

## DYNAMICS OF MUTATIONS AND PROMOTION OF STRUCTURAL POSITIONS OF CIVIL SERVANTS IN MALAKA REGENCY

Volume: 4  
Number: 1  
Page: 169 - 181

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### Article History:

Received: 2022-11-23

Revised: 2023-01-06

Accepted: 2023-01-15

### Abstract:

The purpose of effective transfers and promotions leads to increasing the effectiveness of local government organizations, but the good intentions of the regional leadership of Malacca Regency, in this case, the Regent as PPK, to manage the performance of civil servants within the Malacca Regency Government, received criticism from several parties who stated that the transfer carried out violated procedures, not by the terms and conditions of KKN. This research is qualitative, with primary and secondary data collected through interviews, documentation and observation. Then the data collected is analyzed using data analysis techniques from Miles & Huberman consisting of three activities that co-occur: data reduction, data presentation, and conclusion/verification. The results of the study found that the dynamics of mutation and promotion of structural positions of civil servants in Malacca Regency terms of mutations were not effective because they were carried out as a form of sanction as a result of not supporting the elected Regent and Deputy Regent to win the 2020 Malacca Regional Election while promotions for PNS positions were carried out because there was a mechanism remuneration. After all, the civil servants who will be promoted are the victorious team to win the elected regent in the 2020 Malacca regional elections, while the inhibiting factors for the effectiveness of the transfer and promotion of structural positions of civil servants in Malacca Regency are due to the patron-client relationship and the promise of position compensation.

**Keywords:** Mutation, Promotion, Civil Servants.

Cite this as:, NEOLAKA, M. N. B. C., DJAHA, A. S. A., MAU, A. O. E., & RIHI, D. W. (2023). "Dynamics of Mutations and Promotion of Structural Positions of Civil Servants in Malaka Regency". International Journal of Environmental, Sustainability, and Social Sciences, 4 (1), 169 - 181.



## INTRODUCTION

The existence of the public bureaucracy is one of the essential drivers in government activities that play a role in carrying out state tasks through modern organizational patterns. Bureaucracy is a government work system to achieve state goals effectively and efficiently, which is organized in government institutions and run by government apparatus. Government apparatus is a tool to achieve organizational goals in the administration of government or the State (the existence of bureaucracy defines this organization). It is in line with the meaning of government officials as employees. The government pays to carry out technical government tasks to provide services to the community based on applicable regulations (Setyawan, 2004).

The success of achieving the objectives of each implementation of activities carried out by each government agency is very dependent on the capability of the apparatus resources it has as

executors of each activity carried out by the government. In the bureaucracy, human resources in the form of government officials are a critical factor in supporting the delivery of public services (an essential function of the bureaucracy) based on predetermined authority.

The critical role of the government apparatus (as part of the state apparatus in general) will run well if the institutional system, management and staffing are well managed. One part of the state apparatus is the state civil apparatus (ASN) which consists of Civil Servants (PNS) and Government Employees with Employment Agreements (PPPK) who work in government agencies. In Law (UU) No. 5 of 2004 concerning the State Civil Apparatus, it is stated that ASN has a position as an element of the state apparatus, which carries out policies set by the heads of government agencies that are free from the influence and intervention of all groups and political parties. ASN's duties and functions are carried out through several roles, namely as a planner, executor, and supervisor of the implementation of general government and national development tasks. (Articles 10 - 12 of Law No. 5 of 2014 concerning State Civil Apparatus). It is emphasized in the rules regarding ASN that civil servants as a profession are free from political intervention and will prioritize the principles of professionalism, have competence, qualifications, performance, transparency, and objectivity, and are free from political intervention and KKN based on human resource management and prioritizing merit system towards the realization of a professional government bureaucracy.

Supporting civil servant management, who can develop civil employees who are professional, impartial, and accountable, is required to achieve this. Management of Civil Servants is the management of civil servants to produce professional servants who have fundamental values and professional ethics, are free from political intervention, and are free from corruption, collusion and nepotism (Article 1 PP No. 11 of 2017 concerning Management of Civil Servants). PNS management includes (a) preparation and determination of needs; (b) procurement; (c) rank and position; (d) career development; (e) career patterns; (f) promotions; (g) mutation; (h) performance appraisal; (i) payroll and benefits; (j) awards; (k) discipline; (l) dismissal; (m) pension and old age security; (n) and protection. According to Law Number 5 of 2014, PNS Management concerns State Civil Apparatus based on a merit system. The merit system in civil servant management is aimed at the procedures for recruitment, appointment, placement and promotion of positions using a comparison of qualifications and competence.

