

## The Role of the Pesawaran Regency Election Supervisory Board (Bawaslu) in Overseeing the Neutrality of Civil Servants (ASN) in the 2024 Regional Head Election from the Perspective of *Siyasah Tanfidziyyah*

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**Abstract:** This study aims to analyze the role and effectiveness of legal supervision carried out by the General Elections Supervisory Agency (Bawaslu) of Pesawaran Regency regarding the neutrality of State Civil Apparatus (ASN) in the implementation of the 2024 Regional Head Election (Pilkada), based on Article 4 Paragraph (1) Letter (a) of Bawaslu Regulation of the Republic of Indonesia Number 6 of 2018 concerning Supervision of the Neutrality of ASN Employees, Members of the Indonesian National Armed Forces (TNI), and Members of the Indonesian National Police (Polri). This study employs an empirical juridical method with a descriptive qualitative approach, using *Siyasah Tanfidziyyah* as the analytical framework. Data were collected through interviews, documentation, and a review of relevant laws and regulations. The results show that Bawaslu Pesawaran Regency has implemented supervision of ASN neutrality through socialization, letters of appeal, declarations of neutrality, coordination with related agencies, and direct supervision by the District Panwaslu. The level of violations of ASN neutrality in the 2024 Pilkada is relatively low, only one case was found, which indicates an increase in ASN awareness of the obligation of neutrality. However, the effectiveness of oversight is not yet fully optimal due to Bawaslu's limited authority to impose sanctions, weak follow-up on recommendations, time constraints, difficulties in providing evidence, and limited human resources. From a legal and administrative perspective, Bawaslu's role reflects efforts to uphold justice, ensure public trust, and ensure public welfare. Strengthening regulations, inter-agency coordination, and optimizing oversight authority are still needed to ensure the optimal implementation of Article 4 Paragraph (1) Letter (a), so that the principle of civil servant neutrality in the 2024 regional elections can be fully realized.

**Keywords:** Bawaslu; Neutrality; State Civil Apparatus; Regional Elections; *Siyasah*

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### Introduction

Democracy as a system of government that places popular sovereignty as its fundamental principle has become the main foundation of governance in the Unitary State of the Republic of Indonesia since the reform era. The implementation of general elections, including Regional Head Elections (Pilkada), represents a concrete manifestation of democratic principles by granting citizens the right to directly elect their leaders. Therefore, the organization of Pilkada that is honest, fair, and of high quality constitutes a fundamental prerequisite for the realization of legitimate and publicly accountable governance (Hasan, Rizki Indra Yanti, La Iru, 2022).

Before further discussing the neutrality of the State Civil Apparatus (Aparatur Sipil Negara/ASN), it is essential to understand the concept of ASN itself. Based on Article 1 point 1 of Law Number 20 of 2023 concerning the State Civil Apparatus, ASN refers to a profession consisting

of civil servants and government employees with work agreements who serve within government institutions. As an integral part of the state apparatus, ASN holds a strategic role in supporting governance and public service delivery and is therefore required to act professionally, with integrity, and free from practical political interests (Undang-Undang (UU) Nomor 20 Tahun 2023 Tentang Aparatur Sipil Negara, 2023).

The neutrality of ASN in the electoral process constitutes a fundamental principle, and strengthening as well as optimizing supervisory authority is essential to realize justice and public welfare comprehensively. This principle is regulated in various laws and regulations, including Law Number 20 of 2023 concerning ASN, Government Regulation Number 42 of 2004 on the Development of Corps Spirit and the Code of Ethics for Civil Servants, and Article 4 paragraph (1) letter (a) of the Regulation of the Election Supervisory Board of the Republic of Indonesia Number 6 of 2018 concerning the Supervision of the Neutrality of the State Civil Apparatus, Members of the Indonesian National Armed Forces, and Members of the National Police. These regulations explicitly mandate Bawaslu to supervise potential and/or actual actions of ASN that compromise neutrality during the electoral process. This principle requires ASN to refrain from supporting specific candidate pairs and from using their positions, authority, or state facilities for political purposes (Rosi Riantami, Rudiadi, 2024).

Ahead of the simultaneous Pilkada held on November 27, 2024, the Election Supervisory Board of Pesawaran Regency identified an alleged violation of ASN neutrality committed by a sub-district head (Camat) in Negeri Katon. The alleged violation involved the discovery of 240 campaign banners and 41 T-shirts bearing the images of a candidate pair for Regent and Vice Regent of Pesawaran Regency inside an official government vehicle used by the sub-district head. This incident clearly contradicts Article 9 paragraph (2) of Law Number 20 of 2023 concerning ASN, which stipulates that "ASN employees must be free from the influence and intervention of all groups and political parties." This case serves as an indicator that the supervisory efforts of Bawaslu Pesawaran Regency have not been entirely effective in preventing violations of ASN neutrality (Undang-Undang (UU) Nomor 20 Tahun 2023 Tentang Aparatur Sipil Negara, 2023).

In the context of election supervision, Bawaslu plays a strategic role as an institution responsible for overseeing all stages of the electoral process to ensure democratic and integrity-based elections (Ramadhan, 2024). Based on Law Number 10 of 2016 concerning the Election of Governors, Regents, and Mayors, Bawaslu is granted the authority to conduct supervision, prevention, and enforcement of electoral violations, including violations of ASN neutrality. Such supervision encompasses preventive, repressive, and corrective measures.

From an Islamic perspective, a neutral public official must be trustworthy (*amanah*), fair, impartial, and free from deceit. The principle of justice is firmly emphasized by Allah SWT in the Qur'an, Surah An-Nisa verse 135:

يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ بِالْقِسْطِ شُهَدَاءَ لِلَّهِ وَلَوْ عَلَىٰ أَنْفُسِكُمْ أَوِ الْوَالِدِينَ وَالْأَقْرَبِينَ إِن يَكُنْ غَنِيًّا أَوْ فَقِيرًا فَاللَّهُ أَوْلَىٰ بِهِمَا فَلَا تَتَّبِعُوا الْهَوَىٰ أَنْ تَعْدِلُوا وَإِنْ تَلَوْا أَوْ نَعَرَضُوا فَإِنَّ اللَّهَ كَانَ بِمَا تَعْمَلُونَ خَبِيرًا ﴿١٣٥﴾

**Meaning:** "O you who believe! Stand firmly for justice as witnesses for Allah, even if it be against yourselves, your parents, or your relatives. Whether one is rich or poor, Allah is more worthy of both. So do not follow personal desires lest you deviate from justice. And if you distort testimony or refuse to give it, indeed Allah is All-Aware of what you do." (QS. An-Nisa: 135) (Al-Qur'an Kementerian Agama Republik Indonesia, 2019).

