

DISHARMONY IN THE REGULATION OF CAMPAIGN PROPS DURING QUIET PERIODS IN ELECTIONS AND REGIONAL ELECTIONS IN INDONESIA

Muchlis Fathulloh ^{a*)}

^{a)} *Universitas Jenderal Soedirman, Banyumas, Indonesia*

^{*)} *Corresponding Author: muchlis.fathulloh@mhs.unsoed.ac.id*

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Abstract. This study aims to examine the regulatory disharmony concerning the removal of campaign props during the quiet period in Indonesian general elections and regional head elections. The study employed normative legal research using statutory and conceptual approaches, focusing on the comparison between Bawaslu Regulation Number 11 of 2023 and KPU Regulation Number 13 of 2024. The results show that disharmony arises from differences in removal deadlines, allocation of responsibility, and institutional roles. In the general election regime, campaign props must be removed no later than one day before voting day, while in the regional election regime they must be removed no later than three days before voting day. This difference creates uncertainty regarding participant obligations and weakens the effectiveness of electoral supervision. The originality of this study lies in its comparative analysis of campaign prop regulation across two electoral regimes and its linkage to legal certainty, electoral fairness, and supervisory effectiveness. Practically, the findings imply the need for harmonized deadlines, clearer participant responsibility, and stronger legal consequences for non-compliance. This study contributes to the development of electoral law by offering a normative framework for strengthening the quiet period as a neutral space that protects voter freedom and ensures equal treatment among election participants.

Keywords: *Campaign Prop Regulation; Electoral Legal Certainty; Electoral Supervision; Quiet Period; Regional Election Governance*

I. INTRODUCTION

Indonesia Elections constitute a fundamental mechanism through which constitutional democracy translates popular sovereignty into legitimate political authority. In Indonesia, the principle of popular sovereignty is constitutionally embedded in the 1945 Constitution and operationalized through general elections and regional head elections. General elections serve as an institutional mechanism for selecting members of representative bodies and national executive leadership, while regional head elections provide a democratic basis for selecting governors, regents, and mayors. Although these two electoral regimes are regulated under different legal frameworks, both are expected to uphold the same democratic principles, namely legality, fairness, equality, accountability, public participation, and protection of voters' freedom [1], [2]. Therefore, the legal design governing electoral stages must not only regulate political competition but also ensure that every participant competes under clear, equal, and enforceable rules.

One crucial stage in electoral competition is the campaign period. Campaigns provide electoral participants with the opportunity to communicate political identities, programs, visions, missions, and policy commitments to citizens. From a democratic education perspective, campaign activities may also strengthen political literacy, civic awareness, and voter participation. This is consistent with the broader educational and civic function of public communication, in which

structured information, guidance, and institutional supervision are needed to shape responsible public behavior [3], [4]. However, campaign activities may also generate legal and administrative problems when they are not controlled by clear regulatory standards. In Indonesian electoral practice, one of the most visible campaign instruments is the campaign prop, including banners, billboards, posters, flags, and other visual media installed in public spaces. These instruments are politically effective because they provide continuous visual exposure to candidates, political parties, and electoral symbols. Nevertheless, when campaign props are installed excessively or remain in public spaces beyond the permitted campaign period, they may disrupt public order, urban aesthetics, environmental cleanliness, and electoral fairness [5], [6].

The issue becomes more significant during the quiet period. The quiet period is designed as a neutral interval before voting day, during which voters should be protected from campaign pressure, political persuasion, and visual domination by electoral participants. In principle, this period should allow voters to reflect on their electoral choices freely and independently. Therefore, campaign props that remain visible during the quiet period cannot be treated merely as physical objects or administrative leftovers. They continue to carry political messages, candidate images, party symbols, ballot numbers, slogans, and indirect appeals to voters. Their continued presence may generate unequal advantages for participants who fail to remove them, while compliant

participants may lose visual exposure. This situation may weaken the principle of equal treatment among electoral contestants and reduce the substantive meaning of the quiet period as a neutral democratic space [7], [8].