Situations that often cause polemics in the implementation of civil servant management are related to the development of civil servants through the placement, promotion and transfer of civil servants. The placement of PNS (in structural positions) both leads to promotion (placement in a higher position) and the issue of PNS transfer (movement between units or institutions at the government level). Placement in this context relates to the appointment of civil servants in structural positions (administrative positions) to foster civil servant careers in structural positions and ranks under the requirements stipulated in the applicable laws and regulations. The appointment of civil servants in a position is based on the principle of professionalism under the competence, work performance, rank level determined for that position, as well as other objective requirements, without discriminating against gender, ethnicity, religion, race or class. The principle of appointment in structural positions and transfer of structural positions is to place the right person in the right place (the right man in the right place). Thus it is clear that in carrying out promotions and transfers of structural positions carried out by the government (both Central Government, Provincial/Regency/City Regional Governments) it is not based on the interests of certain parties but rather based on the needs of employees who are competent in their fields to help achieve the vision and the government's mission in public service by taking into account the work performance and competence of the Civil Servants concerned under applicable regulations.

The placement of civil servants in structural positions as part of human resource development is often associated with mutation and promotion processes. Promotion and transfer are part of the employee development function to increase work efficiency and effectiveness within the organization. The mutation is a process of transferring horizontal and vertical positions in the structure. The principle of mutation is to move employees to the proper position and the right job to increase their morale and work productivity. Movements in some assessments can be considered as an effort to build better performance (if it is based on promotion), and also often seen as a punishment (if it is done based on certain tendencies, not based on professional judgment and even a demotion situation occurs). In some views, mutation means promotion and demotion. Promotion is a form of appreciation from the organization to employees who have good performance and behavior, manifested in career advancement or positions to a higher position than before. Meanwhile, demotion is an act of punishment in the form of demotion or with a permanent position, but there is a reduction in welfare.

The growing reality is that implementing promotions and transfers of positions in both central government agencies and regional government agencies is often a matter of debate because, apart from the factor of bureaucratic procedures used, there are other considerations outside of the bureaucratic element. In administering the government, the fact is often seen that the placement of an employee in the bureaucracy, whether to get a promotion or demotion, depends on the will of the PPK, where the assessment tends to be based on family relationships, friendships, and political affiliation. Moreover, placing employees in structural positions (promotions and mutations) is carried out after the general election for regional heads (pilkada). Purnomo et al. (2020: p.163-164), in their study of the Politics of Structural Transfers of PNS Structural Positions in the Rokan Hilir District Government, stated that the transfer of PNS is a dynamic of staffing management in the government. This local government gives rise to professional and political phenomena. Political elements and subjectivity often dominate in every filling of civil servant structural positions, so in their conclusion, the factors that influence the policy of transferring civil servant structural positions within the Rokan Hilir Regency Government are the professionalism of the apparatus related to their positions as civil servants and their relationships outside of professionalism as civil servants, such as political support for elections.

It has further fueled the public's negative view that placing a civil servant in a structural position is more determined by the political official's likes or dislikes. The phenomenon of making political elements part of the civil servant development process was also stated by Wahyudin (2014) in his study of the Politicization of Echelon II Structural Officials in the Regional Secretariat of Muna Regency, Southeast Sulawesi, that the bureaucracy was used as a political tool to be able to influence society and maintain political parties as status quo. Meanwhile, bureaucratic officials who are considered disloyal and disobedient to political officials (regents) and endanger the party's future will be transferred or transferred from regional apparatus organizations or even given non-jobs. The structural officials transferred because the officials occupying the structures were deemed not in line with the regent's interests. In addition, the excuse of refreshing positions is used to transfer officials from one regional apparatus organization to another.

While still based on the objectives of transfers and promotions that lead to increased work effectiveness of local government organizations and post-election post-elections, try to bring it to the realm of local government that has just been led by a new leader (elected regent) in Malacca District, where the regent was elected get more support from the incumbent regent. Based on news from one of the media, in the framework of structuring the bureaucracy within the scope of the Malacca Regency Government, the mutation of the positions of High Pratama leaders and Administrative Officers within the scope of the Malacca Regional Government began at the end of December 2021.

