

The Ideal and Reality of Election Law Enforcement in Indonesia

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Abstract. Elections are a cornerstone of democracy as well as a mechanism for the distribution of power and political accountability in Indonesia. The enforcement of laws against election violations determines the extent to which the principles of direct, universal, free, secret, honest, and fair elections are truly realized in practice. This article aims to analyze the gap between the ideal norms of election law enforcement and the empirical reality of their implementation following the reform era. The research employs a normative-empirical legal methodology through the study of legislation, institutional design, court rulings, official election oversight data, and an examination of several representative cases of violations. The findings indicate that Indonesia has established a relatively comprehensive regulatory and institutional framework through the KPU, Bawaslu, DKPP, and Sentra Gakkumdu to govern the regime of administrative, ethical, and criminal sanctions. However, the effectiveness of law enforcement, particularly regarding criminal election violations, remains weak and tends to be symbolic. Three main factors hindering this are the lack of clarity regarding norms and standards of proof, fragmented inter-institutional coordination, and a permissive political culture that tolerates repeated violations. This article concludes that there is a need to refine regulations, strengthen institutional capacity and enforcement coordination, and prioritize political education and voter legal literacy to reinforce electoral integrity and electoral justice in Indonesia. Normative recommendations include simplifying the formulation of electoral criminal offenses, increasing investigative resources, and expanding access to electoral justice mechanisms for citizens. These findings are expected to contribute to academic debate and the future agenda for electoral regulatory reform.

Keywords: Democratic Integrity; Electoral Law; Electoral Violations; Electoral Justice; Law Enforcement.

1. Introduction

General elections are a fundamental mechanism of modern democracy. Through elections, citizens choose their representatives and political leaders, confer legitimacy upon government authorities, and establish political accountability (Paudel & Pahari, 2024). Therefore, the success of an election cannot be measured solely by the fulfillment of technical procedures such as voter registration, polling station operations, and vote counting, but must also be assessed based on the integrity of the electoral process itself. Electoral integrity requires that elections be free from fraud, coercion, and practices that undermine voters' freedom of choice. Consequently, the enforcement of laws against electoral violations becomes a central instrument in safeguarding the quality of democracy and maintaining public trust in election results.

Elections serve a dual function in a democratic system. On the one hand, they confer a normative mandate on elected officials; on the other, they serve as a mechanism of political control over the governing elite. Contemporary democratic theory emphasizes electoral integrity as a core indicator of democratic health, going beyond the mere existence of elections to encompass freedom, order, and fairness in the electoral process. International monitoring organizations and academic literature consistently underscore that strong institutions, clear legal rules, and consistent law enforcement are essential prerequisites for elections to truly reflect the sovereignty of the people. International IDEA further develops this perspective through the concept of electoral justice, defined as a system of legal and administrative mechanisms designed to effectively resolve electoral disputes and violations in order to foster public trust in the electoral process.

However, recent experiences in many developing countries, including Indonesia, show that a legal framework that is well-designed on paper does not automatically guarantee free and fair elections in practice. Ongoing challenges such as vote-buying, the misuse of public resources, disinformation, and limited institutional capacity among law enforcement agencies create a significant gap between legal ideals and empirical reality. The consequences of this gap are not merely technical. Public distrust in the electoral process can erode the legitimacy of government elections and generate prolonged political tensions that threaten democratic stability.

Law enforcement regarding election violations operates on several interconnected levels: (1) prevention through clear legal norms and sanctions; (2) enforcement through the handling of violations, whether administrative, ethical, or criminal; and (3) remedial mechanisms, including judicial review and dispute resolution regarding election results. Without effective enforcement,

election regulations risk serving merely as symbolic instruments, incapable of producing a deterrent effect. In the Indonesian context, an institutional architecture comprising the General Election Commission (KPU), the Election Supervisory Agency (Bawaslu), the Election Organizers' Honorary Council (DKPP), and the Integrated Gakkumdu Center which involves the police and public prosecutors has been designed to bridge the domains of prevention, law enforcement, and accountability (Nasef, 2014). However, the effectiveness of this architecture depends heavily on institutional capacity, independence, and inter-agency cooperation, all of which frequently emerge as weaknesses in practice.