Injustice will only lead to damage, where the wrongdoer is entrusted with authority while the righteous are accused of wrongdoing. Injustice accelerates disorder, instability, and even destruction,

especially when committed by rulers or leaders. In Islamic terminology, state civil servants may be likened to *tabi'in* (followers), who are obliged to obey and comply with the regulations established by *ulil amri* (the government) (Rahmawati, Revi, Eti Karini, 2025). The concept of government officials in Islam is deeply rooted in the historical practices of the Prophet Muhammad (peace be upon him) and his companions during their governance. As head of state, the Prophet appointed advisors (*mustasyar*), secretaries (*katib*), special staff, aides, envoys (*rusul*), spokespersons, experts (*syu'ara* and *kutaba'*), governors, regional leaders (*wali*), local managers or civil officials (*ru'asa*), supervisors (*naqib*), judges and prosecutors (*qudat*), as well as market and financial officers (*sahib al-suq*). All state institutions serving the public were accountable to the head of state and supervised by a special oversight body known as *majlis nuqaba'*. Authority was also structured through representation, and in emergency situations, the Prophet appointed special officials following consultation with his advisory council.

Within Islamic legal studies, the concept relevant to the discussion of the exercise and supervision of governmental power is *Siyasah Tanfidziyyah*. *Siyasah Tanfidziyyah* constitutes a branch of *fiqh siyasah* that examines the implementation and execution of governmental authority in carrying out policies, laws, and public services. Its primary focus lies in how power is exercised in a trustworthy, just, responsible manner and in accordance with the principle of public welfare (*maslahah*). In this context, state officials are viewed as executors of policy who are bound not only by formal regulations but also by Islamic moral and ethical values, such as justice (*'adl*), trustworthiness (*amanah*), and the prohibition of abuse of authority.

Previous studies on the supervision of ASN neutrality in elections have been conducted from various perspectives and regional contexts. Research by Ajiprasetyo and Sarnawa in the Special Region of Yogyakarta indicates that Bawaslu has implemented ASN neutrality supervision through preventive measures, enforcement, and sanctions, although electoral violations persist and require institutional capacity strengthening (Ajiprasetyo & Sarnawa, 2021). Furthermore, a study by Anggreani and Maharani in Surakarta City reveals that supervision is carried out through evaluation, prevention, and enforcement mechanisms, yet continues to face evidentiary challenges and complexities related to ASN involvement in political contests (Anggreani & Puri Maharani, 2024). Research by Kiemas et al. in South Sumatra Province emphasizes the importance of strengthening coordination among Bawaslu, regional heads, and inspectorates in maintaining ASN neutrality, given existing conflicts of interest and weak follow-up on recommendations (Giri Ramanda Nazaputra Kiemas et al., 2025). Meanwhile, Riantami's study in Indragiri Hilir Regency shows that ASN neutrality supervision has not been optimal due to limitations in personnel and supervisory facilities (Rosi Riantami, Rudiadi, 2024). Additionally, research by Hasan et al. in North Buton Regency highlights that supervision of ASN neutrality tends to focus more on preventive efforts than enforcement and continues to face regulatory and socio-cultural obstacles (Indra et al., 2022).

Moreover, a study on the role of Bawaslu Padang Lawas Regency in handling violations of ASN neutrality in the 2024 General Election indicates that supervisory effectiveness is influenced by violation-handling mechanisms, clarity of sanctions, and inter-agency coordination, particularly within Gakkumdu. The study also identifies obstacles such as nepotistic practices and weak inter-institutional coordination, which hinder optimal enforcement of ASN neutrality (Syarifuddin Lubis, 2024). Although numerous studies have examined the role of Bawaslu in supervising ASN neutrality, most focus primarily on normative juridical aspects and violation-handling mechanisms. There remains a lack of studies that empirically assess supervisory effectiveness by integrating Islamic legal perspectives, particularly *Siyasah Tanfidziyyah*. This gap underscores the need for the present study.

Accordingly, the supervision of ASN neutrality in the 2024 Regional Head Election in Pesawaran Regency presents a compelling subject for further examination. Normatively, Bawaslu Pesawaran Regency has undertaken various preventive supervisory measures, such as socialization

programs and coordination with relevant institutions. Nevertheless, indications remain that the implementation of supervision as regulated in Article 4 paragraph (1) letter (a) of Bawaslu Regulation Number 6 of 2018 has not yet been optimal, as evidenced by the continued occurrence of alleged ASN neutrality violations.

This study offers novelty compared to previous research by not only analyzing the role of Bawaslu in supervising ASN neutrality from a normative juridical perspective but also empirically examining the effectiveness of such supervision in the context of the 2024 Regional Head Election through the lens of *Siyasah Tanfidziyyah*. Previous studies tend to emphasize violation handling or general regulatory frameworks without deeply integrating Islamic legal values that emphasize the execution of authority, trustworthiness, and justice. Therefore, this research seeks to fill the existing gap by analyzing the implementation of ASN neutrality supervision by Bawaslu Pesawaran Regency from a *Siyasah Tanfidziyyah* perspective, with the expectation of contributing to the development of Islamic legal studies and providing practical recommendations for strengthening ASN neutrality supervision at the regional level.

Based on the foregoing discussion, the author is motivated to conduct an in-depth study on “The Role of the Pesawaran Regency Election Supervisory Board in Overseeing the Neutrality of the State Civil Apparatus in the 2024 Regional Head Election from the Perspective of *Siyasah Tanfidziyyah*” (A Study at the Election Supervisory Board of Pesawaran Regency), to identify factors contributing to the suboptimal implementation of supervision and to formulate improvement recommendations aimed at achieving more effective, integrity-based, and sustainable supervision of ASN neutrality in future regional elections.

### Research Method

This study employs a descriptive qualitative research approach with an empirical juridical perspective, examining legal provisions governing the supervision of ASN neutrality and their implementation in supervisory practices conducted by the Pesawaran Regency Election Supervisory Board (Bawaslu) during the 2024 Regional Head Election. In addition, this research applies the *Siyasah Tanfidziyyah* approach as an analytical framework to assess the implementation of ASN neutrality supervision based on the principles of justice (*al-‘adl*), trustworthiness (*amanah*), and public welfare (*maslahah*).