Volume I was inaugurated by the Regent of Malacca, Dr. Simon Nahak, S.H, MH, on December 29, 2021. There were 10 echelon II and Echelon III officials. Moreover, at the inauguration of Volume II on January 14, 2022, as many as 58 echelons II and III officials were transferred, of which 12 echelon II officials, the rest were echelon III (<https://kupang.tribunnews.com/2022/01/21/dua-pejuang-eselon-ii-in-malacca-inaugurated-Simon-regent-emphasize-work-ethos>).

The good intentions of the regional leadership of Malacca Regency, in this case, the Regent as PPK, to manage the performance of civil servants within the Malacca Regency Government received criticism from several parties who stated that the mutations carried out violated procedures, were not under provisions and were full of KKN. It is based on several indicators: First, echelon III A officials are demoted to serve as Echelon III B Officials; Second, there are vacant positions in Regional Apparatuses, which are vital. There are no definitive officials; Third, the replacement of the Malacca Secretary was not under the provisions because they did not get the approval of the leadership of the council according to the regulations; Fourth, the ASN who was re-appointed by the regent even though previously it was recommended by APIP to be severely punished and had been demobilized when reactivated the regent did not go through a selection process; Fifth, for more than 8 months in the management of ASN/bureaucracy in disarray because newly appointed officials were transferred and re-appointed for new positions even though the rules require a minimum of 2 years for mutations to take place (<https://radarmalaka.com/mutasi-pejuang-eselon-di-malaka-ntt-diduga-rugikan-asn/>).

This phenomenon that occurs in the placement of civil servants, especially when they are promoted and transferred, as happened in Malacca Regency, is an interesting issue to study scientifically to ensure the flow of the process of mutation and promotion in structural positions. The reason is that the transfer and promotion situation indicates different dynamics when it is carried out at the regional government level, especially after the implementation of regional head elections (pilkada). This process is not only based on standard staffing procedures but also allegations of conflicts of interest and political overtones (supporters or non-supporters) underlying the process of promotion and mutation in the structural positions of civil servants. Apart from the various polemics that exist, in a scientific context, it is necessary to ensure the process flow of the transfer and promotion of civil servants as part of deepening knowledge of Public Sector Human Resource Management. Therefore, this study will analyze the "Dynamic of Mutations and Promotion of Structural Positions of Civil Servants in Malacca District".

## **METHODS**

This research is a qualitative research conducted within the Malacca District Government, NTT Province. Location specifications for government agencies that play a role in implementing civil servant arrangements (Mutations and Promotions), as well as agencies with officials who were transferred in the last period. The types of data in this study are primary data and secondary data collected through interviews, documentation and observation and then the data that has been collected is analyzed using data analysis techniques from Miles & Huberman (1992:16) consisting of three streams of activities that co-occur, namely; data reduction, data presentation, conclusion/verification.

## **RESULT AND DISCUSSION**

Dynamics of Transfer and Promotion of Structural Positions of Civil Servants in Malacca District. Transfers or assignments of Civil Servants (PNS) from one agency to another or transfers within agencies within the Central Government and Regional Governments are part of the personnel transfer process. The technical mechanism for submitting mutations, starting from planning,

requirements/conditions for submitting mutations, up to the limits of authority for approval of mutations, has been accommodated through BKN Regulation Number 5 of 2019 concerning Procedures for Implementing Transfers.

There are 6 (six) types of mutations: 1). movement of civil servants in one central or regional agency; 2). Movement of Civil Servants between Regencies/Cities in one Province; 3). Transfer of Civil Servants between Regencies/Cities between Provinces and between Provinces; 4). Transfer of Provincial/District/City Civil Servants to Central Agencies or vice versa; 5). Transfer of Civil Servants between Central Agencies; and 6). Transfer civil servants to representatives of the Unitary State of the Republic of Indonesia abroad. In addition to staffing mutations based on the types of mutations, mutations can also be carried out based on civil servants' submissions. "So in addition to transfers due to assignments and locations according to the 6 (six) types of mutations, civil servants can also submit assignment and location mutations at their request.

