

# Dilemmatic Position of State Civil Apparatus (ASN): Maintaining Neutrality or Being Taken by Power

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## Abstract

This article investigates the dilemma faced by the ASN in maintaining neutrality amidst political dynamics, particularly during regional head elections (Pilkada) in Indonesia. The study explores the ASN's susceptibility to being exploited for electoral purposes and evaluates how they maintain neutrality according to laws and regulations. Additionally, the article discusses the challenges ASN faces in adhering to the principle of neutrality and potential solutions to these problems. By examining data from the State Civil Apparatus Commission (KASN) and the Election Supervisory Body (Bawaslu) concerning violations of ASN neutrality, the study identifies factors that contribute to ASN involvement in local political contests and the resulting neutrality breaches. The study also underscores the worrisome situation concerning the integrity and neutrality of Indonesia's ASN in fulfilling their duties and responsibilities. The three identified phenomena—position buying and selling, instant career pursuit, and kinship culture or spoil system—indicate political intervention in bureaucracy, resulting in the appointment of incompetent individuals and reduced public service quality. The concerning situation regarding ASN's integrity and neutrality highlights the need for further efforts in implementing bureaucratic reform and strengthening the merit system in Indonesia.

## Keywords

Bureaucracy; ASN neutrality; KASN; Bawaslu; Pilkada

## Introduction

General elections serve as a crucial democratic instrument for establishing governments and determining legitimate leaders in a nation. In a democratic society, the struggle for and exercise of power are governed by rules outlined in laws and regulations ([Berenschot & Mulder, 2019](#); [Diamond, 2021](#); [Habibi & Nurmandi, 2021](#); [Tomsa, 2009](#)). As emphasized by [Mietzner \(2012\)](#), the presence of clear rules of the game is indispensable in the political structure of a democracy, as they foster transparency, accountability, and fairness in the electoral process.

In Indonesia, all government leaders, from the national level down to the village level, are elected through a voting process in which the public actively participates ([Buehler, Nataatmadja, & Anugrah, 2021](#); [Choi, 2007](#); [Hanafi, 2014](#)). Once elections conclude, the government operates within a bureaucratic system led by the political officials who won the election ([Hayat, 2020](#)). As such, political officials and the bureaucracy are perceived as a single unit ([Clifford, 2014](#)); the bureaucracy cannot function without politics, and political officials are ineffective without bureaucracy ([Meier, 1997](#)), as nobody would implement their campaign promises. These promises can only materialize if the bureaucratic system translates them into the National Medium Term Development Plan (RPJMN) and the Regional Medium Term Development Plan (RPJMD) at provincial, city, or district levels ([Kartini, 2019](#)). In the RPJMN and RPJMD, policies are formulated by government leaders (the President and Regional Heads), while the bureaucracy

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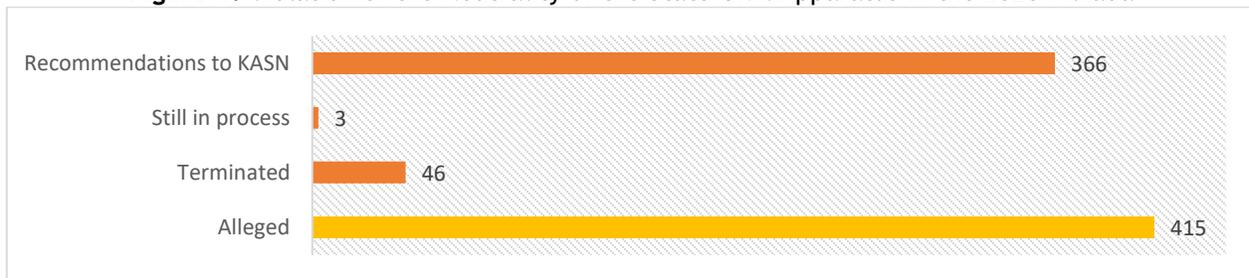
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executes these policies.

The role of the state civil apparatus or ASN as public servants and executors of governmental operations is inevitably subject to public scrutiny, particularly regarding regional head election agendas. According to a Kompas poll, 57.9% of respondents acknowledged that the ASN is susceptible to being exploited for electoral purposes, especially by incumbent regional heads seeking re-election (Wahyu, 2020). In fact, Article 2 Letter f of Law Number 5 of 2014 concerning ASN explicitly regulates the principle of neutrality, stipulating that every ASN must be free from any form of influence and not favor any party's interests.