Annual reports and official statements from the Election Supervisory Agency (Bawaslu) indicate that although thousands of reports and findings of election violations were recorded during the election period, only a small fraction were referred for formal investigation and court rulings. This pattern reveals a significant bottleneck in converting findings into enforcement (Tempo, 2024). Such a gap in law enforcement highlights systemic weaknesses in electoral justice mechanisms and raises questions about the deterrent capacity of the existing legal framework. Therefore, despite the existence of a legal framework and law enforcement agencies, the misalignment between normative expectations (law on the books) and empirical practice (law in action) remains a major challenge. Addressing this issue requires a combination of regulatory reforms, institutional strengthening, enhanced forensic and investigative capabilities, improved interagency coordination, and sustained political education and media literacy programs over the medium to long term.

The literature review in this study was conducted to provide a coherent theoretical and empirical foundation for analyzing election law enforcement in Indonesia. Rather than serving merely as a descriptive overview of previous studies, this review is designed to clarify conceptual boundaries, identify analytical perspectives, and position the current research within the existing scholarly debate on electoral integrity and law enforcement.

The first strand of the literature focuses on theoretical perspectives regarding electoral integrity and electoral justice. Contemporary democratic theory emphasizes that elections must be evaluated not only through procedural compliance but also through substantive integrity, justice, and accountability. Scholars and international organizations conceptualize electoral integrity as a multidimensional construct encompassing legal certainty, institutional independence, and effective law enforcement mechanisms (Van Ham & Garnett, 2019). The International IDEA framework on electoral justice is particularly influential in this regard, as it defines electoral justice as a system of legal and administrative mechanisms aimed at preventing, adjudicating, and remedying

electoral violations to maintain public trust. This body of literature provides the normative benchmarks used to assess Indonesia's electoral enforcement framework.

The second section examines general theories of law enforcement and legal systems, particularly those that emphasize the interaction between legal norms, institutions, and social contexts. Legal scholars argue that the effectiveness of law enforcement is shaped not only by the clarity of legal rules but also by institutional capacity and legal culture. Friedman's legal system theory, which conceptualizes law as an interaction between legal substance, legal structure, and legal culture, is highly relevant for understanding why formally comprehensive regulations may fail to produce effective law enforcement outcomes. This theoretical perspective allows for the analysis of electoral law enforcement as a systemic process rather than a purely procedural or technical issue (Friedman & Hayden, 2026).

A third strand of literature addresses empirical studies on electoral violations and law enforcement practices, particularly in developing democracies. Research consistently highlights recurring patterns of violations such as vote-buying, misuse of state resources, and breaches of bureaucratic neutrality. Empirical findings also reveal that law enforcement mechanisms often face evidentiary hurdles, inter-agency coordination issues, and political interference. In the Indonesian context, several studies indicate that although oversight bodies record a high number of reported violations, only a small fraction result in formal legal sanctions. This literature underscores the persistent gap between the normative legal framework and its implementation in practice (Aspinall & Berenschot, 2019; Mahfud, 1998)

The final strand of the literature focuses on institutional design and accountability in electoral governance. Studies in this area examine the roles of electoral management bodies, oversight institutions, and integrated enforcement mechanisms in safeguarding electoral integrity. Comparative research indicates that multi-institutional enforcement models can enhance accountability when supported by clear mandates, effective coordination, and institutional independence. However, without these supporting conditions, fragmented authorities and overlapping jurisdictions can undermine the effectiveness of law enforcement. This strand of the literature provides a foundation for evaluating Indonesia's electoral enforcement architecture, particularly the roles of Bawaslu, DKPP, and the Integrated Gakkumdu Center. By compiling a literature review around these four interrelated strands electoral justice, law enforcement theory, empirical patterns of violations, and institutional governance this study establishes a comprehensive analytical framework. This framework not only situates the current research within the

existing body of scholarship but also highlights the analytical gap addressed by this article: the persistent mismatch between the normative ideals of electoral law enforcement and their empirical realization in Indonesia.