In Indonesia, the removal of campaign props during the quiet period is regulated through different legal instruments in the general election and regional election regimes. In the general election regime, Bawaslu Regulation Number 11 of 2023 provides that election supervisors ensure campaign props are removed by election participants no later than one day before voting day [9]. This formulation emphasizes the responsibility of election participants and the supervisory role of Bawaslu. Meanwhile, in the regional election regime, KPU Regulation Number 13 of 2024 provides that campaign props must be removed no later than three days before voting day [10]. The same regulation also assigns a coordination role to provincial and regency/city KPU offices, together with candidate pairs, political parties or coalitions, Bawaslu, and local governments. Moreover, additional campaign props are specifically placed under the responsibility of candidate pairs, political parties or coalitions, and campaign teams. These provisions show that the two electoral regimes contain different time limits, institutional designs, and allocations of responsibility.

This difference indicates a regulatory disharmony that may affect legal certainty and the effectiveness of electoral supervision. Legal certainty requires that legal norms be clear, consistent, predictable, and enforceable. In electoral governance, legal certainty is especially important because elections are time-bound, procedurally strict, and highly sensitive to unequal treatment. When the general election regime requires campaign props to be removed no later than one day before voting day, while the regional election regime requires removal no later than three days before voting day, electoral participants and implementing institutions may face different standards for similar legal objects. Such inconsistency may encourage participants to delay removal until the latest possible moment or until election management bodies and local governments conduct field operations. As a result, the enforcement burden may shift from participants to supervisory and administrative institutions [11], [12].

The disharmony also has implications for institutional accountability. In the general election regime, Bawaslu is mainly positioned as a supervisory body that ensures compliance by participants. In the regional election regime, KPU is also involved in coordinating the removal of campaign props with several actors. While cross-institutional coordination may help accelerate field enforcement, it may also blur the boundary between participant responsibility, KPU coordination, Bawaslu supervision, and local government public-order functions. This blurred division of roles may reduce the deterrent effect of the law because participants may assume that the removal of campaign props will eventually be handled by joint teams. In this condition, enforcement becomes reactive rather than preventive, and the quiet period may fail to function as a fully neutral space for voters [13], [14].

Previous studies have discussed campaign regulation, electoral supervision, public perception of campaign props, and the role of electoral management bodies in maintaining

electoral integrity. Studies on campaign prop supervision show that campaign media often create practical problems in public spaces when participants do not comply with installation and removal rules [5], [7]. Other studies emphasize the importance of Bawaslu and integrated law-enforcement mechanisms in responding to electoral violations [8], [11], [12]. However, limited attention has been given to the specific disharmony between the legal framework for campaign prop removal in general elections and regional elections, especially regarding the difference between the one-day and three-day removal deadlines and the institutional consequences of such difference. This gap is important because both general elections and regional elections involve similar democratic values, similar campaign instruments, and similar risks to voter freedom during the quiet period. Based on this background, this article examines the regulatory disharmony concerning the removal of campaign props during the quiet period in Indonesian general elections and regional head elections. The analysis focuses on two main issues: first, the forms of disharmony in the regulation of campaign prop removal; and second, the implications of such disharmony for legal certainty and the effectiveness of electoral supervision. This study offers a normative contribution by proposing that the regulation of campaign prop removal should be harmonized through clearer deadlines, stronger participant responsibility, more precise institutional role distribution, and firmer legal consequences for non-compliance. Such harmonization is necessary to strengthen the quiet period as a neutral democratic space, protect voter freedom, and ensure equal treatment among electoral participants [15].

II. RESEARCH METHODS

Pembahasan This study employed normative legal research because its primary object of analysis is the disharmony of legal norms governing the removal of campaign props during the quiet period in Indonesian general elections and regional head elections. Normative legal research is appropriate for examining legal rules, legal principles, statutory consistency, and the relationship between legal certainty and institutional authority. The study used a statutory approach and a conceptual approach. The statutory approach was applied to examine the relevant electoral regulations, particularly Bawaslu Regulation Number 11 of 2023 concerning the supervision of election campaigns [9] and KPU Regulation Number 13 of 2024 concerning campaigns in regional head elections [10]. Meanwhile, the conceptual approach was used to interpret the concepts of legal certainty, electoral fairness, institutional accountability, and supervisory effectiveness within electoral governance [15], [16].

