

## Analysis of Institutional Collaboration In Handling Violations of Neutrality of State Civil Apparatus at The Concurrent General Elections

Andi Setiawan\*<sup>1</sup>

<sup>1</sup>Government Science Study Program, Faculty of Social and Political Sciences, University of Brawijaya, Malang, Indonesia

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### Abstract

This research examines how relations between institutions are developed and managed by a state institution which in this case is the Electoral Supervisory Body of the Republic of Indonesia, through the establishment of an Institutional Network in handling neutrality violations of the State Civil Apparatus (SCA) at the Concurrent General Election in 2019. This research has several background issues, including the SCA neutrality issue as one of the three main problems in each election moment. In the 2019 election, there were several results and allegations of electoral irregularities in 1,096 instances of suspected violations of the independence of the State Civil Apparatus. Another issue is that the Electoral Supervisory Body is responsible for overseeing the neutrality of SCA, but there is hampered by limited authority which is the Electoral Supervisory Body cannot give punishment on SCA, they just allowed to providing recommendations. This analysis is focused on the Network Governance Theory by Klijn, Koppenjan, & Termeer. This theory is applied through a two-step strategy, each of which has three indicators. The research method used is a descriptive research that will generate qualitative findings. The results of this study found that of the six indicators contained in Network Governance Theory, the Institutional Network of the Electoral Supervisory Body only applied five of the six indicators of Theory. The other indicators are not applied for some reasons. Through the Game Management and Network Structuring Strategy that is contained in this Network Governance Theory, this Institutional Network produces two outputs, which are Memorandum of Understanding and the Cooperation Agreement that governs and binds between the two institutions namely Electoral Supervisory Body and The State Civil Apparatus Commission.

## INTRODUCTION

Researchers recognize that votes, or generally referred to as elections, are one of the results of democracy. When it comes to the operation of elections, not just the treatment of government on a procedural basis. Instead, elections must create an environment in Indonesia that leads to democratic values. This is because it is the responsibility of the executive, as the organizer of the society, to coordinate democratic elections. In addition to preserving democratic principles, elections must therefore be successful and efficient, as well as implemented with responsibility, justice, continuity, honesty and good coordination between election-related institutions. This must be understood in the life of democracy in Indonesia in order to establish an election that has an honest and fair principle.

General Election is a means of the people's jurisdic-

tion to select the members of the House of Representatives, the House of Regional Representatives, the House of Regional Representatives, the President and the Vice-President directly elected, open, free, secret, honest and reasonable (Law No. 7 of 2017 on Elections). In the meantime, simultaneous elections are interpreted as a referendum in which electors have the ability to cast as many as five ballot papers in order to nominate their members to the House of Representatives, the House of Regional Representatives, the House of Regional Representatives and the President and Vice President (<https://katadata.co.id>).

The Law No. 7 of 2017 on elections includes three organizations coordinating elections that become one unit in the organization of elections. First, the General Electoral Commission, (KPU) is an institution where it has the purpose of coordinating any stage of the general election that has a national, permanent and autonomous existence in its implementation (Law No. 7 of 2017 on elections). Second, there is an institution named the Electoral Supervisory Body of the Republic of Indonesia. Electoral Supervisory Body is an electoral body that has a role in monitoring the

\* E-mail: [andi.setiawan@ub.ac.id](mailto:andi.setiawan@ub.ac.id)  
Address:

conduct of elections in Indonesia. Third, there are election organizers born after General Electoral Commission (KPU) and Electoral Supervisory Body in 2012, including the Honorary Board of Election Organizers (DKPP). This organization is an electoral coordinating agency that has the purpose of managing and violating the code of ethics of the election organizers themselves.

