
Democratic Elections: Strategy to Protect State Civil Apparatus from the Threat of Money Politics and Intimidation in General Elections

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Abstract

In a democratic system, the success of general elections depends on the integrity and neutrality of the State Civil Apparatus (ASN), which is an integral part of organizing fair and free elections. Therefore, it is essential to discuss the protection strategy of the ASN in the context of democratic elections. The focus is on addressing two serious threats, namely money politics, and intimidation, which often disrupt the integrity of elections. In this case, the researcher seeks to identify efforts that should be taken to protect ASN so that they can carry out their electoral duties reasonably and free from external pressure, which includes various strategies that can be used, including strengthening election-related regulations, increasing ASN awareness about the risks of money politics and intimidation, and the role of election monitoring institutions in supporting election integrity. By implementing this strategy, it is hoped that general elections can become more democratic and have integrity. ASN is also expected to be protected from political money and intimidation threats during the election process.

Keywords: State Civil Apparatus, Political Money, Intimidation, General Election

Introduction

Corporate democracy is a system of government that respects fundamental human rights, such as the right to freedom of speech, association, and choice. Democracy guarantees checks and balances between state institutions, such as the executive, legislature, and judiciary. Democracy is expected to create a responsive, transparent, accountable, and participatory government. One indicator of democracy is the organization of quality elections (Suprojo, 2013; "The Essence of the Regional Head Election System in Realizing Clean Government in Indonesia," 2019)

General elections (elections) are one of the important milestones in democracy. Elections are a means to elect fair and transparent representatives of the people and leaders of the country. Democracy and democratic elections are "necessary conditions" for each other, and "one cannot exist without the other." Elections have a meaning as a procedure to transfer the people's sovereignty to certain candidates to occupy political positions (Nanik Prasetyoningsih, 2014).

However, general elections also face various challenges and problems from technical, political, and social perspectives. One problem that often arises is the practice of money politics and intimidation. Money politics is the practice of giving or receiving money, goods, or services to influence the outcome of elections. Intimidation is the practice of threatening, coercing, or frightening someone into voting or not voting for a particular candidate. These practices can undermine elections' integrity, credibility, and quality and threaten democracy in Indonesia.

One group often targeted by political money and intimidation is the state civil apparatus (ASN). ASNs are civil servants (PNS) and government employees with work agreements (PPPK) who work in the central government, regions, or state institutions. ASN has a vital role in the administration of government and public services. Therefore, ASN must be neutral and professional in performing its duties, including participating in general elections.

ASN neutrality is the attitude and behavior of ASN that does not take sides with certain political interests in government administration and general elections. ASN neutrality is regulated in Law Number 5 of 2014 concerning ASN, Government Regulation Number 94 of 2021 concerning Civil Servant Discipline, and Joint Decree (SKB) of the Minister of State Apparatus Empowerment and Bureaucratic Reform, Minister of Home Affairs, and Chairman of the General Election Supervisory Agency Number 1 of 2022, Number 1 of 2022, and Number 1 of 2022 concerning ASN Neutrality in the 2024 General Election. ASN neutrality aims to maintain the integrity, professionalism, and performance of ASN and support the implementation of free, fair, and democratic elections.

However, in reality, many ASNs are involved or influenced by money politics and intimidation. Some of the factors that cause this are the low awareness, knowledge, and political attitudes of ASN; weak supervision and law enforcement of violations of ASN neutrality; pressure or intervention from interested parties, such as superiors, political parties, or candidates; and the economic need or desire to benefit from elections.

In its implementation, elections are often characterized by various fraudulent practices, such as money politics and intimidation. This phenomenon has occurred massively in recent years, especially when entering the election year. Money politics itself is the giving or receiving of money or goods to influence the electoral process. Meanwhile, intimidation is an act or action that forces someone to do or not do something in a way that threatens or creates fear.

Money politics and intimidation can threaten democratic elections. Money politics can give candidates with more capital a greater chance of winning, thus reducing the opportunity for candidates with better abilities to lead.