The descriptive qualitative approach aims to describe and explain phenomena related to the research object and subject (Syahrur, 2007), namely: (1) the role of the Pesawaran Regency Election Supervisory Board in overseeing the neutrality of the State Civil Apparatus (ASN) in the 2024 Regional Head Election; (2) the legal effectiveness of Bawaslu Pesawaran Regency in supervising ASN neutrality during the 2024 Regional Head Election; (3) the obstacles encountered by Bawaslu Pesawaran Regency in supervising ASN neutrality during the 2024 Regional Head Election; and (4) the perspective of *Siyasah Tanfidziyyah* on the role of Bawaslu Pesawaran Regency in supervising ASN neutrality in the 2024 Regional Head Election. Primary data were obtained through interviews with the following informants: (1) Fatihunnajah, S.Sos., Chairperson of the Pesawaran Regency Election Supervisory Board; (2) Mutholib, S.H.I., M.H., Coordinator of the Division of Prevention, Public Participation, and Public Relations; (3) Oktiyas Afriza, S.Kom., Coordinator of the Division of Law and Dispute Resolution; (4) Pajril Fatra, S.H., Coordinator of the Division of Human Resources, Organization, Education, and Training; and (5) Destiana, a staff member of the Division of Violation Handling, Data, and Information at the Pesawaran Regency Election Supervisory Board.

The data collection techniques used in this study included interviews and documentation. Interviews were conducted to obtain in-depth information regarding the role of the Election Supervisory Board (Bawaslu) in overseeing ASN neutrality during the 2024 Regional Head Election

in Pesawaran Regency. Documentation was utilized to collect written materials, including regulatory documents and other relevant records.

Data analysis was carried out qualitatively through the stages of data reduction, data presentation, and conclusion drawing (Miles & Huberman, 2014). Empirical data obtained from interviews and documentation were analyzed by comparing the normative provisions of Article 4 paragraph (1) letter (a) of Bawaslu Regulation Number 6 of 2018 with supervisory practices in the field and were subsequently interpreted using the *Siyasah Tanfidziyyah* perspective.

## Results and Discussion

### **The Role of the Pesawaran Regency Election Supervisory Board in the Implementation of Article 4 Paragraph (1) Letter (a) of the Regulation of the General Election Supervisory Board of the Republic of Indonesia Number 6 of 2018 concerning the Supervision of the Neutrality of State Civil Apparatus, Members of the Indonesian National Armed Forces, and Members of the Indonesian National Police**

Normatively, the role of the Pesawaran Regency Election Supervisory Board (Bawaslu) in supervising the neutrality of the State Civil Apparatus (ASN) during the 2024 Regional Head Election is based on Article 4 paragraph (1) letter (a) of the Regulation of the General Election Supervisory Board of the Republic of Indonesia Number 6 of 2018 concerning the Supervision of the Neutrality of State Civil Apparatus, Members of the Indonesian National Armed Forces, and Members of the Indonesian National Police.

Article 4;

- (1) Election Supervisors shall supervise the neutrality of ASN, members of the Indonesian National Armed Forces, and members of the Indonesian National Police with respect to:
  - a. decisions and/or actions that benefit or disadvantage one of the election participants during the campaign period (Peraturan Badan Pengawas Pemilihan Umum Nomor 6 Tahun 2018 Tentang Pengawasan Netralitas Pegawai Aparatur Sipil Negara, Anggota Tentara Nasional Indonesia, Dan Anggota Kepolisian Negara Republik Indonesia, 2018).

This provision emphasizes that Election Supervisors are required to supervise any decisions and/or actions of ASN that have the potential to benefit or disadvantage one of the election participants during the campaign period. This norm constitutes the primary legal basis for the Pesawaran Regency Election Supervisory Board in carrying out its supervisory function over ASN neutrality in a directed and measurable manner.

In the context of the 2024 Regional Head Election, supervision as referred to in Article 4 paragraph (1) letter (a) of the Regulation of the General Election Supervisory Board Number 6 of 2018 is focused on the behavior and actions of ASN that contain elements of political bias. Such bias is not only understood as explicit political support but also includes administrative actions and policy decisions that carry political implications. Therefore, the scope of supervision conducted by Bawaslu Pesawaran Regency encompasses all forms of ASN decisions and actions that directly or indirectly may influence the position of election participants.

Forms of violations of ASN neutrality as regulated under Article 4 paragraph (1) letter (a) of the Regulation of the General Election Supervisory Board Number 6 of 2018 include the formulation or implementation of policies that provide advantages to a particular candidate pair, such as the use of state facilities for campaign purposes, the alignment of government programs with the electoral interests of election participants, or the involvement of ASN in activities that clearly demonstrate support for certain regional head election candidates (Hasan, Rizki Indra Yanti, La Iru, 2022). In addition, actions by ASN that disadvantage other election participants, such as obstructing public

services to certain community groups based on political preferences, also fall within the scope of supervision under this provision.

In carrying out its supervisory function, Bawaslu Pesawaran Regency conducts preventive supervision by identifying potential vulnerabilities related to violations of ASN neutrality, particularly in strategic positions with decision-making authority, and by issuing appeals to regional government institutions to ensure that ASN understand the prohibition against making decisions or taking actions that benefit or disadvantage regional head election participants (Sumarlina, Willi, Reni Rentika Waty, 2024). This preventive supervision aims to prevent violations from occurring at an early stage in accordance with Article 4 paragraph (1) letter (a) of the Regulation of the General Election Supervisory Board Number 6 of 2018.

If alleged violations are identified during the supervision process, Bawaslu Pesawaran Regency undertakes repressive supervision by conducting preliminary investigations, clarifications with relevant parties, and collecting relevant evidence. This process is intended to ensure that the elements of a violation are fulfilled, namely the existence of decisions and/or actions by ASN that benefit or disadvantage election participants during the campaign period. The results of these examinations are then documented in the form of comprehensive and objective legal studies.

As a follow-up, Bawaslu Pesawaran Regency performs a corrective function by submitting supervision recommendations to the National Civil Service Agency (BKN), which holds the authority to impose sanctions on ASN. These recommendations are accompanied by factual descriptions, juridical analysis, and supporting evidence to serve as the basis for consideration in the enforcement of ASN disciplinary measures. In this regard, the role of Bawaslu does not extend to imposing sanctions but remains within the scope of institutional supervision and enforcement of legal norms (Rizal, Nur Anas, 2025).

By adhering to Article 4 paragraph (1) letter (a) of Bawaslu Regulation Number 6 of 2018, the supervision of ASN neutrality conducted by Bawaslu Pesawaran Regency holds a strategic position in safeguarding the principles of justice and equality among Regional Head Election participants. Such supervision is not only aimed at sanctioning violations but also at preventing the abuse of authority by ASN that may undermine democratic values. Therefore, the effectiveness of the implementation of Article 4 paragraph (1) letter (a) of Bawaslu Regulation Number 6 of 2018 serves as a key indicator in realizing democratic, honest, and integrity-driven regional head elections.

