

THE STATE CIVIL APPARATUS INVOLVEMENT IN THE NORTH CENTRAL TIMOR REGENCY REGIONAL HEAD ELECTION

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ABSTRACT

The state civil apparatus (SCA) must have integrity, be professional, be neutral and free from political intervention, be free from corruption practices, collusion and nepotism, and be able to provide public services for the community and be able to carry out its role as an element of national unity and integrity. . There are two stages in the implementation of regional head elections, namely the preparation stage, and the implementation stage, one of which is the campaign stage. The provisions for the prohibition of campaigning as regulated in Article 70 paragraph (1), namely "in campaigning, candidates are prohibited from involving state civil apparatus, members of the Indonesian National Police, and members of the Indonesian National Armed Forces. The facts show that this prohibition is difficult to be complied with, both by employees of the state civil apparatus and by candidates or their success teams. This happened in the North Central Timor Regency in the 2020 regional head election, which was marked by an unhealthy position transfer for state civil servants, which led to protests from the transferred officials who allegedly did not support certain candidate or who were close to the officials in power.

This study raises the issue of involvement form and reasons of the state civil apparatus involvement in the regional head election in North Central Timor (TTU) Regency. It used empirical legal research methods, specifications of legal effectiveness research. This study's conclusion result regarding the involvement form of SCA in TTU Regency regional head election such as violations from other laws and regulations, namely providing a place for holding limited campaigns for regional head candidates. In addition, SCA (officials) also influence the public (voters) to choose certain candidates. Some factors that encourage SCA be involved in the regional head election including: Being loyal to their superiors (employment advisors); Pressured by superiors to be involved; Unfair statutory regulations-SCA are prohibited from being involved in practical politics, but the careers of SCAs are determined by the regional head as a staffing supervisor; Wanting to win candidates who have family relations, marriage, friendship, and et cetera. The advice given is that SCAs who are in their positions as public servant should not be involved in the regional head election, so political officials should also not interfere in the career affairs of SCA by means of Staffing Official being handed over to Career Official, namely Regional Secretaries. Moreover, it is need to form a SCA Commission Representative at the provincial level to shorten the procedure for resolving cases of SCA involvement in regional head elections, and other disciplinary cases.

Keywords: state civil apparatus involvement, regional head election

INTRODUCTION

The Unitary State of the Indonesian Republic aims to embody folk welfare, as stated in the Preamble of the 1945 Constitution. Therefore, a state civil apparatus that has integrity, professional, neutral and free from political intervention, free from practices of corruption, collusion and nepotism. , as well as being able to provide public services for the community and being able to carry out the role as an element of glue for the unity and integrity of the nation is needed.

Indonesia adheres a decentralized unitary state, so some government authorities are decentralized to the regions, become regional household affairs. Likewise, personnel affairs, some of which are managed by region. So, one's status becomes employee of autonomous region, both provinces and districts/cities. The legal basis for administering regional government is Article 18, 18 A, and 18 B of the 1945 Constitution, and its implementation which is still valid today is Law Number 23 of 2014 concerning Regional Government. According to this law, each region is led by a regional head (governor, regent/mayor).

Regional head elections are democratically elected on the basis of direct, general, free, confidential, honest and fair principles by the people in the area concerned. Regional head elections are carried out in two stages, namely the preparation stage, and the implementation stage, one of which is the campaign stage. The provisions for the prohibition of campaigning as regulated in Article 70 paragraph (1), namely "in campaigning, candidates are prohibited from involving state civil apparatus, members of the Indonesian National Police, and members of the Indonesian National Armed Forces. There is a difference in the prohibition on the involvement of the State Civil Apparatus, the Indonesian National Armed Forces (TNI), and the State Police of Indonesia Republic (POLRI), namely the State Civil Apparatus may not be involved in the Regional Head Election, but still have the right to vote; while members of the TNI and POLRI are prohibited from being involved in Regional Head Election activities and have no right to vote.

