

# Evaluation of Bawaslu Sidoarjo's Recommendatory Authority in Handling Village Head Neutrality Violations in the Perspective of Bridgman and Davis Theory

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## ABSTRACT

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This research evaluates the recommendatory authority of the Sidoarjo Regency Election Supervisory Body (Bawaslu) in addressing neutrality violations involving twelve village heads in Buduran District during the 2024 General Election. While Bawaslu procedurally performed its functions with professional rigor, a significant asymmetry exists between the burden of material evidence and the restrictive nature of sanctioning enforcement. Grounded in the policy evaluation framework of Bridgman and Davis (2000), comprising input, process, output, and outcome indicators. This descriptive qualitative study identifies a "regulatory escape" from the Election Law to the Village Law, which inadvertently diminishes legal substance. The results show that the "process" indicator follows the rules of due process of law, but the "outputs" turn into nothing more than symbolic administrative punishments. Consequently, the purely recommendatory nature of this authority fails to produce a deterrent effect, necessitating regulatory amendments to empower Bawaslu with independent executorial mandates.

## INTRODUCTION

General elections serve as the primary mechanism for citizens to elect their representatives within both the executive branch, comprising the President and Vice President and legislative bodies at national and regional levels. This democratic process is fundamentally aimed at establishing a government that is both of and for the people (Jumaah, 2024). Integrity, fairness, and competitiveness are the essential pillars of a functional democracy. Consequently, the oversight role of the Election Supervisory Body (Bawaslu) becomes paramount in safeguarding the democratic process against electoral fraud and irregularities that may undermine the ultimate objectives of the election (Haryani, 2023). In the context of local governance, Bawaslu's supervision is increasingly challenged by complex issues, particularly regarding the neutrality of local authorities, which necessitates a robust evaluation of its recommendatory mandates.

Within the democratic framework of the Republic of Indonesia, electoral neutrality is a crucial issue, inextricably linked to the fundamental

principles of honest and fair elections (Jurdil) (Santoso & Budiarti, 2021). In the realm of local democracy, the village head as a government official at the grassroots level wields significant social and political influence. Consequently, village heads are mandated to maintain strict neutrality and integrity during elections. This neutrality implies that village heads must remain impartial, abstaining from any form of support for specific candidates or political tickets (Anggara & Ubaidillah, 2024). This legal obligation is firmly codified in Law Number 7 of 2017 concerning General Elections and Law Number 6 of 2014 concerning Villages.

However, empirical evidence reveals a contrasting reality, as demonstrated by the neutrality violations involving twelve village heads in Buduran District, Sidoarjo. According to reports (zulkarnain, 2024), the case emerged from a viral video on social media showing several village heads, most of whom were still wearing their official uniforms, chanting political slogans: "*nderek kiai, nderek bupati, coblos 02*" in the sense, follow the clerics, follow the regent, vote for candidate 02. In response to this footage,

Bawaslu Sidoarjo initiated an investigation into the 12 village heads involved. During the inquiry regarding the controversial video taken at the Pamor Restaurant, one village head claimed that the recording was a spontaneous act intended solely as a memento for those nearing the end of their term. Furthermore, they expressed regret over the video's viral and controversial nature, maintaining that the gathering at Pamor Restaurant in Siwalanpanji Village was merely a routine social gathering.

Theoretically, election oversight in Indonesia has been institutionalized through the Election Supervisory Body (Bawaslu). Under the mandate of Law Number 7 of 2017, Bawaslu is granted full authority to handle electoral violations. However, in cases involving the neutrality of village heads, significant juridical ambiguity and jurisdictional limitations persist. Bawaslu is frequently confined to the role of an "evidence gatherer" lacking direct executorial power regarding sanctions; this is due to the fact that the sanctioning of village heads overlaps with Law Number 6 of 2014 concerning Villages, which designates the Regent as the primary supervisory and appointing official.

Juridically, the handling of these violations is trapped within a complex "legal gray area." Based on interviews conducted with relevant authorities on November 27, 2025, it was revealed that in addressing these neutrality violations, Bawaslu Sidoarjo had to shift the legal basis from the Election Law to other regulations, such as the Village Law. This shift was necessitated by the substantial difficulty in meeting the material requirements for electoral criminal offenses. Such conditions underscore the limitations of Bawaslu's executorial authority. From a regulatory perspective, Bawaslu lacks the mandate to execute sanctions directly. Within the context of village head neutrality, Bawaslu is positioned merely as a "finding body," authorized only to issue recommendations to the competent authority in this instance, the Regent of Sidoarjo.