The legal materials used in this study consisted of primary and secondary legal materials. Primary legal materials included the 1945 Constitution of the Republic of Indonesia, Law Number 7 of 2017 concerning General Elections as amended by Law Number 7 of 2023, laws concerning regional head elections, Bawaslu Regulation Number 11 of 2023, and KPU Regulation Number 13 of 2024. Secondary legal materials included books, journal articles, legal commentaries, previous studies, and scholarly writings related to election law,

campaign regulation, electoral supervision, and legal harmonization. These materials were collected through library research by identifying, classifying, and reviewing legal sources relevant to campaign props, the quiet period, participant responsibility, and the institutional roles of KPU, Bawaslu, local governments, political parties, candidate pairs, and campaign teams [17], [18].

The data analysis was conducted qualitatively using prescriptive and analytical legal reasoning. First, the study compared the legal provisions governing the deadline for campaign prop removal in the general election and regional election regimes. Second, it analyzed the allocation of responsibility among electoral participants, KPU, Bawaslu, and local governments. Third, it evaluated the implications of regulatory disharmony for legal certainty and the effectiveness of electoral supervision. The analysis was directed not merely at describing regulatory differences, but also at formulating a normative argument for harmonizing deadlines, clarifying institutional authority, strengthening participant responsibility, and establishing clearer legal consequences for non-compliance. This methodological design enables the study to contribute to the development of electoral law by offering a more coherent regulatory framework for protecting the quiet period as a neutral democratic space [19], [20].

III. RESULT AND DISCUSSION

Forms of Regulatory Disharmony in the Removal of Campaign Props during the Quiet Period

The results of this study show that the regulation of campaign prop removal during the quiet period in Indonesia contains several forms of disharmony between the general election regime and the regional head election regime. The first form is temporal disharmony. In the general election regime, Article 25 of Bawaslu Regulation Number 11 of 2023 provides that election supervisors ensure that campaign props have been removed by election participants no later than one day before voting day [9]. Meanwhile, in the regional election regime, Article 28 paragraph (5) and Article 39 paragraph (3) of KPU Regulation Number 13 of 2024 provide that campaign props must be removed no later than three days before voting day [10]. Although the difference appears to concern only a two-day interval, in electoral law this distinction is significant because the quiet period is short, procedurally sensitive, and directly related to the protection of voter freedom.

This temporal disharmony may create unequal standards of protection between voters in general elections and voters in regional head elections. In the regional election regime, voters are normatively given a longer period free from visual campaign exposure because campaign props must be removed three days before voting day. In the general election regime, however, the removal deadline is closer to voting day. This condition may narrow the effective neutrality of the quiet period and allow campaign messages to remain visible for a longer time in public spaces. Campaign props are not neutral objects; they contain images, names, ballot numbers, party symbols, slogans, and political identity markers. Therefore, when they remain installed during or near the quiet period, they

may function as passive campaign instruments and continue to influence voters indirectly [21].

The second form is disharmony in the subject of responsibility. Article 25 of Bawaslu Regulation Number 11 of 2023 emphasizes that campaign props must be removed by election participants, while Bawaslu supervises and ensures compliance [9]. This model places electoral participants as the primary responsible actors and Bawaslu as the supervisory institution. In contrast, Article 28 paragraph (6) of KPU Regulation Number 13 of 2024 provides that provincial and regency/city KPU offices conduct the removal of campaign props in coordination with candidate pairs, political parties or coalitions, Bawaslu, and local governments [10]. This model creates a more collective institutional arrangement. Although coordination is important, the formulation may blur the distinction between participant responsibility, KPU administrative coordination, Bawaslu supervisory authority, and local government public-order functions.

The third form is institutional disharmony. In the general election regime, the supervisory role is more clearly attached to Bawaslu as an institution responsible for ensuring compliance with campaign rules. In the regional election regime, KPU is also explicitly involved in the coordination of campaign prop removal. In practice, this may create different institutional expectations across electoral regimes. The general election framework tends to emphasize participant compliance under Bawaslu supervision, while the regional election framework tends to rely on a joint coordination mechanism involving KPU, Bawaslu, electoral participants, and local governments. This difference may generate uncertainty regarding which institution should take the leading role when campaign props remain installed beyond the legal deadline [19], [22].

