

Analysis of Administrative Procedure Violations in the Appointment of Public Officials in Buton Selatan and their Implications for Electoral Law Enforcement in Indonesia

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ABSTRACT

The appointment and dismissal of Civil Servants (ASN) in Buton Selatan on November 18, 2024, by Acting Regent MRB has come under public scrutiny due to alleged violations of Article 71, paragraph (2) of Law No. 10 of 2016. The inauguration of 74 ASN officials was conducted without obtaining written approval from the Minister of Home Affairs, with only 15 out of 74 officials holding valid permits. The cancellation of the appointment the following day resulted in legal uncertainty and potential losses for the appointed officials. The legal implications of this violation include criminal sanctions in accordance with Article 190 of Law No. 1 of 2015, as well as negative impacts on bureaucratic stability and public trust. This research aims to analyze the appointment and dismissal of ASN from a legal and governance perspective, providing recommendations to prevent similar cases in the future. Recommendations include enhancing coordination between local and central government, strengthening oversight mechanisms, ensuring transparency in the appointment process, and providing training for relevant officials. By improving these mechanisms, it is hoped that the quality of governance in Buton Selatan can be elevated, and public trust in the integrity of the ASN appointment process can be maintained.

Keywords: ASN appointment, legal uncertainty, governance.

INTRODUCTION

The appointment and dismissal of Civil Servants (ASN) is a crucial issue in local government governance. This process plays a vital role in determining bureaucratic effectiveness and the quality of public services. However, practices surrounding the appointment and dismissal of ASN often come under scrutiny, especially when there are indications of violations against the principles of meritocracy, transparency, and accountability [1], [2]. Furthermore, such actions can lead to legal violations, as stipulated in Article 71, paragraph (2) of Law No. 10 of 2016, which prohibits the replacement of officials within six months prior to the establishment of regional head candidate pairs until the end of their term, unless written approval is obtained from the Minister [3], [4]. This provision aims to prevent the abuse of power by incumbents or acting regional heads that could influence election outcomes [4].

The case that occurred in Buton Selatan on November 18, 2024, where the Acting Regent (PJ) inaugurated 74 ASN officials, has drawn public attention due to alleged violations of the relevant regulations [5], [6]. This

inauguration was conducted based on the Decree of the Regent of Buton Selatan No. 429 of 2024, but was subsequently canceled through Decree No. 430 of 2024 on November 19, 2024. The cancellation raises questions about the legal basis for the initial appointment, as well as the potential violations of Law No. 10 of 2016 [7]–[9]. Moreover, out of the 74 officials appointed, only 15 had received approval from the Minister of Home Affairs. The PJ Regent claimed that the appointments were made to expedite performance and regional development, citing information from the Head of BKPSDM that there had been approval from the minister [1]. However, the PJ Regent admitted to only learning about the number of appointed officials during the event and was unaware of the names listed in the approval from the Ministry of Home Affairs.

This case is intriguing to examine in greater depth for several reasons. First, the legal implications of violating Article 71, paragraph (2) may lead to criminal sanctions, as outlined in Article 190 of Law No. 1 of 2015 [1], [3]. Second, the Acting Regent's action of canceling the appointment decree creates legal uncertainty and has the potential to disrupt bureaucratic stability in Buton Selatan [5]. Moreover, the cancellation of the appointment can result in moral losses for the officials involved [6]. Third, this case presents an opportunity to evaluate the oversight mechanisms regarding the appointment and dismissal of ASN in the region, as well as the effectiveness of coordination between local and central governments in this matter [2], [3], [18], [10]–[17]. Therefore, this research aims to analyze the case of ASN appointments and dismissals in Buton Selatan from legal, governance, and public service impact perspectives [19], [20]. The study is expected to provide recommendations to prevent similar cases in the future and enhance the quality of local governance [10], [11], [13], [17], [21]–[23].

In addition, in line with several expert opinions referenced in the research, additional intriguing questions arise for discussion. First, how could the appointment process of officials in Buton Selatan occur without fulfilling the necessary approval requirements from the Minister of Home Affairs, and what are the implications for the legitimacy of the positions granted? Second, what are the reasons behind the issuance of the cancellation decree by the Acting Regent of Buton Selatan, and how does this reflect the administrative management within the local government? This research aims to identify and analyze the violations of administrative procedures in the appointment of public officials in Buton Selatan and assess the implications of these violations for electoral law enforcement in Indonesia.