The growing reality is that implementing promotions and transfers of positions in both central government agencies and regional government agencies is often a matter of debate because, apart from the factor of bureaucratic procedures used, there are other considerations outside of the bureaucratic element. In administering the government, the fact is often seen that the placement of an employee in the bureaucracy, whether to get a promotion or demotion, depends on the will of the PPK, where the assessment tends to be based on family relationships, friendships, and political affiliation. Moreover, the process of placing employees in structural positions (promotions and mutations) is carried out after the general elections for regional heads (pilkada), and this is what further triggers the public's negative view that placing a civil servant in a structural position is more determined by the political official's likes or dislikes.

While still based on the objectives of transfers and promotions that lead to increased work effectiveness of local government organizations and post-election post-elections, try to bring it to the realm of local government that has just been led by a new leader (elected regent) in Malacca District, where the regent was elected get more support from the incumbent regent. Based on news from one of the media, in the framework of structuring the bureaucracy within the scope of the Malacca Regency Government, the mutation of the positions of High Pratama leaders and Administrative Officers within the scope of the Malacca Regional Government began at the end of December 2021. Volume I was inaugurated by the Regent of Malacca, Dr. Simon Nahak, S.H, MH, on December 29, 2021. There were 10 echelon II and Echelon III officials. Moreover, at the inauguration of Volume II on January 14, 2022, 58 echelons II and III officials were transferred, of which 12 were echelon II officials and the rest were echelon III.

The good intentions of the regional leadership of Malacca Regency, in this case, the Regent as PPK, to manage the performance of civil servants within the Malacca Regency Government received criticism from several parties who stated that the mutations carried out violated procedures, were not under the provisions and were full of KKN so that based on the explanation above, the author feels it is necessary to know and analyze the dynamics of mutation and promotion of structural positions of civil servants in Malacca Regency with the results of the research and discussion as follows:

**Mutation.** The mutation is a change in position/position/place/work that is carried out horizontally and vertically (promotion/demotion) within an organization (Hasibuan, 2013:102, Simamora, 2012:640, Sadili, 2013:254). At the same time, Sastrohadiwiryo (2014: 247) states that mutation is related to transferring workers' functions, responsibilities, and employment status to certain situations.

A mutation is a transfer of position to another position accompanied by a change in status, wages or responsibilities. From the description, the mutation or transfer of employees is significant

and needs to be done in terms of the interests of employees and the organization's interests. A good mutation is a mutation carried out according to the procedures that apply to an organization. There is no discrimination. Every employee is equal in the eyes of the leader.

In the context of Malacca Regency, to carry out the mutation of structural officials, some stages or mechanisms must be passed first by a Civil Servant before being officially transferred to a new position. The procedure for transferring structural officials must be under the capabilities of Civil Servants so that they are oriented toward placement in the proper position in the proper position. The decision to place in a structural position is based on rational and objective considerations.

Based on the results of interviews and observations, it is known that the mechanism for transferring positions for civil servants in Malacca Regency begins with an inventory of vacant positions through calculations of officials who will experience retirement so that a raw draft is prepared with input obtained from other SKPD heads as well as from instructive leaders with collect materials and supporting data from the personnel data bank.

After all the proposed candidates are ready, the BKD will schedule a meeting with members of Baperjakat, who will then submit the meeting results to the Regional Head as the Personnel Development Officer. If, in this case, the Regional Head wants a change, then the BKD and Baperjakat will re-evaluate it. After the evaluation is carried out, it is submitted again to the Regional Head for approval, after which the BKD prepares the inauguration ceremony, taking the oath and handing over the position.

Transfers generally aim to place employees in the proper position rather than the previous position so that the employee concerned gets high job satisfaction and can provide achievements for the company. Handoko (2008: p.174) states that mutations are needed in organizing work to realize opportunities for employees to get achievements in carrying out assigned tasks, so they deserve to be given mutations of achievement. Transfers are also interpreted as maintaining the relationship between leaders and subordinates so that maintenance and transfers are given as work sanctions or work punishment for various violations or losses committed by employees.

