

ABSTRAK

Judul Penelitian “**Deskripsi Tentang Pelanggaran Netralitas Aparatur Sipil Negara pada Pemilihan Bupati dan Wakil Bupati Kabupaten Kupang Tahun 2024 (Studi Kasus Bawaslu Kabupaten Kupang)**” Rumusan masalah dalam penelitian ini adalah: (1) faktor-faktor apa yang menyebabkan Aparatur Sipil Negara melakukan pelanggaran netralitas pada Pemilihan Bupati dan Wakil Bupati Kabupaten Kupang Tahun 2024, dan (2) apa akibat hukum terhadap pelanggaran netralitas yang dilakukan oleh Aparatur Sipil Negara pada pemilihan tersebut. Tujuan penelitian ini adalah (1) untuk mengetahui faktor-faktor penyebab terjadinya pelanggaran netralitas ASN, (2) untuk menganalisis akibat hukum yang ditimbulkan dari pelanggaran tersebut. Metode penelitian yang digunakan adalah penelitian hukum empiris dengan sifat penelitian deskriptif. Data diperoleh melalui observasi non-partisipatif, wawancara dengan pihak Bawaslu Kabupaten Kupang, serta studi kepustakaan terhadap peraturan perundang-undangan dan literatur hukum yang relevan. Hasil penelitian menunjukkan bahwa faktor penyebab pelanggaran netralitas ASN pada Pilkada Kabupaten Kupang Tahun 2024 antara lain (1) rendahnya kesadaran hukum dan pemahaman ASN terhadap prinsip netralitas, (2) tekanan kepentingan politik, (3) penyalahgunaan jabatan dan kewenangan, dan (4) lemahnya pengawasan internal. Akibat hukum terhadap pelanggaran tersebut berupa (1) penrapan sanksi administratif dan disiplin kepegawaian, (2) penerapan prinsip kepastian hukum, (3) dampak terhadap karir dan profesionalitas ASN, (4) dampak terhadap kualitas demokrasi lokal. Kesimpulan dari penelitian ini adalah bahwa faktor penyebab pelanggaran netralitas ASN pada Pilkada Kabupaten Kupang Tahun 2024 antara lain (1) rendahnya kesadaran hukum dan pemahaman ASN terhadap prinsip netralitas, (2) tekanan kepentingan politik, (3) penyalahgunaan jabatan dan kewenangan, dan (4) lemahnya pengawasan internal. Akibat hukum terhadap pelanggaran tersebut berupa (1) penerapan sanksi administratif dan disiplin kepegawaian, (2) penerapan prinsip kepastian hukum, (3) dampak terhadap karir dan profesionalitas ASN, (4) dampak terhadap kualitas demokrasi lokal. Oleh karena itu, disarankan agar Bawaslu bersama instansi terkait meningkatkan pengawasan dan penegakan hukum secara konsisten, serta pemerintah daerah memperkuat pembinaan dan sosialisasi mengenai netralitas ASN guna mencegah terulangnya pelanggaran serupa di masa mendatang.

Kata kunci: Aparatur Sipil Negara, Pemilihan Kepala Daerah, Badan Pengawasan Pemilihan Umum, Pelanggaran Netralitas

ABSTRACT

Research Title “**Description of Violations of the Neutrality of the State Civil Apparatus in the Election of the Regent and Deputy Regent of Kupang Regency in 2024 (A Case Study of the Kupang Regency Election Supervisory Agency)**”. The research problems in this study are: (1) what factors cause members of the State Civil Apparatus to commit violations of neutrality in the Election of the Regent and Deputy Regent of Kupang Regency in 2024, and (2) what are the legal consequences of neutrality violations committed by the State Civil Apparatus in that election. The objectives of this study are: (1) to identify the factors causing violations of the neutrality of the State Civil Apparatus, and (2) to analyze the legal consequences arising from such violations. The research method employed is empirical legal research with a descriptive research approach. Data were collected through non-participant observation, interviews with the Kupang Regency Election Supervisory Agency (Bawaslu), and literature studies of relevant laws and regulations as well as legal literature. The results of the study indicate that the factors causing violations of the neutrality of the State Civil Apparatus in the 2024 Regional Head Election of Kupang Regency include: (1) low legal awareness and limited understanding of the neutrality principle among State Civil Apparatus members, (2) political interest pressures, (3) abuse of position and authority, and (4) weak internal supervision. The legal consequences of such violations include: (1) the imposition of administrative sanctions and civil service disciplinary measures, (2) the application of the principle of legal certainty, (3) impacts on the career and professionalism of the State Civil Apparatus, and (4) impacts on the quality of local democracy. The conclusion of this study is that violations of the neutrality of the State Civil Apparatus in the 2024 Kupang Regency Regional Head Election are caused by low legal awareness and understanding of the neutrality principle, political pressure, abuse of authority, and weak internal supervision. The legal consequences include the application of administrative and disciplinary sanctions, enforcement of the principle of legal certainty, effects on the career and professionalism of the State Civil Apparatus, and negative impacts on the quality of local democracy. Therefore, it is recommended that the Election Supervisory Agency, in cooperation with relevant institutions, enhance supervision and law enforcement consistently, and that the local government strengthen guidance and socialization regarding the neutrality of the State Civil Apparatus to prevent similar violations in the future.

Keywords: State Civil Apparatus, Regional Head Election, Election Supervisory Body, Violation of Neutrality