RESEARCH METHODS

Research Design

This research employs a qualitative research method [24]–[32] with a case study design [24], [30], [33]–[36] focusing on the appointment of public officials in Buton Selatan conducted by Acting Regent MRB on November 18, 2024. This approach allows for an in-depth exploration of the specific context, processes, and implications surrounding the appointments, providing a comprehensive understanding of the administrative and legal challenges involved.

Data Sources

The data sources used in this research comprise both primary and secondary sources.

Primary Sources

In-Depth Interviews:

- Barlap (anonymous), 49 years old, serving as the Chairman of the Bawaslu Buton Selatan.
- MRB (anonymous), 63 years old, former Acting Regent of Buton Selatan.
- LOFH (anonymous), Head of the Regional Personnel and Human Resource Management Agency of Buton Selatan.

Secondary Sources

Administrative Documents from the Bawaslu Office of Buton Selatan:

1. Preliminary Violation Study Documentⁱ [8].
2. Minutes of the First Discussionⁱⁱ[7].
3. Minutes of the Second Discussion ⁱⁱⁱ[9].

These sources provide a comprehensive basis for analyzing the appointment process of public officials in Buton Selatan and understanding the implications of the actions taken by the local government.

Data Collection Techniques

The data collection in this research is conducted through three methods:

1. Semi-Structured Interviews: Open-ended questions are posed to informants to explore their experiences, perspectives, and knowledge regarding the procedures for appointing public officials and the violations that have occurred.
2. Participatory Observation: Engaging in interactions with relevant parties, such as the Acting Regent of Buton Selatan, employees, and residents of Buton Selatan.
3. Documentation: Collecting documents related to the processes and procedures for appointing public officials in Buton Selatan.

The interview transcripts from the informants in this study are presented in Table 1.

Table 1: Interview Transcripts

No	Name	Why was the appointment conducted on November 18, 2024?
1	Barlap	The appointment on November 18, 2024, was carried out by Acting Regent MRB of Buton Selatan, despite controversies regarding the number of officials appointed. According to information, the appointment included 74 individuals, while the official approval received was only for 15, plus 2 from the civil registry. Previously, the Chairman of Bawaslu Buton Selatan, Barlap, had urged to postpone the appointment but did not receive a clear response. Violations of several regulatory norms, such as the prohibition on replacing officials six months before an election, were also identified. After the appointment, Bawaslu received complaints regarding procedural non-compliance and further investigated with the Ministry of Home Affairs.
2	MRB	The appointment on November 18, 2024, was conducted based on the Regent's Decree No. 429 of 2024, which regulates the appointment and dismissal of Civil Servants in high-ranking leadership positions, administrators, and supervisors. Although the appointment decree was signed on October 30, 2024, the job fit process and the approval from the Minister regarding this appointment were not fully clear to the report. On November 20, 2024, a document canceling the appointment was received, confirming that the appointment did not comply with applicable regulations.
3	LOFH	The appointment on November 18, 2024, was based on performance evaluation processes and the need to fill vacant positions within the Buton Selatan Government. Witness LOFH, Head of BKPSDM, explained that the appointment involved 75 individuals, with considerations to enhance government service efficiency. Despite some officials not receiving technical consideration letters (Pertek), the appointment proceeded with the belief that no legal violations occurred. The witness also emphasized that the appointment had no political motives and complied with applicable regulations, although submissions and approvals needed to be processed with the Ministry of Home Affairs.

		Why was the cancellation then carried out?
1	Barlap	After receiving information about the cancellation of the appointment by the Regent, Bawaslu, through Barlap, demonstrated a proactive response. They viewed the cancellation as a necessary step to ensure that all procedures and legal provisions were followed. Bawaslu had previously urged that the appointment should not proceed if it did not comply with the existing approvals, and this cancellation could be seen as a measure to prevent further violations related to the appointment process. Additionally, Bawaslu committed to continue monitoring and addressing this issue, including receiving complaints from the public regarding improper appointment practices. This response reflects Bawaslu's seriousness in maintaining the integrity of the electoral process and government administration.
2	MRB	After receiving information from the Ministry of Home Affairs regarding the inconsistency in the number of appointed officials, the report canceled the decree on November 19, 2024, to maintain the validity of the decision.
3	LOFH	LOFH's response to the cancellation of the appointment the following day indicates his understanding of the importance of meeting all administrative requirements, including technical consideration letters (Pertek). Although the appointment had been made based on performance evaluations and the need for filling positions, he recognized that some officials had not received their Pertek. In this context, LOFH likely felt that the cancellation was the appropriate step to ensure compliance with applicable regulations and maintain the integrity of the appointment process. He also emphasized that there was no political motive behind the appointment, suggesting that the decision to cancel may have been made to avoid potential legal or administrative issues in the future.