However, the ASN does not exist in a political vacuum. They consistently intersect with political dynamics, particularly at the local level. The momentum of regional elections often places civil servants in the spotlight, including when the regional heads they serve appear to use them for electoral purposes. The risk of being politicized for electoral interests during regional elections has, to some extent, influenced the public's perception that civil servants are prone to involvement in supporting local political contests.

**Figure 1.** Violation of the Neutrality of the State Civil Apparatus in the 2020 Pilkada



Source: [Wahyu \(2020\)](#)

The dilemmatic position faced by civil servants results in them easily falling into the trap of violating the principle of neutrality. Data from the KASN noted that during the 2020 Pilkada campaign there were 604 ASNs who violated neutrality rules and were recommended to be sanctioned by regional heads. However, some of the recommendations have not been followed up by the relevant regional heads. The KASN data is not much different from the data from the Bawaslu on reports of violations of ASN neutrality. According to Bawaslu records, there were 415 alleged violations of ASN neutrality. 46 cases were prohibited, 3 cases were in process, and 366 cases were recommended to KASN (Wahyu, 2020).

Both KASN and Bawaslu data show that most of these violating practices are supporting certain candidate pairs in regional elections through social media. In fact, Government Regulation Number 42 of 2004 concerning Corps Spirit Development and the Civil Servant Code of Ethics states, to maintain neutrality, ASN is required to increase a number of prohibitions during the regional elections. One of them is the ban on ASN uploading, responding (likes, comments, and the like) or disseminating pictures/photos of regional head candidates, vision and mission, or other associations both through dare media and social media.

This article aims to examine the dilemma faced by the ASN in maintaining neutrality in the midst of political dynamics, especially in the context of regional head elections (Pilkada) in Indonesia. This article will evaluate the impact of the existence of ASN which is prone to being used for electoral purposes, as well as examine how ASN maintains neutrality in accordance with the rules stipulated in laws and regulations. In addition, this article will also discuss the challenges faced by ASN in adhering to the principle of neutrality and efforts that can be made to overcome these problems. In this article, the author will examine the problems that occur when ASN is involved in supporting local political contests. The author will examine data from the KASN and the Bawaslu regarding violations of ASN neutrality, and look at the factors that cause ASN to easily get caught up in neutrality violations. Furthermore, this article will identify steps that can be taken to ensure ASNs maintain their neutrality and prevent future neutrality violations.

## Methods

This scientific paper is written using a qualitative methodology with a literature review approach or library

research. This essay's data consists of various literature studies, books, journals, and other scientific sources pertinent to the study being conducted by the researcher. The collected data were then analyzed and conclusions were drawn. This research is conducted using a qualitative methodology with a literature review approach or library research. This method is chosen because it allows the researcher to delve into in-depth information and understand the phenomena being studied through textual analysis and conceptual interpretation (Creswell, 2015). The data sources used in writing this essay include various literature studies, books, scientific journals, and other scientific sources relevant to the research topic being conducted by the researcher (Hart, 1998).

The data collection process involves systematic and critical steps in identifying, selecting, and evaluating quality sources relevant to the research topic (Fink, 2019). The researcher conducts literature searches using appropriate keywords and effective search strategies in various scientific databases, institutional repositories, and digital libraries. Subsequently, the researcher evaluates the quality and relevance of the sources found through criteria such as validity, reliability, and the degree of up-to-dateness of the information provided.

After collecting relevant data, the researcher conducts data analysis by organizing, classifying, and interpreting information obtained from various sources (Braun & Clarke, 2006). The researcher uses thematic analysis techniques to identify patterns, themes, and relationships between concepts emerging in the literature. In addition, the researcher also synthesizes knowledge by integrating findings from various sources to build a more comprehensive understanding of the phenomena being investigated. Based on the results of the data analysis conducted, the researcher develops conclusions and recommendations aimed at answering research questions and addressing issues raised in the study. These conclusions and recommendations are expected to provide significant contributions to the development of theory, further research, and practices related to the research topic.

## Results and Discussion

### The Role of Bureaucracy in Political Power

As highlighted by Rockman (2020), when discussing bureaucracy and power, "bureaucracy" refers to the executive branch of government. Bureaucracy essentially consists of three main aspects: First, bureaucracy as a form of joint organization, as explained by Weber, which includes both government and private organizations. Second, bureaucracy as a public or private administrative body, often used to describe parts of state administration such as departmental organizations and various government agencies. From this perspective, the focus is on coordination, supervision, and autonomy, with the bureaucracy's role being to create and implement policies. Third, bureaucracy refers to individuals who hold permanent positions in government (PNS). This group can be viewed from different perspectives, and the author adopts Rockman's third perspective.

