able to work to prepare progress in the region towards the realization of people's welfare [15][16][17].

The series of descriptions presented above indicate the need for this research to be carried out to answer the question, what is the real neutrality of civil servant in the 2020 regional head election in Central Sulawesi.

## 2. RESEARCH METHOD

The focus of this research is the Neutrality of the State Civil Apparatus (civil servant) which took place in the 2020 Regional Election in Palu City and Sigi Regency. These two autonomous regions are seen as representing other autonomous regions (regencies/cities) in Central Sulawesi Province.

This research is an ex-post facto research, research conducted where the events have already taken place. The research design is qualitative, directly taking data and information on the background and individuals holistically (whole), trying to minimize the distance between the researcher and the research subject [18].

This study uses a phenomenological approach, reflecting direct human experience, as far as the experience is intensively related to an object [19], trying to understand how a person experiences and give meaning to an experience, Ethical and emic approach [20], also used to strengthen the phenomenological approach.

Primary data was obtained by conducting in-depth interviews with a number of predetermined informants, deemed to know and understand various things regarding the neutrality of Civil servants in the 2020 Local Election along with all the stages and processes. In the discussion of this study, the informants refused to write their names, so their names were disguised in the form of initials (S for informants from Sigi Regency and P for informants from Palu City).

Secondary data is obtained by conducting searches on various agencies/institutions. In addition, literature studies and document studies were carried out. The data collection techniques for this research include: observation, in-depth interviews, document studies, and literature studies. Furthermore, data analysis was carried out using Miles and Huberman's line of thought [21], namely data collection, data presentation, data reduction, conclusion and verification of the conclusions, so the analysis continues in a circular manner until a truly mature conclusion is obtained.

## 3. RESEARCH RESULT

### 3.1 Location Overview

The number of people required to vote in Sigi Regency is 171,926 people. Consisting of, 49% male and the remaining 51% female. The number of civil servants working in the Sigi Regency Government is 5,390 people. It consists of 2,261 women and 3,129 men. While the number of civil servants as many as 6,197 people. Consisting of 2,066 men and the remaining 4,131 women.

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### 3.2 Civil servants' Understanding of Neutrality in the Local Election

Civil servants work as bureaucrats in various government institutions at various levels, from the central government to the district/city government level. According to the Article 1, Law no. 5 of 2014, paragraph 1 states: Civil Servant is a profession for civil servants and government employees with work agreements working for government agencies. Furthermore, in paragraph 2 it is stated: Civil servants are government employees with work agreements appointed by staffing officers and assigned tasks in a government position or entrusted with other state duties and are paid according to the laws and regulations. It is further explained in paragraph 3, Civil servants are Indonesian citizens who meet certain requirements are appointed as government Employees on a permanent basis by staffing officers to occupy government positions. Furthermore, in Article 9, paragraph 2, it is expressly stated, a Civil servant must be free from the influence and intervention of all political groups and parties (Law No. 5 of 2014 concerning State Civil Apparatus [JDIH BPK RI], n.d., p. 5). (*UU No. 5 Tahun 2014 Tentang Aparatur Sipil Negara [JDIH BPK RI]*, n.d., p. 5).

In general, the main tasks and functions of Civil servants are described in Article 12 of the law as follows: civil servants act as planners, implementers, and supervisors for the implementation of general government tasks and national development through the implementation of policies and public services that are professional, free from political intervention, and free from corruption, collusion and nepotism. Article 12 in addition to generally explaining the role of civil servants also explains their position which must be neutral in a professional sense, free from political intervention, and free from Collusion, Corruption and Nepotism practices.

A civil servant is only subject to state power, not to rulers who may conflict with state power [36][37]. This is a manifestation of the professionalism and neutrality of civil servant in carrying out their duties and roles. This argument is in line with PP No. 11 yrs. 2017 About Civil servants Management. In this case, it is explained about civil servants which must be professional and free from political intervention and free from KKN. In Article 1 paragraph 1, PP no. 11 of 2017 stated that the management of Civil servants: Management of Civil servants is the management to produce a professional employee, who has basic values, professional ethics, free from political intervention, clean from corrupt practices, collusion, and nepotism (PP No. 11 of 2017 concerning Management of Civil servants [JDIH BPK RI], nd, p. 11). Furthermore, PP No. 53 of 2010 concerning Civil Servant Discipline also regulates the neutrality of the Civil servants, especially in Article 3, number 14 and 15 (PP No. 53 of 2010 concerning Civil Servant Discipline [JDIH BPK RI], n.d., p. 53). The Civil servant's neutrality is also regulated in Law no. 1 of 2015 concerning the Election of Regional Heads, in particular Article 70 (Law No. 1 of 2015 concerning the Stipulation of Government Regulations in Lieu of Law Number 1 of 2014 concerning the Election of Governors, Regents, and Mayors to become Laws [JDIH BPK RI], nd, p. 1). Furthermore, the neutrality is also regulated in PP No. 42 of 2004, specifically Article 11, letter C (PP No. 42 of 2004 concerning the Development of Corps Spirit and Code of Ethics for Civil servants [JDIH BPK RI], n.d.)