Source: Research Data, processed in 2025.

Data Analysis

Data analysis in this research employs a thematic approach, identifying themes and patterns from the existing interview transcripts [24], [37]–[42]. The results of this identification are subsequently categorized based on key issues such as procedural violations, responses and actions of Bawaslu Buton Selatan, legal implications, and the motives and context of the appointments. The identified themes and patterns from the interview transcripts in Table 1 are presented in Table 2.

Table 2: Results of Theme and Pattern Identification for Public Official Appointments in Buton Selatan

No	Theme	Pattern	Description
1	Procedural Violations	Inconsistency in the Number of Appointed Officials	There is a significant discrepancy between the number of appointed officials (74) and the official approvals received (15 + 2 from the civil registry), indicating a violation of established administrative procedures.
		Lack of Approval from the Ministry	The LOFH states that the appointment was carried out despite some officials lacking technical consideration letters (Pertek), which are an essential administrative requirement.
2	Response and Actions of Bawaslu	Proactive Ensuring Compliance	Bawaslu Buton Selatan, through Barlap, demonstrated a proactive stance by urging the postponement of the appointment. This reflects Bawaslu's efforts to maintain the integrity of the electoral process.
		Cancellation of Appointment	Bawaslu's response to the cancellation indicates a commitment to law enforcement and the prevention of further violations.
3	Legal Implications	Potential Legal Issues	The cancellation of the appointment by Regent MRB reflects an effort to avoid legal problems that may arise from procedural violations. This demonstrates an awareness of the importance of compliance with applicable laws.
		Impact on Public Trust	Procedural violations can undermine public trust in government institutions and the electoral process, which has implications for the legitimacy of the government.

4	Motives and Context of Appointments	Need to Fill Vacant Positions	Despite the violations, the appointment was carried out to meet administrative needs within the government. This indicates pressure to fill vacant positions promptly, even when procedures were not followed.
		Minimal Political Content	MRB and LOFH assert that the appointment was not politically motivated, which may suggest that this action was driven more by administrative needs than by political interests.

Source: Research Data, processed in 2025.

Data's Validity and Reliability

Ensuring that the data reaches a certain level of saturation in research is achieved through triangulation of sources, utilizing multiple informant sources to ensure data accuracy [43]–[46]. Additionally, member checking is conducted, which involves confirming findings with informants to ensure accurate interpretation.

DISCUSSION

1. Legal Implication of Violations of Civil Servant Neutrality

Violations of Article 71, paragraph (2) of Law Number 10 of 2016 concerning the Election of Governors, Regents, and Mayors carry serious legal consequences. This article explicitly prohibits Governors/Deputy Governors, Regents/Deputy Regents, and Mayors/Deputy Mayors from replacing officials six months prior to the determination of candidate pairs until the end of their term, unless written approval is obtained from the Minister. This prohibition aims to prevent the politicization of the bureaucracy and the abuse of power in the regional head election process [1]–[3], [47].

The neutrality of the Civil Service (ASN) in Buton Selatan is crucial, especially in the context of the violations that occurred during the appointment of public officials by the Acting Regent of Buton Selatan, MRB, on November 18, 2024. This appointment is alleged to have violated the provisions of Article 71, paragraph (2) of Law Number 10 of 2016, which prohibits the replacement of officials six months before the election without written permission from the Minister. In this situation, ASN neutrality is key to ensuring that the appointment process is conducted transparently and in accordance with applicable regulations. Noncompliance with these regulations creates potential conflicts of interest and undermines the integrity of the government system. Following initial information regarding the appointment of 74 officials without adequate authorization, the Election Supervisory Board of Buton Selatan promptly took proactive steps by urging that the appointments not proceed unless in accordance with the regulations. This action demonstrates a commitment to maintaining the neutrality and integrity of the ASN amid the challenges faced, while also emphasizing the importance of compliance with regulations to uphold public trust in the democratic process^{iv}.