A number of recent studies have examined the challenges of enforcing election law in Indonesia from various normative and empirical perspectives. Research by Borman, Marwiyah, Cornelis, and Kaewhanam in an article titled “Model for Resolving Election Violations Through the Indonesian Election Body and Constitutional Court” asserts that the resolution of procedural violations and disputes over election results has not been optimal, and thus proposes a resolution model based on strengthening the commitment to law enforcement by the Election Supervisory Agency and the Constitutional Court, as well as critical public participation (Borman dkk., 2024). Furthermore, the study by Zarkasi, Putra, Putra, and Asuhaimi in **Indonesia’s 2024 Election: Constitutional Court Perspectives on Electoral Violations** identifies administrative, ethical, and criminal violations in the 2024 election, finding that regulatory complexity and government intervention are dominant factors undermining electoral integrity (Zarkasi dkk., 2025).

Meanwhile, Harahap, Busro, Priyono, and Sumardiana, in their study titled *Legal Framework for Resolving Election Violations in Indonesia: Towards Electoral Justice*, highlight the time constraints in handling cases, the limited effectiveness of sanctions, and coordination issues among law enforcement agencies that hinder the realization of electoral justice (Harahap dkk., 2025). A comparative study by Perbawa, Hanum, and Atabekov in *The Industrialization of Election Infringements in Simultaneous Elections: Lessons from Sweden* demonstrates an increase in the quantity and complexity of election violations in Indonesia compared to practices in Sweden, particularly regarding vote-buying and regulatory manipulation (Putra Perbawa dkk., 2024). Meanwhile, Huda, Arifin, Susanto, and Abdullah in *Evaluating the Election Law in Indonesia for Strengthening Democracy and Ensuring Honest and Fair Elections* identify structural weaknesses such as overlapping authorities, weak campaign oversight, and sanctions that lack a deterrent effect. In general, these five studies focus on normative-institutional aspects and regulatory reform within the framework of electoral justice (Huda dkk., 2025).

However, there has not yet been a comprehensive study that dialectically examines the relationship between the legal ideal (*das sollen*) in the normative design of electoral law enforcement and the empirical reality (*das sein*) of how violations are handled in practice. Therefore, this article offers a novel approach in the form of an integrative analysis of the normative and empirical dimensions to assess the implementation gap in the enforcement of election law violations in Indonesia, thereby providing theoretical and practical contributions to

strengthening democratic integrity and the effectiveness of the electoral justice system. Consequently, this study addresses key questions regarding election violations: how is the ideal model of election law enforcement conceptualized within regulatory and theoretical frameworks; how are election violations handled in practice; and what factors hinder effective enforcement, along with potential strategies for improvement. The objective of this study is to analyze the normative-institutional framework of electoral law enforcement, map implementation challenges based on empirical findings and decisions, and propose recommendations for strengthening electoral justice in Indonesia.

2. Research Methods

This study employs a normative-empirical legal research method, combining doctrinal legal analysis with an empirical examination of electoral law enforcement practices in Indonesia. This approach is appropriate for legal research that seeks to examine not only the normative structure of the law (the law on the books) but also its practical implementation (the law in action), particularly in the context of electoral justice (Moh Nazir, 2021).

The normative component focuses on the analysis of legal norms governing the enforcement of electoral law. The primary legal materials examined include the 1945 Constitution of the Republic of Indonesia, Law No. 7 of 2017 on General Elections, regulations issued by the General Elections Commission (KPU) and the Elections Supervisory Agency (Bawaslu), as well as decisions by relevant judicial and quasi-judicial bodies, including the Honorary Council for Election Administrators (DKPP). Secondary legal materials consist of academic books, peer-reviewed journal articles, policy reports, and international election standards, particularly those developed by International IDEA. These materials were analyzed to identify the ideal legal framework, institutional design, and normative principles underpinning the enforcement of election law.

The empirical component of this study draws on secondary empirical data obtained from official reports published by Bawaslu, media investigations, and documented cases of election violations from recent election cycles. These sources provide insights into patterns of violations, enforcement outcomes, and institutional performance. Empirical data is used to assess how electoral law enforcement operates in practice, including the handling of administrative, ethical, and criminal violations, as well as the role of the Integrated Gakkumdu Center.