The discrepancy between public expectations for stringent law enforcement and the reality of sanctions that are merely "recommendatory" creates a disconnect within the oversight policy cycle. Using the lens of (Bridgman & Davis, 2000) evaluation theory, this study dissects the extent to which Bawaslu Sidoarjo's violation handling policies effectively respond to these challenges. This evaluation is critical as it concerns the institutional integrity of the supervisory body, if Bawaslu's recommendations lack the sanctioning implications necessary to produce a deterrent effect, the oversight function risks being reduced to a mere administrative ritual and a matter of procedural formality.

This article aims to evaluate the recommendatory authority of Bawaslu Sidoarjo by analyzing the

dimensions of input, process, outputs, and outcomes. Through a critical approach, this study seeks to demonstrate whether the current violation handling framework is sufficient to mitigate the politicization of village apparatus, or if it conversely legitimizes a "legal gray area" for future violations due to the weak enforcement of sanctions by the local government.

## LITERATURE REVIEW

### *Public Policy*

Various experts offer diverse perspectives on the definition of public policy. (Suaib et al., 2022) emphasize that public policy represents concrete actions taken by the government, as the authority holder, to respond to various citizen concerns. In alignment with this view, James E. Anderson (2002) defines it as a series of goal – oriented actions developed by governmental actors to resolve problems of public concern. Meanwhile, Thomas R. Dye offers a more straightforward definition: whatever governments choose to do or not to do. According to Dye, these decisions, whether involving active intervention or deliberate inaction, must consistently be oriented toward the public interest and the resolution of social problems.

### *Policy Evaluation of Bridgman and Davis*

According to Bridgman and Davis (2000), analyzing the performance of public policy evaluation must encompass a comprehensive spectrum of indicators to provide an accurate representation. These indicators are organized hierarchically to capture policy performance from inception to impact, namely:

1. Input : This indicator focuses on an in-depth analysis of fundamental prerequisites, ensuring whether the allocation of fiscal resources, human capital, and supporting infrastructure has been proportionally fulfilled.
2. Process : This indicator evaluates the integrity of operational mechanisms during the transformation of policy into public service. Its primary focus lies in the optimization of methods to guarantee governance effectiveness and procedural efficiency.
3. Outputs : This indicator focuses on the orientation of the policy system's concrete manifestations, measuring the quantity and quality of products or intermediate results directly generated by the policy or program.
4. Outcomes : This indicator represents the highest evaluative dimension, examining the substantive implications and tangible changes experienced by the broader public as a result of the policy intervention.
- 5.

### ***The Concept of Recommendatory Authority***

In the discourse of administrative law, the authority held by the Election Supervisory Body (Bawaslu) is attributive, granted directly by legislation to exercise oversight and enforcement functions. However, within the realm of handling other legal violations, specifically the neutrality of village heads, Bawaslu is not positioned as an executorial authority, but rather as a finding body. According to (Haryani, 2023) Bawaslu is mandated to conduct in-depth assessments to uncover the facts of a violation; nevertheless, the legal force of its resulting output is purely recommendatory in nature.

Theoretically, this "recommendatory" nature creates a duality in law enforcement. On one hand, Bawaslu's recommendation is a formal legal product resulting from a measured and methodical investigative process. On the other hand, the effectiveness of this legal instrument depends entirely on the compliance and political will of the receiving institution namely, the Personnel Appointing Officer (Pejabat Pembina Kepegawaian (PPK)) or, in this context, the Regent. The recommendatory nature of these findings is often identified as a critical weakness in the electoral justice system, given the absence of inherent coercive power within Bawaslu to ensure that sanctions are imposed in accordance with the severity of the violations uncovered (Imawan et al., 2026)

### ***Political Neutrality of Village Heads***

The fundamental principle for village heads is to maintain neutrality by remaining objective and abstaining from practical politics throughout both General and Regional Elections. This independent stance is vital to preserving the quality of democracy at the village level, ensuring it remains grounded in the principles of honesty and fairness. Pursuant to the mandate of Law Number 7 of 2017, such neutrality is operationalized through prohibitions against campaign involvement, the restriction on issuing biased policies, and the requirement to remain resistant to pressure or the interests of any political party (Nisak et al., 2024)

### **METHOD**

This study employs a descriptive qualitative approach to delineate social phenomena within their natural settings. The research locus is situated at the Sidoarjo Regency Election Supervisory Body (Bawaslu). Primary data sources were gathered through in-depth interviews with the Chairman of Bawaslu Sidoarjo, the Coordinator of the Violation Handling Division, the Buduran Subdistrict Election Supervisory Committee (Panwascam), and the reported subjects. Data analysis was conducted using the interactive model proposed by (Miles et al., 2014) which encompasses data condensation, data display, and conclusion drawing/verification. To ensure the objectivity and

reliability of the findings, data validity was maintained through technical, source, and temporal triangulation.