The facts show that this prohibition is difficult to be complied both by the state civil apparatus and candidates or their success teams. Employees of the state civil apparatus involve themselves in the celebration of regional head elections, in the calculation that if their excellent candidate wins then they will be placed in certain positions. On the other hand, if the candidate involves the state civil apparatus to win him/her over because the role of state civil servants in large numbers also will greatly determine the

victory of him/her, especially for the incumbent candidate. The state civil apparatus (especially officials) who are involved in the regional elections cannot refuse because they must be loyal to their superiors, namely the incumbent regional head.

The involvement of state civil apparatus in the 2020 regional head elections, as of June 2020, is 369 SCA employees, of which 283 people have been proven to have committed infringement, and have received recommendations for sentencing. Of this number, 33% were carried out by high-ranking officials in the regions, with the most frequent categories of violations being campaigns on social media, activities that favor certain regional head candidates, and the installation of billboards/banners¹.

These facts, in relating to the position, function, task, and role of state civil servants, will greatly hinder the achievement of efforts to realize professional state civil apparatus. On the one hand, the state civil apparatus are prohibited from being involved in politics practice (regional head election), but on the other hand, positions (especially structural positions) are determined by political officials (regional heads) as staff building officials in the regions. This fact is also alleged to have occurred in North Central Timor Regency during the 2020 regional head election. This was marked by an unhealthy position transfer for state civil servants, which led to protests from the transferred officials who allegedly did not support certain candidates who were close to them with the official in power. Therefore, it is necessary to conduct research to reveal the truth of these allegations, and as input to improve the position of state civil servants in practical politics in the future, in order to become more professional.

THE PROBLEM STATEMENT AND METHOD

Based on the background, it needs to be studied and analyzed regarding: The forms of involvement of state civil servants in the election of regional heads in North Central Timor Regency and Reasons of state civil apparatus in the Regional Government of North Central Timor Regency involved in the regional head election, even though the rules clearly prohibit it. The purpose of this study was to determine the form of involvement and the reasons for the involvement of state civil apparatus in the election of regional heads in North Central Timor Regency. The method used is empirical legal research, with the specification of legal effectiveness research. The data sources are primary data and secondary data. Primary data were obtained from state civil servants who are within the local government of North Central Timor Regency, as well as people who are aware of the involvement of state civil servants in the election of regional heads in North Central Timor. Meanwhile, secondary data was obtained from officials, namely officials at the Regional Personnel Board, Regional Inspectorate, and the Election Supervisory Institute authorized to oversee the implementation of the Regional Head Election. Data collection was carried out by free interviews, and documentation studies.

THEORETICAL PERSPECTIVE

Democracy

The word democracy is literally defined as the people government, i.e. people play role in determining what the government does through regulation in law or legislation. The people's will is contained in the laws they make themselves, while the government is elected by the people through general elections to carry out their will.

A country is said to be democratic if the people are involved in choosing their leaders, and are involved in the laws formation either directly or indirectly (through people's representatives). The degree of democracy is determined by how much people are involved in decision making. The more people involved in decision-making, the higher the level of democracy; and oppositely, the less people are involved in decision-making, the lower the level of democracy.

However, teachings of democracy also make restrictions for certain community groups to be involved in decision-making. Such restrictions must have clear reasons and can be justified in common sense.

The essential elements of democracy as stated by experts, namely:

1. The main source of all authority is the people.
2. There must be a division of power so that no part of the government can become so powerful that it will suppress the will of the people.
3. The rights of individuals and minorities must be respected, and the majority must not use its power to deprive every one of the fundamental freedoms.

The importance of free and fair elections strongly supports democracy to grow and develop. Elections show that political power comes from people and is entrusted to the interests of them, and that it is to them that politicians must be held accountable for their actions. With the general election, people are involved in determining who will be their leader with hope that the supported leader will make policies that benefit people.