Data collection was conducted through documentary research, involving the systematic identification, classification, and review of legal texts, institutional reports, and case documentation relevant to election violations. The collected data was analyzed qualitatively using a descriptive-analytical method, with an

emphasis on interpretation, comparison, and contextualization. Normative provisions were compared with empirical findings to identify gaps, inconsistencies, and structural constraints affecting the effectiveness of law enforcement. The analytical framework of this study is informed by legal systems theory, particularly the interaction between legal substance, legal structure, and legal culture. This framework enables a comprehensive assessment of how regulatory design, institutional capacity, and socio-political attitudes collectively influence the enforcement of election laws. By integrating normative and empirical analysis, this study aims to provide a balanced evaluation of electoral justice mechanisms and formulate well-reasoned recommendations to strengthen the enforcement of laws against election violations in Indonesia.

3. Result and Discussion

3.1. The Conceptual Framework for Law Enforcement in Electoral Governance

The findings of this study indicate that law enforcement in the context of elections cannot be understood merely as the mechanical application of written rules. Rather, it is a comprehensive process aimed at ensuring that legal norms operate effectively in practice, encompassing prevention, investigation, adjudication, and enforcement. Modern legal perspectives emphasize that effective law enforcement is shaped not only by the existence of legal norms but also by institutional capacity and a supportive legal culture. This aligns with a legal systems framework that conceptualizes law as an integrated interaction between legal substance, legal structure, and legal culture—three elements that collectively determine whether law remains symbolic or becomes operative in social reality.

In electoral governance, law enforcement functions as an integral component of electoral justice, defined as a set of legal and administrative mechanisms designed to prevent, address, and remedy electoral violations to ensure free, fair, and credible elections. Without effective enforcement mechanisms, even the most sophisticated regulatory frameworks cannot restore public confidence in election results. Indonesia's electoral system formally adopts this perspective on electoral justice through regulatory design and institutional arrangements; however, empirical reality reveals persistent implementation challenges.

Soekanto's proposed conceptualization of law enforcement further reinforces this analysis. According to Soekanto (2011), the effectiveness of law enforcement is influenced by various interdependent factors, including legal rules, law enforcement agencies, facilities and infrastructure, social conditions, and cultural values. This framework underscores that the law does not operate in isolation; it requires institutional actors, operational tools, and socio-cultural support. Empirical findings on election law enforcement in Indonesia reflect this

multidimensional interdependence, as weaknesses in any one of these factors tend to undermine the outcomes of law enforcement.

Friedman's legal system theory reinforces this conclusion by emphasizing that the substance, structure, and culture of the law must function harmoniously for law enforcement to be effective. In electoral governance, misalignment among these elements such as a political culture permissive of vote-buying or institutional coordination failures causes electoral law enforcement to lose its deterrent power. These findings confirm that the challenges of electoral law enforcement in Indonesia are systemic rather than incidental.

3.1.1. Patterns of Recurring Election Violations in Indonesia

The empirical evidence examined in this study indicates that election violations in Indonesia exhibit recurring and structural patterns. The most prominent forms include vote-buying (political bribery), violations of bureaucratic neutrality involving civil servants and village officials, the misuse of state facilities for campaign purposes, manipulation of voter administration, and the dissemination of disinformation that disrupts public access to election information.

Research on vote-buying indicates that this practice is embedded in local political structures and influenced by economic conditions, patron-client relationships, and prevailing social norms. Consequently, law enforcement strategies that rely solely on punitive measures are insufficient without complementary political education and public awareness initiatives. Studies on young voters in the 2024 election reveal a growing rejection of money politics among certain segments; however, deep-rooted cultural tolerance for transactional politics remains strong in many communities (Megawati dkk., 2025).