However, in the authors' findings, the transfer mechanism, as described by the former head of the BKD, did not work according to the applicable regulations because there was a specific interest in the mechanism for moving positions within the OPD of Malacca Regency. In the 2020 Pilkada, the results of the plenary vote acquisition from the 12 sub-districts stated that the SN KT Package earned 50,890 votes (50.49%). Meanwhile, SBS-WT collected 49,906 votes (49.51%). Simon Nahak and Kim Taolin won 5 DPRD seats from 3 political parties, namely PKB 3 seats, PSI 1 seat, and Perindo 1 seat. Meanwhile, the incumbents Stef Bria Sera and Wande Taolin won 20 seats in the Malacca DPRD. The details are Golkar 8 seats, PDIP 3 seats, Demokrat 2 seats, NasDem 3 seats, Gerindra 3 seats, and Hanura Party 1. According to the plenary vote count results, the pair Simon Nahak and Kim Taolin won in 8 districts, and incumbents Stef Bria Seran and Wande Taolin won in 4 districts.

Based on the author's findings, the victory in this election further strengthens the lobby/informal approach in shifting structural position mutations, especially for ASN in the position of SKPD Head to the Regent or Baperjakat according to their interests. The impact is that the administration of regional government tends to lead to the development of a clientelistic bureaucratic system, namely a bureaucracy whose power posture is determined by the law of the exchange of political and economic services between political patrons and the bureaucracy as clients.

This condition will negate the principle of Human Resource Management (MSDM), namely "the right man in the right place" in transferring civil servants to Malacca Regency. It can be understood that the urgency of applying the concept of the right man in the right place is one of the goals of creating a professional State Civil Apparatus (ASN). Appointment, dismissal and transfer and promotion, as well as promotion of the State Civil Apparatus (ASN) in their position, of course,

obligatory based on the competence they have and with this philosophy, it is intended that the Regional Head can place a State Civil Apparatus (ASN) in accordance between the position and the area of expertise in a professional manner. In contrast, the ideals Weber's bureaucratic system ideals as a practical approach to controlling human work to its goals because the bureaucracy has a clear structure of influential power giving orders and assignments to others (Denhardt & Denhardt, 1998, p. 32). Krieken (2000: 283) states that the bureaucracy is an institution with a salary hierarchy and permanent officials with a chain of command.

From the side of the politics-bureaucracy dichotomy, it is clear that the bureaucracy can be involved in politics in policy-making but not become an extension of politics and benefit from the transfer of positions from politics. Bureaucrats must play an active role in the political process (such as lobbying) to ensure that a body can approve their policy proposals of political institutions. However, the bureaucracy must be neutral from politics in the context of power struggles. The bureaucracy must be professional and nonpartisan (Yuwono, 2017). Thus, to create a professional bureaucracy, there must be clear boundaries between the bureaucracy and political power. However, this is, of course, very difficult because bureaucratic leaders come from politics and have all the authority and influence over policies for the bureaucracy (Hamid, 2011), which ultimately has an impact on the dilemma for decision-making in bureaucracy regarding neutrality in political views and choices as happened in Malacca District.

This inefficient transfer process was further legitimized by the existence of the Malacca Regent Regulation Number 3 of 2013 concerning the Formation of the Organization and Work Procedure of the Malacca Regency Regional Offices in Article 14 paragraph 2, which states that secretaries, heads of fields, heads of sub-sections, heads of sections, heads of UPTD, heads of sub-sections at UPTD and functional officials are appointed and dismissed by the regent. This regional regulation gives full power to the incumbent or elected regent to pressure ASN to help him in the political arena of the Malacca Regency Pilkada. If ASN does not heed this, then the consequence is mutation.

On the middle policy side, it was also found that there was Government Regulation Number 9 of 2004 concerning the Authority to Appoint, Transfer and Dismiss Civil Servants (PNS). This regulation states that regional heads (governors/regents/mayors) are the supervisors of civil servants in their regions, so regional heads have the authority to appoint and dismiss civil servants who are considered disloyal to themselves. Consequently, if the candidate he supports wins, his career will rise, and if he loses, his career will end.

In the context of transfers, the top authorities in the regions feel that they have full authority to choose, assign and replace structural officials who will assist them in government (Edison, 2011) because this is stated in Article 53 of the ASN Law which explains the authority to foster ASN management by regional heads. Massive mutations in structural positions when a new regional head is elected are typical in regions such as the Malacca District.

This problem becomes even more complicated when the reshuffling is not based on competence/performance but instead places more emphasis on political closeness. Even if the leader succeeds in creating an ethical climate in the civil service, it positively influences an organization's performance (Sabrina, 2012). Finally, ASN is more oriented towards building political closeness with the authorities rather than building competence and performance to guarantee their career (Prasodjo & Rudita, 2014).