¹ Frits Edward Siregar, *State Civil Apparatus in the Struggle for Power in the Regions*, Constitution Press, Jakarta, 2020, p. x - xi.

The Role of Civil Servants in General Elections

Civil servants, who work full time and are not elected through elections, are permanent administrative personnel who are trusted by the government to carry out their daily tasks. They provide the precise advice needed for the formulation of policies and legislation, as well as the administrative structures needed to implement them effectively.

They are expected to carry out this role carefully and impartially, regardless of the party or parties currently holding the government and regardless of whether they agree or disagree with the government's policy tendencies. Although professional civil servants are a feature of every current system of government, there are a number of important issues concerning the organization of civil servants in a democratic system, including²:

a. How are senior civil servants appointed

Civil servants are not bound to the ruling party policies, so they may act to thwart those policies, or use an expertise monopoly in providing bombshell advice to political officials who are not as skilled as high-ranking officials. Civil servants can also exert strong non-electoral influence over a policy, and that influence can be exercised undemocratically. The appointment of civil servants in office remains a problem in upholding a neutrality of employees in general elections.

Rule has determined that civil servants are neutral in practical politics, but their position is determined by political officials. On the other hand, if the appointment to office is not carried out by political officials, then they may become rebels in carrying out bureaucratic duties in providing services to community. So, both have advantages and disadvantages. Therefore, a good arrangement is needed in order to be able to minimize the shortcomings and maximize the advantages. Without going through legal reforms that are able to guarantee the neutrality of state civil servants, the hope of neutrality in practice is difficult to implement. A good law is a fair law for political elites and state civil servants.

b. To whom should civil servants be responsible?

Civil servants are arranged in a stratified structure from the lowest to the highest. Thus, the accountability is also carried out in a tiered vertical manner. At the last level accountability is given to political officials.

c. What are the patterns of recruitment of civil servants.

Civil servants in a democratic system must and at the same time be seen as fairly representing the main groups in society. The principle of political equality demands that equal access to characterization be opened to all, regardless of which social group they belong to. This means, anti-discrimination and equal opportunity policy must be effective in characterizing the recruitment of civil servants.

State Law (Rule of Law)

The term of law rule has been known since the publication of a book by A.V. Dicey in 1885 entitled "Introduction to the study of the law of the constitution". The concept of *rechtsstaat* was born from a struggle against absolutism with the aim of recognizing and protecting human rights. The concept of the law rule is notable and is practiced by most countries in the world, although with their own peculiarities.

The essence of the state law as stated by Hilaire Barnett³ that "the essence of the rule of law is that of the sovereignty or supremacy of law over man". It is further said that "the rule of law is that of the sovereignty or supremacy of law over man". In addition, the existence of a rule of law is to protect citizens and demand that the government act according to applicable law, and must not act arbitrarily.

In a legal state, there are restrictions on state power over individuals. The state is not omnipotent and cannot act arbitrarily. The state actions against its citizens are limited by law⁴. An effective way to limit power is through a law (whether written or unwritten) called the constitution or the basic law. Thus, the essence of the constitution is controlling and limitation of power in the state. In general, every constitution regulates at least three groups of content⁵, namely (1) the existence of regulations on the protection of human rights and citizens; (2) the existence of arrangements regarding the basic administrative structure; (3) the existence of arrangements regarding the division and limitation of basic administrative tasks.

Since the establishment of the state, Indonesia has been agreed to implement the concept of the rule of law, as emphasized in the general explanation of the 1945 Constitution that "Indonesia is a state of law (*rechtsstaat*), not based on mere power and *machtsstaat*". After the 1945 Constitution amendment, the concept of the rule of law was reaffirmed in Article 1 paragraph (3) that "Indonesia is a state of law".

² David Beetham and Kevin Boyle, *Introducing Democracy: 80 Questions and Answers* (Bern Hidayat's Translation), Kanisius, Yogyakarta, 1995, pp. 121-125

³ Hilaire Barnett, *Constitutional and Administrative Law, Fourth Edition*, Cavendish Publishing Limited, London, 2002, p.73.