From a legal classification perspective, election violations in Indonesia can be divided into three main categories. Administrative violations involve breaches of election procedures, such as inaccuracies in voter rolls or technical errors in vote tabulation. These violations fall under the authority of Bawaslu and are often resolved through corrective recommendations rather than sanctions. Criminal election violations, including vote buying and voter intimidation, involve the Integrated Law Enforcement Center (Sentra Gakkumdu) but often face evidentiary hurdles that limit the success of prosecutions. Ethical violations committed by election organizers are adjudicated by the Election Organizers' Honorary Council (DKPP), which has demonstrated relatively stronger enforcement capacity through disciplinary sanctions.

Empirical patterns indicate that while administrative and ethical mechanisms function relatively consistently, criminal enforcement remains the weakest

dimension of electoral justice. This imbalance highlights structural enforcement gaps within Indonesia's electoral legal framework.

Table of Election Violations in 2024 (National)

Type of violation	Estimated number of cases (nationwide)	Type of election
Administrative election violations	63–71 cases of administrative violations that have been registered and ruled as violations (TB News, 2024)	2024 General Elections (Presidential, House of Representatives, Regional Representative Council, Regional Legislative Council) (antaranews.com, 2024)
Violations of the election organizers' code of ethics	±226–245 cases of violations of the election organizers' code of ethics	
Alleged election-related criminal offenses	±39–63 cases of alleged election-related criminal violations handled by Bawaslu, some of which were referred to Gakkumdu/the National Police	
Other legal violations	±123–131 cases of other legal violations (excluding administrative, criminal, and code of ethics violations)	
Total violations officially confirmed by Bawaslu (all types)	±468–531 cases from registered reports and findings	
Total reports and findings of alleged violations (not all of which have been proven)	±1,116–1,271 public reports and ±606–650 supervisory findings, some of which have been registered and processed	

3.1.2. The Gap Between Ideal and Actual Practices in Election Law Enforcement in Indonesia

These findings further reveal a significant gap between the normative legal ideals that form the foundation of a clean and fair electoral legal system and the reality of enforcement practices on the ground. This discrepancy can be analyzed through three main dimensions: legal substance, institutional structure, and political and social legal culture.

First, legal substance poses its own challenges due to ambiguities in statutory provisions and high evidentiary thresholds for certain violations, particularly in cases of vote buying and the misuse of public resources. The norms in legislation do indeed comprehensively regulate prohibitions and sanctions against such practices. However, implementation faces obstacles due to provisions that are broadly formulated and often open to multiple interpretations, making it difficult for law enforcement officials to construct strong indictments. On the other hand, proving election violations requires specific and direct evidence, while money politics often occurs covertly through transactional relationships that are not easily traced. As a result, many cases stall at the investigation stage without proceeding to prosecution. This situation ultimately undermines legal certainty, reduces the deterrent effect, and creates the impression that the law is unable to reach violations that have become entrenched within the dynamics of electoral politics.

Second, institutional structures and interagency coordination also pose recurring and systemic obstacles. Institutions such as the Integrated Law Enforcement

Center (Gakkumdu) were actually designed to strengthen synergy between oversight bodies (Bawaslu), the police, and the prosecutor's office in handling election-related crimes. However, in practice, the effectiveness of this institution is often hampered by internal factors, such as differences in bureaucratic culture, personnel turnover ahead of elections that reduce the continuity of case handling, as well as limitations in digital forensic and financial resources. Additionally, suboptimal coordination and convoluted administrative procedures frequently result in cases being discontinued at an early stage, whether due to technical reasons or the failure to meet the formal elements of the offense (Efa Rodiah Nur dkk., 2025). Based on empirical studies and media reports, only a small fraction of the violations identified during the 2019–2024 election cycle actually proceeded to the formal prosecution stage. This reinforces the impression that law enforcement mechanisms remain largely symbolic and have not yet become effective instruments in ensuring electoral integrity.

