



Local Government Bureaucracy between Political Interests and Professionalism of the Apparatus

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Article's Information

Abstract

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The local government bureaucracy has an important role in the administration of government, especially in the implementation of public policies and services to the community. In practice, the bureaucracy often attracts political interests that can affect the professionalism of the apparatus. This condition raises the question of the position of the bureaucracy in local government, as well as how to maintain the neutrality of the apparatus so that the bureaucracy continues to work professionally. This research aims to analyze the legal position of bureaucracy in local government, as well as examine the importance of the neutrality of the state civil apparatus in maintaining bureaucratic professionalism. The research method used is a normative juridical research method with a qualitative approach. The results of the discussion show that the bureaucracy has a strategic position as the implementer of government policies as well as a liaison between the state and the community in the implementation of public services. But in practice, the close relationship between political power and the bureaucracy often gives rise to bureaucratic politicization. This has the potential to reduce professionalism and

weaken the principle of neutrality of the state civil apparatus. Therefore, it is necessary to strengthen the merit system, increase supervision, and enforce the principle of bureaucratic neutrality so that the implementation of local government can run professionally, transparently, and oriented to the interests of the community.

A. Introduction

Local government bureaucracy is often interpreted as officialdom or official government. A kingdom in which its kings are officials of a form of organization that benefits each other in the bureaucracy of government itself. In a bureaucratic organization, there are indicators that each individual has a clear and defined area of authority. They are within the scope of official positions that have certain jurisdictional boundaries. Within the limits of this authority, each person carries out formal duties and responsibilities that affirm the scope of his work. The execution of the work takes place in a hierarchical structure that reflects the level of authority and power. Officials receive rewards in the form of salaries adjusted to their skills and competencies. In addition, the communication process in a bureaucratic organization takes place through written documents as the basis for administration. Thus, bureaucracy can be described as an organizational system that is run by officials with structured rules and procedures.¹

Bureaucracy is one of the main instruments in the administration of government which has a strategic role in carrying out state functions, especially in providing public services and implementing government policies. In a democratic system of the state of law, the bureaucracy not only functions as a policy implementer, but must also be based on the principles of professionalism, neutrality, and accountability. These principles are important to ensure that the administration of government runs effectively, efficiently, and free from the influence of political interests that can interfere with the objectivity of the state apparatus. Weber's

¹ Miftah Thoha, *Bureaucracy and Politics in Indonesia*, 10th Edition (Jakarta: Rajawali Press, 2014), 2.

conception of bureaucracy that is embraced in government organizations shows many of the above methods of officialdom. Government bureaucratic officials are the center of solving public affairs. The people are very dependent on this official, not the official who depends on the people. Service to the people is not placed on the main consideration, but on the next consideration.²

Based on Weber's experience, the conception often raises problems related to bureaucratic law in non-neutral local government where the officials themselves feel that they have the power that exists within them, ignoring the sense of neutrality itself. For example, the case of the Sub-district Head in Pesawaran: Enggo Pratama, Sub-district Head of Katon State, Pesawaran, was caught by residents carrying banners and t-shirts with pictures of the pair of regent candidates number 02 in the sub-district official/operational car. This case was processed by the Gakkumdu Center and handed over to the Pesawaran Police.

The politicization of bureaucracy that often occurs in Indonesia is a complex and challenging problem, which has a negative impact on the performance of the state civil apparatus.³ Violations of the principle of neutrality of the State Civil Apparatus (ASN) are often triggered by the impulse to obtain or maintain positions, as well as the existence of strong political pressure or intervention. In addition, weak supervision mechanisms and lack of strict enforcement of sanctions are also factors that aggravate the emergence of various cases of these violations. To overcome this problem, the State Civil Apparatus Commission (KASN) recommends strengthening the functions of supervisory institutions, increasing understanding and education related to the importance of neutrality for ASN, and applying stricter sanctions for violators.⁴ This phenomenon not only hurts the principle of neutrality in the bureaucracy, but also has the potential to lower the level of public trust in government institutions. The theory of good governance emphasizes that the implementation of good

² *Ibid.*, 3.