⁴ Sudargo Gautama, *Understanding the State of Law*, Bandung Alumni, 1983, p. 3.

⁵ H.R.Sri Soemantri M, *The 1945 Constitution: Position and Meaning in State Life*, Unpad, Bandung, 2001, pp. 7-8

Indonesia adheres to the state of Pancasila law with the following characteristics⁶:

1. The relationship between government and people is based on the principle of harmony;
2. The proportional functional relationship between state's powers;
3. The settlement of disputes through deliberation and the judiciary is the last means;
4. The establishment of a balance between rights and obligations.

Relating to the elements of the Pancasila state law, B. Arief Sidharta⁷ states that the law inspired by Pancasila is a law based on harmony. Therefore, directly, the law is directed at realizing social justice that provides the community as a unit and each member of the community welfare (material and spiritual) is evenly distributed in a proportional balance.

Legality Principle

A country adheres concept of a rule of law is known as the legality principle⁸ which teaches that every state action must be based on applicable law. The laws and regulations that been enacted in advance are the limits of the state's power to act. The Constitution which contains legal principles and legal regulations must be obeyed, also by the government or its own agencies. The state's actions are then accounted for according to law as well. This puts the law has the highest power or what is called the rule of law. The law is a guide for the government and the people in carrying out their daily activities. Thus, the law has a strategic position in the state administration.

According to Franz Magnis-Suseno⁹, the characteristics of law as a guide for government and people are it must be certain and fair. Certain means as an attitude guideline and fair means the attitude guideline must support an order that is considered reasonable. The law can carry out its function, only if it is fair and enforce certainly. So, certainty and justice are not just moral demands, but factually characterize the law. A law that does not want to be certain and to be fair is not just a bad law, but not a law at all. Legal justice means that the content of the law must be fair. To determine whether the content of the law is fair or not, it is not an ethical question what the objective criteria of justice are, but what society considers fair. Therefore, demands for justice can be translated into demands that the law must be in accordance with the ideals of justice in the society concerned.

Administrative Law Enforcement

There are three important activities that cannot be separated from one another in a law country, namely:

1. The formation of law is held by the authorized institute or official according to their respective levels.
2. The implementation of the law is practiced by all elements in the state, both government and society, and the business world. The legal rules that have been established must be implemented in everyday life, so it can work as community activities control.
3. Law enforcement is held by the competent authority in accordance with the field of law being enforced.

In relation to administrative law enforcement, law enforcers are government agencies or officials who exercise executive power. Administrative law enforcement is part of the government (*besturen*), and is not included in the judicial power. Apart from that, administrative law enforcement using criminal law or civil law instruments must go through court decisions.

Administrative law enforcement covers two aspects¹⁰, namely: the first is preventive in nature, which carrying out supervision to prevent violations; and second, it is repressive in nature, which the application of sanctions for violators of administrative law.

The imposition of administrative legal sanctions is known as cumulative sanctions so that more than one sanction can be imposed in one infringement, namely administrative sanctions, criminal sanctions, and civil sanctions. The types of sanctions that can be applied depend on the arrangements in the laws and regulations that underlie them.

ANALYSIS AND DISCUSSION

Involvement Forms of State Civil Apparatus (SCA) in Regional Head Election

In general, the prevailing laws and regulations regulate the form of State Civil Apparatus employees' involvement, as follows: getting involved in campaign activities using the attributes of SCA, using government facilities, being involved as a success team, providing a place for regional head election campaigns, influencing/ invite voters to vote for a particular candidate. Based on data from the General Elections Supervisory Agency (Bawaslu) of North Central Timor Regency, there are three cases of SCA

⁶ Philipus Mandiri Hadjon, *Legal Protection for the People in Indonesia*, PT. Science Development, Surabaya, 1987, p. 97

⁷ B. Arief Sidharta, *Philosophy of Law Pancasila*, Postgraduate Unpad, Bandung, 2001, p.4.

