



Bureaucratic Politicization in the Era of Regional Direct Elections

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Abstract. General elections are a vehicle for choosing leaders democratically frequently This often poses a threat to the politicization of bureaucracy, this is due to political actors who Most of those involved in it are regional heads who are cadres political parties on the one hand and on the other hand are also heads of regional government, conditions like this becomes vulnerable to conflicts of interest and abuse of authority. Head regions that are heads of government will be particularly at risk of intervention bureaucracy in relation to practical political practice. This research method is literature review study, by searching legal products, journals, articles and documents document. Data collection techniques were carried out by recording literature sources. Analysis The research was conducted using a qualitative approach using an analytical model fill. Research Results In the context of Regional Head Elections (Pilkada), the principle of neutrality The State Civil Service has always been a hot topic of discussion in various circles. Concerns about the partiality of the State Civil Apparatus towards one of the candidate pairs, is the main reason that there are three types of politicization of bureaucracy in Indonesia: First, open politicization, Second, semi-open politicization and Third, politicization behind closed doors.

Keywords: Politicization, Bureaucracy, State Civil Apparatus, Regional Elections

1 Introduction

The five-yearly democratic party event or what we know better as elections The general election is in sight, based on General Election Commission Regulation Number 3 of the year 2022 presidential and vice presidential election schedule as well as legislative member elections The plan is to hold the election on February 14 2024 regional heads of governors, regents and mayors will be held in November in the same year.

General elections are a vehicle for electing leaders democracy often poses a threat to bureaucratic politicization, this is because para Most of the political actors involved in it are regional heads is a cadre of a political party on the one hand and on the other

hand is also the head of government. In the regions, conditions like this become vulnerable to conflicts of interest and abuse of authority. The regional head who is the head of government will be very at risk of bureaucratic intervention in relation to practical political practice. This has become commonplace because the bureaucratic machine is still considered capable of providing strong political support at the electoral level. Strong binding to the grassroots level is the main reason why bureaucracy is still a practical political medium. At the level of certain positions of bureaucrats or the State Civil Apparatus is deemed capable of capitalizing on its authority and position in a form of political support that is quite strong electorally for preferences of certain political powers. Based on the results of the 2017 Bawaslu study, reasons for participation of the State Civil Apparatus in practical politics is almost 70% because it is forced, the rest because of own intention and try your luck. Graph data shows that since 2015 until October 2018, the State Civil Service Commission received reports of violations of the fairly high level of neutrality of the State Civil Apparatus which occurred especially before and during regional head elections are underway.

Politicization of bureaucracy in developing countries has become a strategy in the struggle for government power, top hierarchical officials aggressively mobilize their subordinates to create a large political power which it is hoped will be able to seize that power. This kind of power constellation is what makes bureaucracy not have accountability, especially to the people and society in general. As for what really stands out is the strengthening of the obligation to carry out responsibility towards officials at the top of the hierarchy. Bureaucratic officials are appointed by officials in power on the highest hierarchy in the department. Therefore, there is a kind of absolute obligation to submit and be responsible to the superior official.

Graphic data shows that from 2015 to October 2018, the Civil Service Commission of the State received quite high reports of violations of the neutrality of the State Civil Service, especially before and during regional head elections. The State Civil Apparatus also carries out data and information searches on its own initiative against alleged violations of the neutrality of the State Civil Service through the Monitoring Sector and Evaluation, Complaints and Investigations, and Mediation and Protection. The high number of complaints of violations of the neutrality of the State Civil Service in 3 years proves the lack of awareness of the State Civil Apparatus to maintain neutrality. The complaints are not all over the province, but the reports or complaints are found in more than half of the provinces in Indonesia [1]. If you search since from 2015 to 2018 there were at least 815 complaints and violations occurred. For the State Civil Apparatus during the Pilkada momentum, see the following details:

1. In 2015 the State Civil Service Commission received 29 complaints;
2. In 2017 the State Civil Service Commission received 52 complaints;
3. In 2018 the State Civil Service Commission received 507 complaints;
4. In 2019 the State Civil Service Commission received 229 complaints.

