

# NEUTRALITY OF THE STATE CIVIL APPARATUS IN THE 2024 PRESIDENTIAL GENERAL ELECTION IN INDRAMAYU REGENCY

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**Abstract:** *Research title 'Neutrality of the State Civil Apparatus in the 2024 Presidential General Election in Indramayu Regency'. The phenomenon of the problem of ASN professionalism in maintaining neutrality during the election process in practice bureaucracy often fails to realise the principles of good governance, there are 2 ASNs who actively support or appear to be siding with certain candidate pairs on social media and a village head who uses state facilities for campaign purposes. The formulation of the research problem is how the neutrality of the State Civil Apparatus in the 2024 Presidential General Election in Indramayu Regency. The purpose of this study is to describe and analyse how the neutrality of the State Civil Apparatus in the 2024 Presidential General Election. Descriptive research method qualitative approach. Data collection techniques library studies and field studies (observation, interviews and documentation). The results showed that the State Civil Apparatus has not been fair in choosing due to work pressures that influence the election process, not objective due to political intervention in choosing candidate pairs, covert bias arising from social relationships and work environment pressures, and there is ASN's partiality and involvement in social media.*

**Keywords:** *neutrality, state civil apparatus, presidential general election*

## INTRODUCTION

Indonesia is a country based on law and certainly upholds the principles of democracy, democracy is an idea that applies universally in modern countries. The concept is rooted in the core principle that ultimate power rests with the people. Democracy emphasises the importance of the people's rights and voice in determining the direction of government, electing leaders and participating in political decision-making. In this system, the government should function as the people's representative, providing equal opportunities for every individual to participate, express opinions, and enjoy freedom (Antari, 2018).

This is marked by the implementation of the democratic process carried out by the people, namely the General Election. According to (Amir, 2023) General Election is an official process when people cast their votes to elect representatives who will represent the community in the legislative or executive institutions. Through elections, the people have the opportunity to assess the performance of the government and make a decision whether the representatives will continue the existing leadership or elect new leaders. Therefore, elections are often regarded as a tangible manifestation of democracy, as through elections, the aspirations and will of the people can be channelled.

The State Civil Apparatus still has the right to vote in the election because the State Civil Apparatus is an Indonesian citizen. As a general duty of government and development, the State Civil Apparatus must be neutral and not actively participate in practical politics. Neutrality is the condition of a person not taking sides or being involved by any party, either secretly or openly, during the campaign period or in practical politics. The role of neutrality is crucial in the functioning of government as it enables the public to receive high quality public services. This neutrality is a key driver of characteristic

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reforms and the achievement of good governance. Law No. 20 of 2023 amending Law No. 5 of 2014 on the State Civil Apparatus is a legal basis that sets expectations for the government to form ASNs that are not only professional and honest, but also free from various forms of political intervention.

The non-neutrality of the State Civil Apparatus (ASN) in the context of the Presidential General Election is a major challenge that often occurs in the implementation of elections in Indonesia. Although regulations explicitly stipulate that ASN must apply the principles of freedom, impartiality, and professionalism, in reality the bureaucracy often fails to implement the principles of good governance. This situation illustrates the gap between the normative provisions in the law and the implementation in the field, where the professionalism of ASN in maintaining neutrality during the election process is still a problem that must be addressed seriously.

There is still a high number of violations of the neutrality of the State Civil Apparatus (ASN) in the 2024 Presidential General Election in Indonesia, based on data from the ASN Commission (KASN) there were 464 ASNs reported to have violated election neutrality. A total of 253 ASNs were proven to have violated and were subject to sanctions, while 181 ASNs were followed up by staffing officials with sanctions. According to data provided by the State Personnel Agency (BKN), there are 10 provinces that have a high vulnerability index on the issue of ASN neutrality, including West Java. However, the percentage level of violations in West Java is fairly low and decreased compared to the 2019 elections.

**Gambar 1. 1** Indeks Isu Netralitas ASN di Indonesia



source: BKN, 2024

Based on information from the West Java Election Supervisory Agency in the Kompas daily news written by Fabio Maria Lopes Costa on 22 January 2024 with the title 'West Java Bawaslu states as many as seven reports of alleged violations of ASN neutrality have been proven.' said that the West Java Election Supervisory Agency handled 20 cases of neutrality violations in the 2024 election campaign stage and as many as seven of them were proven to violate neutrality, namely sub-district heads, school principals, and members of the civil service police unit or Satpol PP.