⁸ Sudargo Gautama, *Loc. Cit*

⁹ Franz Magnis – Suseno, *op.cit*, p. 79

¹⁰ Aminuddin Ilmar, *Governance Law*, Prenadamedia Group, Jakarta, 2014, p. 300.

involvement in the regional head election in North Central Timor Regency in 2020. The three cases referred to are community reports, which are described below.

1. The rapporteur Robertus Salu and the reported Markus Kono are teachers of the Noepesu Catholic Elementary School-West Miomafo District, North Central Timor Regency, NIP 196404021989081002. Report number 003/PL/PB/Kab/19.20/X/2020. After going through an in-depth study, by linking the applicable laws and regulations, then through the mechanism of the Bawaslu plenary meeting, it was decided that this case was a infringement of the neutrality of the SCA, thus including allegations of infringement of other laws and regulations. In accordance with the mechanism and authority for resolving cases of violations of other laws and regulations by SCA employees, the report is forwarded to KASN with a letter from the Bawaslu Chairperson of TTU Regency Number 150/Bawaslu.TTU/X/2020 dated October 24, 2020.
2. Reporter Yohanes Bansae and reported Januaryus Beatus Kristoforus Naisoko, Number 001/TM/PB/Kab/19.20/IX/2020. Based on the results of the documents/witnesses, studies, and deliberations examination of the North Central Timor Regency Bawaslu Chairperson and its members, the case found by Yohanes Bansae was suspected to have met the elements of a other laws and regulations infringement, so that it was then forwarded to the Chairperson of KASN to be followed up in accordance with the laws and regulations. - applicable invitation. The case was followed up by the letter from the TTU Bawaslu Chairperson Number 93/Bawaslu.TTU/IX/2020 dated September 15, 2020.
3. The third report is from the public. After being investigated by Bawaslu, there were no infringement elements, so that the status of the report was terminated. For this third case, the identity of the complainant and the reported party was not given by Bawaslu for a consideration maintaining the image of reported party, the identity would be kept confidential.

In fact, the involvement of SCA in the TTU Regency regional head election, these also may occur in other regions, is more than the number of cases reported to the TTU Bawaslu. From the results of interviews with Kefamenanu citizen who were met by chance, it was found that in the moments leading up to the election, SCA (including structural officials) often urged citizen to vote for certain candidates. The invitation is accompanied by promises that if a candidate is elected, the candidate will meet the needs of the community such as roads, social assistance, health, education, drinking water, and others. Even though there is real involvement of SCA in regional head elections, they cannot be legally processed due to the involvement is done spontaneously, and not in an official forum. It is difficult to find evidence of such SCA involvement, and the public is also reluctant to report it to the authorities.

Reasons for SCA Involvement in Regional Head Election

Clearly and unequivocally, the laws and regulations have stipulated that SCA should not be involved in practical politics, particularly in the regional head election. However, from the research results as well as news on social media and other print media, it appears that the prohibition of the involvement of SCA in regional head election is difficult to avoid. For this reason, it is necessary to explore the factors that encourage the involvement of the SCA. Knowing the reasons for the involvement of ASN employees is very important to overcome the problem so that it will not happen in the future. Overcoming the involvement of SCA employees by overcoming the cause factors will be more effective than just giving sanctions according to the applicable laws and regulations. Based on the results of the study, several reasons were found for SCA to be involved in the TTU elections, namely:

1. Loyalty to superiors (Staffing Official)
SCA who are under the authority of the staffing official must show loyalty to their superiors. True loyalty is only for good things or unprohibited by laws and regulations. However, certain interests, loyalty is also shown for things that are actually prohibited by the rules, for that they will get position if the supported candidate wins the election. SCA employees, especially those in structural positions, voluntarily work to support incumbent candidates or other candidates supported by the incumbent regional head, who according to their calculations are strong candidates who will win the regional head election. Their involvement is sought in such a way that the candidates they are fighting for are known by the calculation that, if the candidate wins then they will get a proper place (occupying an easy position). It is often heard in everyday expressions after the election that those who may get a job are those who sweat (join the struggle). For those who do not fight, are appointed to office if there are still remaining positions after being divided among the supporters who are fighting. As a further consequence, if the supported candidate loses the regional head election, they are demoted, dismissed, transferred to non-strategic positions, or also transferred to remote areas.
2. Pressured by superiors to be involved in supporting certain candidate.
SCA employee, as an element of the state apparatus, is under the authority of the staffing officer, so they must follow the leadership's control. It is the hope of all SCA employees that they are under the leadership control to be on the right track in accordance with the code of ethics, disciplinary regulations, and compliance of other laws and regulations. However, the facts prove oppositely that hope may not always be come true properly. Sometimes, leadership control plunges SCA employees into infringement. In a position under the leadership control, SCA employees unable fight or are must follow their superiors' will, even it is illegally justified. In the case of regional head elections, such issue happens where SCA employees are instructed to support certain candidate (especially incumbent candidate).
3. The careers of SCA employees are determined by the Regent as the Regional Personnel Guidance Officer, thereby encouraging SCA employees to be involved in regional head elections. On the one hand, the regulation prohibits SCA employees from being involved in regional elections, but on the other hand, the career development of SCA employees is determined by political officials. With this arrangement, it encourages SCA employees involved in regional elections to win certain candidate. The expression among the regional government bureaucracy is those who sweat (jointly working to fight for the victory of the regional head) are allowed to occupy structural positions. This crucial problem needs to be addressed immediately. The prohibition for SCA employees to not involve in the elections will be in vain, as long as the rules are

remained unfair. The SCA employees interviewed were hoped that the staffing officer should be a career official or not a political official. Career officials occupy positions as long as they are SCA employees until retirement, while the regent as staffing officer is a political official who only serves for five years, and can be re-elected for another one-time period (a maximum of two five years). This position nature, if given the authority as a staffing officer, will create bureaucratic instability. Bureaucracy is one of the regional head candidates' strengths, especially incumbent candidates. The expression that those who can win the regional elections are those who control the bureaucracy due to the bureaucracy power is the potential mainstay of candidates. The facts show that structural officials are always assigned to the regions (including to the village) carrying a special mission to influence voters to win the incumbent candidate when the regional head election stage begins. This assignment, of course, in exchange for winning, his/her position is safe, or is promoted to a higher position.

4. Willing to win candidates who have a relationship with SCA employees
The family system in an area is carried over into the political arena, including in the election of regional heads. Family relations, alumni relations, friendship, marriage relations, between candidates for regional heads and SCA employees, encourage involvement in fighting for the victory of candidate. The results of interviews with SCA employees, the close relationship with the candidates pushed them to participate in the election struggle due to their closeness. On the other hand, candidates also expect SCA's struggling as they have family relations during regional head election. The family relations system in East Nusa Tenggara, and perhaps also in other places, is opening a struggling chance in a political celebration which may be start from the family.
5. As a response to the regional head in charge/in power because he/she pay no attention to the SCA employees during his/her tenure. For an example, he/she was never appointed to a higher position or position. This fact often happens where certain SCA employees never received a promotion for a long time, even the rules have regulated clearly. Meanwhile, other SCA employees received special promotions. Such conditions encourage SCA employees who feel no attention, try to influence the public for not vote the incumbent candidate.