**Promotion.** Promotion is planning one's career at a better job in the form of greater responsibility, more prestige or status, more excellent skill, and significantly an increase in wages or salary. In modern management, promotion has been considered a reward effective enough to increase employee morale and loyalty to the organization. In addition, promotion serves as a stimulus for those with ambition and high work performance. Thus, efforts to create satisfaction

with the promotion component can encourage them to perform better in the future (Cantika, 2005, p. 199).

Law Number 5 of 2014 concerning State Civil Apparatus Article 72 Number 1 states that the Promotion of PNS is carried out based on objective comparisons between competencies, qualifications and requirements required by positions, assessment of work performance, leadership, cooperation, creativity and consideration from the team assessing the performance of civil servants in government agencies, without distinguishing gender, ethnicity, religion, race and class. Based on the research results, it is known that the mechanism for promotion carried out within the Malacca Regency Government's scope has yet to use the system regulated in the law entirely. It happened because there is a remuneration mechanism. After all, the civil servants who will be promoted are the victorious team to win the elected regent in the 2020 Malacca regional elections.

Ideally, in the organizational structure of the regional work unit (SKPD), the selection of officials from Echelon IV to Echelon II must go through objective assessment stages. Thus a civil servant will take part in a competency assessment to find his competence, educational background and so on to suit his placement in a position. However, in practice, promotion often escapes this norm and is fraught with conflict of interest pressures. A civil servant must contend with possibilities challenged less professionally to obtain a post and create opportunities. Interrupting the process by illegal means so that someone can get ahead of the shot is now commonplace in the bureaucracy.

However, problems were found related to planning and job analysis. With these conditions, speculation arose that promotions for civil servant positions within the local government tended to have the impression of political factors. Some officials were still appointed from groups II, III and IV, which needed to be under better education. Formal or informal education, so that the civil servants concerned are not committed to carrying out their primary duties and functions correctly. Some civil servants who are not under education, competition and ability often leave their place of duty without any notification, thus disrupting services to the community. Experience in senior positions and new positions still needs to be improved. As a result, the placement and utilization of a civil servant become less than optimal because some employees can develop a career. On the other hand, some employees need to be put in place.

In the 2020 Malacca District Pilkada regime, the Malacca District bureaucracy, which consists of 3,891 civil servants, is primarily the incumbent's political machine and its opponents, although not as many as the incumbent. Together they consciously control political power both internally and externally. Even though they feel in a dilemma with the various consequences that will be given if they enter into practical politics, the bureaucracy, with an extension through ASN, continues to approach the community, provide assistance (goods/money) and mobilize on campaigns and election day. The political power of the incumbent is primarily determined by the mobility and winning strategy of the bureaucratic team.

With the regional head and ASN coach power, the incumbent can intervene in the bureaucracy by reshuffling the cabinet, transferring and intimidating civil servants. In addition, regional heads take advantage of SKPD programs, activities and projects to support political activities during the election stages by taking advantage of the closeness to patron clients and promises of compensation for positions. It is what is known as the practice of bureaucratic politicization that occurred during the 2020 Malacca District elections, and this study shows that after 75 years of independence, Indonesia still has to continue to struggle to build a professional (effective and efficient) and politically neutral bureaucracy (Zuhro, 2021).

In the author's research, with the defeat of the incumbent in the 2020 Malacca regional election and the election of the new Malacca Regent, namely SN KT, one of the civil servants within the

Malacca Regency Government has been given compensation for promotion to the position as Acting Secretary of the Malacca Regency Youth and Sports Service through the Task Executor's Order Number: BPKSDM. 824/289/V/2021. The research findings regarding cooperation for self-interest (patron-client and job compensation) are reinforced by the hypothesis used by Adam Smith in his famous book, *The Wealth of Nations* (1776:2), which states that "It is not from the benevolence of the butcher, the brewer, or the baker, that we expect our dinner, but from their regard to their interest." That means, "Not out of the kindness of the butcher, brewer, or baker, who prepared our dinner, but out of their concern for their interests."

So logically, if the basic assumption or significant premise is that every actor is selfish, then the ASN neutrality dilemma is assumed to be a symbiosis of mutualism. Its behavior can be explained using Fuquyama's reciprocal altruism, namely, the ASN neutrality dilemma, which negates the rules between ASN and the candidate for regent in the Malacca District Election. In 2020, it happened in order to facilitate the realization of their interests, namely due to the closeness of the patron-client and positional compensation for ASN and great position and power for candidates for regents.