Elections in Indonesia have caused a variety of complicated issues. Centered on the Electoral Supervisory Body of the Republic of Indonesia election results, the election violation data of 4 November 2019 were 23,501 observations and complaints of election violations. On the basis of the phenomena of electoral abuses alluded to above, there is one phenomenon that becomes an obligation for Electoral Supervisory Body of the Republic of Indonesia, namely the monitoring of the neutrality of the State Civil Apparatus. This is included in the legislative product when relating to the legal umbrella of the electoral agency, including Law No. 7 of 2017 Article 93, point F. In addition, there are a variety of details that are the results of Electoral Supervisory Body pertaining to the alleged violations of The Indonesian State Civil Apparatus neutrality that happened during the 2019 elections, including as many as 1,096 alleged violations of The State Civil Apparatus neutrality. The evidence were also higher than at the time of the previous poll, including the 2018 parallel elections, which found violations of the State Civil Apparatus neutrality as many as 721 violations, which found more State Civil Apparatus than the Indonesian National Army (TNI) and the Indonesian National Police (POLRI). Through the details, the route passed by Electoral Supervisory Body of the Republic of Indonesia coordinates with the State Civil Apparatus Commission (KASN) to follow up on the findings of the alleged infringements of State Civil Apparatus neutrality examined by Electoral Supervisory Body of the Republic of Indonesia. In this matter, KASN is the secret to the suppression of the neutrality of Indonesian Civil since it has the power to do so. State Civil Apparatus Commission will conduct a review to determine whether the Electoral Supervisory Body review resulted in a situation that is deemed a breach or not. Thus, the cooperation between State Civil Apparatus Commission and Electoral Supervisory Body culminated in the most recent violation of State Civil Apparatus neutrality in the 2019 Concurrent Elections. In violation of the State Civil Apparatus neutrality, there is a data leak that is very troubling, namely the number of 528 breaches that have happened in 32 provinces of Indonesia (Documentation of the Supervisory Section of the Indonesian Election Supervisory). In the meantime, two unregistered provinces are Papua and West Papua. The unregistered Papua and West Papua since there have been no records sent by the Electoral Supervisory Body at the regional level to the Electoral Supervisory Body of the Republic of Indonesia. Then, as regards the subject of the perpetrator, it is understood that the subject of the most offenders is in the ranks of the Department Office Workers. It can therefore be understood that the phenomenon of breach of SCA neutrality in elections is one of the phenomena which has become urgent in taking strategic action between the Electoral Supervisory Body of the Republic of Indonesia and SCA Commission.

Thus, on the basis of the elaboration of the issue,

it becomes urgent for Electoral Supervisory Body to set up an Administrative Network in order to maximize the supervisory role of the elections. Through the Institutional Network, Electoral Supervisory Body may have the cooperation and power of other related institutions to engage in the progress of the election in the form of access that Electoral Supervisory Body does not have. According to the history written above, the author is involved in carrying out research on the institutional cooperation of the Electoral Supervisory Body of the Republic of Indonesia.

### Network Governance Theory

Network governance starts with the fast theory of governance which is generally known as the theory of governance. The advent of the Network Governance Theory is the product of the growth of liberal democracy. It is also undeniable, then, that the growth of modern democracy has contributed to a principle of inclusion in the governance process. The understanding that any actor, agency or organization has the same "Role" in order to handle a "Public Interest" is part of this growth. Any actor, agency, or institution would then position them in such a way that they are in a horizontal, balanced and equal position in order to solve the popular issue (Eva Sorensen, 2002, pp. 693-720).

Klijn, Koppenjan, and Termeer argued that the Network itself has a concept of a pattern of secure social ties between individuals, organizations, or institutions that are interdependent on policy problem areas or resource classes that include constructing, sustaining, directing or maintaining, and modifying circumstances through a sequence of steps or events/a series of games (E-H. Klijn, J. Koppenjan, & K. Termeer). Later, the Network itself puts more focus on looser hierarchical systems or organizations and there is a "Trust" in the inter-agency relationship (Philip Haynes. 2003:43).

In addition, the Comment on Network Governance was submitted by Eva Sorensen, who provided the points found in Network Governance, namely:

1. Anything horizontal and relatively secure from actors who are connected to each other but are independent from each entity in their operations.
2. Interactions between entities are performed by agreements.
3. It takes place in a legislative, normative, perceptual and imaginary way.
4. This network is created by self-made laws with pre-determined constraints.
5. Institutions are leading to the pursuit of a clear purpose of public importance.