### ***Efforts of Bawaslu Pesawaran Regency in Supervising ASN Neutrality during the 2024 Regional Head Election***

#### **1) Conducting Socialization Activities**

Bawaslu Pesawaran Regency conducted socialization activities regarding ASN neutrality for all ASN within the Pesawaran Regency Government and organized election supervision outreach programs targeting the public, community organizations, community leaders, students, first-time voters, and election monitoring participants to enhance public participation in supervising the Regional Head Election, including ASN neutrality. Based on an interview with the Coordinator of the Division of Prevention, Public Relations, and Public Participation:

*“Bawaslu also carried out direct socialization through coordination meetings with various stakeholders, such as the Agency for National Unity and Politics (Kesbangpol), the Department of Population and Civil Registration, the Department of Education, and other government institutions. During these activities, Bawaslu conveyed an understanding to ASN regarding the boundaries of attitudes and behavior permitted during elections. Bawaslu also emphasized the dual position of ASN as citizens with voting rights and as state apparatus prohibited from actively engaging in practical political activities, particularly during the campaign stage.”* (Mutholib, 2025)

2) Issuing Appeal Letters to Regional Government Institutions

Based on an interview with a staff member of the Division of Violation Handling, Data, and Information:

*“Preventive approaches implemented by Bawaslu Pesawaran Regency include educational and political awareness activities for ASN through written appeals or preventive letters delivered via the Regional Secretary. These letters emphasize the obligation of ASN to maintain neutrality throughout the election stages.”* (Destiana, 2025)

3) Organizing ASN Neutrality Declarations

Ahead of the voting day, Bawaslu Pesawaran Regency organized declarations of ASN neutrality and election organizers. Based on an interview with the Coordinator of the Division of Human Resources, Organization, Education, and Training:

*“These declarations were carried out in both Regional Head Elections and General Elections as a form of collective commitment to maintaining neutrality and democratic integrity.”* (Fatra, 2025).

4) Issuing Instructions to Subdistrict Election Supervisory Committees

Bawaslu Pesawaran Regency instructed Subdistrict Election Supervisory Committees to supervise ASN activities within their respective areas. Based on an interview with the Chairperson of Bawaslu Pesawaran Regency:

*“The supervision includes ASN involvement in various campaign activities, such as limited meetings, face-to-face gatherings, dialogues, and other activities related to regional head candidate pairs.”* (Fatihunnajah, 2025)

Despite these efforts, Bawaslu Pesawaran Regency continued to identify alleged violations of ASN neutrality during the campaign period of the 2024 Regional Head Election.

**Data on Violations of ASN Neutrality in the 2024 Regional Head Election**

Despite preventive measures having been implemented, there were still indications of State Civil Apparatus (ASN) personnel committing neutrality violations, based on both Bawaslu findings and public reports. According to violation-handling data held by the Pesawaran Regency Election Supervisory Board (Bawaslu), during the 2024 Regional Head Election, there was one reported case of an alleged violation of ASN neutrality. However, the data that can be publicly disclosed are limited to the status of the report. This limitation exists because violation-handling documents contain protected personal data and therefore cannot be openly disseminated.

**Table 1.** Data on ASN Neutrality Violations in the 2024 Regional Head Election in Pesawaran Regency

No	Name of Reporter and Reported Party	Report/Findings Number	Report Status	Destination Institution / Reason
1.	Reported: Enggo Pratama	002/Reg/LP/PB/08 .11/X/2024	Forwarded to investigation stage	Submitted to investigators at the Pesawaran Police Department because the report fulfilled elements of an election criminal offense
			Recommend ed to competent authority	Submitted to the National Civil Service Agency (BKN) because the report fulfilled elements of a violation

Based on the data compiled by Bawaslu Pesawaran Regency as presented in Table 1, the number of ASN neutrality violations during the 2024 Regional Head Election can be categorized as relatively low, with only one recorded case. The low number of violations may indicate an increased level of awareness among ASN regarding neutrality regulations. However, this condition may also be influenced by limitations in supervision, challenges in evidence collection, and low levels of public participation in reporting violations.

Bawaslu Pesawaran Regency forwarded the alleged violation to investigators at the Pesawaran Police Department after determining that it met the elements of an alleged election-related criminal offense. Nevertheless, during the handling process, the case could not be advanced to the next stage. The termination of the investigation at the Pesawaran Police Department was due to insufficient evidence, particularly the absence of witnesses who directly saw, knew of, or experienced the alleged violation. As a result, the formal and material elements of the criminal offense could not be legally proven, and the investigation could not be continued.

In addition to forwarding the case to the Pesawaran Police Department, Bawaslu Pesawaran Regency also recommended the alleged violation to the National Civil Service Agency (BKN) as the institution authorized to impose administrative sanctions on ASN. However, to date, the recommendation submitted by Bawaslu Pesawaran Regency has not been followed up with the imposition of sanctions on the ASN concerned. Consequently, no administrative decision or sanction has been issued by BKN in relation to the alleged violation of ASN neutrality during the 2024 Regional Head Election.

This situation demonstrates that while the recommendation mechanism has been implemented by Bawaslu in accordance with applicable regulations, the effectiveness of law enforcement remains highly dependent on follow-up actions by the relevant institutions. Based on Bawaslu Pesawaran Regency data, the number of ASN neutrality violations during the 2024 Regional Head Election remains low, with only one recorded case, a figure comparable to the 2020 Regional Head Election, which also recorded a single ASN neutrality violation.

The low number of violations in the 2024 Regional Head Election may be interpreted as reflecting increased awareness among ASN of neutrality regulations. This suggests that ASN are increasingly aware of the limits of their roles and authority in democratic processes, particularly in regional elections..

A key difference between the handling of ASN neutrality violations in the 2020 and 2024 Regional Head Elections lies in the follow-up mechanism for recommendations. During the 2020 election, violation handling was conducted manually, allowing Bawaslu's recommendations to be acted upon more swiftly by the relevant institutions. For example, in the 2020 election, an ASN neutrality violation resulted in a minor sanction in the form of a temporary demotion. In contrast, during the 2024 election, despite Bawaslu's efforts to submit recommendations both offline and through an online system, no sanctions have been imposed by BKN to date (Mu'in, Fathul, Adi Kurniawan, Tubagus M.Nasarrudin, 2021).