All regulations or rules stated above should be observed, known, understood, and implemented by a civil servant, including the Palu City and Sigi Regency governments. However, what has been stated above is not entirely true in that sense in reality on the ground. The reality, based on the observations made, is that some civil servants' elements in every General Election (Election) event occur, including in the local election, including the 2020 local election in Palu City and Sigi Regency.

Especially during the local election, it was very clear how the district/city government bureaucracy was divided. "It seems that bureaucracy is difficult to avoid, not divided," is the summary of opinions from all the informants involved in this study. The bureaucracy, according to the informants, looks very partial. In fact, the alignment of bureaucrats in general elections also takes place in many developing countries. Various studies show this[34][35].

The civil servants are interested in the race for the candidates for the Regent/Deputy Regent and the Mayor/Deputy Mayor candidates. What's more if the contestant is a candidate who is still in office (the incumbent). It seems that civil servants find it difficult to avoid taking sides. According to informants, especially incumbents, they have openly requested support from the civil servants in various ways. "The method used is often not asking anymore but pressing government

employees, especially the leadership of Regional Apparatus Organizations (*OPD*). As a result, the *OPD* leadership will try in various ways to ask or pressure their subordinates to provide support to the incumbent who is contesting," explained the informant (S.01) from Sigi Regency. The same opinion was also expressed by other informants from Sigi Regency and Palu City. The regional head election contestants seem to be very aware of the potential of civil servants which, if used properly, can determine victory.

The need for civil servants' neutrality by upholding all regulations regarding neutrality is very well known and understood by all civil servants both in Palu City and in Sigi Regency. "The problem is the leadership, especially those involved in the regional head election contestation, don't want to know, they ignore the rules and sacrifice the bureaucracy with the bureaucrats who work in it. They do not want to know that the bureaucracy – in which civil servants works – should not submit to the authorities and only submit to state power. The candidates for regional leaders seem to have forgotten themselves. In their heads there is only how that power is obtained and then implemented in ways that may not be in accordance with the applicable rules. In the sense that in gaining power one must not justify all means [22][23]. This also causes many Regional Heads to deal with the law after they come to power," said informant P.04 from Palu City, assuring that there were problems in the implementation of the regional head election.

Based on the series of descriptions presented above, it can be stated that civil servants both in Sigi Regency and in Palu City are actually very aware that their existence as government bureaucrats must be neutral in the implementation of regional head election. They understand very well the various regulations that prohibit every civil servants to be actively involved in entering the political sphere of the regional head election.

### **3.3 Civil Servant's Possibilities win the Local Election**

It would not be an exaggeration to say that a civil servant, especially in the regions, is a figure who is respected by the community. Their existence as state servants is perceived by community members as people who have the ability, whether it may be education, rank, position, and all that is related to the power that can control them. In the sense that the community will follow the directions or even the wishes of the civil servant if requested. Departing from that thought, it is not an exaggeration to say that civil servant has the potential to influence the community to win the Regional Head Candidate Pair in the regional head election contest.

This potential is read by the Candidate Pairs who contest the regional head election. As a result, the Candidate Pair tries to influence the civil servant to want

to help win the regional head election. civil servant as a collection of people who are educated, even highly educated, of course can affect the community. First, they direct family members, then family members influence other community members. And so on, efforts to influence each other take place, successively, to produce a lot of support which is referred to as the support base. This potential is also realized by the government so that civil servant is prohibited from siding with certain Candidate Pairs in the regional head election and is prohibited from being involved in practical political activities in the district/city election. According to the informant (S.01) from Sigi Regency, if the civil servant is involved in practical politics, winning certain Candidate Pairs, the situation will of course split the bureaucracy. As a result, one part of the bureaucracy will use the existing facilities, either directly or indirectly, to support certain pairs of candidates. Especially if the one who gets support is the Incumbent Candidate Pair. "The bureaucracy, therefore, will not be neutral, and of course will not focus on working for the interests of the region and the interests of the nation," said the informant (S.01) from Sigi Regency. This informant further stated that the potential of civil servant seems to be used by Candidate Pairs, especially incumbents. A tit for tat, often the invitation to join is welcomed with open arms by certain civil servant elements. "They accepted the invitation because of various factors that were expected by the civil servant," said informant (S.03) from Sigi Regency.