Smith (1988) narrows the definition of bureaucracy to the administrative component of political systems (states, nations, cities, regions, etc.) and the implementation of public policies. As a political phenomenon, John Stuart Mill defines bureaucracy as an activity to organize power. Other writers, such as Hegel, Marx, Mosca, Michels, Weber, and Laski, also analyze bureaucracy as a political force. For instance, Harold Laski negatively characterizes "bureaucracy" in the Encyclopedia of the Social Sciences as a system of government where officials' control endangers the freedom of ordinary citizens (Meier & Stewart, 1992).

Max Weber argues that bureaucracy has become crucial in political power by examining social phenomena (Weber, 1978). Bureaucracy serves as an instrument for establishing authority relations in rational organizations, and it is the primary tool of power for controlling their apparatus. Positions of power that can build bureaucracy are continually expanding, making it difficult to overcome under normal conditions. In a modern state, the government is in dire need of bureaucracy, which is unavoidable in both parliamentary and monarchical forms. Observing the growth of state bureaucracy and its increasing role in power raises the question of how power can be appropriately and effectively monitored.

Considering the social phenomena presented by Weber, how does Indonesia manage its bureaucracy?

Modern bureaucracy has a nature opposite to democracy ([Farazmand, 2010](#)), as acknowledged by [Sørensen & Torfing \(2005\)](#), stating that politics must inherently have a democratic character. Consequently, bureaucracy must be separate from politics and not interfere with each other. This separation means that the bureaucratic sphere has a distinct boundary with politics. ASN work performance is overseen by bureaucratic officials, not political ones. Thus, ASN promotions are determined by bureaucratic officials, not the President or the Regent. However, according to Law of the Republic of Indonesia Number 5 of 2014 concerning State Civil Apparatus, Personnel Officers have the authority to determine rank, transfer, and dismissal of ASN and oversee its management in government agencies.

As mentioned earlier, who is the PPK? By law, the President holds the highest authority in supervising ASN and can appoint, transfer, and dismiss civil servants. The President can delegate authority to ministers, heads of non-ministerial government agencies, secretaries-general of state institutions and non-structural institutions, governors, and regents/mayors. Researchers note that governors and regents/mayors are the most vulnerable to ASN neutrality violations. The BKN supports this finding, revealing that 99.5% of ASN neutrality violators from January 2018 to March 2019 were employees in regional agencies ([Handoyo, 2019](#)).

The above incident demonstrates that a Regional Head promoted by a political party uses their authority to intervene in bureaucracy, seeking political support from the bureaucratic apparatus under their jurisdiction, which could lead to a patron-client relationship ([Hicken, 2011](#)). When the Regional Head requests support and receives it, the apparatus may be "rewarded" with a promotion, for example. Wilson and Goodnow establish a dichotomy between politics and administration ([Rahman, 2014](#)). Politics relates to policy-making, while administration concerns policy implementation. As implementing agencies, bureaucratic systems and procedures must be developed efficiently through a hierarchical bureaucratic structure, impersonal rules, and a career development system that ensures the professional growth of its apparatus. The goal of developing this concept is to guarantee the effectiveness of a democratically developed government. This implies that a democratic political mechanism must be supported by a professional bureaucracy to efficiently implement all political decisions made. If the PPK is a regional head, the question arises of how a political official can ensure the professionalism of their apparatus.

### **Democracy and Bureaucracy**

Democracy is characterized by its populist nature, which means that decisions made consider the voices of many individuals, such as the demands of street protesters. Moreover, leading a political party does not require specific education or expertise; as long as a person has significant public support, their political position is legitimate. In contrast, bureaucracy is hierarchical, with superiors and subordinates engaging in a contractual relationship. Individuals willingly sacrifice their freedom by obeying the organization in exchange for a salary and predetermined status. In a neutral bureaucracy, subordinates obey their superiors based on a formal mandate rather than tradition or charisma, allowing them to refuse tasks outside their responsibilities. The dominant value in politics is justice, emphasizing equal rights and participatory decision-making. Politicians' decisions or policies must align with public demands, and they must be accountable to the people as elected officials. Civil servants, responsible for daily government tasks, must possess the knowledge, skills, and abilities (KSA) to deliver government goods and services. These civil servants become human capital only after planned and tiered human resource development through education, on-the-job training, staff training, and task transfers across various government fields ([Setiawan, 2022](#)).