Based on the above analysis, it can be concluded that quantitatively, ASN neutrality violations during the 2024 Regional Head Election were relatively low. However, qualitatively, law enforcement still faces challenges, particularly in terms of evidentiary requirements and institutional follow-up on recommendations. This condition indicates that the effectiveness of ASN neutrality supervision is determined not only by Bawaslu's performance in monitoring and handling violations, but also by the synergy and commitment of other institutions in acting upon the recommendations issued.

### ***Types of ASN Neutrality Violations in Pesawaran Regency***

The neutrality of the State Civil Apparatus (ASN) is a fundamental principle in governance and democratic processes, particularly in the conduct of Regional Head Elections. ASN are required to



remain professional, impartial, and uninvolved in practical political interests. This principle aims to ensure fair elections and to maintain public trust in government bureaucracy (Alulu, 2024).

In the practice of supervising the Regional Head Election in Pesawaran Regency, Bawaslu identified several forms of ASN neutrality violations. These findings indicate that although regulations clearly mandate ASN neutrality, their implementation in practice still faces various challenges. Based on the supervision results of Bawaslu Pesawaran Regency, the identified forms of ASN neutrality violations include:

- 1) **Providing Support to Prospective Regional Head Candidates**  
ASN provided support to one of the prospective regional head candidates, either through explicit statements or actions that could be interpreted as political alignment.
- 2) **Posting Political Activities on Social Media**  
ASN uploaded content related to the selection or nomination process of prospective regional head candidates on social media, potentially creating perceptions of political bias and violating neutrality principles.
- 3) **Use of State Facilities for Campaign Purposes**  
ASN utilized state facilities, such as official vehicles, to transport or distribute campaign materials belonging to a candidate pair, reflecting misuse of state resources for practical political purposes.
- 4) **Involvement in Campaign Activities**  
ASN were directly or indirectly involved in campaign activities that demonstrated support for certain candidate pairs, thereby violating principles of professionalism and neutrality.
- 5) **Use of Political Symbols or Gestures**  
ASN engaged in symbolic actions, such as posing for photographs while displaying finger gestures representing a candidate's ballot number. Such actions are considered symbolic support that may influence public perception.
- 6) **Distribution of Campaign Materials**  
ASN were involved in distributing or assisting in the distribution of campaign materials to the public.
- 7) **Utilization of Government Programs for Political Interests**  
ASN presented government programs as achievements or initiatives of particular candidate pairs, even though these programs were essentially central or regional government programs.

These types of violations demonstrate that ASN neutrality breaches are not always overt, but often manifest in symbolic and administrative forms. Although seemingly minor, such actions have the potential to undermine the principles of fairness and equality in Regional Head Elections and to erode public trust in ASN professionalism (Maryati, Anna, 2025). Therefore, strengthening supervision, enhancing ASN understanding of neutrality regulations, and ensuring consistent enforcement of sanctions are essential to achieving optimal ASN neutrality.

### **Effectiveness of the Legal Oversight by the Pesawaran Regency Bawaslu on ASN Neutrality in the 2024 Regional Head Election**

Legal effectiveness in supervising the neutrality of the State Civil Apparatus (Aparatur Sipil Negara/ASN) in the conduct of regional head elections is a crucial aspect of maintaining the integrity of the democratic process. In this context, Article 4 paragraph (1) letter (a) of the Regulation of the Election Supervisory Board of the Republic of Indonesia (Perbawaslu) Number 6 of 2018 concerning the Supervision of the Neutrality of State Civil Apparatus, Members of the Indonesian National Armed Forces, and Members of the Indonesian National Police serves as the legal basis for the implementation of supervision by the Election Supervisory Board (Bawaslu) over the conduct of ASN.

This provision mandates that election supervisors oversee every decision and/or action of ASN that has the potential to benefit or disadvantage one of the election participants during the campaign period (Janna, Elfi Isratul, Gani Jumat, 2021).

Based on this provision, supervision carried out by Bawaslu is not limited to ASN actions that explicitly demonstrate political support, but also includes various administrative decisions and bureaucratic policies that may indirectly provide advantages or disadvantages to election participants (Bunda, 2025). Thus, the scope of supervision as referred to in Article 4 paragraph (1) letter (a) of Perbawaslu Number 6 of 2018 is broad and requires prudence and careful assessment of every ASN activity that has political implications.

In its implementation, Bawaslu carries out its supervisory function through several stages, ranging from prevention to handling alleged violations. Preventive efforts are conducted by mapping potential vulnerabilities to violations of ASN neutrality, issuing appeals to government institutions, and enhancing ASN understanding of the prohibition against making decisions or taking actions that benefit or harm election participants. These efforts aim to prevent violations from occurring at an early stage and to strengthen ASN legal awareness regarding the principle of neutrality (Maryati, Anna, 2025).

If, in the course of supervision, alleged violations of ASN neutrality are found, Bawaslu undertakes repressive measures by conducting investigations, clarifications, and collecting relevant evidence. This process is intended to ensure the fulfillment of the elements of a violation as stipulated in Article 4 paragraph (1) letter (a) of Perbawaslu Number 6 of 2018, namely the existence of decisions and/or actions by ASN that affect the benefits or disadvantages of election participants. The results of this process are then set out in a legal analysis that forms the basis for Bawaslu in formulating recommendations.

However, the legal effectiveness in handling violations of ASN neutrality as regulated in Article 4 paragraph (1) letter (a) of Perbawaslu Number 6 of 2018 still faces a number of structural constraints. One of the main obstacles is the limited authority of Bawaslu in imposing sanctions. Bawaslu does not have direct authority to impose administrative sanctions on ASN proven to have violated neutrality, but may only submit recommendations to authorized institutions, such as the National Civil Service Agency (BKN) or staffing supervisory officials (Anggreani & Puri Maharani, 2024). This condition causes the effectiveness of law enforcement to be highly dependent on the follow-up to such recommendations.

In addition to authority-related factors, the effectiveness of the implementation of Article 4 paragraph (1) letter (a) of Perbawaslu Number 6 of 2018 is also influenced by the level of awareness and compliance of ASN with the principle of neutrality. There are still ASN who do not fully understand the boundaries between official duties and the prohibition on involvement in practical political activities, thus potentially committing violations, whether intentionally or unintentionally (Mu'in, Fathul, Adi Kurniawan, Tubagus M.Nasarrudin, 2021). This indicates that strengthening education and guidance for ASN is an important factor in supporting effective supervision.