## **RESULT & DISCUSSION**

The research findings evaluate the recommendatory authority of Bawaslu Sidoarjo in handling village head neutrality violations in Buduran District during the 2024 General Election. The analysis is synthesized through the theoretical framework of Bridgman and Davis (2000), encompassing: input, process, outputs, and outcomes.

### **RESULT**

#### ***Input***

The existence of "input" in handling village head neutrality violations in Sidoarjo demonstrates a significant managerial transformation, yet it remains hindered by fundamental legal constraints. Research findings reveal that Bawaslu Sidoarjo has shifted its budgeting model from a "lump-sum" system to a "chamber system," enabling specialized funding for violation handling and human resource capacity building down to the adhoc level. Academically, the intellectual strengthening of supervisors through training focused specifically on neutrality clusters represents a deterministic effort to ensure that field officers possess the acuity to internalize complex regulations. This provides high operational certainty for the institution in navigating political dynamics throughout the 2024 Election stages. However, this financial and human resource readiness is frequently paralyzed by contradictory regulatory dictions between the Election Law and the Village Law.

A legal loophole persists where the neutrality oversight mandate in Bawaslu Regulation Number 6 of 2018 explicitly mentions only Civil Servants (ASN), the Military (TNI), and the Police (Polri), while the position of Village Head remains within an ambiguous functional area. Consequently, the legal input, which should be singular and decisive, becomes subject to multiple interpretations, thereby undermining Bawaslu's leverage from the initial stages of case identification.

Bawaslu Sidoarjo has implemented a significant managerial transformation by shifting its budgeting model from a "lump-sum" system to a "chamber system," enabling specialized funding for violation handling. In terms of human resources, the intellectual strengthening of supervisors through training focused specifically on neutrality clusters represents a deterministic effort to ensure operational certainty.

"Regarding the budget, there has been a change from a lump-sum to a chamber system. This means that for each handling of a violation, the budget is clearly allocated and focused, so there are no more

obstacles related to funds during the investigation process," (Interview with Chairman of Bawaslu Sidoarjo, February 26, 2026)

### ***Process***

In terms of "process," Bawaslu Sidoarjo reflects a rigid adherence to the principles of due process of law through a measured investigative mechanism. Operational procedures were executed through a comprehensive clarification phase involving all relevant actors to test the elements of political vision-mission delivery within the viral collective video of the village heads. The synergy established within the Integrated Law Enforcement Center (Sentra Gakkumdu) was not merely an administrative formality, rather, it served as a forum for legal enrichment, where police investigators and public prosecutors were actively involved in determining the direction of legal classification. This professionalism was validated by the reported parties, who acknowledged the transparency and impartiality maintained without psychological pressure throughout the examination process.

However, despite an ideally functioning procedural framework, the process indicator faced significant challenges in the form of sociological manipulation by the legal subjects. The legal deconstruction strategy employed by the village heads, arguing that the declaration was a spontaneous act during an informal gathering such as a social arisan, successfully obscured the element of intent in political mobilization. This indicates that Bawaslu's material evidentiary process is frequently trapped in semantic debates regarding the formal definition of an event, which ultimately compromises the precision of the resulting legal actions.

The investigative mechanism adhered to the principles of due process of law through a comprehensive clarification phase involving all relevant actors to test elements of political mobilization within the viral video. This process was conducted through the Integrated Law Enforcement Center (Sentra Gakkumdu), involving police investigators and public prosecutors in determining legal classification.

"We handled the clarification process for the 12 village heads very carefully. We focused on whether there was a systematic mobilization or if it was just an accidental gathering. Every step followed the technical guidelines for handling findings," (Interview with Coordinator of Violation Handling Division, 04 March 2026).

### ***Outputs***

In the term of the "outputs" reveals a sharp discrepancy between the success of investigative procedures and the actual force of the resulting legal products. Bawaslu Sidoarjo successfully issued outputs in the form of recommendations for "other legal violations" by employing the case consolidation method (voeging). However, substantively, these legal products underwent a degradation into symbolic administrative sanctions, limited merely to written reprimands or formal apologies. The constraints of its attributive authority compel Bawaslu to position itself solely as a finding body, while full executorial authority remains strictly within the hands of the Local Government.