At the beginning of its development, network governance arose as a result of the difficulty of the decision-making and execution process. Increasingly complex topics make decision-making and execution more complex (E-H. Klijn & J. Koppenjan, 2000: 135-158)

Relations between actors or organizations in the context of collaboration are interdependent. This interdependence can be built through an exchange of resources between institutions, as well as through financial resources, access, policy and knowledge (R. A. W. Rhodes: 293-31).

The role of organizations or institutions in the administration of government networks requires good governance or governance in order to handle shared interests and issues more efficiently. Therefore, there are two metrics to be applied in the running of network governance, namely:

1. Game Management, is a set of sustainable strategic measures between organizations or organizations that are governed or structured in such a way as to unite the different perceptions held by the institutions concerned by creating a natural and informal consensus that will then establish a judgment that will become a shared interest. There are three components of Game Management:

a. Perception/Interpretation

The perception applied in Game Management is Covenanting or Meeting.

b. Actor/Resources

Selective activation shall be carried out by mobilizing the power or capacity possessed by each institution in compliance with the popular interests that have already been formed.

c. Institutions/Norms

The network will establish principles that will be maintained in accordance with the trust base owned by each institution in order to further change the format of partnerships that facilitate the birth of group connections.

2. Network Structuring, which is an effort to transform a network structure. Network Framework aims to allow systemic improvements to inter-institutional organizations and/or institutions. The goal is to provide connectivity and space and to provide facilities for the application of network cooperation. Network Framework has three components to incorporate, namely:

a. Perception/Interpretation

Reframing is the perception found in the Network Structure. Reframing is achieved by making adjustments to the understanding of the role of the institution in the network, which will provide a basis for the assessment of the importance that will be contested so that, in this situation, a kind of smelting of the goals of each institution will be carried out.

b. Actors/Resources

Network Activation will be involved in new institutions or overhaul to change the position of existing institutions or institutions and not close the possibility of giving birth to a new coalition.

c. Institutions/Norms

In this agenda, re-constitutionalism will be carried out, namely policy changes, norms or rules, and resources in the network fundamentally.

## METHOD

In this analysis, the researchers used qualitative research that yields qualitative results, which is then collected in a descriptive way. This study was conducted at Electoral Supervisory Body of the Republic of Indonesia with an emphasis on research on how Electoral Supervisory Body of the Republic of Indonesia adopted a plan to create institutional networks in the light of the 2019 Simultaneous Elections to enforce its duties in overseeing the neutrality of the State Civil Servants. Researchers use purpose sampling methods to classify informants so that they can collect evidence through interviews and documentation. The data is analyzed by using Miles and Huberman Model Data Analysis methods, including Data Reduction, Data Presentation and Conclusion.

## RESULTS AND DISCUSSIONS

Electoral Supervisory Body of the Republic of Indonesia, as an electoral supervisory body whose task is managing The SCA neutrality in the 2019 Concurrent general elections, has formed a partnership that can be assumed to be an administrative network by cooperating with the SCA Commission to jointly deal with breaches of SCA neutrality in the light of simultaneous elections. As a result, a Memorandum of Understanding or MoU was born as a concrete means of cooperation. However, the Memorandum of Understanding specifies that Electoral Supervisory Body of the Republic of Indonesia includes not only the State Civil Apparatus Commission, but also the Indonesian National Army (TNI) and the Indonesian National Police (POLRI). This is to be synchronized with its legislative umbrella, namely Law No. 7 of 2017 on Voting, which specifies that Electoral Supervisory Body is responsible for monitoring the neutrality of ASN, Indonesian National Army (TNI) representatives and members of the Indonesian National Police (POLRI).

In managing breaches of State Civil Apparatus neutrality during the 2019 Concurrent Elections, Electoral Supervisory Body of the Republic of Indonesia builds and handles institutional networks, based on its three phases in the Game Management Indicators, as follows:

### Perception Aspects

In the case of game management metrics, impression creation is implemented by agreements or meetings. In terms of the institutional networks headed by Electoral Supervisory Body of the Republic of Indonesia to deal with breaches of the State Civil Apparatus neutrality in elections, it initially departed from the Collegiate Leadership of the Electoral Supervisory Body of the Republic of Indonesia institution itself. In this context, the Head of Electoral Supervisory Body of the Republic of Indonesia is the Commissioner who coordinates with his experts the measures that need to be taken in coordination with the State Civil Apparatus Commission (Interview with Ahmad Ali Imron, Head of the Inter-Agency Relations Subdivision of Bawaslu RI, 2020). Establishing this perception is carried out by presenting an understanding, the key point of which is the weakness of the authority owned by Electoral Supervisory