Accordingly, the legal effectiveness of supervising ASN neutrality based on Article 4 paragraph (1) letter (a) of Perbawaslu Number 6 of 2018 is determined not only by the clarity of legal norms, but also by the optimization of Bawaslu's role in supervision, increased legal awareness among ASN, and strengthened inter-agency coordination in following up violations. Effective supervision of ASN decisions and actions that may benefit or disadvantage election participants is a crucial prerequisite for realizing democratic, fair, and integrity-based elections.

The process of handling election violations begins with the stages of supervision and preliminary investigation conducted by Bawaslu. If initial assessments indicate a violation, Bawaslu examines the formal and material requirements of the report. If the violation contains elements of an election crime, the case is forwarded to the Integrated Law Enforcement Center (Gakkumdu) for

processing in accordance with applicable legal provisions. However, if the violation is administrative in nature, Bawaslu follows it up through a recommendation mechanism to the authorized institution (Faizal, 2023).

In practice, the implementation of violation-handling mechanisms often encounters various obstacles. One major constraint is weak coordination among elements of Gakkumdu. Differences in perspectives and interpretations of election law provisions often result in misunderstandings between institutions, which in turn slow down the case resolution process. In addition, excessive caution on the part of law enforcement officials, particularly in handling cases involving influential political actors, also affects the effectiveness of election law enforcement. This condition has the potential to reduce public trust in the democratic electoral process.

Another significant obstacle is the overlap of regulations governing election violations. The lack of clarity in distinguishing between administrative violations and election crimes creates difficulties in determining the appropriate handling pathway. This problem becomes increasingly complex, especially in cases that lack clear legal regulation, particularly those related to violations of ASN neutrality. As a result, many cases cannot be processed optimally and may undermine electoral integrity.

The effectiveness of supervision is also influenced by limited human resources. The limited number of supervisory personnel affects the breadth of the supervision area that must be covered. In addition, minimal public education regarding the types of violations and reporting mechanisms also contributes to low public participation in reporting alleged election violations. In fact, public participation is a key element in maintaining electoral integrity (Mangolo, 2024).

Violations of ASN neutrality constitute a serious issue in the conduct of elections. Although regulations have clearly stipulated the obligation of ASN neutrality, in practice there are still ASN involved in practical political activities. Sanctions imposed for violations of ASN neutrality are often inconsistent and have not provided a sufficient deterrent effect. This condition negatively affects the credibility of elections as instruments of clean and fair democracy.

Normatively, the legal supervision carried out by the Pesawaran Regency Bawaslu regarding ASN neutrality in the 2024 Regional Head Election can be said to have been conducted in accordance with statutory provisions. This is evidenced by the implementation of all stages of handling alleged violations, starting from the receipt of reports, preliminary assessments, clarifications, to the submission of recommendations. However, empirically, such effectiveness has not been fully optimal. Not all incoming reports can be proven or followed up to the stage of sanction imposition, particularly in cases involving ASN.

To date, there has been no decision from the National Civil Service Agency (BKN) regarding alleged violations of ASN neutrality in the 2024 Regional Head Election. This condition differs from the 2020 Regional Head Election, where the handling mechanism was still conducted manually, allowing Bawaslu's recommendations to be followed up promptly. For example, in the 2020 election, a violation of ASN neutrality resulted in the imposition of a minor sanction in the form of temporary demotion. In the 2024 election, Bawaslu has made optimal efforts by submitting recommendations both offline and online.

Based on interviews with the Coordinator of the Legal Affairs and Dispute Resolution Division:

*"One factor affecting the effectiveness of supervision is the limited time for handling violations in regional elections. In general elections, the time for handling violations is 14 working days (7 days + 7 days), whereas in regional head elections it is only 5 working days (3 days + 2 days). This limited time becomes a serious obstacle in the process of proving violations of ASN neutrality, particularly in collecting evidence and presenting witnesses."* (Afriza, 2025)

The effectiveness of law enforcement is highly dependent on the fulfillment of formal and material requirements of reports. These requirements include the identity of the reporter and the

reported party, time and place of the incident, witnesses, and evidence in the form of documents, photos, or videos. If these requirements are fulfilled and the report is submitted within the specified time limit, Bawaslu will register the report, conduct clarification, and discuss it in a plenary meeting to determine whether a violation has occurred.

If a violation of ASN neutrality is proven, Bawaslu forwards its recommendation to the National Civil Service Agency (BKN), the Inspectorate, local government, and related institutions. In the cases handled, recommendations have been submitted to BKN both through direct delivery and via an online application, and even more than once. However, to date, there has been no official response from BKN. In accordance with regulations, BKN forwards such recommendations to the regional head, who has the authority to execute sanctions. This condition demonstrates the limited authority of Bawaslu in ensuring follow-up to its recommendations.

Based on the above explanation, it can be concluded that the legal effectiveness of the Pesawaran Regency Bawaslu's supervision of ASN neutrality in the 2024 Regional Head Election has procedurally complied with legal provisions, but substantively has not yet been fully effective. This is due to limited handling time, evidentiary constraints, weak inter-agency coordination, and the lack of optimal follow-up to recommendations by authorized institutions.

### ***Obstacles Faced by Bawaslu in Supervising ASN Neutrality in the 2024 Regional Head Election in Pesawaran Regency***

In its efforts to maintain the neutrality of the State Civil Apparatus (ASN) during the 2024 Regional Head Election in Pesawaran Regency, the Pesawaran Regency Election Supervisory Board (Bawaslu) encountered several obstacles that affected the effectiveness of its supervisory role. These obstacles can be described as follows:

#### **1) Regulatory Constraints Related to ASN Neutrality**

One of the primary obstacles faced by Bawaslu concerns regulatory issues. On the one hand, ASN possess political rights as citizens, including the right to vote; on the other hand, they are prohibited from engaging in practical political activities, both in general elections and regional head elections. The provisions governing the boundaries of ASN political behavior often create ambiguity in their application, particularly in determining which forms of involvement constitute violations (Istikomah, 2024).