Criminal sanctions for violators of the provisions of Article 71, paragraph (2) are regulated under Article 190 of Law Number 1 of 2015 concerning the Stipulation of Government Regulation in Lieu of Law Number 1 of 2014 on the Election of Governors, Regents, and Mayors into Law. This article states that officials who violate the provisions of Article 71, paragraph (2) may be punished with imprisonment for a minimum of 1 (one) month and a maximum of 6 (six) months and/or a fine of at least IDR600,000.00 (six hundred thousand IDR) and up to IDR 6,000,000.00 (six million rupiah).

The legal implications of this violation are not limited to criminal sanctions for the officials involved [2], [48], [49]. The act of replacing officials in violation of Article 71, paragraph (2) may also be considered unlawful and void by law [1]–[4], [15], [16], [50]–[53]. This can create legal uncertainty and disrupt the stability of the bureaucracy in the affected region [48], [54]–[59]. Furthermore, violations of these provisions can undermine public trust in the integrity of local government and the democratic process [10], [60]–[62].

Table 2 also indicates that the importance of avoiding violations of ASN neutrality in the appointment of public officials has serious legal implications, ranging from the risk of sanctions for individuals involved to broader

impacts on public trust and the integrity of the electoral process. Therefore, it is essential for all parties to understand and comply with existing regulations, as well as to ensure that every step in the appointment of officials is conducted transparently and in accordance with applicable legal provisions.

To enhance the understanding of these legal implications, recent studies on case studies involving violations of Article 71, paragraph (2) in various regional head elections can serve as relevant references [1], [3], [52]. Analyzing court rulings related to these violations can also provide a clearer picture of how these provisions are enforced in practice.

2. Analysis of Legal Uncertainty and the Potential to Distrust Bureaucratic Stability

The appointment of officials in Buton Selatan on November 18, 2024, by Acting Regent MRB, conducted without adhering to the provisions of Article 71, paragraph (2) of Law Number 10 of 2016, has created significant legal uncertainty. In this context, legal uncertainty refers to the situation where the parties involved, including the appointed officials and the public, lack clarity regarding the validity and legitimacy of the appointment. Violations of the provisions prohibiting the replacement of officials within six months prior to the determination of candidate pairs may result in the decisions made during this appointment being deemed invalid. This has the potential to raise doubts among ASN and the public regarding the stability of leadership in local government [1], [3], [16].

Public response to the appointment of officials in Buton Selatan reflects deep concerns regarding the procedures and integrity of appointments leading up to the regional head elections. The Street Parliament Voice Alliance (ASPJ19) has emerged as a key voice expressing community dissatisfaction. They submitted a complaint letter to the Election Supervisory Board of Buton Selatan, highlighting the reassignment of several Regional Apparatus Organizations (OPDs) that were deemed to violate procedures. In the following days, ASPJ19 also issued a statement and staged a demonstration in front of the Bawaslu office, calling for an investigation into the Acting Regent of Buton Selatan for allegedly violating the provisions of Law Number 10 of 2016^v.

This legal uncertainty can disrupt bureaucratic stability in Buton Selatan. When appointed officials lack clear legitimacy, trust in the bureaucratic structure and decision-making processes becomes compromised. ASN appointed in such circumstances may feel insecure in their positions, which can affect their performance and motivation. Additionally, this situation can generate internal conflicts among appointed officials and the public, as there is a perception that the appointments are not based on the principles of meritocracy and transparency [51], [63]–[65].

Furthermore, the legal uncertainty caused by this violation can hinder the implementation of development programs and public services in the region. Appointed officials may hesitate to perform their duties and responsibilities, given that the legitimacy of their positions is in question. This can directly affect the quality of public services that should be provided to the community. In the long term, if this uncertainty is not addressed promptly, it could lead to a crisis of public trust in the local government, which in turn may trigger social and political instability [60], [66], [67].

Overall, the analysis of the appointment of officials that contradicts the provisions of Article 71, paragraph (2) is crucial for understanding the broader legal and administrative implications. This research aims to provide insights into the importance of compliance with existing regulations to maintain the stability and integrity of the bureaucracy in Buton Selatan [14], [15], [67]–[71], [15]–[18], [46], [49], [51], [53].