³ Muhammad Attur Mehta Kusumana and Mustabsyrotul Ummah Mustofa, "Democracy under the Shadow of Patronage-Clientelism: Mitigating the Politicization of Bureaucracy in Indonesia," *He Indonesian Journal of Politics and Policy* 6, no. 1 (2024): 30–41.

⁴ Rohmawati Berutu and Hisar Siregar, "Elections Without ASN Participation: Strategic Steps to Eliminate Conflicts of Interest and Improve Bureaucratic Professionalism," *Law of Dynamics of Excellence* 6, no. 4 (2024): 263–75

governance must be based on the principles of transparency, accountability, efficiency, and community participation. In this context, bureaucratic neutrality and the performance of the State Civil Apparatus (ASN) that are free from the influence of political interests are important factors in realizing clean and effective governance.⁵ The theory of neutrality cannot be carried out against bureaucratic laws in local government because bureaucratic laws are used as political tools to create power. Based on KASN data in the 2024 election, there were 403-417 reports of alleged violations of ASN neutrality, with 183 to 264 ASN proven to be violators. A total of 97 ASN have been sanctioned. This figure reflects the high level of violations, dominated by partiality on social media.⁶

The relationship between bureaucracy and politics is one of the important issues in the study of bureaucratic law in local government in Indonesia. This relationship is not only related to structural aspects in the government system, but also includes power dynamics, organizational culture, and patterns of social interaction that occur within it. If this relationship is not managed properly, the bureaucracy has the potential to lose its function as a public servant and instead turn into an instrument of power interests. On the other hand, if the bureaucracy is able to maintain professionalism and integrity, then the institution can play a strategic role in strengthening democratic practices and encouraging the improvement of people's welfare.⁷

The legal position of bureaucracy in local government often does not look like what its role or form is for the government in Indonesia due to political influence that results in the absence of neutrality by the apparatus. The legal position of the bureaucracy in local government should be clearly seen where the Indonesian government has a clear legal basis in the 1945 Constitution of the Republic of Indonesia Article 1 paragraph (3) states that

⁵ Risna Wendy Wiraganti, Aji Santoso, and Ajeng Hijriatul Aulia, "Analysis of Regional Bureaucratic Politicization on the Neutrality of the Performance of State Civil Apparatus," *Mendapo: Journal of Administrative Law* 6, no. 1 (February 2025): 24, <https://doi.org/10.22437/mendapo.v6i1.39434>.

⁶ Catharina Laura Roretta, "Kasn Receives 417 Reports Of Alleged Violations Of Asn Neutrality During The 2024 Election," Article, News Notes Of Ujdih Bpk Representative of Southeast Sulawesi Province, 2024, <https://sultra.bpk.go.id/wp-content/uploads/2024/10/2.26-KASN-Terima-417-LaporanDugaan-Pelanggaran-Netralitas-ASN-Sepanjang-Pemilu-2024.pdf>.

⁷ Sri Yulianty Mozin, Vivi Venti Vera Sulila, and Nia Rahmadani Bangko, "Dynamics Of The Relationship Between Bureaucracy And Political Power,"

Indonesia is a state of law, which contains the consequence that all government administration, including the local government bureaucracy, must be based on the law and the principle of professionalism. Law Number 23 of 2014 concerning Regional Government This law is the main legal basis in the implementation of local government.

The law regulates the authority of local governments, the relationship between the central and regional governments, and the implementation of local government bureaucracy in carrying out the functions of public services and regional development. In addition, Law No. 20 of 2023 concerning ASN, which was passed on October 31, 2023, emphasizes professionalism through the transformation of ASN management, strengthening the merit system, and digitalization. This law emphasizes competence, high performance, and career development based on basic moral values to create an agile and service-oriented bureaucracy. The ASN Law also emphasizes that the state civil apparatus must be free from political intervention and must not take sides with certain political interests.