Body of the Republic of Indonesia to deal with breaches of the State Civil Apparatus neutrality in the elections of 2019. It then becomes a matter of urgency and mutual interest for Electoral Supervisory Body of the Republic of Indonesia and The SCA Commission to collaborate. Thus, through the conference, the creation of understanding was carried out by Electoral Supervisory Body of the Republic of Indonesia as the first step in the development of institutional networks.

### Actor/Resource Aspects

The selection of actors/resources or activities in this operational network shall be carried out on the agenda of the next meeting after the audience. The conference was called the Center for Early Collaboration. At the Initial Coordinating Platform, attempts to rally actors/resources were made by Electoral Supervisory Body of the Republic of Indonesia against the State Civil Apparatus Commission. This forum was held through a meeting in one room that offered ideas and concepts of cooperation that had been prepared (Interview with Ahmad Ali Imron Head of the Inter-Agency Relations Subdivision of Bawaslu RI, 2020).

The determination of actors/resources achieved by Electoral Supervisory Body on this institutional community is executed in 3 approaches: First, Electoral Supervisory Body as the organization that initiates the cooperation need to offer drafts which have been conceptualized and organized in the internal institutions associated with cooperation in dealing with violations of the SCA neutrality within the 2019 Elections to the SCA Commission as actor or 2nd parties. The draft continues to be macro and raw which incorporates what Electoral Supervisory Body of the Republic of Indonesia ought to do and what the SCA Commission have to do in general. Second, the draft written by Electoral Supervisory Body is obtainable to the SCA Commission within the initial coordination meeting or forum to take a seat along and formulate together to achieve a mutual agreement. Third, in determining what is the task in the institutional network it will be outlined in the scope points. The contents of the Scope itself embrace the following: (1) Exchange of data and information; (2) Supervision and; (3) Law Enforcement. The substance of this scope is additionally indivisible from the relevancy the data closely-held by each institution.

Consequently, the actor/ resource assets is deciphered as the assurance of the principal party and the subsequent party, just as what things each party needs to do. Actors in this institutional organization are Electoral Supervisory Body of the Republic of Indonesia, State Civil Apparatus Commission, the Indonesian National Army (TNI), and the Indonesian National Police (POLRI). Electoral Supervisory Body decides the three foundations on the grounds that for this situation it is as yet in the phase of drafting a Notice of Comprehension where it actually contains things that are as yet normal, so the three organizations are incorporated into one in the draft. Electoral Supervisory Body of the Republic of Indonesia resolved to include State Civil Apparatus Commission on the grounds that the State Civil Apparatus Commission has government

assets, specifically authority that can help Electoral Supervisory Body of the Republic of Indonesia work in managing infringement of the State Civil Apparatus nonpartisanship in the 2019 Concurrent Elections. Thus, through the Initial Coordination Forum, Electoral Supervisory Body of the Republic of Indonesia has identified actors or tools as the next step in the creation of the Institutional Network.

### Institutions/Norms Aspects

Once the draft is collected and discussed in depth at the Initial Coordination Forum of the Advanced Coordination Forum by Electoral Supervisory Body and the State Civil Apparatus Commission, it will be finalized for the development of the partnership. Finalization in this situation is the final step in the planning of the partnership prior to the ceremonial signing of the draft. Finalization may then be viewed as the next step in Game Management, which is to establish structures or conventions that will be preserved together as the basis of institutional networks in order to control the format of ties on interactions in institutional networks.

After completion, production will be generated in the form of drafts that have been drawn up and properly organized for both the content and the editorial. The next agenda is to sign the draft. The signature has two ways based on the consensus of each participant in the forum. First, the signing ceremony took place by getting together the parties who in this case are Electoral Supervisory Body of the Republic of Indonesia and the State Civil Apparatus Commission, the Indonesian National Army and the Indonesian National Police, who must be present to sign the proposal jointly. Second, signing should be achieved in a particular manner, namely "desk to desk" (Interview with Ahmad Ali Imron Head of the Inter-Agency Relations Subdivision of Bawaslu RI, 2020).