The Election Supervisory Board of Buton Selatan has played an active role in responding to this situation. After receiving various complaints and community aspirations, Bawaslu conducted inquiries with the Ministry of Home Affairs to verify the legitimacy of the contested appointment. On November 20, 2024, Bawaslu also received a copy of the document that annulled the previous appointment decision, ordering the appointed officials to return the relevant documents to the Acting Regent. This action demonstrates Bawaslu's commitment to maintaining transparency and accountability in governance, prioritizing public interest in the appointment process. This response not only reflects Bawaslu's role as an election supervisor but also as an

institution that listens to and addresses community aspirations in upholding the integrity of the democratic system^{vi}.

The Election Supervisory Board of Buton Selatan plays a crucial role in enforcing electoral law and maintaining the integrity of the democratic system in the region. After receiving various complaints from the public regarding the contested appointment of officials, Bawaslu promptly conducted inquiries with the Ministry of Home Affairs to verify the legitimacy of the disputed appointment. On November 20, 2024, Bawaslu received a copy of the document that annulled the previous appointment decision and firmly ordered the appointed officials to return the relevant documents to the Acting Regent. This action reflects Bawaslu's commitment to ensuring transparency and accountability in governance, demonstrating that the institution not only functions as an election supervisor but also actively listens to and responds to community aspirations. According to Law Number 7 of 2017 on Elections, Bawaslu is responsible for overseeing the implementation of elections and preventing violations, making its response to this situation a tangible demonstration of its role in protecting democratic principles and ensuring that the appointment process is conducted in accordance with applicable regulations.

The legal uncertainty arising from procedural violations in the appointment of public officials in Buton Selatan can significantly disrupt bureaucratic stability. Violations such as discrepancies in the number of appointed officials and the lack of technical consideration letters (Pertek) create doubts about the legitimacy of the decisions made, potentially eroding public trust in government institutions. Bawaslu's proactive response to the annulment of the appointment demonstrates an awareness of the importance of law enforcement, but it also reflects weaknesses in the existing system, where violations can occur without immediate consequences. This uncertainty can lead to instability within the bureaucracy, as ASN who should remain neutral may become entangled in conflicts of interest, fostering the perception that appointments are influenced more by political factors than by meritocracy. Consequently, the decision-making process in governance may be hampered, and the effectiveness of public services may be compromised, highlighting the need for deeper reforms to ensure compliance with legal procedures and maintain bureaucratic integrity.

3. Process of Appointment and Annulment of Public Officials in Buton Selatan

The process of appointing public officials in Buton Selatan reflects the complexities and challenges in government administrative management, particularly following the appointment of MRB as Acting Regent. In an effort to accelerate development performance, MRB coordinated with the Head of BKPSDM and obtained information regarding the technical consideration documents and ministerial approval related to the rotation and mutation of officials. Although unaware of when the job fit procedure would be implemented, MRB proactively requested that this step be expedited. On October 30, 2024, the appointment decree was signed, and the inauguration took place on November 18, 2024, involving 74 officials in various positions. However, this inauguration was marred by MRB's dissatisfaction upon discovering the replacement of the Director of the Regional General Hospital and that the number of appointed officials significantly exceeded the granted authorization. This situation underscores the importance of adherence to procedures and transparency in the appointment of public officials to avoid confusion and potential conflicts. According to Law Number 5 of 2014 on Civil Service Apparatus, appointments must follow clear and transparent mechanisms to ensure accountability. Therefore, a better understanding of procedures and effective communication among the parties involved is essential to maintain the integrity and public trust in the governance process^{vii}.

After the inauguration of public officials in Buton Selatan on November 18, 2024, MRB received a call from the Ministry of Home Affairs questioning the reasons for appointing such a large number of officials, while the authorization corresponding to the technical consideration documents (pertek) only covered 15 individuals. Feeling the need to provide an explanation, MRB was requested to attend the Inspectorate General of the Ministry of Home Affairs in Jakarta on November 20, 2024, where he stated that the appointments would be deemed invalid if they did not align with the existing authorization. Following this information, MRB annulled the appointment decree that had been issued. He acknowledged that he was previously unaware of the names included in the pertek and the granted authorization, having only been informed about the documents by the head of BKPSDM. After receiving clarification from the head of BKPSDM, he realized that the pertek submitted to BKN included 25 individuals, whereas the approval from BKN was only for 15. He voluntarily

canceled the decree and was appreciated by the Ministry of Home Affairs, without any coercion from any party. He also received a reprimand for LOFH and LOB for failing to communicate important information regarding the pertek and ministerial approval. After undergoing an investigation, he took steps to issue a written reprimand and ordered the regional inspectorate to investigate the head of BKPSDM. He emphasized that no political interests motivated this decision and stated that had he known the correct information earlier, he would not have dared to appoint those officials. On November 22, 2024, he apologized to the involved officials for the mistake, and they accepted his apology^{viii}.