This research method uses a qualitative approach as a way to understand and explain social phenomena or human behavior in depth and comprehensively. This approach focuses on the subject's meaning, point of view, and experience in their natural context, rather than on the collection of numerical data or statistically generalized results.⁸ This research uses normative juridics. Normative juridical is an approach that is carried out with the main legal material, namely by examining theories, concepts, legal principles and laws and regulations related to this research.⁹

Based on the description of the material that has been explained above, this study discusses the formulation of the problem of how the position and role of local government bureaucracy in the local government system in Indonesia. The focus of this study is the legal position of bureaucracy between politics in Indonesia. In addition, this research is different from other journal research that also examines the neutrality of government bureaucracy in Indonesia.

⁸ Efriza Efriza, Sip., M.Si et al., "Analysis of Coalition Dynamics Towards the 2024 Presidential General Election (Pilpres)," *Journal of Science and Culture* 45, no. 2 (December 2024): 121, <https://doi.org/10.47313/Jidb.V45i2.3873>.

⁹ Bahder Johan Nasution, *Legal Research Methods*, Second Edition (Bandung: Mandar Maju, 2016).

B. Discussion

1. Legal Position of Bureaucracy in Regional Government

Bureaucracy in local government has a very important position in Indonesia as a set of tools to carry out public policies and service providers needed by the community. In the legal state system itself, the administration of government must be based on clear legal norms and carried out by professional and responsible apparatus to create good governance in the government. Therefore, the bureaucracy is not only seen as an administrative tool but also as a state institutional system that has a very important function in running the wheels of local government.

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A German philosopher, Georg Wilhelm Friedrich Hegel, views that bureaucracy functions as a link between the state or government and society. In this view, the bureaucracy needs to form a structure that is able to bridge the interests of the state that reflects the public interest with civil society in which there are various special interests. Hegel placed the bureaucracy in a position between the government and society, so that the bureaucracy acted as a mediator that connected the general interests of the government with particular interests, including political forces such as political parties that developed in society.¹⁰ Bureaucratic law in local government has a position as a tool to communicate between the central government and the community through local government, the central government entrusts the bureaucracy in the local government to establish relationships with the community in the regions, by realizing good governance of the bureaucracy in the local government.

¹⁰ Thoha, *Bureaucracy and Politics in Indonesia*, 24

The position of the bureaucracy in government has a view of bureaucracy regarding power which tends to make the bureaucracy a sacred force. The power over the bureaucracy created in the office of officials can instill fear, and it is almost impossible for the weak class of society to be touched in the face of the power of the bureaucracy. This kind of power makes the bureaucracy very sacred.¹¹

Acts that sacrosanctize officials in the government bureaucracy, especially in local governments, can almost no longer be avoided by the people in Indonesia. Almost all aspects from small to large always require the legitimacy of the government bureaucracy. People who need and get sustenance must always come into direct contact with the officials or apparatus themselves, regardless of the small people, the rich and even the conglomerate, will not be separated from the power of the officials themselves. From this stigma, it is the understanding that it is the people who need services, officials have the power to carry out these services. The Weberian characteristic of power lies in each hierarchy of officials, that the higher the hierarchy of office, the greater the power, and the lower the hierarchy, the more powerless it becomes. The hierarchy that has the most level is the Community. In that position they will not gain power at all. The bureaucratic discipline of the Weber model explains that the hierarchy at the lowest level does not dare or should not fight against the hierarchy of power of the upper hierarchy.¹²

In Indonesia, this hierarchy of power is inserted with the father or patrimonial system so that it becomes something that must be practiced in this bureaucratic power. Hierarchical officials who have a position at the bottom do not dare to act if they do not get instructions from the highest hierarchy. In fact, all official letters that come from the hierarchy that have the lowest position always end with a polite word such as asking for direction and instructions from the top hierarchy officials. Thus, asking for such a guide is a form of polite attitude that must be shown so as not to go beyond the power that is outside his power, if having such an attitude will not cause feelings of guilt or disrespect if he asks for such a guide. These officials have no doubt that they cannot be said to have initiative or creativity, as is generally the rejection of rational management measures that are also another characteristic of the Weberian bureaucracy, so that the

¹¹ *Ibid.*, 5.