Thus, it can be understood that in the institutional network of Electoral Supervisory Body and the State Civil Apparatus Commission patented or built a norm that will be maintained during the validity period of the agreement as a concrete form of commitment and sincerity shown by each party to collaborate together to deal with violations of civil servants neutrality in Concurrent General Elections in 2019. The norm is in the form of a Memorandum of Understanding (MoU). The Memorandum of Understanding that was formed regarding the Monitoring of the Neutrality of TNI Members, Police Members, and civil servants in the General Election, involving four stakeholders, which are Electoral Supervisory Body, Indonesian National Army, Indonesian National Police, and State Civil Apparatus Commission. Furthermore, in building cooperation or institutional networks in handling violations of civil servants neutrality in the 2019 Concurrent General Election, it is not enough to just have a Memorandum of Understanding or MoU. Owing to the fact that the contents of the MoU are not strong or concrete enough to carry out the function of handling violations of civil servants neutrality. This can be proven by the contents of the MoU which only contains the Scope which includes: (1) Exchange of data and information; (2) Supervision and; (3) Law Enforcement.

Therefore, a Cooperation Agreement was formed as

a follow-up to the Memorandum of Understanding. This Cooperation Agreement or PKS contains more technical matters but still does not go out of the corridor set out in the Memorandum of Understanding. In addition, the making of this PKS has also been mandated in the MoU to immediately create a PKS that contains more technical matters. This is in accordance with the statement in the MoU, namely "This Memorandum of Understanding is followed up by the PARTIES" by compiling a Cooperation Agreement (PKS) or other agreed forms, constituting an integral and inseparable part of this Memorandum of Understanding." Hence, matters in the Cooperation Agreement will refer to the Memorandum of Understanding which has become a shield for the Cooperation Agreement. To get further understanding, it will be discussed in the following Network Structuring analysis which includes three indicators, namely:

### Perception Aspects

In institutional networks, especially in handling violations of SCA neutrality in the 2019 Election, reframing efforts in order to form perceptions on Network Structuring were not implemented directly by Electoral Supervisory Body of the Republic of Indonesia, but implied through one of the statements contained in the MoU.

### Actor / Resource Aspect

The actor / resource aspect of Network Structuring means that involvement or changing the position of an organization or institution is needed to create a new group or coalition. When the Cooperation Agreement is completed, there will be at least two changes, namely a change in network structure and an additional implementation of the scope.

*First*, regarding structural changes, it can be understood that in this institutional network what so-called Network Activation is a reshuffle of the position of the institution within the institutional network. Changes in this network structure can be understood through the initial involvement of stakeholders such as Electoral Supervisory Body of the Republic of Indonesia, the Indonesian National Army, the Indonesian National Police, and the SCA Commission. However, the existence of Cooperation Agreement will have an impact on transformation in the network so that new groups or coalitions born in the institutional network. The network transformation is in the form of a change in coordination lines, where specifically in the case of handling violations of civil servants neutrality in the 2019 Election, Electoral Supervisory Body will only coordinate with the SCA Commission.

*Second*, related to the affirmation of the scope implementation occurred during the preparation of the Cooperation Agreement. The structural changes previously described have an impact on assigning tasks within the scope of cooperation. In the Cooperation Agreement between Electoral Supervisory Body and the State Civil Apparatus Commission, there is an affirmation of the issues which are shared responsibility and their rights and obligations within the institutional network.

The scope of the Cooperation Agreement has changed compared to what is written in the Memorandum of Understanding. At the stage of drafting the Cooperation Agreement, the scope increases from one to four, namely Exchange of information data, Prevention, Monitoring and Enforcement. Based on the table above, it can be seen that there is a difference between what was happened and what was in the MoU. The difference is clear in the section on prevention which is not stated in the MoU. Prevention stated is more technical because it is done in a concrete way through activities such as public campaigns, seminars, FGDS, and others. In addition, the Cooperation Agreement also states the Rights and Obligations that must be carried out. This was not stated in the MoU because MoU was more macro in nature. On the formulation of these rights and obligations, it should be based on the authority possessed by the Electoral Supervisory Body of the Republic of Indonesia and the State Civil Apparatus Commission so that they are not out of their corridors. (Interview with Nurhasni Assistant Commissioner for Promotion and Advocacy of the State Civil Apparatus Commission, 2020).