Based on the findings of the State Civil Service Agency, there are ASN customers in the regional elections here are the details:

1. Provide support to candidates for Regional Head/Deputy Regional Head, by: holding activities that lead to partiality towards the candidate pair Become an election participant before, during and after the campaign period includes meetings, invitations, appeals, appeals, or giving goods to civil servants in work unit environment, family members and the community. (Article 4 number 15 letter d) for a total of 18.
2. Become a campaign participant using party attributes or civil servant attributes. (Article 4 number 12 letter b) for a total of 2.
3. Make decisions and/or actions that benefit or harm one candidate pairs during the campaign period. (Article 4 number 15 letter c) with a total of 1.
4. Civil servants who are members and/or administrators of political parties. (Article 2 paragraph (1) PP Number 37 of 2004 concerning Prohibition of Civil Servants from becoming Members of Political Parties it is stated that civil servants who will become members and/or administrators of political parties are obliged to resigned as civil servant) with a total of 3.
5. Providing support to candidates for President/Vice President by: holding activities that lead to partiality towards the candidate pair election participants before, during and after the campaign period including meetings, invitation, appeal, appeal, or gift of goods to civil servants within the unit environment work, family members and society. (Article 4 number 13 letter b) with a total of 1.
6. Use facilities related to the position in campaign activities. (Article 4 number 15 letter b) with a total of 1.

According to the 2019 State Civil Service Agency data above, it was found that Civil Apparatus Countries that violate the Law on General Elections and Laws regarding the State Civil Service, potential violations at least provide an instrument It is important for the public that there is a State Civil Apparatus that is not neutral in regional elections, where this is not in line with democratic ideals.

This was also confirmed by the Election Supervisory Body of the Republic of Indonesia, that the results supervision of the Election Supervisory Agency, around 1,096 violations of laws related to neutrality State Civil Apparatus, Indonesian National Army and Republic of Indonesia Police during the Election 2019. Interestingly, 162 cases of alleged violations of the code of ethics were committed by organizers of the 2019 General Election, namely the General Election Commission and the Agency Election Supervisor [2].

In The Political System of Empires I (1963), SN Eisentadt compiled a classification of bureaucracy according to their involvement in the political process [3], namely:

1. Bureaucracy is oriented as servants of the authorities and the main social strata;
2. Completely submit to the authorities;
3. Be autonomous and oriented towards one's own benefit;
4. Self-oriented, but generally also serving the state (polity) rather than at certain strata.

We often see the phenomenon of bureaucratic politicization in political battles in Indonesia it is common knowledge for politicians who are fighting for a power. The problem of bureaucratic politicization is a problem in almost all regions in Indonesia Indonesia. The bureaucracy is often involved in practical politics during elections general regional head. Bureaucratic involvement in practical politics is carried out by becoming member of the success team of one of the candidates and mobilize his subordinates and the masses around him to support the candidate.

This needs to be a common concern because bureaucracy is the main pillar Development and as a public servant must be able to be free from attraction and intervention practical politics. In other words, the bureaucracy must be neutral in every political moment annual. From a regulatory perspective, it is clear and unambiguous in article 2 of Law Number 5 2014 concerning State Civil Apparatus, it is said that what is meant by principle of neutrality is that every employee of the State Civil Service is impartial in any form any influence and does not favor anyone's interests. Therefore it is necessary collective awareness of stakeholders to jointly maintain neutrality State Civil Apparatus in order to achieve the Shared Vision, namely creating a state civil apparatus who are professional and have integrity to support the creation of good public services plenary.

2 Research Methods

This research focuses on discussing the politicization of bureaucracy in Indonesia. This research is a literature review study, by exploring legal products, journals, articles, etc documents related to the research focus. Data collection techniques were carried out by noting literature sources which include laws and regulations regarding party system in Indonesia, legislation regarding the general election system in Indonesia, legislation regarding state civil servants, legislation regarding regional government including books and journals related to the theme writing, as well as opinions and news in the mass media. Analysis in this research carried out using a qualitative approach using a content analysis model.