This violation of ASN neutrality certainly has a negative impact on the quality of state democracy, public trust in the bureaucracy, therefore it is necessary to increase supervision and strict law enforcement for ASNs who are not neutral in the election process. The principle of good governance is the foundation in the implementation of every action or work of ASN, besides that this principle is an effort to direct ASN to remain in accordance with its objectives and authority as regulated in Law Number 20 of 2023 concerning the State Civil Apparatus. The formulation of the problems in this study are: 'What is the level of neutrality of the State Civil Apparatus in the 2024 Presidential General

Election in Indramayu Regency?’ This research aims to analyse the extent to which ASN can carry out its role fairly, objectively, unbiased, and impartially during the 2024 Presidential Election process.

## **RESEARCH METHOD**

This research uses descriptive research with a qualitative approach to gain an in-depth understanding of the attitudes and behaviour of ASN in maintaining neutrality during the 2024 Presidential General Election in Indramayu Regency. The unit of analysis is ASN involved in the election process as well as the supervision mechanism and factors that influence neutrality. Informants in this study are the Election Supervisory Agency, the Personnel and Human Resources Development Agency, Representatives of the State Civil Apparatus and Representatives of the Community who have the right to vote (voters). Data collection techniques using literature studies and field studies (observation, interviews and documentation) Data analysis is carried out systematically through Data Collection, Data Reduction, Data Display, and Conclusion Verification.

## **RESULT AND DISCUSSION**

The benchmark of a Direct, General, Free, Secret, Honest and Fair General Election certainly cannot be seen only by assessing that the General Election Commission has successfully fulfilled its duties in organising elections, the General Election Supervisory Board has successfully supervised all stages, The Election Organiser Honorary Council which successfully maintains the ethics, morality, dignity, and dignity of election organizers to regain public trust, but there must be a pro-active role of the State Civil Apparatus (ASN) in maintaining its independence and neutrality so that it does not become a tool to facilitate the achievement of political goals.

Neutrality of the State Civil Apparatus is one of the important aspects in maintaining integrity and fairness in the election process, provisions related to the neutrality of ASN have been regulated in such a way through several laws, including Law Number 20 of 2023 concerning the State Civil Apparatus is also implemented with the principle of neutrality, neutrality which means that every ASN as ASN does not take sides with any form of influence and does not favour the interests of anyone in political activities. Government Regulation Number 37 of 2004 concerning Prohibition of Civil Servants from Becoming Members of Political Parties, in this Law expressly prohibits all forms of ASN involvement in political parties, because if an ASN is involved in a political party, it means that the ASN has taken political sides and has violated the principle of neutrality.

In accordance with the results of the research obtained, the data obtained by researchers are facts from the field and have been adjusted to the chosen theory, namely the theory according to (Effendi, 2010) that neutrality refers to impartiality, which means fair, objective, unbiased and impartial to anyone, not only in politics but also in public services (non-discriminatory), policy making (not in favour of certain groups), and ASN management (implementing a merit system).

### **Fair**

The State Civil Apparatus (ASN) has a great responsibility in maintaining integrity and fairness in the implementation of elections. One of the main reasons why ASN must be fair as a voter who has the right to vote, ASN must still be professional and based on the principle of justice, meaning that they vote objectively without political influence or pressure from any party.

The results showed that ASN's fair attitude during the 2024 Presidential Election in Indramayu Regency was still influenced by covert political pressure. Some ASNs tend to follow the majority political currents in the regions for the sake of job security, so that public services have not been fully carried out without partiality. This pressure comes from superiors and the work environment, which subtly directs ASNs to support certain candidates. Nevertheless, many ASNs tried to maintain professionalism and provide equal services. Supervision by Bawaslu and coordination with BKPSDM play an important role in increasing ASN awareness to remain fair and avoid discrimination during elections.