Intimidation can make people afraid to participate in elections, reducing community participation in the democratic process.

Money politics or transactional politics in elections is a campaign violation. The offense is regulated in Article 73 of Law Number 10 of 2016 (Law 10/2016) concerning the Second Amendment to Law Number 1 of 2015 concerning the Stipulation of Government Regulations instead of Law Number 1 of 2014 (Law 1/2014) concerning the Election of Governors, Regents and Mayors into Law. Then, regulations at lower levels also prohibit the practice of money politics. Then, Article 71 of the General Election Commission Regulation Number 4 of 2017 (PKPU 4/2017) determines that political parties (Parpol) or a coalition of political parties, pairs of candidates, and/or campaign team groups are not allowed to lure and/or freely give money or other materials to influence voters' votes.

According to Bawaslu, there were 1,096 legal violations related to the neutrality of ASN, TNI, and Polri during the 2019 Election. These violations included supporting one of the candidates on social media, attending political party socialization, approaching political parties, supporting one of the candidates, and being involved as an implementer or campaign team and political money. Bawaslu also reported that there were 917 violations of ASN neutrality, which included intimidation of ASN during the 2020 Pilkada, consisting of 484 cases of providing support to one of the candidate pairs on social media, 150 cases of attending political party socialization, 103 cases of approaching political parties, 110 cases of supporting one of the candidate pairs, and 70 village heads supporting one of the candidate pairs.

The State Civil Apparatus (ASN) is one of the groups that is very vulnerable to various threats, including the threat of money politics and intimidation in elections. This is because ASN has excellent access and influence in society. In addition, ASN also has a strategic position in organizing elections. Apart from that, ASN also has a significant role in running a democratic election. This is because ASN (state civil apparatus) has access to government resources which may benefit one of the candidate pairs participating in the election.

In this case, supervisory institutions such as Bawaslu have a very important role in overseeing the path of a good democratic party. The government can coordinate with related institutions so that ASN can avoid practices such as political money and be free from intimidation by specific candidate pairs.

In facing elections, all parties must prioritize mutual respect and respect for the rights of other election participants and avoid actions that can raise doubts or suspicions about the running of a democratic election. Therefore, a strategy is needed to protect ASN from the threat of money politics and intimidation in elections. This protection strategy must involve various parties, from the government, political parties, and the community.

Based on the results of research from the field of evaluation and community research of the KPK (Corruption Eradication Commission), what often happens in local elections or general elections is the intimidation and money politics that occur in the broader community. The main actors in this case are, of course, the candidate pairs with qualified resources, so the practice of money politics is widespread when a democratic party is taking place.

As for ASN, according to KASN (State Civil Apparatus Commission) ASN is more likely to get threats of intimidation from certain candidate pairs when the elections or general elections will begin. This is because ASN has access to government resources, which can be used for the interests of the candidate pairs participating in the election.

Based on the above problems, the focus of discussion in this study is: "What protection strategies can be given to ASN so that it can be protected from the threat of intimidation and political money ahead of the general election?". The purpose of this research is to recommend several strategies for ASN related to protection from the threat of political money and intimidation ahead of the general election.

Research Methods

This research was compiled based on a qualitative approach. The qualitative method is a method that seeks to produce information in the form of notes and data that are descriptive and detailed in the research being carried out (Mantra, 2008). A qualitative approach is based on the initial steps taken by combining the required data, and then classification and description are carried out clearly.

In the data collection technique, this research uses literature studies, often known as library research, by using primary sources in the form of reading materials such as books, journals, documents, official websites, and other literature. According to Zed in (Melfianora, 2019). Literature study or library research is used to conduct research observations using library sources to obtain detailed and precise research data.

The focus of discussion in this study is what strategies can be recommended to the government in protecting ASN from the threat of intimidation and money politics in general elections and what efforts can be made by the government to strengthen regulations in dealing with these problems, in order to create a democratic election atmosphere.

Results

ASN protection strategies to deal with the threat of money politics and intimidation are needed to realize a democratic state. In this case, the government also plays a vital role in supervising and providing protection to ASNs when elections begin.