3 Result And Discussion

3.1 Law Number 5 of 2014 concerning State Civil Apparatus

Article 2 letter f One of the principles for implementing policies and management of the Civil Service The state is neutrality. (Every employee of the State Civil Service does not take sides from anything any form of influence and does not favor anyone's interests) Article 9 paragraph (2), State Civil Service employees must be free from influence and intervention from all groups and political parties. Article 1, State Civil Service is a profession for Civil Servants and Government Employees with Employment Agreements who work for government agencies Civil Servants are Indonesian citizens who meet certain requirements and are appointed as State Civil Service employees on a permanent basis by civil service development officials for occupying a government position as a Government Employee with a Work Agreement

(PPPK) is Indonesian citizens who meet certain requirements, who are appointed based on work agreement for a certain period of time in order to carry out tasks government. State Civil Apparatus (ASN) is a profession for Civil Servants (PNS) and Government Employees with a Work Agreement (PPPK) who work for agencies Government. One of the basic principles in carrying out Civil Service management The State is "Neutrality". This means that every employee of the State Civil Service does not take sides all forms of influence and does not take sides in anyone's interests. This matter then strengthened in Article 9 paragraph (2) of Law Number 5 of 2014 concerning State Civil Service, which states that, "State Civil Service employees must be free from the influence and intervention of all groups and political parties." In the context of elections Regional Heads (Regional Elections), this principle of neutrality of the State Civil Apparatus has always been hot discussion in various circles. Naturally, there are concerns about bias State Civil Apparatus to one of the candidate pairs, is the main reason.

Basically, every citizen has the right to vote, including State Civil Apparatus. This is guaranteed expressly in our constitution. But civil servants should have the right to vote The state is not stated openly, so it tends to be a form A "campaign" whose nature is to direct support to one of the candidate pairs. Based on Law Number 5 of 2014 Article 2 letter f concerning Civil Apparatus The state clearly states the principles, principles, basic values, code of ethics and code of conduct for implementation One of the policies and management of the State Civil Apparatus is based on the principle of neutrality. Even in article 280 paragraph (2) of Law 7 of 2017 concerning Elections it is stated, apart from the Apparatus State Civil Service, leadership of the Supreme Court or Constitutional Court to village officials and sub-districts are prohibited from being involved in campaign activities. If the parties mentioned remain If you participate in the campaign, you will be subject to imprisonment and a fine. These sanctions are stated in Article 494 of Law 7 of 2017 which states, every State Civil Apparatus, members of the Indonesian National Army and the Police of the Republic of Indonesia, the village head, village officials, and/or members of the village consultative body involved as executor or campaign team as intended in Article 280 paragraph (3) can shall be punished with imprisonment of up to one year and a fine of up to Rp. 12,000,000.00 (twelve million rupiah). In monitoring related legal violations neutrality on the part of the State Civil Apparatus, the Election Supervisory Body has the mandate to supervise. Election Supervisory Body Regulation Number 6 of 2018 is an internal reference carry out tasks straightforwardly. Bawaslu's task also received assistance from local parties Ad Hoc (temporary) supervisors such as the District Election Supervisory Committee, Supervisory Committee Subdistrict/Village Elections, Overseas Election Supervisory Committee, and Venue supervisors Voting.

3.2 Meaning of Bureaucracy and Politicization of Bureaucracy

According to Budi Setyono, basically bureaucracy was born as a product of a social process which is long and complex, namely from a series of winding and involved procedures universal social contextuality, and is explained as follows: humans as individuals At the same time, as a social creature, it is clearly impossible to live alone. He needs other people to fulfill their needs and also to continue to exist. When These

individuals apparently have the same interests and needs, then they are committed to forming a social community and then a community. This society is called the state. So that the State (Government) was formed based on social contract, where in this contract the state is given the power to carry out several functions among other functions are security, order, justice, public works, welfare, and maintenance of Natural Resources and the environment [4] (Budi Setiyono. 2007). On its way, It turns out that there are differences in desires, needs and opinions between individuals. These differences of opinion, needs and desires even lead to conflict occurs. To resolve conflicts that occur, the state makes regulations regulations that must be obeyed by all individuals (society). Guarantee that regulations are implemented, leaders and apparatus are needed. This leader and his apparatus functions to regulate conflict, enforce rules and achieve goals. To guarantee The implementation of these functions of state government requires an implementing organ operationalize these functions in real terms. This is where bureaucratic organizations emerge.