In terms of policy, Law Number 5 of 2014 concerning the State Civil Apparatus has revoked Law Number 8 of 1974 concerning Principles of Civil Service as amended by Law Number 43 of 1999 concerning amendments to Law Number 8 of 1974 concerning Personnel Principles. Even though Law Number 8 of 1974, in conjunction with Law Number 43 of 1999, has been repealed, Government Regulation Number 53 of 2010 concerning Civil Servant Discipline is still valid today. Article 4 number 15 Government Regulation Number 53 of 2010 concerning Discipline for Civil Servants regulates the prohibition for every civil servant to provide support to candidates for Regional Head/Deputy Regional Head by engaging in campaign activities to support candidates for Regional Head/Deputy Regional Head, using office-related facilities in campaign activities, making decisions and actions that are beneficial or detrimental to one pair of candidates during the campaign period, and holding activities that lead to partiality towards pairs of candidates participating in elections before, during and after the campaign period includes meetings, solicitations, appeals, appeals, or giving goods to civil servants within their work units, family members, and the community.

Normatively, the law has provided a prohibition for all State Civil Apparatuses in any regional head election activities. One of the objectives of the formation of Law Number 5 of 2014 concerning the State Civil Apparatus is to provide efforts to maintain the neutrality of the State Civil Apparatus from the influence of political parties and to guarantee the integrity, cohesiveness and unity of the State Civil Apparatus, and to be able to focus all attention, thoughts and personnel on assigned tasks, State Civil Apparatuses are prohibited from becoming members and administrators of political parties. Even though there is a ban on the State Civil Apparatus to maintain neutrality in its position as a state apparatus so that it does not sink into the vortex of political parties as happened during the New Order era. However, in practice, before regional elections, there are still state civil servants who do not heed the prohibition and instead get involved in it so that sometimes they openly support one of the candidates for the regional head. Usually, the incumbent candidate is supported.

**Factors Inhibiting the Effectiveness of Transfer and Promotion of Structural Positions of Civil Servants in Malacca District.** Based on the results of the research that has been conducted, it was found that there are factors inhibiting the effectiveness of the transfer and promotion of structural positions of civil servants in Malacca Regency, namely as follows:

**Patron Client Relationship.** Patron-client relationships are unique, namely family and kinship, ethnicity and ethnicity, religion, and reciprocity, so they affect the process of mutation and promotion for positions because they support one pair of candidates in the 2020 Regional Head

Elections (Pilkada) in Malacca District. This political patronage will hinder the application of the principle of neutrality for ASN.

Political officials, primarily regional heads elected in Malacca Regency, have the authority and power to manage ASN resources, such as promotions and employee transfers, according to their wishes. It makes it possible for them to use this power by mobilizing the support of ASN employees who have authority over a state/regional budgets and assets. It should be noted that Simon Nahak and Kim Taolin (SN-KT Package) managed to overthrow the incumbent and are also the fathers paired with Stef Bria Seran and Wande Taolin (SBS-WT). Kim Taolin, candidate for Deputy Regent (Cawabub) of Malacca, overthrew his father, Wande Taolin, who is also a candidate for Cawabub for this Regency in the 2020 Pilkada. Kim overthrew his father for the full results of the vote acquisition from 12 sub-districts.

Based on the results of the plenary vote acquisition from the 12 districts, the SN KT Package earned 50,890 votes (50.49%). Meanwhile, SBS-WT collected 49,906 votes (49.51%). Simon Nahak and Kim Taolin won 5 DPRD seats from 3 political parties, namely PKB 3 seats, PSI 1 seat, and Perindo 1 seat. Meanwhile, the incumbents Stef Bria Sera and Wande Taolin won 20 seats in the Malacca DPRD. The details are Golkar 8 seats, PDIP 3 seats, Democrat 2 seats, NasDem 3 seats, Gerindra 3 seats, and Hanura Party 1. According to the plenary vote count results, the pair Simon Nahak and Kim Taolin won in 8 districts, and incumbents Stef Bria Seran and Wande Taolin won in 4 districts.