The annulment of the appointment of public officials in Buton Selatan was carried out due to the discrepancy between the number of appointed officials (74 individuals) and the authorization granted by the Ministry of Home Affairs, which only covered 15 individuals according to the technical consideration documents (pertek) [49], [68]. The Acting Regent, MRB, upon receiving a call from the Ministry of Home Affairs and clarifying with the Head of BKPSDM, realized that the pertek submitted to BKN included 25 individuals, while the approval from BKN was only for 15 [49], [68]. This inconsistency violated the principles of Good Governance and the applicable laws regarding the appointment of officials [14], [65], [72], [73]. MRB then took the initiative to annul the appointment decree, an action that was appreciated by the Ministry of Home Affairs [49], [68]. This annulment was also based on the principle of *contrarius actus*, where a previous decision can be revoked if it contains legal defects such as lack of authority, procedure, and/or substance [1]. This action aligns with Law Number 5 of 2014 on Civil Service Apparatus, which emphasizes the importance of clear and transparent mechanisms in the appointment of officials to ensure accountability [14], [65], [74], [75].

4. Evaluation of the Oversight Mechanism for the Appointment and Dismissal of Civil Servants in the Region

Evaluating the oversight mechanism for the appointment and dismissal of Civil Servants (ASN) in the region is crucial to prevent the recurrence of appointment cases that do not comply with legal provisions, such as those that occurred in Buton Selatan on November 18, 2024. To achieve this, several strategic steps can be considered [12], [15], [46], [49], [58], [71], [76].

First, there needs to be an enhancement of coordination between local and central government regarding oversight. The Ministry of Home Affairs, as the authority on the appointment of Civil Servants (ASN), should be more active in providing guidance and supervision to local governments. This includes offering clear guidelines on the processes for appointing and dismissing ASNs, including the requirements that must be met before an appointment is made. With clear guidelines in place, it is hoped that local officials will avoid making decisions that could potentially violate legal provisions [17], [46], [49], [51]–[53], [56], [71].

Second, the internal oversight mechanism within local government must be strengthened. The Human Resources Development Agency (BKPSDM) and the Position and Rank Consideration Agency (Baperjakat) need to have greater authority and responsibility in evaluating and monitoring the appointment processes of Civil Servants (ASN). They must ensure that every appointment is made in accordance with applicable regulations, including obtaining approval from the Minister of Home Affairs when necessary [15], [46], [49], [52], [56], [58], [69], [72], [77], [78].

Third, transparency in the appointment and dismissal processes of Civil Servants (ASN) must be enhanced. Information regarding who has been appointed, the legal basis for the appointments, and the approvals obtained from the relevant authorities should be published openly. This will not only increase accountability but also provide an opportunity for the public to offer feedback or report potential violations that may occur [11], [56], [58], [79]–[85].

Fourth, training and socialization regarding the regulations for appointing Civil Servants (ASN) should be conducted regularly for all parties involved in this process. Local officials, especially those newly appointed, need to have a thorough understanding of the legal provisions governing the appointment and dismissal of ASNs. With adequate knowledge, they will be more cautious in making decisions and avoiding violations [10], [15], [46], [49], [53], [60], [70], [86].

Fifth, the implementation of strict sanctions for violations must be ensured. Consistent and fair law enforcement regarding breaches of provisions such as Article 71, Paragraph (2) of Law Number 10 of 2016 will serve as a deterrent and encourage local officials to adhere more closely to existing regulations [10], [15], [17], [18], [46], [49], [52], [69].

By evaluating and improving this oversight mechanism, it is hoped that cases of appointments that contravene legal provisions, such as those that occurred in Buton Selatan, can be prevented in the future. Creating a transparent and accountable system will support better governance and enhance public trust in the government.

CONCLUSION

The appointment of Civil Servants (ASN) by the Acting Regent of Buton Selatan on November 18, 2024, which violated the provisions of Article 71, Paragraph (2) of Law Number 10 of 2016, highlights a serious issue in local governance. This violation not only leads to legal uncertainty but also poses a risk to bureaucratic stability and undermines public trust in the integrity of the government. Appointing and dismissing ASNs in a manner that does not comply with regulations can create long-lasting negative impacts, both for the appointed officials and the communities they serve.