Thus, determining actors / resources in Network Structuring is interpreted as an activity to change the network structure which contains new things that need to be done by each party. Previously, there were four actors in this institutional network. However, in the context of changing the network structure, there are only two actors in the institutional network handling violations of civil servants neutrality in the 2019 Concurrent Elections, which are Electoral Supervisory Body of the Republic of Indonesia and the State Civil Apparatus Commission.

### Institutional Aspects / Norms

After conducting a meeting to compile a Cooperation Agreement, the draft will be finalized immediately if there is nothing incriminating or need to be corrected again. Due to Electoral Supervisory Body of the Republic of Indonesia as the first party, the finalization in this case initiated by Electoral Supervisory Body. This finalization is in the form of giving a draft that has been corrected both in substance and in editorial. After the parties agreed, an agenda for the signing of this document will be determined by their respective leaders. There are two forms of the signing agenda, namely ceremonial and 'desk to desk'.

Consequently, the stage of norm formation in the form of *reinstitutionalism* contained in the Network Structuring strategy is completed. The formation of norms in the form of *reinstitutionalism* is carried out by compiling a Cooperation Agreement which produces an output in the form of a draft Cooperation Agreement between Electoral Supervisory Body and the SCA Commission on Supervision of the State Civil Apparatus in the 2019 Election to be equally respected and implemented. In building, managing and running the institutional network between Electoral Supervisory Body and the State Civil Apparatus Commission in handling violations of SCA neutrality in the 2019 Concurrent

General Election, there were several dynamics both in the preparation and in implementing the results of the established and agreed institutional networks. Some of the dynamics were supportive, while the others became the obstacles.

### **Supporting and Inhibiting Factors**

Supporting factors in the Institutional Network are:

#### ***Institutions have the same concerns.***

It can be said that the arrangement of the institutional network have been well structured. This is due to the fact that both Electoral Supervisory Body and the State Civil Apparatus Commission have the same focus and concerns. The same concern means the scope of work that will focus on matters related to violations of civil servants neutrality. The difference only lies in the corridor, where Electoral Supervisory Body of the Republic of Indonesia monitors violations of SCA neutrality in the elections, while the State Civil Apparatus Commission monitors SCA neutrality violations at any time. (Interview with Ahmad Ali Imron, Head of the Inter-Agency Relations Subdivision of *Bawaslu RI*, 2020).

#### ***Institutions have a correlation between tasks and function***

The similarity of duties and functions in dealing with the problem of civil servants neutrality encourages collaboration so that an institutional network is needed to resolve problems in the field. (Interview with Nurhasni Assistant Commissioner for Promotion and Advocacy of the State Civil Apparatus Commission, 2020)

#### ***Institutions have limited resources***

The last driving factor is the limited resources each organization has in the form of access. The limited access resources owned by each of these institutions actually provide a positive impetus in building this institutional network. In fact, this limitation is expected to create an impetus for collaboration.

Inhibiting factors that become dynamics in the Institutional Network include:

#### ***Internal and External Coordination Issues***

*First*, in internal coordination, there are problems that quite troublesome in handling violations of civil servants neutrality in the 2019 Election, namely coordination between Electoral Supervisory Body of the Republic of Indonesia and Electoral Supervisory Body in the regions. It can be said that in many regions, Electoral Supervisory Body have not implemented a one-door coordination.

*Second*, external institutional coordination is still hindered by the activities of each institution. In this case, Electoral Supervisory Body of the Republic of Indonesia and the State Civil Apparatus Commission have problems related to the coordination timing as a form of communication in institutional networks.