As government agents, bureaucratic apparatuses must understand that they are state employees, not employees of the ruling government - two distinct yet inherently related statuses for civil servants. Similarly, politicians are temporary officials occupying political positions because they are elected by the people. Therefore, they must recognize that while they utilize bureaucracy to implement their policies, bureaucracy is not their personal property to be used at will. Politicians and bureaucratic apparatuses differ in their origins: political positions are obtained through elections and public support, while bureaucratic positions are granted through appointments, giving individuals bureaucratic power, expertise, and institutional positions instead of a voter mandate ([Perdana, 2019](#)).

It is crucial to separate bureaucratic and political arenas; positioning the Regional Head as PPK introduces

politics into the bureaucracy. Bureaucracy is a permanent institution serving the community, while politicians represent parties and bear the moral responsibility of serving their constituents' interests. Bureaucracy must not be damaged by individuals who temporarily hold power. The distinctions between democracy and bureaucracy are concisely presented in Table 1 below:

**Table 1. Differences between Democracy and Bureaucracy**

Viewpoint	Democracy	Bureaucracy
Owned character	Populist	Hierarchical
Dominant value	Justice	Efficiency
Base	a.) The value of equality and roles b.) Participatory decision making	Differences in status and roles
Position	Politicians' policies are based on the demands of the people and are accountable to the people	The flow of decisions and orders flows from above (leaders) - below (subordinates) and the stream of accountability flows from the opposite direction

Source: processed from [Turner and Hulme \(1997\)](#)

From the matrix presented earlier, it is evident that these opposing characteristics must coexist within a modern government. To maintain the proper balance between the two, rules should not permit "politics" to infiltrate the bureaucratic arena. However, Indonesia's regulations currently invite politics to influence bureaucracy. Consequently, unless these rules are changed, the issue of ASN neutrality will persist in every election, as the ASN ultimately serves as both the object and subject of bureaucratic reform ([Ishak & Utomo, 2014](#)). [Turner and Hulme \(1997\)](#) also addresses the relationship between bureaucracy and democracy in the form of a matrix:

**Table 2. Relations Bureaucracy and Democracy**

Distribution of Energy in Society	Distribution of Power in Government	
Democracy	Ascendant Executive	Executive Sublation
Authoritarianism	Control Bureaucracy	Bureaucracy
	Political Regime	Dominating the Regime
	Democratic	Democratic Politics
	Subordination	Political Regime
	Bureaucracy To	Authoritarian Sharing
	Political Regime	Power with bureaucracy
	Authoritarian	

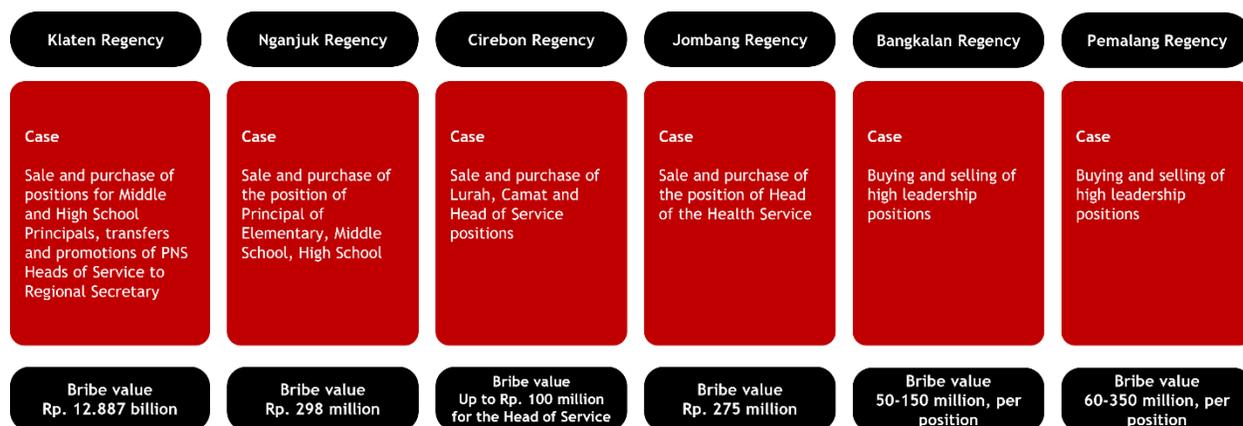
Source: modified by [Turner & Hulme \(1997\)](#)