¹² *Ibid.*, 5-7.

Weberian bureaucracy has more or less been adjusted to the conditions and circumstances in Indonesia.¹³

The legal basis that explains that Indonesia has constitutionally regulated the implementation of local government as regulated in Article 1 paragraph (3) of the 1945 Constitution reads: "The state of Indonesia is a state of law". This provision emphasizes that all state administration, government actions, and community life must be based on applicable law, not on absolute power or will alone, in order to guarantee the rule of law. The government bureaucracy must not run the government bureaucracy with the term "sacred" without implementing the regulation because in Indonesia Equality before the law means equality or equality before the law. It is a legal principle that guarantees every citizen, regardless of social status, position, economic or background, is equal in the eyes of the law and entitled to fair legal treatment and protection.

Undang-Undang No. 23 Tahun 2014 tentang Pemerintahan Daerah This law is the main legal basis in the implementation of local government is the main legal basis that regulates regional autonomy, the division of authority between the central and regional governments, as well as the implementation of bureaucracy, public services, and development. UU this is replace UU No. 32 Tahun 2004 to improve the efficiency and effectiveness of the government, focusing on community welfare and regional competitiveness. This law emphasizes that regional autonomy aims to accelerate the realization of community welfare through improving services, empowerment, and community participation.

Weber is of the opinion that not everything for us can understand every symptom or event that occurs in life as a whole, so in practice the laws of the government bureaucracy in each region have a different type of democratic ideal from each other where it is not possible for each region to be able to solve a problem with the same solution. In this case, the apparatus or bureaucratic officials of the government in the region must understand the regional problems clearly, by describing the aspects and solutions to the problem appropriately.

However, in the practice of implementing local government, the position of the bureaucracy is often in close relationship with the political

¹³ *Ibid.*, 7–8

power of regional heads. Regional heads as holders of executive power at the regional level have the authority to manage the regional apparatus organization, including in the appointment, promotion, and mutation of apparatus positions. This condition has the potential to create tension between the principles of bureaucratic professionalism and political interests that arise in the dynamics of local government.

From the perspective of state law, the local government bureaucracy should still be positioned as an administrative institution that carries out government functions based on the principles of the state of law, professionalism, and neutrality of the state civil apparatus. Thus, the legal position of bureaucracy in local government is not only as the implementer of local government political policies, but also as an administrative institution that must maintain integrity, accountability, and quality of public services to the community.

2. Politicization of Bureaucracy in the Implementation of Local Government

Government bureaucracies cannot be separated from each other from political processes and activities. Every idea and thought formed from the community group that forms a governance cannot be separated from this political aspect. Politics as we know it consists of a group of people acting politically organized by interest groups and trying to influence the government to take and implement policies and actions that can elevate its interests and override the interests of other groups. These community groups have interests that are fought for so that the government bureaucracy is affected, especially the local government bureaucracy which is very vulnerable to be affected by such behavior.¹⁴

Max Weber is of the opinion that creating a good governance bureaucracy must have an ideal type of bureaucracy itself, a rational type of bureaucratic ideal that is carried out in the following ways:¹⁵

- a. Individual officials are personally independent, but are limited by their position when they carry out individual duties or interests in their

¹⁴ *Ibid.*, 27.

¹⁵ Max Weber, *Economy and Society: An Outline of Interpretive Sociology* (Berkeley, CA: University of California Press, 1978).

positions. Officials are not free to use their positions for their own needs and personal interests, including their families.