#### ***Asymmetric Data***

Furthermore, by the existence of problems in coordination within the institutional and external institutions, it will create a quite difficult impact for the parties in this institutional network, so-called Asymmetric Data. This asymmetric data means that the data owned by one party, namely Electoral Supervisory Body of the Republic of Indonesia and the State Civil Apparatus Commission will be out of sync since they are different from one another. (Interview with Ahmad Ali Imron, Head of the Inter-Agency Relations Subdivision of *Bawaslu RI*, 2020).

#### ***Complex Bureaucracy***

Other obstacles can be found in the cases related to the complex bureaucracy. It is due to the fact that each institution has a different bureaucracy.

#### ***Incomplete personnel in the Coordination Meeting***

Scheduling issues that often clash between Electoral Supervisory Body and the State Civil Apparatus Commission may create other hurdles in conducting coordination meetings, such as incomplete staff attending a coordination meeting. In conducting a coordination meeting between Electoral Supervisory Body and the State Civil Apparatus Commission, there was an incident of a lack of personnel needed at the meeting. The lack of personnel is based on the expertise needs of a particular division.

#### ***Limited Resources***

In carrying out its duties and functions, Electoral Supervisory Body of the Republic of Indonesia has limitations in terms of human resources in the regions, especially Electoral Supervisory Body at the regencies / municipalities level. Electoral Supervisory Body in regencies / municipalities still has limited resources in terms of quantity and quality, resulting in the emergence of several obstacles in these areas. In addition, the State Civil Apparatus Commission itself is hampered by the limitations of its human resources due to the absence of representative institutions in the regions.

#### ***Constraints against witnesses and reported parties***

In carrying out investigations, both Electoral Supervisory Body and SCA Commission still encountered problems related to the failure or difficulty of presenting witnesses and the reported. Even though they have been invited, basically they will not attend to fulfill the summons.

#### ***Electoral Supervisory Body is unable guarding its recommendations***

In handling violations of SCA neutrality by Electoral Supervisory Body, the output that can be contributed by Electoral Supervisory Body is in the form of recommendations to the SCA Commission to provide a violation decision. In submitting these recommendations, there is one problem that can actually affect the existence of Electoral

Supervisory Body of the Republic of Indonesia in the political aspect, considering that all cases will be decided by the State Civil Apparatus Commission, while Electoral Supervisory Body's role is only limited to providing recommendations.

### ***The Civil Service Officer did not implement the SCA Commission decision***

The Supervision Section, and the Findings and Violation Reports section of Electoral Supervisory Body of the Republic of Indonesia as well as the PERLUDEM Researchers stated that the phenomenon of PPK (District Election Committee) not obeying the verdict of the State Civil Apparatus Commission was true, it even became a big challenge for Electoral Supervisory Body and the SCA Commission to resolve the problem. Related to the constraint, indeed, there are several dynamics in which there were PPKs who were not obedient, there were PPKs who have implemented the decision but did not provide the documents to the State Civil Apparatus Commission or Electoral Supervisory Body, and there was even a PPK that even raised the position of the offender.

### ***Triple Assessment***

There are several other phenomena that could hamper the handling of SCA neutrality violations in the 2019 General Election due to this event, which is Triple Assessment. Triple assessment is a term that refers to the existence of an assessment or investigation of cases of violations of civil servants neutrality by the District Election Committee, the State Civil Apparatus Commission, and its Civil Service Officers. This can become an obstacle if there are repeated trials which in the end will negate the values that occurred due to the changing perceptions from the first to the last assessment.

### ***Institutional Network did not form a Special Task Force***

The follow-up to the Cooperation Agreement which states that a Task Force or Working Group is formed between the Indonesian Electoral Supervisory Body and the SCA Commission, is not completely carried out by the parties. This can also be an obstacle because as a technical supervisor whose job is to supervise the SCA neutrality in the Election, the Supervision Division did not establish a Task Force with the SCA Commission to facilitate coordination.

## **CONCLUSION**

According to Network Governance Theory which is used as an analysis tool of the phenomenon of institutional networks in handling violations of State Civil Apparatus (SCA) neutrality in the Concurrent General Election in 2019, the implementation of Network Governance can be seen through the institutional network formed by Electoral Supervisory Body of the Republic of Indonesia and the State Civil Apparatus Commission. In addition, several strategies have been carried out by a Network Governance perspective namely Game Management and Network Structuring.