The thing that surfaced about the potential for civil servants to win the Candidate Pair in the regional head election was in line with the opinion of the informants from the City of Palu. In Palu City, the Candidate Pairs were also seen trying to take advantage of the potential of this civil servant. Uniquely, the effort to take advantage of the civil servants is not only used by the incumbent but the Candidate Pairs who are not incumbents also try to influence the civil servants to join him in helping to win the election. According to an informant from Palu City (P.02), it seems that it is hard for civil servants to be fortified from the influence of the competition between Candidate Pairs in the election. Apart from the fact that these civil servants are sympathetic to certain Candidate Pairs, civil servants are also trying to be influenced by various promises from Candidate Pairs, both incumbents and non-Incumbents. "Civil servants in the context of the competition for Candidate Pairs in the regional head election is indeed very 'sexy', so that it becomes the territory of the Success Team of certain Candidate Pairs. Even civil servants who were successfully influenced were included as part of the success team, but in order to escape the monitoring of Election Supervisory Agency and the community, their names were not listed. Not infrequently these civil servants become an important part of the process of preparing and making materials and campaign strategies for certain Candidate Pairs," said informant P.01 from Palu City. This informant further stated that considering that

there are many civil servants who have competence due to an adequate level of education and experience in the fields of government, development, and society, they are of course very much needed by candidate pairs. The thoughts of these civil servants are needed to design a blueprint for the administration of government, development, and society for a period of power if the candidate pair wins the contestation. "Thus, experienced civil servants are recruited not only by incumbents but also by non-incumbents. So the concept used for "fighting" in the field during the campaign, for example, is usually prepared by the experienced civil servants," said informant P.01 convincingly. According to him, the civil servants involved in helping the Candidate Pair was not tracked by Election Supervisory Agency. "Not being tracked by Election Supervisory Agency, this is also questionable. This means, do the Election Supervisory Agency of Sigi Regency and Palu City, and also in the sub- districts really don't know the Success Team that involves civil servants? It's hard to say they don't know. Because the existence of civil servants as the team seems to have become an open secret. Sometimes it can even be seen openly," said informant P.09 from Palu City and confirmed by informant S.09 from Sigi Regency.

Another potential civil servant, is that they are spread across various levels of government. Starting from the government of Sigi Regency and Palu City, to the sub- district, village level. According to informant P.09 from Palu City, the distribution of civil servants at various levels causes them to easily enter the pockets of population settlements. They have dialogues and discussions with the community with the skills and community experience that they (civil servants) have, it can be said that they have the potential to influence voters to win certain pairs of candidates," explained informant P.09 excited when he was found at his home. A relatively similar opinion was also expressed by an informant from Sigi Regency (S.09). He said civil servants, especially those in remote sub-districts and those assigned to villages, such as teachers were very effective in influencing the community. "Why is that? Because they are always together with the community or the electorate. Thus, the people's daily life is filled with a touch of handling from the civil servants which makes the people seem indebted. In such a context, the civil servants' request for voters to support certain candidate pairs is easily approved by the voters," explained informant S.09, convincing the researcher. Thus, he said, civil servants have the potential to influence the people's choice in the election to subsequently win certain Candidate Pairs.

As is known, many civil servants' individuals have positions which of course have functions and strategies that can be used or have the potential to be used to mobilize voters in the election[24][25]. This advantage is well recognized by the Candidate Pairs, especially among the Incumbents[26][27]. This advantage can of

course be used by the Candidate Pair, so that the civil servant's person tries to be recruited in such a way. Usually by using exchange politics or commonly called transactional politics. In this case, two parties involved in a political transaction offer each other what can be given and obtained in the context of the political exchange [28][29]. According to the informants involved in this study, they unanimously stated that the Candidate Pairs were aware of the potential of the civil servants, including those holding the position. According to an informant from Palu City (P.05) civil servants who has a position easily influences not only civil servants who are his subordinates, but also voters who are easily mobilized. "Why is that? Because with his position he can suppress civil servants who are his subordinates and with the provision of a position he can give something to the community in the form of service. For example, before the election, roads in the village or inside the complex are repaired. Also, the development and improvement of other infrastructure can also be provided by the officials concerned. For the electorate, it is a good deed that must be reciprocated. This is a form of transactional politics as well. It's just that the influence activities by these civil servants' officials use regional/state finances which should be neutral," said an informant from Palu City (P.05) trying to convince the researcher.

Based on the series of descriptions stated above, it can be stated that civil servants has the potential to win the Candidate Pair for Regional Head/Deputy Regional Head in the 2020 election, including Palu City and Sigi Regency. Candidate Pairs are very aware of this potential so they try to take advantage of it

#### 4. CONCLUSION

Based on the series of descriptions above, it can be stated that the neutrality of the civil servant has not been fully realized in Central Sulawesi. This is shown in two autonomous regions, Sigi Regency and Palu City, which are seen as representing civil servants in Central Sulawesi. Based on the research conducted, it was found that this neutrality in the implementation of the Regional Election in 2020.

There are still many civil servants who take sides either openly or covertly, this is triggered by various factors, even though these civil servants really know and realize that according to the applicable regulations they should be neutral. Other research is needed to uncover various factors that affect civil servant so that they are not neutral in the implementation of the Regional Election.

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