This research underscores the importance of adherence to the principles of meritocracy, transparency, and accountability in the appointment of Civil Servants (ASN). The legal implications of such violations can lead to criminal sanctions for the officials involved, as well as create uncertainty that may harm the entire bureaucratic system. Therefore, evaluating the oversight mechanisms and the effectiveness of coordination between local and central government must be prioritized to prevent the recurrence of similar cases in the future.

RECOMMENDATION

To prevent the recurrence of violations in the appointment and dismissal of Civil Servants (ASN), strengthening the oversight of the performance of the Election Supervisory Board (Bawaslu) at the provincial and district/city levels in Indonesia, is essential. More effective coordination between local and central government, particularly the Ministry of Home Affairs, should be optimized for stricter oversight. Providing clear and accessible guidelines will assist Bawaslu in understanding the applicable regulations and executing their oversight duties more effectively. Additionally, Bawaslu should be granted greater authority to evaluate and monitor the ASN appointment processes, enabling them to detect and address any violations that occur. Transparency must also be improved through the publication of information regarding ASN appointments, including the legal basis and approvals obtained, to enhance accountability and allow the public to report potential violations. Regular training and socialization on ASN appointment regulations for Bawaslu members and local officials are crucial to ensure they understand existing legal provisions and can prevent violations. Finally, the enforcement of strict and consistent sanctions for violations of ASN appointment regulations should be reinforced to serve as a deterrent for officials who may consider non-compliance, thereby enhancing public trust in the integrity of the ASN appointment process.

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ⁱ Document Form A.11, which contains the Study of Alleged Violations 01/Reg/TM/PB/Kab/28.17/XI/2024 dated November 23, 2024. This document includes information that there has been an appointment and dismissal of public officials in Buton Selatan, carried out by the Acting Regent of Buton Selatan, MRB, on November 18, 2024.

ⁱⁱ Minutes of the First Discussion of the Gakumdu Center of Buton Selatan, Number 02/SG/KAB-BUSEL/XI/2024, dated November 28, 2024, regarding findings number: 01/Reg/TM/PB/Kab/28.17/XI/2024, dated November 28, 2024. This document presents the initial discussion of the case concerning the appointment of public officials in Buton on November 18, 2024, after considering various inputs from 13 meeting participants, consisting of 1 woman and 12 men. The participants are from various sectors of the Gakumdu Center of Buton Selatan, including 7 from the Buton Selatan Election Supervisory Board (Bawaslu), 2 from the Buton District Attorney's Office, and 3 from the Buton Police Department. This document contains important information for further inquiry with the Acting Regent of Buton Selatan, the Regional Secretary of Buton Selatan, and the Head of the Regional Personnel and Human Resource Management Agency of Buton Selatan.

ⁱⁱⁱ Minutes of the Second Discussion of the Gakumdu Center of Buton Selatan, Number 07/SG/KAB-BUSEL/XII/2024, dated December 3, 2024, regarding findings number: 01/Reg/TM/PB/Kab/28.17/XI/2024, dated November 28, 2024. This document provides a detailed explanation that the case does not meet the elements of electoral crime as prescribed in Article 71, Paragraph (2) in conjunction with Article 190 of Law Number 10 of 2016, and it is recommended to cease the handling of the electoral crime concerning the appointment of public officials in Buton Selatan. Additionally, this document notes that 17 participants attended this event, consisting of 1 woman and 16 men. The participants included 8 from the Buton Selatan Election Supervisory Board (Bawaslu), 2 from the Buton District Attorney's Office, and 6 from the Buton Police Department.

^{iv} An interview with Barlap, a 48-year-old man, was conducted on November 29, 2024.

^v Analysis of Document Form A.11, which contains the Study of Alleged Violations 01/Reg/TM/PB/Kab/28.17/XI/2024 dated November 23, 2024. This document records information indicating that there was public response represented by the Street Parliament Alliance (ASPJ19) on November 20, 2024, at the Buton Selatan Election Supervisory Board (Bawaslu) office

^{vi} An interview with Barlap, a 48-year-old man, was conducted on November 29, 2024.

^{vii} An interview with MRB was conducted on November 30, 2024."

^{viii} An interview with MRB was conducted on November 30, 2024."