This dependence on the executive's political will (the Regent) to execute Bawaslu's recommendations creates a "refraction of meaning" regarding sanctions. Given that village heads possess strong political legitimacy at the local level, stringent managerial sanctions are difficult to implement; consequently, the emerging sanctions tend to be educational-persuasive rather than punitive-repressive. This underscores that without independent executorial authority, Bawaslu's oversight policy outputs will remain trapped in procedural formalities that are ineffective against the realities of violations at the grassroots level.

"Our output is a recommendation. After we state that a violation occurred, we forward it to the Regent (Bupati). However, the implementation of the sanction is entirely the authority of the Regent, not Bawaslu's anymore," (Interview with Chairman of Bawaslu Sidoarjo, February 26, 2026)

### ***Outcomes***

The analysis of "outcomes" indicates that the neutrality violation handling policy has failed to achieve its fundamental objective of creating a deterrent effect. The disconnection between the regulatory substance of the Village Law and the compromise-oriented technical execution of sanctions has allowed practical political activities by village officials to remain a systemic threat. Such compromise-oriented enforcement causes the law to lose its function as a tool of social control, which in turn perpetuates the normalization of future violations.

On the other hand, a successful outcome is observed in the aspects of sociopolitical stability and the mitigation of public trust crises. Through the procedural transparency demonstrated during the handling of the viral video case, Bawaslu Sidoarjo successfully reduced the potential for conflict escalation among rival political supporters and enhanced its institutional legitimacy. Although it has not yet been able to deliver transformative sanctions to change the behavior of village apparatus, Bawaslu has

effectively fulfilled its function as a mediator of public opinion polarization by providing accountable legal certainty within the community.

The policy effectively fulfilled its function as a mediator of public opinion and maintained sociopolitical stability. Nevertheless, the analysis indicates that the policy failed to achieve its fundamental objective of creating a deterrent effect.

"Socially, the situation became calm because the community saw that Bawaslu took action. But in terms of law enforcement, many felt the sanctions were too light, so it didn't really create a strong deterrent effect for other village heads," (Interview with Community Representative/Informant, M.N, 8 March 2026).

## DISCUSSION

The discrepancy between procedural professionalism and the lack of substantive legal certainty indicates a significant "enforcement gap" within the electoral oversight framework. While Bawaslu Sidoarjo's process followed rigid legal standards, the outputs were constrained by the institution's lack of independent executorial power.

This finding strengthens the theory of Bridgman and Davis (2000), suggesting that policy performance is not only a product of internal maturity but also the availability of coercive legal instruments. The shift from the Election Law to the Village Law in this case identifies a "regulatory escape" that inadvertently diminishes the deterrent impact. These results align with previous studies emphasizing that without a redesign of authority to grant Bawaslu independent administrative sanctioning power, oversight functions risk being reduced to mere administrative rituals.

## CONCLUSION

Based on the evaluation using Bridgman and Davis's (2000) framework, it is concluded that the handling of village head neutrality violations by Bawaslu Sidoarjo suffers from a sharp asymmetry between procedural professionalism and substantive legal certainty. While the input and process indicators reflect organizational maturity and transparency, the outputs are limited to symbolic sanctions due to dependence on executive political will. Consequently, the outcomes fail to produce a transformative deterrent effect, leaving village bureaucratic integrity vulnerable to political intervention.

This study contributes to the discourse on administrative law by demonstrating how recommendatory mandates create a cycle of impunity in electoral justice. Practically, it suggests that regulatory amendments are essential to empower

Bawaslu with independent executorial mandates to impose binding administrative sanctions.

This study is limited to a single case in Sidoarjo Regency, which may restrict the generalizability of the findings. Future research should involve comparative studies across multiple regions to analyze how varying levels of executive political will affect the efficacy of Bawaslu's recommendations.

## Author contribution

Author 1 : took the lead in executing field investigations, synthesizing primary data, and drafting the core manuscript.

Author 2 : acted as a supervisor, offering strategic insights to refine the theoretical framework, elevating the analytical depth, and ensuring the final paper aligned with rigorous academic standards.

## Declaration of interest

The authors formally state that they have no competing interests. The research process was entirely independent, with no external financial or commercial ties that would constitute a conflict of interest in relation to this manuscript

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