General elections are one of the pillars of democracy that determine the direction and policies of the country. However, general elections are also vulnerable to unhealthy political practices, such as money politics and intimidation. Money politics is the practice of giving or receiving money, goods, or services to influence the outcome of elections. Intimidation is the practice of threatening, coercing, or frightening someone into voting or not voting for a particular candidate. These practices can undermine the integrity, credibility, and quality of democracy in Indonesia.

One group often targeted by political money and intimidation is the state civil apparatus (ASN). ASN are civil servants (PNS) and government employees with work agreements (PPPK) who work in the central government, regions, or state institutions. ASN has a vital role in the administration of government and public services. Therefore, ASN must be neutral and professional in carrying out its duties, including participating in general elections.

To obtain additional data, researchers also interviewed one of the ASNs at Puslatbang Khan LAN, Mr. Mirza Sahputra, regarding the threat of intimidation and political money to ASN before the general election. He is an ASN who works in state administrative law studies. The following are the results of an interview with Mr. Mirza Sahputra related to the threat of intimidation and money politics to ASN ahead of the general election: "related to money politics, according to the rules of regulation, it is prohibited. But such small things may happen during the election. For example, when money politics is involved, it may be commonplace. Especially in city districts, it may often happen because when someone wants to run for office, they must have a big budget; they want many votes by giving something to someone. Another one is related to intimidation. Intimidation, if possible, does not exist in LAN. Because we know the head of LAN is purely made up of civil servants, not political officials. What is very vulnerable is like civil service officials whom political officials hold. So, in cases in 2020, my observation is that there is much intimidation, such as when the incumbent is running for office again, this becomes dangerous. This means that it could be that the ASN in this area if he does not vote for him, will be transferred, and so on. There is an attachment when he does not inevitably; sometimes, ASN is forced into a flow like this. Because, on the one hand, he is an incumbent, he used to be a policy maker; automatically, he is all of this. So, it is vulnerable when a political official holds a civil servant development official. Maybe that is my view. Regarding the intimidation, it actually goes back to each person, meaning that this ASN has been protected by regulation. This means there are already channels to report, for example, related to invitations to practical politics. An ASN must be neutral because this ASN is a state apparatus that is paid by the state to provide services to the public without asking for political races and so on. So, I think the integrity of the ASN itself is important because ASN has also been protected. This means they are not allowed to engage in practical politics when they want to run for office. He must leave ASN; that is his choice. Because by oath, we ASNs are not allowed to participate in practical politics, even though we have political rights. But we must not show our political rights to the public. It is as if we are showing our partiality to one of the candidate pairs" (Interview with Mr. Mirza Sahputra, an ASN of the State Administration Institution who works in State Administration Law Studies, November 16, 2023).

Thus, in reality, many ASNs are involved or influenced by money politics and intimidation due to several factors such as low awareness, knowledge, and political attitudes of ASNs; weak supervision and law enforcement of violations of ASN neutrality; pressure or intervention from interested parties, such as superiors, political parties, or candidates; and economic needs or the desire to benefit from elections.

To overcome this problem, the author proposes several strategies to protect ASN from the threat of money politics and intimidation in general elections, namely:

1. Improving political education and socialization for ASN. The aim is to increase ASN's awareness, knowledge, and political attitudes that are democratic, critical, and independent. Political education and socialization can be carried out through various media, such as seminars, workshops, discussions, books, magazines, the Internet, or social media. Political education and socialization content must include ASNs' rights and obligations as citizens and government administrators, as well as the impact and sanctions of money politics and intimidation for ASNs and democracy.
2. Strengthening supervision and law enforcement against violations of ASN neutrality. The aim is to prevent and take firm action against ASNs involved or influenced by money politics and intimidation. Supervision and law enforcement can be carried out by various institutions, such as the State Civil Apparatus Commission (KASN), the State Personnel Agency (BKN), the General Election Supervisory Agency (Bawaslu), the Corruption Eradication Commission (KPK), or other law enforcement officials. Supervision and law enforcement must be carried out independently, objectively, transparently, and accountably, supported by clear, firm laws and regulations.
3. Building ASN solidarity and independence. The aim is to protect ASNs from pressure or intervention from interested parties, such as superiors, political parties, or candidates. ASN solidarity and independence can be built by establishing ASN organizations or associations that are independent, professional, and democratic. ASN organizations or associations can function as a forum for communication, coordination, advocacy, and protection for ASNs in participating in general elections. ASN organizations or associations can also act as partners of the government, state institutions, or civil society in overseeing and enforcing ASN neutrality.
4. Improving the welfare and capacity of ASN. The goal is to reduce ASN's dependence or desire to be involved or influenced by money politics and intimidation. ASN's welfare and capacity can be improved through increased salaries, allowances, facilities, and incentives for ASNs who excel and have integrity. In addition, ASNs must also be allowed to develop their competencies, skills, and careers through education, training, or professional guidance.
5. By implementing the above strategies, it is hoped that ASN can be protected from the threat of money politics and intimidation in general elections. Thus, ASN can participate in general elections in a free, fair, and democratic manner and maintain its neutrality and professionalism in the administration of government and public services.

Conclusions and Recommendations

Democratic elections are conducted with respect for fundamental human rights, such as freedom of expression, association, and choice. Democratic elections also ensure checks and balances between state institutions, such as the executive, legislative, and judiciary. Democratic elections are expected to create a responsive, transparent, accountable, and participatory government ("The Essence of the Regional Head Election System in Realizing Clean Government in Indonesia," 2019)(Efendi et al., 2023; Muzakkir & Yunanda, 2021).

The author finds that money politics and intimidation can damage elections' integrity, credibility, and quality and threaten democracy in Indonesia. The author also finds that many ASNs are involved or influenced by money politics and intimidation due to low ASN political awareness, knowledge, and attitudes; weak supervision and law enforcement

of violations of ASN neutrality; pressure or intervention from interested parties; and economic needs or the desire to benefit from elections. The author proposes four strategies to protect ASN: increasing political education and socialization for ASN, strengthening supervision and law enforcement against violations of ASN neutrality, building ASN solidarity and independence, and improving ASN welfare and capacity. The author hopes that these strategies can help ASN be protected from money politics and intimidation in democratic elections and maintain its neutrality and professionalism in governance and public services.

The strategic policy recommendations that the government can make to protect ASN in facing the threat of intimidation and money politics in general elections, according to the author, are as follows:

- The government must allocate a sufficient budget to support implementing political education and socialization for ASN. This budget can provide facilities, materials, resource persons, and incentives for ASNs participating in political education and socialization activities. This budget can also be used to develop effective and interesting media and methods for delivering democratic political messages to ASN.
- The government must improve coordination and synergy between institutions responsible for supervision and law enforcement of violations of ASN neutrality. This coordination and synergy can be done by forming an integrated team involving KASN, BKN, Bawaslu, KPK, and other law enforcement officials. This integrated team can collect, analyze, and follow up on reports related to money politics and intimidation involving ASN. This integrated team can also conduct routine and intensive monitoring, audits, and investigations of ASNs suspected of being involved in or affected by money politics and intimidation.
- The government must provide support and legal protection for ASNs who are victims or witnesses of money politics and intimidation. This legal support and protection can be in the form of legal assistance, psychological assistance, medical assistance, security assistance, or other assistance in accordance with the needs of ASN. This legal support and protection can also take the form of awards or promotions for ASNs who dare to report or reject money politics and intimidation. This legal support and protection must be provided quickly, accurately, and fairly to ASNs who need it.
- The government must reform the ASN pay and benefits system based on performance and competence. This reform aims to improve the welfare of ASNs who excel and have integrity and reduce the gap in salaries and benefits between ASNs at various levels and sectors. This reform also aims to eliminate or reduce practices that can lead to potential money politics and intimidation, such as the provision of pocket money, overtime pay, meal money, transportation money, or other money that is not in accordance with the provisions.