When Bawaslu receives information or reports regarding alleged violations of ASN neutrality, the handling process can only proceed to the stage of preliminary assessment and the formulation of conclusions indicating the existence of a suspected violation. Bawaslu does not possess full authority to execute or impose sanctions. Such authority rests entirely with the National Civil Service Agency (BKN) (Suri, 2023). As a result, recommendations issued by Bawaslu frequently lack sufficient executory force. This condition was confirmed in an interview with the Coordinator of the Division of Prevention, Public Relations, and Community Participation of Bawaslu Pesawaran Regency:

*"Bawaslu does not have full authority to execute sanctions against ASN who violate neutrality."* (Mutholib, 2025)

#### **2) Witness-Related Constraints**

Based on an interview with a staff member of the Division of Violation Handling, Data, and Information:

*"One major obstacle in proving violations of ASN neutrality is the difficulty of presenting witnesses, either reporting witnesses or those who directly witnessed, knew, or experienced the alleged violation. Under the regulations governing violation handling, the examination process is subject to a relatively short time limit of five working days, consisting of three working days with a possible extension of two additional working days if necessary. If witnesses fail to attend despite being officially summoned twice, the report risks being discontinued due to time constraints. This situation*

often results in suboptimal handling of violations and may ultimately lead to the termination of the case.” (Destiana, 2025)

3) Time Constraints

Based on an interview with the Coordinator of the Legal Affairs and Dispute Resolution Division, the following was stated:

*“One of the main obstacles in handling and proving violations of ASN neutrality is the limited time frame for case handling as stipulated in Bawaslu Regulation Number 8 of 2024. In regional head elections, the handling period for violations is limited to five working days, consisting of three working days with a possible extension of two additional working days if necessary. This limited time frame causes many reports to be unable to be followed up because they have exceeded the reporting deadline (expired). If a report is submitted after the sixth day following the occurrence of the incident, it cannot legally be processed further, even if the substance of the report is significant.”* (Afriza, 2025)

4) Limited Human Resources (HR)

Another obstacle relates to the limited number of supervisory personnel available to Bawaslu Pesawaran Regency. The number of ASN subject to supervision is very large and disproportionate to the number of available supervisory staff. Based on an interview with the Coordinator of the Division of Prevention, Public Relations, and Community Participation of Bawaslu Pesawaran Regency, it was stated that:

*“These limitations make it impossible to conduct supervision comprehensively and optimally, especially in areas where ASN are widely dispersed.”* (Mutholib, 2025)

5) Limitations in the Implementation and Follow-Up of Recommendations

Based on an interview with the Chairperson of Bawaslu Pesawaran Regency, the following was stated:

*“Although Bawaslu can process reports and draw conclusions regarding alleged violations, follow-up on recommendations is often hindered by bureaucratic mechanisms and limitations of authority. Bawaslu cannot ensure that relevant institutions carry out the recommendations as expected, resulting in ineffective enforcement of regulations.”* (Fatihunnajah, 2025)

***The Perspective of Siyasaḥ Tanfidziyyah on the Role of Bawaslu of Pesawaran Regency in Supervising ASN Neutrality in the 2024 Regional Head Election***

*Siyasaḥ Tanfidziyyah* is a branch of *fiqh siyasaḥ* that emphasizes the execution, implementation, and supervision of public policies in governmental administration. In the context of regional head elections (*Pilkada*), *Siyasaḥ Tanfidziyyah* views that every policy and supervisory action must be directed toward ensuring that power is exercised in accordance with law, ethics, and the objective of public welfare (*maslahah al-ummah*) (Iqbal, 2023). This principle is in line with the word of Allah SWT in the Qur'an:

﴿إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ إِنَّ اللَّهَ نِعِمَّا يَعِظُكُمْ بِهِ إِنَّ اللَّهَ كَانَ سَمِيعًا بَصِيرًا﴾ (٥٨)

**Meaning:** “Indeed, Allah commands you to render trusts to whom they are due and when you judge between people, judge with justice..” (QS. An-Nisa: 58) (AL-Qur'an Kementrian Agama Republik Indonesia, 2019).

This verse affirms that the exercise of authority and law enforcement must be grounded in the values of trust (*amanah*) and justice (*al-‘adl*), which constitute the fundamental basis for supervising the neutrality of the State Civil Apparatus (ASN).

The role of Bawaslu of Pesawaran Regency in supervising ASN neutrality can be understood as a form of administrative authority aimed at maintaining order, justice, and the legitimacy of democratic processes. Supervision of ASN is not merely a technical matter of the *Pilkada*, but rather an integral effort to realize clean and accountable governance in accordance with Islamic principles of justice and responsibility in the exercise of power (Aprelia & Nurhayati, 2023).

1) Implementation of the Principle of Justice (*al-‘Adl*) in Supervising ASN Neutrality

The principle of justice (*al-‘adl*) is a fundamental value in *Siyasah Tanfidziyyah* that must permeate all processes of governance, including the implementation of regional head elections. Justice in supervising ASN neutrality encompasses procedural justice, namely the equal application of rules to all parties, as well as substantive justice, which refers to the realization of supervisory outcomes that are truly fair and do not harm public interests.

The Qur’an emphasizes the obligation to uphold justice without being influenced by any interests, as stated in the word of Allah SWT:

يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ بِالْقِسْطِ شُهَدَاءَ لِلَّهِ وَلَوْ عَلَىٰ أَنْفُسِكُمْ أَوِ الْوَالِدِينَ وَالْأَقْرَبِينَ إِن يَكُنْ غَنِيًّا أَوْ فَقِيرًا فَاللَّهُ أَوْلَىٰ بِهِمَا فَلَا تَتَّبِعُوا الْهَوَىٰ أَنْ تَعْدِلُوا وَإِنْ تَلَوْا أَوْ تُعْرَضُوا فَإِنَّ اللَّهَ كَانَ بِمَا تَعْمَلُونَ خَبِيرًا ﴿١٣٥﴾

**Meaning:** “O you who believe! Stand firmly for justice, as witnesses for Allah, even against yourselves or your parents and relatives. Whether one is rich or poor, Allah is more worthy of both. So do not follow desire, lest you deviate from justice. And if you distort or refuse [to testify], then indeed Allah is All-Aware of what you do.” (QS. An-Nisa: 135) (AL-Qur’an Kementrian Agama Republik Indonesia, 2019)

Violations of ASN neutrality, such as involvement in campaign activities, partiality toward certain candidate pairs, or misuse of state facilities, from an Islamic perspective, constitute actions that approach *al-ghisy* (fraud or deceit). Such actions not only contradict positive law but also violate Islamic moral values, as they potentially deprive the public of their political rights to a fair and honest electoral process.

The efforts undertaken by Bawaslu of Pesawaran Regency through preventive measures, socialization of ASN neutrality, handling of reports, and enforcement actions against violations represent concrete implementations of the principle of *al-‘adl*. However, empirical conditions indicate that justice has not been fully realized due to limitations in authority, weak inter-institutional coordination, and the lack of a deterrent effect from the sanctions imposed. From the perspective of *Siyasah Tanfidziyyah*, justice is not measured solely by formal procedures, but also by the tangible impact and outcomes of policies as experienced by the wider community.