The fourth form is disharmony between main campaign props and additional campaign props in the regional election regime. Article 28 paragraph (6) of KPU Regulation Number 13 of 2024 assigns KPU offices a role in conducting campaign prop removal through coordination with relevant actors. Meanwhile, Article 39 paragraph (4) states that additional campaign props must be removed by candidate pairs, political parties or coalitions, and/or campaign teams [10]. This distinction is important because campaign props installed or added by participants should logically remain under participant responsibility. However, when the regulation also involves KPU and local governments in removal activities, participants may perceive that the burden of removal can eventually be transferred to electoral management bodies or public-order authorities.

Implications for Legal Certainty

The disharmony identified above directly affects legal certainty. Legal certainty requires rules to be clear, consistent, predictable, and enforceable. In the context of campaign prop removal, legal certainty means that electoral participants must know exactly when campaign props must be removed, who must remove them, which institution supervises the obligation, and what consequences arise when the obligation is ignored. The different deadlines between the one-day rule in the general election regime and the three-day rule in the regional election regime may weaken the clarity of legal standards. For similar

objects and similar democratic objectives, the law provides different temporal requirements [23].

Legal certainty is particularly important in elections because electoral stages are bound by strict schedules. A minor ambiguity in timing may lead to unequal treatment among participants. Participants who comply with the removal obligation may lose visual exposure earlier, while participants who delay removal may still benefit from campaign visibility. This situation may create unfair competition because campaign props left in public spaces continue to communicate political messages even after the formal campaign period ends. In this sense, legal uncertainty does not only affect administrative order but also touches the principle of electoral justice [24].

The absence of a fully harmonized framework also creates space for strategic non-compliance. Participants may delay removal if they believe that joint teams consisting of KPU, Bawaslu, local governments, Satpol PP, police, or other institutions will eventually conduct field removal. When this happens, the legal obligation of participants becomes weaker in practice. The removal of campaign props may shift from being a participant-based duty into a routine institutional operation. This condition reduces the deterrent effect of electoral regulation and weakens the normative function of the quiet period [25].

Furthermore, unclear responsibility may weaken institutional accountability. If campaign props remain visible during the quiet period, it may be difficult to determine whether the failure lies with electoral participants, KPU coordination, Bawaslu supervision, or local government enforcement. In a well-designed electoral governance system, institutional roles should be complementary rather than overlapping. KPU should administer and coordinate electoral stages, Bawaslu should supervise compliance and respond to violations, local governments should assist in matters of public order, and participants should bear the primary obligation to remove their own campaign materials. Without such clarity, regulatory implementation may depend more on informal coordination than on firm legal commands [26].

Implications for the Effectiveness of Electoral Supervision

The effectiveness of electoral supervision depends not only on the authority of supervisory bodies but also on the clarity of the norms being supervised. Bawaslu can supervise campaign prop removal effectively when the deadline, responsible subject, prohibited conduct, and legal consequences are clearly formulated. If the regulation contains different deadlines and overlapping institutional responsibilities, supervision becomes more complicated. Bawaslu may be required not only to supervise compliance but also to participate in technical field operations for campaign prop removal. This may reduce the strategic focus of electoral supervision and transform Bawaslu's role into a reactive field-enforcement function [19], [27].

In several electoral practices, campaign prop removal during the quiet period has often been conducted by joint teams involving electoral management bodies, local governments, and security institutions. This pattern may be practically useful because it accelerates the physical removal of campaign props. However, from a legal-supervisory perspective, it also shows that participant compliance has not become the central

mechanism of rule implementation. If participants consistently wait for joint teams to remove campaign props, the law becomes less effective in shaping voluntary compliance. The supervisory system then works after non-compliance occurs, rather than preventing non-compliance from the beginning [28].

The disharmony also affects the allocation of institutional resources. Instead of focusing on the documentation of violations, legal assessment, recommendation, prevention, and public education, supervisory bodies may be absorbed into repeated technical removal operations. This is inefficient because campaign prop removal should primarily be performed by participants who install and benefit from those props. Electoral institutions should intervene only when participants fail to comply. Therefore, the regulation should explicitly affirm that participant responsibility is primary, while institutional intervention is secondary, corrective, and accompanied by legal consequences [29].

The effectiveness of supervision also depends on the availability of sanctions. If participants who fail to remove campaign props only face administrative warnings or informal removal by joint teams, the obligation may not produce a strong compliance effect. Clear sanctions are necessary to prevent campaign props from remaining in public spaces during the quiet period. These sanctions may include written warnings, administrative records of non-compliance, removal costs charged to participants, restrictions on future campaign facilitation, or other lawful consequences consistent with electoral regulations. Without clear consequences, the obligation to remove campaign props may be treated as a procedural formality rather than a binding legal duty.