By implementing the above recommendations, the government can provide an effective and efficient ASN protection strategy in facing the threat of intimidation and money politics in general elections. Thus, the government can improve the neutrality and professionalism of ASN and support holding free, fair, and democratic elections.

References

- Efendi, E., Zuhri, M., Tarmizi, T., Hadi, A., & Yunanda, R. (2023). Animal Protection in the Perspective of Positive Law and Islamic Law: A Study of Elephant-Human Conflict in Aceh, Indonesia. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 7(1), 175-194.
- Muzakkir, M., & Yunanda, R. (2021). Strategi Orang Tua Keluarga Miskin dalam Meningkatkan Pendidikan Anak. *Jurnal Sosiologi Dialektika Sosial*, 1(1).
- Suprojo, A. (2013). Analisis Tingkat Partisipasi Pemilih Pemula Pasca Ketetapan Komisi Pemilihan Umum Tentang 10 Partai Peserta Pemilu 2014 Dalam Pembangunan Politik Masyarakat. *Jurnal Reformasi*, 3(1).
- The Essence of the Regional Head Election System in Realizing Clean Government in Indonesia. (2019). *Journal of Law, Policy and Globalization*. <https://doi.org/10.7176/jlpg/85-26>
- Nanik Prasetyoningsih. (2014). The Impact of Simultaneous General Elections for Indonesian Democracy. *Journal of Legal Media*, 2, No. 2, 242.
- Mantra, I. B. (2008). *Research Philosophy and Social Research Methods*. Jakarta: Student Library Publisher
- Melfianora, M. (2019). *Writing scientific papers with literature studies. Science Framework*
- SKB (joint decree) Number: 2 of 2022, Number: 800-5474 of 2022, Number: 246 of 2022, Number: 30 of 2022, Number: 1447.1/PM.01/K.1/09/2022
- Pratama, A. (2021). Protecting The ASN Neutrality From Bureaucracy Politicization. *Journal of Public Administration Science*, 9(2), 123-132.
- VOI. (2021, July 7). ASN Neutrality Rules in the 2024 Election, What are the Prohibitions?
- Ministry of Administrative Reform and Bureaucratic Reform. (2021, June 6). Release of SKB Neutrality, Minister Azwar Anas: ASN Must Be Neutral in the 2024 Election.
- Sarbaini, S. (2014). Demokratisasi dan Kebebasan Memilih Warga Negara dalam Pemilihan Umum. *INOVATIF | Jurnal Ilmu Hukum*, 7(3).
- Alvons, M. (2018). Kebebasan Keamanan, Keadilan dan Kedamaian dalam Pemilihan Umum untuk Stabilitas Negara. *Jurnal Legilasi Indonesia*, 15(4), 295-307.
- Febriana, R. (2020). Peran Bawaslu Dalam Pencegahan Money Politic Tahapan Kampanye Pada Pemilu Legislatif Tahun 2019. *Al-Balad: Journal of Constitutional Law*, 2(3).
- Amatahir, Z. (2023). Peran Mahasiswa Dalam Mencegah Politik Uang Dan Kecurangan Pemilu: The Role of Students in Preventing Money Politics and Election Fraud. *Jurnal Media Hukum*, 11(2), 87-98.
- Wiratmaja, I. N. (2018). Dilema Demokrasi Elektoral. *Jurnal Bali Membangun Bali*, 1(2), 73-94.

- Surya, A. (2019). Pengaruh money politic dalam pemilihan anggota legislatif terhadap keberlangsungan demokrasi di Indonesia. *Jurnal Ilmiah Hukum dan Pembangunan*, 19(2), 179-194.
- Prasetyo, A. B., & Wibowo, A. (2018). Money politik pada kepemiluan di Indonesia. *Jurnal Ilmu Hukum*, 6(2), 1-12.
- Sari, N. P., & Sari, N. K. (2019). Money politik dan aspek-aspek penegakan hukumnya dalam pemilihan umum. *Jurnal Hukum Prasada*, 6(1), 1-10.