2) The Principle of *Amanah* as Moral and Institutional Responsibility

From the perspective of *Siyasah Tanfidziyyah*, the principle of *amanah* holds a central position as the foundation for the exercise of authority, because power is essentially a trust that will ultimately be accounted for, both before society and before Allah SWT (Rahmawati, Revi, Eti Karini, 2025). This is affirmed in the word of Allah SWT:

إِنَّا عَرَضْنَا الْأَمَانَةَ عَلَى السَّمُوتِ وَالْأَرْضِ وَالْجِبَالِ فَأَبَيْنَ أَنْ يَحْمِلْنَهَا وَأَشْفَقْنَ مِنْهَا وَحَمَلَهَا الْإِنْسَانُ إِنَّهُ كَانَ ظَلُومًا جَهُولًا ﴿٧٢﴾

**Meaning:** “Indeed, We offered the trust to the heavens, the earth, and the mountains, but they refused to bear it and feared it; and man undertook to bear it. Indeed, he is ever unjust and ignorant.” (QS. Al-Ahzab: 72) (AL-Qur’an Kementrian Agama Republik Indonesia, 2019)

In supervising the neutrality of the State Civil Apparatus (ASN), Bawaslu of Pesawaran Regency bears a public trust to ensure that ASN perform their duties professionally, objectively, and free from practical political interests. When ASN violate the principle of neutrality, the consequences are not merely administrative, but also lead to a decline in public trust in state apparatuses and election management bodies.

The abuse of position and authority for certain political interests constitutes a betrayal of *amanah*. Therefore, Bawaslu's actions in following up violations, issuing recommendations for sanctions, and conducting continuous supervision represent efforts to uphold this trust. However, the responsibility for maintaining *amanah* in supervision does not rest solely with Bawaslu; it also requires support from ASN supervisory institutions, law enforcement agencies, and the moral awareness of ASN themselves. Thus, strengthening regulations, enhancing the human resource capacity of Bawaslu, and improving inter-institutional coordination are urgent necessities to ensure the effective implementation of the principle of *amanah*.

### 3) The Concept of *Maslahah* as the Primary Objective of ASN Neutrality Supervision

The concept of *maslahah* (public benefit) constitutes the primary objective of public policy within *Siyasah Tanfidziyyah*. In the context of Regional Head Elections (*Pilkada*), *maslahah* refers to the realization of a clean, honest, fair, and stable democratic process capable of producing leaders who are democratically legitimate (Aprelia & Nurhayati, 2023). This principle is consistent with the word of Allah SWT:

وَلَا تُفْسِدُوا فِي الْأَرْضِ بَعْدَ إِصْلَاحِهَا وَادْعُوهُ خَوْفًا وَطَمَعًا إِنَّ رَحْمَتَ اللَّهِ قَرِيبٌ مِّنَ الْمُحْسِنِينَ ﴿٥٦﴾

**Meaning:** “And do not cause corruption on the earth after it has been set in order. Pray to Him with fear and hope. Indeed, the mercy of Allah is near to those who do good.” (QS. Al-A‘raf: 56) (AL-Qur’an Kementerian Agama Republik Indonesia, 2019)

Violations of ASN neutrality have the potential to generate *mafsadah* (harm), such as horizontal conflicts, declining public trust in election results, and the deterioration of the quality of local democracy. Therefore, preventive and enforcement policies concerning ASN neutrality violations undertaken by Bawaslu of Pesawaran Regency form part of broader efforts to safeguard public welfare.

The firmness of Bawaslu in conducting clarifications, recommending sanctions, and supervising the follow-up of violations reflects efforts to prevent greater harm. Within *Siyasah Tanfidziyyah*, preventing *mafsadah* is considered more imperative than merely pursuing benefits, even though such efforts require significant time, processes, and resources.

From the perspective of *Siyasah Tanfidziyyah*, Bawaslu of Pesawaran Regency functions not only as an administrative supervisory body but also as a guardian of political ethics. Supervision of ASN neutrality serves as a crucial instrument for instilling values of honesty, professionalism, and responsibility within the governmental bureaucracy. The values of justice, *amanah*, and *maslahah* constitute the moral legitimacy underpinning Bawaslu's supervisory role.

This approach strengthens Bawaslu's position as an institution that not only enforces legal regulations but also safeguards democratic morality. The integration of state regulations with Islamic principles holds high relevance within Indonesia's religious society and has the potential to enhance ASN compliance as well as public trust in the *Pilkada* process.

From the perspective of *Siyasah Tanfidziyyah*, violations of ASN neutrality are not merely administrative legal infractions but also moral issues related to the ethics of power and the social responsibility of state apparatuses. Consequently, the resolution of ASN neutrality violations must be undertaken comprehensively through law enforcement, moral guidance, strengthening bureaucratic

ethics, and political education, in order to realize a professional, integrity-driven ASN oriented toward the public interest.

### Conclusion

Based on the results of the study on the role of Bawaslu of Pesawaran Regency in supervising the neutrality of the State Civil Apparatus (ASN) during the 2024 Regional Head Election (*Pilkada*), it can be concluded that the implementation of Article 4 paragraph (1) letter (a) of Bawaslu Regulation Number 6 of 2018 has been carried out, but has not yet operated optimally. Bawaslu of Pesawaran Regency has exercised its authority through various preventive and supervisory efforts, including the socialization of ASN neutrality, the issuance of circular letters, neutrality declarations, and the strengthening of supervision through the sub-district election supervisory bodies (*Panwaslu Kecamatan*).

In terms of quantity, recorded violations of ASN neutrality were relatively low, amounting to only one case, and were not significantly different from the previous *Pilkada*. This condition may indicate an increase in ASN awareness as well as the effectiveness of preventive measures; however, the low number of violations does not necessarily imply that supervision has been fully effective. Supervision of ASN neutrality continues to face several challenges, including the limited authority of Bawaslu in imposing sanctions, time constraints in handling violations, difficulties in evidence collection, limited human resources, and weak follow-up on Bawaslu's recommendations.

From the perspective of *Siyasah Tanfidziyyah*, the role of Bawaslu of Pesawaran Regency reflects efforts to uphold the values of justice (*al-'adl*), trust (*amanah*), and public welfare (*maslahah*) in the conduct of the *Pilkada*. Nevertheless, existing institutional and structural constraints indicate that these values have not yet been fully realized in practice. Therefore, strengthening regulations, enhancing inter-institutional coordination, and increasing the capacity and authority of Bawaslu are necessary to ensure that the supervision of ASN neutrality in future elections can be carried out more effectively and equitably.

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