### **Objective**

The State Civil Apparatus (ASN) is expected to act objectively and not based on personal or group preferences during the election period, as such actions are one of the main pillars in maintaining integrity and fairness in the democratic process. Firstly, ASN objectivity ensures that all decisions and actions taken during elections are based on the principles of applicable laws and regulations, not on personal interests or certain political affiliations. This is important to prevent the encryption of power that can disadvantage one party and create unfairness in the treatment of election participants.

However, pressure from biased officials and local bureaucratic politics are the main obstacles affecting ASN's freedom to act objectively. There are direct and indirect interventions that influence ASN decisions, although the application of the merit system and principles of good governance remains a joint effort. Regular socialisation and supervision by relevant institutions are needed to maintain ASN objectivity during the election process.

### **Unbiased**

ASN's partiality can create injustice in the treatment of election participants, potentially favouring one party and disadvantaging another. This not only violates the ASN code of ethics, but can also result in a loss of public trust in government institutions and the democratic process as a whole.

The results of the study indicate the existence of hidden biases that arise from family affiliation, emotional closeness, or social relationships in the ASN work environment. This bias is usually subtle and difficult to detect, such as through verbal cues or non-explicit behaviour that tacitly supports one candidate. This covert favouritism, while not directly violating the rules, has the potential to undermine public trust in the integrity of the bureaucracy and the democratic process as a whole. Public perception that ASN is not fully neutral can cast serious doubts on the fairness and transparency of election results.

### **Impartial**

During the election period the State Civil Apparatus (ASN) must not be directly involved in practical politics or support one of the parties because such involvement can threaten the neutrality and integrity of government institutions. First, ASN has a role as a public servant who is tasked with carrying out government functions professionally and objectively. Involvement in practical politics can meet the boundary between professional duties and personal political interests, which has the potential to create a conflict of interest.

Most ASNs openly distance themselves from practical politics and endeavour to carry out their duties impartially. However, there are a number of cases of ASN's tacit involvement, for example the use of state facilities for the benefit of a particular candidate's campaign. This practice of partiality undermines public trust and bureaucratic integrity. Therefore, a transparent supervision mechanism and strict sanctions by Bawaslu and BKPSDM are needed to enforce ASN neutrality.

These findings indicate a gap between normative regulations (Law Number 20 Year 2023 and Government Regulation Number 37 Year 2004) and practices in the field that are still influenced by local politics and bureaucratic culture. Violations of ASN neutrality are closely related to political practices of corruption, nepotism, and bureaucratic politics which are the main challenges in the regions. This study corroborates previous findings and emphasises the importance of the supervisory role of institutions such as Bawaslu and BKPSDM as well as community involvement in participatory supervision. Researchers argue that ASN neutrality must become a bureaucratic culture that continues to be built through political education, intensive socialisation, and a responsive monitoring and enforcement system. Transparency and consistent sanctions are key to improving ASN accountability and maintaining the quality of democracy at the regional level.

## **CONCLUSION**

ASN neutrality is defined as an attitude free from the influence and intervention of all groups and political parties, including the principles of fairness, objectivity, unbiasedness, and impartiality. Although Law Number 20 Year 2023 regulates the obligation of ASN neutrality, non-neutrality is still

a serious challenge. Research shows violations of ASN neutrality in the 2024 Presidential General Election, although the percentage of violations in West Java, including Indramayu, decreased compared to the 2019 election. Violations include support on social media, and calls to support certain candidates, which have implications for the misuse of public resources, decreased public trust, and adverse impacts on the quality of public services and democracy.

Potentially affect the exercise of voting rights, despite mitigation efforts from individuals and institutions. With supervision, ethics education, and implementation of regulations, it is hoped that justice can be maintained during elections. Objective shows that ASN is not fully objective in the 2024 Presidential Election due to subtle pressure and political influence, but some ASNs still try to be professional by carrying out administrative duties rationally and voting freely and confidentially. Unbiased indicates the existence of covert bias due to social relationships and environmental pressures that are difficult to see formally, so the need for continuing education, supervision by Bawaslu and related agencies, as well as a culture of integrity and courage for ASN in acting neutrally. Impartiality indicates that there is still covert support and pressure from superiors or disruptive work environments, although some ASNs show resistance by keeping their distance from political conversations and ensuring confidential voting rights. Strict supervision and enforcement of the code of ethics by Bawaslu and BKPSDM are important to ensure ASN is truly impartial.

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