- b. The positions are arranged in a hierarchical level from top to bottom and to the side. As a consequence, there are superior and subordinate positions, and some have greater power and some have smaller power.
- c. The duties and functions of each position in the hierarchy are specifically different from each other.
- d. Each official has a contract that must be carried out. The job description of each official is the domain of authority and responsibility that must be carried out in accordance with the contract.
- e. Each official is selected on the basis of professional qualifications. Ideally, this should be done through a competitive exam.
- f. Each office has a salary including the right to receive a pension according to the hierarchy level of the department it holds. Each official can decide to quit his job and his position according to his wishes and his contract can be terminated under certain circumstances.
- g. There is a clear career development structure with promotions based on seniority and merit according to objective considerations.
- h. Every official is not allowed to use his position and agency resources for his personal and family interests.
- i. Each official is under the control and supervision of a system that is run in a disciplined manner.¹⁶

Not all of these ideal types can be applied under certain conditions by a certain type of government. Such as the requirement on the appointment of officials in certain positions based on professional qualifications is suitable for certain bureaucratic conditions but many are now not applicable. Because many countries also appoint officials based on subjectivity criteria, especially those based on political intervention from certain political party forces.¹⁷ Based on this explanation, the ideal type of bureaucracy of a country or region is different, so it must be adjusted to the problems in each country or region and also the problem of max weber is also not the same as the problem of today, which is the same only if the government bureaucracy does not create the ideal of the government bureaucracy, it is

¹⁶ Martin Albroy, *Bureaucracy* (New York, NY: Frederick A Praeger, 1970).

¹⁷ Thoha, *Bureaucracy and Politics in Indonesia*, 17–19

also due to the political influence factor that exists in the government bureaucracy.

In the election of regional heads, bureaucratic politicization is a complicated phenomenon that illustrates how the administrative structure of the state is also influenced by the dynamics of political power at the local level. Basically, bureaucracy was created to serve the public interest in a neutral, professional manner, and based on applicable rules. However, when the Regional Elections take place, the bureaucracy is often used for political purposes, especially to maintain incumbent positions or encourage the victory of certain candidates.¹⁸

Pressure on the state civil apparatus (ASN) does not only occur through overt orders, but also through subtle means such as forming loyalty in a structured manner, monitoring the presence of ASN in political activities, and threatening to mutate those who are considered not in line. This kind of practice puts the bureaucracy in a difficult position, namely between maintaining professionalism or protecting their careers within the existing power structure.¹⁹

This situation shows that the bureaucracy is often no longer understood as an institution that serves the community, but as a political instrument that can be controlled by executive power at the regional level. The pressure experienced by ASN is not only visible on the surface, but also takes place systemically, for example through unofficial directions from regional heads, the formation of winning teams consisting of ASN, to the use of official forums as a venue for political approaches. In various regions, civil servants are forced to attend covert political meetings, participate in candidate declaration events, and even be asked to gather support from their families or the surrounding community. This kind of condition makes it very easy for the bureaucracy to lose its neutrality and integrity, because it

¹⁸ Mozin, Sulila, and Bangko, "Dynamics Of The Relationship Between Bureaucracy And Political Power," 142

¹⁹ R. Ako, "Bureaucratic Politicization After the 2020 Regional Head Election (Case Study of the North Konawe Education Office)," *JAPMAS: Journal of Politics and Democracy* 3, no. 1 (2023): 45–5

is placed as a political actor, not as a public institution that is above all group interests.²⁰

Politics basically cannot be separated from the existence of conflicts in the administration of a country's government. One of the fundamental realities of human life is that humans live together, not in isolation from each other. Sociologists generally argue that a large collection of human beings living together on a large scale is referred to as a society. More clearly, society can be defined as a group of people who live in a certain environment, and have the same traditions, institutions, activities, and interests. In society, there is not only one group, but many groups of people.