Harmonization Model for Campaign Prop Removal Regulation

Based on the findings, this study proposes a harmonization model for campaign prop removal during the quiet period. First, the deadline for removal should be standardized between the general election and regional election regimes. The most protective model is to require campaign props to be removed before the quiet period begins or no later than three days before voting day. This model provides voters with a more meaningful neutral period and reduces the possibility of passive campaigning through visual materials.

Second, the regulation should clearly establish electoral participants as the primary responsible actors. Political parties, candidate pairs, campaign teams, and other electoral participants are the actors that install, use, and benefit from campaign props. Therefore, they should also bear the legal responsibility for removing them. KPU may coordinate the electoral stage and provide technical guidance, Bawaslu may supervise and recommend enforcement measures, and local governments may support removal when campaign props violate public-order rules. However, these institutional functions should not replace the primary obligation of participants.

Third, the regulation should distinguish between voluntary compliance and institutional enforcement. Voluntary compliance occurs when participants remove campaign props within the legal deadline. Institutional enforcement occurs when participants fail to comply and public authorities

intervene. This distinction is important because institutional intervention should not become a substitute for participant responsibility. When intervention is necessary, the regulation should provide clear legal consequences for non-compliant participants.

Fourth, the regulation should strengthen preventive supervision. Bawaslu and KPU should not wait until the quiet period begins to identify problematic campaign props. Before the campaign period ends, electoral participants should receive formal reminders, location inventories, and removal schedules. Preventive coordination can reduce the number of campaign props remaining during the quiet period and minimize conflict during field removal. However, prevention must still be supported by firm sanctions because coordination without legal consequences may not be sufficient to change participant behavior.

Novelty and Contribution of the Study

The novelty of this study lies in its specific focus on regulatory disharmony between the general election and regional election regimes in relation to campaign prop removal during the quiet period. Previous studies have examined electoral supervision, Bawaslu's role, campaign violations, and Gakkumdu mechanisms, but the difference between the one-day deadline under Bawaslu Regulation Number 11 of 2023 and the three-day deadline under KPU Regulation Number 13 of 2024 has not been sufficiently analyzed as a distinct problem of legal harmonization. This study shows that the issue is not merely technical but is connected to legal certainty, electoral fairness, institutional accountability, and the effectiveness of supervision.

The contribution of this study is both theoretical and practical. Theoretically, it strengthens the discussion of legal certainty in electoral governance by showing that disharmony in administrative electoral rules may affect substantive democratic values. Practically, it provides a normative framework for improving campaign prop removal regulation. The study recommends harmonizing removal deadlines, affirming participant responsibility, clarifying institutional roles, strengthening preventive supervision, and establishing clearer legal consequences for non-compliance. These recommendations are expected to support the development of a more coherent electoral legal framework and to strengthen the quiet period as a neutral space that protects voter freedom and ensures equal treatment among electoral participants.

III. CONCLUSIONS

The disharmony in the regulation of campaign props during the quiet period can be seen from the difference in time limits and the division of roles between the election regime and the regional elections. In Article 25 of Perbawaslu Number 11 of 2023, the cleaning of APK in elections is ensured by election supervisors no later than one day before voting day. Meanwhile, Article 28 paragraph (5) and Article 39 paragraph (3) of PKPU Number 13 of 2024 stipulate that APKs in regional elections must be cleaned no later than three days before voting day. These differences show that the APK cleaning arrangement does not have uniform standards, both in terms of time, participant responsibility, and the role of the KPU, Bawaslu,

and local governments. The disharmony has implications for legal certainty and the effectiveness of supervision. If the deadline and division of authority are not formulated firmly, election participants or candidate pairs have the opportunity to postpone the cleaning of the APK until the organizer or local government comes down directly. This situation can interfere with the principle of electoral justice because APKs that are still installed during the quiet period still provide visual advantages for certain participants. The arrangement for the cleaning of APK needs to be directed at harmonizing the deadline, affirming the main responsibilities of the participants, and strengthening the legal consequences for participants who do not carry out their obligations.

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