In the author's findings, it is known that there is pressure and intervention from the incumbent against the ASN he leads. Apart from that, there is a blood relationship between the incumbent pair and their opponent as father and son. It is even more interesting to look at this relationship further to political and bureaucratic relations in the local democratic regime. Malacca District, where regional heads as ruling elites and regional head candidates with their respective kinship relationships, use power and connections to make the bureaucracy an effective political tool to form patron clients. These relationships are unique: family and kinship, ethnicity and ethnicity, religion and reciprocity. The mind affects the process of mutation and promotion of ASN positions.

The ASNs honestly stated that they felt a double dilemma because, on the one hand, the ASNs had a close family relationship with the representatives of the incumbent candidates. As ASNs, they had to follow the leadership's directions, namely the incumbent regent candidate. On the other hand, the ASNs also had a family relationship with the deputy regent, who is the opponent of the incumbent candidate so by having a relationship of emotional closeness and reciprocity and they honestly admit that because of this closeness to the patron-client, in the end, ASN will not be neutral in the 2020 Malacca District Election in order to get a promotion and avoid position transfers.

There is a Promise of Position Compensation. The promise of job compensation also means compensation received by ASN for services or results from their work in election contests to win a candidate for regent, which they support by being given a promotion to a position that is higher than their current position or their position is retained.

Based on the author's findings, ASN attitudes are vulnerable and easily carried away by political currents and need to lobby to get promotions or to avoid job transfers. The actions of unscrupulous ASNs in supporting the pair of candidates for Regional Head and Deputy Regional Head also have become a persistent case. Related to the finding of patron-client factors and position compensation to get promotions and avoid position transfers, according to Karl D Jackson (Jackson et al., 1978, p. 4), this is because the government system in Indonesia adheres to the concept of *bureaucratic politics*, namely:

*Bureaucratic polity is distinguishable from other forms of government by the degree to which national decision-making is insulated from social and political forces outside the highest elite echelons of the capital city.*

This system model is very far from participation in decision-making. Power is also not the result of articulating broader community and environmental interests. The party does not function as a means of controlling the bureaucracy and is not at all an organization that represents the masses at the local level. The characteristics of the bureaucratic polity model that occurs in Indonesia, especially in the District of Malacca, reinforce the deviation of bureaucratic and democratic propositions as happened in modern countries.

The findings related to patron-client factors and position compensation in order to get promotions and avoid position transfers are also in line with Prasetyowati's findings (2018: 13-16) in his research article, which revealed that ASN's non-neutrality is caused by various factors, such as the need to move up the career ladder quickly, or the strength of patronage relationships. In many areas, many civil servants are used as instruments to win elections with promises. They hope that victory or election will be given something attractive to the apparatus, including their position (Gunarto et al., 2018). This problem in Malacca Regency impacts the State, such as using state facilities and harms the community by ignoring their responsibilities in providing services (Menpan.go.id, 2020).

This pathological view of the bureaucracy in Malacca District is concerned with civil servants' loss of professionalism and ethics in carrying out their duties (Daniarsyah, 2005; Tahmasebi & Musavi, 2011; Santhitiwanich & Bowornwathana, 2014). Bureaucracy is a character and behavior with a desire or is rational and irrational to hold power in carrying out official duties. This situation creates a gap in negotiation between bureaucrat leaders and executive politicians (Daniarsyah, 2005; Santhitiwanich & Bowornwathana, 2014; Ongolo, 2015).

Based on the results of the researchers' findings, in Malacca District, it can be seen that the current condition of bureaucratic-political relations is a prominent political domination of the bureaucracy, giving rise to various pathologies (Daniarsyah, 2005; Afegbua, 2016). It also affects the public services provided to the community and the performance of the bureaucracy (Daniarsyah, 2005; Martini, 2010; Tahmasebi & Musavi, 2011).

## CONCLUSION

Based on the results of the research and discussion in the previous chapter, it can be concluded that the dynamics of mutation and promotion of structural positions of civil servants in Malacca Regency from a mutation standpoint has not been effective because it was carried out as a form of sanction as a result of not supporting the elected Regent and Deputy Regent to win the 2020 Malacca Regional Election. While for the promotion of civil servant positions it is carried out because there is a remuneration mechanism because the civil servants who will be promoted are the successful team for winning the elected regent in the 2020 Malacca regional elections, while the inhibiting factor for the effectiveness of mutation and promotion of structural positions of civil servants in Malacca Regency is due to patron relations. Client as well as the promise of compensation position.

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