Each group has different traditions, values, beliefs, and interests than the others. As long as the common interests among the groups do not differ, conflicts are unlikely to arise. However, if the interests between them begin to differ, then conflicts have the potential to arise. One of the things that often causes differences and triggers conflicts between individuals and between groups is the values that are believed to be true by each party. Value can be interpreted as an object or situation that is considered very valuable, has a very high price, and is always sought to be obtained. In other words, value is something that a person believes is very important and highly desirable.²¹ Basically, humans will not experience conflict with each other if they have the same goals and ideals, therefore politics can affect the bureaucracy in the government because there is the same goal that must be achieved by using the politics of power in the government bureaucracy for the sake of the bureaucracy itself.

The public bureaucracy in Indonesia is still in the vortex of political interest relations.²² In a number of cases, political interference continues even after the election process has ended. After the regional elections, there are often massive changes of position as a form of political reward to those who have contributed to winning contests. This shift in position is generally not through a transparent performance appraisal procedure, but is more based on the level of loyalty during the election period. State civil servants

²⁰ Mozin, Sulila, and Bangko, "Dynamics Of The Relationship Between Bureaucracy And Political Power," 142.

²¹ Thoha, *Bureaucracy and Politics in Indonesia*, 29.

²² R. A. Rahmat Robuwan, "The Implications of State Administration Law on the Neutrality of State Civil Apparatus," *Journal of Legal Facts*, 2025, 25–27

(ASN) who previously acted neutrally or supported opposing candidates are often transferred to positions of less influence, some are even given no duties at all. On the other hand, individuals who have a close relationship with regional heads are instead appointed to occupy echelon positions or important positions, regardless of their technical abilities or personal integrity.²³

The most serious impact of bureaucratic politicization is the decline in the quality of services to the community.²⁴ If the government bureaucracy acts no longer based on rules, but on loyalty to the rulers, then the focus of service shifts from the public interest to the interest of power alone. The number of policy programs that should be prosperous for the community, due to the change of power that makes policies that cancel policy programs that can prosper the community because they do not shake the bureaucracy of the government of power, in addition to the impact of a decrease in trust by the community in the government or in the bureaucracy as a service to help the community. The public has the view that the more powerful a person is, the more benefit that person will be without thinking about the welfare of the community in his area.

The politicization of bureaucracy in the Regional Head Election (Pilkada) is a serious problem that is not enough to be overcome only through regulations, but also requires a transformation of political culture and an increase in moral awareness from state officials. The consistent implementation of the merit system, the provision of strict sanctions against state civil servants (ASN) and regional heads who abuse their authority, and openness in the process of filling public positions are crucial steps to break the chain of politicization. If it is not done, the bureaucracy will continue to be trapped in the cycle of power, lose its integrity, and will not be able to become the main pillar in public services and the implementation of democracy.²⁵

²³ Yulvia Alika, T. R. Valentina, and D. Hendrik, "Bureaucratic Politicization in the Process of Changing Bureaucratic Positions After the Vacancy of the Deputy Regent of Dharmastraya Regency in 2022," *Journal of Public Law and Humanities (JIHP)* 4, no. 5 (2024): 1637–54, <https://doi.org/10.38035/jihhp.v4i5>

²⁴ Ajib Rakhmawanto, "The Perspective of Bureaucratic Politicization and the Role of Personnel Supervisory Officials in Government Bureaucracy," *Journal of Administration and Public Policy* 3, no. 1 (June 2019): 28, <https://doi.org/10.25077/jakp.3.1.19-32.2017>

²⁵ Mozin, Sulila, and Bangko, 142–43.

Therefore, from the perspective of state law, it is important to reaffirm the principle of neutrality of the state civil apparatus in the administration of government. The bureaucracy should be placed as an administrative institution that works on the basis of law, professionalism, and the public interest. Efforts to maintain bureaucratic neutrality are very important so that the bureaucracy does not turn into a tool of political power, but continues to function as a professional and accountable public service provider in a democratic system of government.