[Turner and Hulme \(1997\)](#) describe the matrix as follows: "In cell 1, we have the 'legally expected interaction of political leadership and bureaucracy in a democracy,' where the political regime maintains control over bureaucracy. Cell 2 represents a 'bureaucratic-dominated democracy,' where bureaucracy is ideally participatory and non-hierarchical, engaging directly with public interest groups representing racial, gender, and class minorities. Cell 3 encompasses bureaucratic subordination under authoritarian leadership. Finally, cell 4, most common in military regimes, ensures the willingness of bureaucratic participation in government."

When analyzing the relationship between democracy and bureaucracy in Indonesia using Carrifio's matrix, the country falls into cell 1 due to the rules governing its bureaucracy. While its politics exhibit democratic characteristics, such as competitive elections involving multiple political parties ([Shirk, 2007](#)), bureaucracy remains subject to political interference. Indonesian democracy is still at the stage of procedural or formal democracy, which disregards structural conditions and perpetuates local elite power dominance ([Habibi, 2021](#)). Procedural democracy can be explained in two ways: firstly, it is almost

technical, meaning there is no connection between democracy and economic or welfare issues. In this view, democracy and economy are separate, each addressing distinct problems. This type of democracy is often termed liberal democracy, where all instruments derive from liberal ideology.

**Figure 2. The Case of Buying and Selling Positions**



Source: Processed from KASN data

In the context of procedural democracy in Indonesia, where rules govern bureaucracy but politics still exert influence, several phenomena illustrate how ASN neutrality violations occur. The three phenomena identified by KASN—position buying and selling, instant career pursuit, and kinship culture or spoil system—all indicate political intervention in bureaucracy, leading to the placement of incompetent individuals and diminished public service quality. Position buying and selling occurs when someone pays money or provides other forms of compensation to obtain a position or promotion within the bureaucracy (see Figure 2). This can result in incompetent or unsuitable individuals occupying important positions, undermining the integrity and effectiveness of the human resources system. Moreover, the 2020 KASN survey reveals that 49.72% of respondents committed neutrality violations due to career interests, including ASNs attempting to advance their careers quickly through unethical or illegal means, such as engaging in politics or leveraging personal relationships for promotion or recognition. Another identified phenomenon is the kinship culture or spoil system, wherein 50.76% of respondents violated neutrality because of kinship ties. A spoil system arises when public officials prioritize personal, family, or kinship relationships in ASN appointment and promotion, potentially placing incompetent individuals in crucial positions and degrading public service quality.

**Table 3. PPK Political Interest Motives**

Motive	Description
Mobilization of bureaucratic resources	Using ASN budget, facilities, and personnel to support political interests.
Infiltrate interests through policies	Incorporating political interests in government policies to support covert political campaigns.
Acts of retaliation or revenge	Give titles or promotions to individuals who support or punish those who do not.
Maintain and increase constituent voice support	Using power to benefit constituents who support them is detrimental to the public interest as a whole.

Source: Processed data

The State Civil Apparatus Commission identified several motives underlying the political interests of Civil Service Development Officials (PPK) in involving ASN. These motives include mobilizing bureaucratic resources to support political interests, such as using ASN budgets, facilities and personnel to secure political support or influence election results. In addition, KDP can try to infiltrate political interests through government policies, such as Strategic Plans, to support covert political campaigns and allocate government resources to political interests without attracting public attention. Acts of retaliation or revenge are also a motive for PPK, whereby they use their power to award positions or promotions to



The study also underscores the worrisome situation concerning the integrity and neutrality of Indonesia's ASN in fulfilling their duties and responsibilities. The three identified phenomena—position buying and selling, instant career pursuit, and kinship culture or spoil system—indicate political intervention in bureaucracy, resulting in the appointment of incompetent individuals and reduced public service quality. The motives underlying the political interests of Civil Service Development Officials (PPK) in involving ASN further aggravate the situation, raising concerns about ASN's integrity and neutrality. With the KASN 2020 survey revealing that nearly half of the respondents have violated neutrality for personal career interests, it emphasizes the need for additional efforts in implementing bureaucratic reform and strengthening the merit system in Indonesia. By addressing these issues, the country can enhance the integrity, professionalism, and accountability of civil servants, ultimately improving the quality of public services and government integrity.

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