CONCLUSIONS AND RECOMMENDATIONS

Based on the elaboration of the analysis and discussion, there are some conclusions drawn, as follows:

1. The involvement form of SCA employees in the regional head election in TTU Regency is in the form of infringement of other laws and regulations, such as providing a place for holding limited campaigns for regional head candidates. In addition, SCA employees (officials) also influence the public (voters) to choose certain candidates.
2. Several factors that encourage SCA employees to be involved in regional head elections include:
 - a. Loyalty to superiors (staffing officer)
 - b. Pressured by superiors to get involved
 - c. Unfair statutory regulations, i.e. SCA employees are prohibited from engaging in practical politics, but the career of SCA employees is determined by the regional head as a staffing officer.
 - d. Wanting to win candidates who have family relations, marriage, friendship, etc.
 - e. As a form of revenge for the staffing officer who pay no attention to the person's career development during his/her charge, so that the SCA employee concerned fought to win other candidates who participated in the fight hoping that if he/she won, he/she would pay attention to the person issue.

Suggestions that can be submitted are:

1. Regarding the research findings been described, especially the reasons for the SCA employees' involvement in the regional head election, the main and first thing need to be addressed is the legal arrangements in the relevant laws and regulations that fulfill a sense of justice. Its form is SCA employees in their position as public servants may not be involved in the regional head election, so political officials must also not interfere career affairs of SCA employees, namely the position as a staffing officer. Preferably, the staffing officer is handed over to a career official, namely the regional secretary. Therefore, the career development of SCA employees is carried out by the regional secretary who in its implementation forms a work team consisting of career officials within the local government environment. Furthermore, the regional secretary career development is carried out in stages by the career officials above him/her, namely the appointment of the district/city regional secretary is carried out by the provincial regional secretary, and the appointment of the provincial regional secretary is carried out by the Secretary General of the Domestic Affairs Ministry.
2. It is necessary to form SCA Commission Representatives (KASN) at the provincial level, in order to shorten the procedure for resolving cases of SCA employee involvement in regional head elections, and other disciplinary cases since SCA employees are spread all over the country, from the state capital to the village level. An instrumental approach is needed, namely efficiency and effectiveness. KASN is placed in an appeal position in resolving cases involving SCA employees in the regions.

REFERENCES

Book:

- Aminuddin Ilmar, 2014, *Governance Law*, Jakarta, Perneradamedia Group
B. Arief Sidharta, 2001, *Law Philosophy of Pancasila*, Bandung, Postgraduate Unpad
David Beetham and Kevin Boyle, 1995, *Introducing Democracy: 80 Questions and Answers* (Bern Hidayat's Translation), Yogyakarta, Kanisius.
Franz Magnis-Suseno, 2001, *Political Ethics (Basic Principles of the State)*, Jakarta, Gramedia Pustaka Utama.
Hilaire Barnet, 2002, *Constitutional and Administrative Law*, London, Cavendish Publicizing Limited.

- H. R. Sri Soemantri M, 2001, *The 1945 Constitution, Position and Meaning in State Life*, Bandung, Unpad.
Padmo Wahjono, 1992, *Indonesia State Based on Law*, Jakarta, Ghalia Indonesia.
Peter Mahmud Marzuki, 2005, *Law Research*, Jakarta, Prenamedia Group.
Philipus Mandiri Hadjon, 1987, *Basic Understandings of Government Actions*, Surabaya, Djumai.
_____, 1987, *Legal Protection for the People in Indonesia*, Surabaya, Bina Ilmu.
Sudargo Gautama, 1983, *Understanding of the State of Law*, Bandung, Alumni.
Soerjono Soekanto, 1984, *Introduction to Law Research*, Jakarta, UI Press.

Laws and regulations:

- 1945 Constitution of the Indonesian Republic Unitary State.
Law Number 5 of 2014 concerning State Civil Apparatus.
Law Number 23 of 2014 concerning Regional Government.
Law Number 1 of 2015 concerning the Stipulation of Government Regulations in Lieu of Law Number 1 of 2014 concerning the Election of Governors, Regents, and Mayors, as secondly amended by Law Number 10 of 2016.
Government Regulation Number 11 of 2017 concerning Management of Civil Servants.
Government Regulation Number 49 of 2018 concerning Management of Government Employees and Work Agreements.

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