3. Legal Neutrality of Bureaucracy in Government

The bureaucratic law in the government is neutral, so all levels of society will be able to be well served by the bureaucracy. Serving the community as a whole means not prioritizing or taking sides with the interests of certain groups of people. This attitude of siding with the interests of all the people is in line with the implementation of democracy, because the essence of democracy is from the people, by the people, and for the people. Therefore, the neutrality of the government bureaucracy towards the interests of certain party groups or political forces will be able to realize a democratic system of government.²⁶ Basically, bureaucratic neutrality is a system in which the bureaucracy remains consistent in providing services to its ruler (in this case the ruling political party), even if the ruler is replaced by another ruler from a different party. The provision of services has not changed in the slightest even if there is a change of ruler. The bureaucracy runs services based on professionalism, not because it is driven by political interests.²⁷

Currently, the issue of the neutrality of the government bureaucracy against the influence and interference of political parties does not seem to be underestimated. This problem has actually been growing for a long time, along with the development of democracy marked by the existence of political parties. When Vice President Hatta's Proclamation X was issued in 1945, Indonesia began to recognize political parties as a forum for the people to channel political freedom, express opinions, association, and freedom from fear of differing views.

²⁶ Thoha, *Bureaucracy and Politics in Indonesia*, 167

²⁷ *Ibid.*, 168

The presence of political parties should also be accompanied by the holding of general elections. However, because at that time Indonesia had just become independent, elections could not be held immediately. It was only ten years later, in 1955 to be precise, that the first election known to be very democratic was finally held. This first election gave birth to four major parties, namely PNI, Masyumi, NU, and PKI. In the parliamentary system of government at that time, the winning parties of the election alternately held government power. Since then, the government bureaucracy has begun to be controlled and led by ministers from political parties. It was customary at that time, where the political party that led a government department made the department a base to expand influence and gain support for its party. As a result, the neutrality of the government bureaucracy began to be disturbed; At least we no longer see that the government bureaucracy is completely free from the influence of political parties.²⁸

When President Soekarno re-enacted the 1945 Constitution, Indonesia's system of government switched to a presidential system. However, this presidential system turned out to be unable to make the bureaucracy completely neutral from the influence of political parties. A similar condition was then continued by the New Order government, which applied a monoloyalty style for civil servants against political forces that won a single majority victory in elections. During the New Order period, the policy slogan was to make the government bureaucracy neutral from political parties; Civil servants are prohibited from being members of political parties. However, this policy was actually a government political tactic that actually dominated civil servants to become members of Golkar, which at that time was not called a political party. In fact, there are only two political parties, namely PPP and PDI.

Civil servants are prohibited from entering the PPP and PDI, but are allowed to enter Golkar. This is what is called bureaucratic neutrality in the New Order government's version. During his reign, as has been described, the government bureaucracy could not clearly distinguish which was a career path and which was partisan. The New Order government did implement a career system in official regulations, but almost all government bureaucratic officials were partisans of the ruling political forces as a single

²⁸ *bid.*, 168-169.

majority. Any appointment of a person to a government bureaucratic position based on consideration of membership or support for a certain political power is a form of political party intervention that can disrupt bureaucratic neutrality. A clear example of political intervention into the government bureaucracy is when a new minister replaces the officials of the Secretary General, Director General, and similar positions because the old officials are considered politically inconsistent with the minister.²⁹

Bureaucratic neutrality is still very often issued in the statement that whoever wins in the general election or regional head will get full power from the government bureaucracy in choosing officials who will run the government bureaucracy either at the regional or central level, this is often referred to as distributing "seats", and if the apparatus or officials do not choose someone who wins in the government that is winning, it will not infrequently be mutated. or it is no longer used for the reason that there is no one purpose even though the performance of the previous apparatus or officials is very good, it will not be seen. In fact, Indonesia has clearly regulated neutrality itself in the legal basis, namely ASN is mandatory to be neutral based on Law No. 20 of 2023 concerning ASN (which replaces Law No. 5/2014), Government Regulation No. 94 of 2021 concerning Civil Servant Discipline, and SKB 5 Institutions (2022).