In its development, the existence and role of this bureaucracy also gave rise to dissent. The first opinion says that the existence of bureaucracy exists because Indeed, people want bureaucracy to help society meet their needs. needs, as well as to achieve certain goals that have been set together. The second opinion says that a ruler must be a strong person. Ruler The strong must be served by servants (apparatus) who are solid, strong, loyal and trustworthy [4] (Budi Setiyono. 2007).

3.3 Types of Bureaucratic Politicization

Based on half a century of experience, three types can be described politicization of bureaucracy in Indonesia [4] (Budi Setiyono. 2007);

1. First, open politicization. It is said openly because there are efforts It's done directly and there's nothing to cover up. Type of politicization This openness took place during the period of Parliamentary Democracy (1950-1959), where in Currently, leaders of political parties (political parties) compete for positions minister who directly leads a ministry.
2. Second, half-open politicization. This type of politicization is carried out by party leaders politics during the Guided Democracy period. It is said to be half open because Bureaucratic politicization is only intended for political parties representing certain groups. Nationalist, Religious and Communist groups (Nasakom).
3. Third, closed politicization. This type of politicization took place during the New Order era. On period starting from the central level (President Suharto) to the village or sub-district level (village heads/village heads) are all required to be members and also supervisors Political Party.

3.4 Phenomena of Bureaucratic Politicization

1. Politicizing state facilities. Several research results report the existence of state facilities which is also used during the process of consolidation meetings, political lobbying with parties other politics, and campaigns (mass mobilization). State facilities that are usually utilized namely official cars,

official clothing, and meeting rooms (buildings) belonging to the state. The use of these state facilities can be carried out by current bureaucrats political process (election).

2. Mobilize civil servants during elections and local elections through bureaucratic politicization mobilization (deployment) of Civil Servants during the regional elections, means once again speaking about bureaucratic neutrality. Some attempts to neutralize actual bureaucracy ever done. said that there was a lot of bureaucratic neutrality in the reform era develop. This started with the existence of the Republic of Indonesia Civil Service Corps organization (KORPRI) was sued by several parties, for example the lawsuit that came from the University Indonesia and the push to disband the Republic of Indonesia Civil Service Corps (KORPRI) or be neutral in every political process [5] (Miftah Toha. 2007). In every election, The voice of civil servants is one of the promising capital. Utilization of sound This civil service is clearly very easy for the incumbent candidate. With the lure of promises will be given positions or orders to support their superiors, mobilize civil servants During elections and regional elections, a lot of things happen at both levels of the election process district/city, provincial and also central.
3. There is Position Compensation. This position compensation occurs a lot and is easy to see central level. After the 1998 reform movement, there was a tendency for political intervention against various bureaucratic policies. The phenomenon of the entry of new political actors has emerged into the government system. The impact that arises from position compensation is between rulers and political parties are disrupting the proper performance of the bureaucracy upholding the merit system (based on professionalism). Because actually there are a lot professional bureaucrats, but inferior to other bureaucrats who have support from political parties.

4 Conclusion

Bureaucratic politicization in Indonesia is still widespread. This politicization can come from the legislature as well as from executives. But they have the same goal (interest), namely perpetuate power. This can be seen from the symptoms starting from use state facilities, mobilization of civil servants, position compensation, commercialization of positions, recruitment of new civil servants, up to the removal (depromotion) of regional secretaries. Impact Political intervention by both the legislature and the executive causes the system to become very difficult to implement. Decisions that should be taken through Objective considerations often bend to accommodate interests certain.

That the State Civil Apparatus has a big role in the election process and regional elections, the voice of the State Civil Apparatus is very strategic in mobilizing the community and very vulnerable to politicization by authorized officials, especially incumbent candidates (incumbent) or other official who has an interest in advancing in the momentum of the election or regional elections, this requires concrete government support in the form of political channels and political commitment to improve bureaucracy through improving relationship patterns with politics so that this relationship produces synergies that can strengthen each other (empowering), not

subordinate each other. The greater the disregard for bureaucracy and political power towards community members, the greater the tendency to develop it political collaboration between bureaucracy, political parties and entrepreneurs or capital forces opportunistik.

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