The Game Management strategy has been implemented by the Electoral Supervisory Body together with the State Civil Apparatus Commission on the institutional network through three indicators. *First*, the formation of Perception is implemented by Electoral Supervisory Body of the Republic of Indonesia by holding a meeting to convey their interests so that there is a common perception. *Second*, it is possible to view the determination of actors or resources as the determination of the parties and the division of tasks carried out by the Electoral Supervisory Body of the Republic of Indonesia and the State Civil Apparatus Commission as actors in the institutional networks that are determined on the basis of legislative considerations. After that, they will hold an Initial Coordination Forum. *Third*, the establishment of norms was carried out by the Electoral Supervisory Body of the Republic of Indonesia through the formation of a cooperation document, the outcome of which was the Memorandum of Understanding between Electoral Supervisory Body of the Republic of Indonesia and the State Civil Apparatus Commissions, Indonesian National Army and Indonesian National Police regarding the Monitoring of the Neutrality of those institutions in the Election.

The second strategy is Network Structuring which has been implemented by Electoral Supervisory Body of the Republic of Indonesia together with the State Civil Apparatus Commission in the institutional network through three indicators. *First*, Electoral Supervisory Body of the Republic of Indonesia does not carry out the formation of perceptions, this is due to the fact that Electoral Supervisory Body and the SCA Commission do not need to re-convey their interests with a view to reforming perceptions in order to follow up on the Memorandum of Understanding, as the Memorandum of Understanding contains a point which will be followed up by the parties to form a Cooperation Agreement. *Second*, the mobilization of resources or actors has been carried out by remodeling existing positions, resulting in changes in network structure. *Third*, the formation of Norms is again carried out as an attempt at re-constitutionalism. The re-constitutionalism implemented by forming a Cooperation Agreement file as a form of patenting the agreement discussed in the previous assignment. This Cooperation Agreement includes two actors, which are Electoral Supervisory Body of the Republic of Indonesia and the SCA Commission on Monitoring the Neutrality of SCA in the Election. Therefore, Electoral Supervisory Body of the Republic of Indonesia Institutional Network has two outputs, namely a Memorandum of Understanding and a Cooperation Agreement.

## **RECOMMENDATION**

In order to resolve the issue of coordination between Electoral Supervisory Body of the Republic of Indonesia and the State Civil Apparatus Commission, it is essential to intensively and periodically increase the number of coordination. Thus, it must be emphasized in the next cooperation document to determine the agenda for conducting meetings in the framework of coordination. Moreover, to achieve quality output, enhancing the quality of coordinati-

on also needs to be done. So far, Electoral Supervisory Body of the Republic of Indonesia and the State Civil Apparatus Commission have experienced a problem of lack of personnel attending coordination meetings where experts in certain fields are not present. For this reason, it is necessary to emphasize in the cooperation document that an official who receives a Job desk is appointed in relation to cooperation in handling violations of Civil Servants neutrality.

In this case, it needs to be reviewed regarding the position of the State Civil Apparatus Commission at least there are representatives in each province in Indonesia. This is crucial because it exists all over Indonesia's regions when it comes to monitoring civil servants' neutrality. It is because civil servants are scattered throughout Indonesia and they all have to be monitored by the State Civil Apparatus Commission.

In terms of providing Electoral Supervisory Body recommendations to the State Civil Apparatus Commission, an escort is necessary for Electoral Supervisory Body of the Republic of Indonesia. This is because Electoral Supervisory Body as the first pioneer in the violation case clearly understood how the chronology of the phenomenon occurs. However, if the Electoral Supervisory Body's recommendation contradicts with the State Civil Apparatus Commission's review, it means that Electoral Supervisory Body have no right to do anything.

Special Task Force between Electoral Supervisory Body and State Civil Apparatus Commission. The role of the Special Task Force (Satgas) is to deal with violations of ASN neutrality in the regions. The task force referred to is a task force such as 'Sentragakkumdu' (an Integrated Law Enforcement), which established by three institutions, which are Electoral Supervisory Body of the Republic of Indonesia, Indonesian National Police, and the Attorney General's Office to deal with electoral criminal violations jointly.

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