The principle of neutrality requires ASN not to take sides from any influence, prohibited from being a member/administrator of a political party, and prohibited from conducting campaigns or photo poses that show partisanship. The concept of bureaucratic neutrality can also be understood through the theory of bureaucracy put forward by Max Weber. Weber explained that the ideal bureaucracy must work rationally and impersonally, namely carrying out tasks based on legal rules, clear procedures, and the competence of the apparatus. In this rational bureaucratic model, state apparatus should not be influenced by political interests or personal interests in carrying out their duties. The bureaucracy must function as a professional and neutral administrative organization in implementing state policies.

The fact that occurred in the field is that based on KASN data in the 2024 election, there were 403-417 reports of alleged violations of ASN

²⁹ *Ibid.*, 169–170.

neutrality, with 183 to 264 ASN proven to have violated. A total of 97 ASN have been sanctioned.³⁰ Direct involvement in campaigns and the use of state facilities to support certain candidates is a tangible form of the nonneutrality of state civil servants (ASN) in the regions. In the 2024 election, the non-neutrality of ASN is triggered by a number of main factors, including:

- a. Political Intervention – Pressure exerted by regional heads or local political elites, who have the authority to appoint and promote ASN positions, forcing the apparatus to support certain candidates in order to maintain or obtain strategic positions.
- b. Patronage Culture – The existence of strong patron-client relationships in various regions encourages civil servants to act non-neutrally, especially in local political dynamics.
- c. Weakness of Supervision – The lack of optimal supervision from institutions such as the State Civil Apparatus Commission (KASN), as well as limited enforcement of legal sanctions, makes it difficult to suppress violations of neutrality.
- d. Lack of Legal Awareness – Lack of education and understanding of civil servants regarding the principles of neutrality and sanctions that can be imposed for violations committed.³¹

Efforts to strengthen bureaucratic neutrality in local government can be carried out through several strategic steps. First, the implementation of the merit system in the management of state civil servants must be carried out consistently so that the process of appointment, promotion, and mutation of positions is based on the competence and performance of the apparatus. Second, strengthening bureaucratic supervisory institutions is needed to ensure that the principle of neutrality of the state civil apparatus can be effectively enforced. Third, increasing ethical awareness and integrity of the bureaucratic apparatus is also an important factor in maintaining professionalism in the administration of government. Fourth, it is necessary for the participation of the community in the supervision of the government

³⁰ Laura Roretta, "Kasn Received 417 Reports Of Alleged Violations Of Asn Neutrality Throughout The 2024 Election."

³¹ Wendy Wiraganti, Santoso, and Hijriatul Aulia, "Analysis of the Politicization of Regional Bureaucracy on the Neutrality of the Performance of the State Civil Apparatus," 33

bureaucratic law without the role of the community itself in the government there will be no creation of a government bureaucratic law that is transparent, accountable, and oriented to the public interest, and by supervising the performance and violations committed by officials or apparatus themselves, not forgetting to give criticism and suggestions for the progress of the government bureaucracy in Indonesia.

With the strengthening of bureaucratic neutrality, it is hoped that state civil servants or officials can carry out their duties professionally and not be affected by political dynamics that occur in both the local and central governments. A neutral and professional bureaucracy will be able to support the creation of effective, transparent, and accountable local government, while strengthening public trust in government institutions as public servants who work based on the principles of the state of law and democracy.

C. Conclusion

The local government bureaucracy is often in a tug-of-war for political interests. The close relationship between political power and the bureaucracy opens up space for politicization, especially in political momentum such as the election of regional heads. The state's civil servants often face pressure to support certain political interests in order to maintain positions or careers in government structures. This condition causes the bureaucracy to potentially lose professionalism and shift from its main function as a public servant to a tool of political power. These problems show that bureaucratic neutrality is still a challenge in the implementation of local government in Indonesia. Although normatively various regulations have affirmed the neutrality obligation of the state civil apparatus, in reality violations still often occur due to political intervention, patronage culture, weak supervision, and low legal awareness of some apparatus. If this condition continues, public trust in the bureaucracy and government will further decline.

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