Third, political and social legal culture also determines the degree of success in law enforcement. The main issue lies in the high level of public tolerance toward money politics and the weak public legal awareness. In some regions, the distribution of money or goods during the campaign period has been regarded as a “political tradition” that is difficult to eradicate. The lack of a reporting culture is further exacerbated by fear of political or social pressure, as well as the perception that such violations are commonplace and do not directly impact the quality of democracy (Riwanto dkk., 2021). On the other hand, political interference in law enforcement agencies can weaken the independence of enforcement processes, particularly if the perpetrators are affiliated with the ruling elite or political parties. Nevertheless, various preventive efforts continue to be undertaken, such as voter education programs, the establishment of “anti-vote-buying villages,” and public awareness campaigns by the Election Supervisory Agency (Bawaslu) and civil society organizations. These efforts demonstrate positive potential, but they will only be effective if implemented sustainably and supported by cross-sectoral collaboration among the government, civil society, and political parties to foster a political culture of honesty and integrity.

To summarize in a single illustration: in the 2024 elections, there were hundreds of reports of alleged election crimes, but only a small fraction could be processed through to a verdict due to challenges with the burden of proof and the interpretation of legal norms. Within the Gakkumdu Center, many cases were screened out or discontinued at the review and investigation stages, highlighting issues of coordination and institutional capacity. On the other hand, since communities in many regions still tolerate vote-buying, the Election Supervisory Agency (Bawaslu) needs to establish “vote-buying-free villages” as a long-term cultural initiative, rather than relying solely on formal enforcement.

Thus, the gap between ideal legal norms and enforcement practices on the ground reflects not merely technical or institutional issues, but also demonstrates how social and political dynamics shape the effectiveness of the law. Improvement is not sufficient through regulatory revisions alone but requires systemic reform: enhancing the capacity of law enforcement officials, strengthening inter-institutional coordination, and fostering social awareness that the law must serve as a moral and behavioral guide for political conduct in a democracy.

3.2. The Ideal State of Election Law Enforcement in Indonesia

This analysis confirms that the ideal model of electoral law enforcement is grounded in a set of universally recognized democratic principles, which simultaneously serve as both ethical and legal benchmarks for any electoral institutional design: the rule of law, legal certainty, justice, neutrality, and accountability. This normative framework serves not only as an abstract standard but also as a benchmark for assessing the extent to which electoral law enforcement practices align with the promised constitutional and democratic values. In the Indonesian context, these principles are implied or explicitly stated in the constitution, election laws, and various subordinate legal instruments; however, their implementation still faces various structural and cultural challenges.

The rule of law requires all electoral actors political contestants, election organizers, law enforcement officials, and state officials to be subject to the rule of law without exception. In the tradition of Dicey's thought, the rule of law serves as a safeguard against the abuse of power and as a guarantee that political power is not exercised arbitrarily, but is limited and guided by the law. Hadjon asserts that in the context of a rule-of-law state, legal protection for the people can only be realized if the law is truly placed above political power (Dicey & Wade, t.t.; Hadjon, 1987). Within the framework of electoral law enforcement, the rule of law means that electoral violations—whether committed by strong candidates, incumbents, or high-ranking officials—must be prosecuted under the same standards as violations by other actors. However, when enforcement is selective, inconsistent, or subject to political pressure, the principle of the rule of law erodes and ultimately undermines the legitimacy of democracy as well as public trust in the electoral process.

Legal certainty requires regulations that are clear, unambiguous, and consistent, and that are supported by effective and predictable dispute resolution mechanisms. Jimly Asshiddiqie emphasizes that in a constitutional state, legal certainty is one of the main pillars ensuring that the rights and obligations of citizens, including the right to vote and the right to be elected, can be exercised

in an orderly manner and are protected (Asshiddiqie, 2021). In Indonesia's electoral governance, the complexity and overlapping of authority among various institutions—such as the General Election Commission (KPU), the Election Supervisory Agency (Bawaslu), the Election Dispute Settlement Body (DKPP), the general courts, and the Constitutional Court—often lead to confusion regarding the appropriate dispute resolution channels. Furthermore, inconsistent enforcement of sanctions for administrative, ethical, or criminal violations causes legal norms to lose their pedagogical and preventive functions. Under such conditions, election participants find it difficult to predict the legal consequences of an action, while voters struggle to believe that existing rules will indeed be consistently enforced.

Justice in the electoral context is understood not only as procedural justice but also as substantive justice. Drawing on Rawls's thought, justice demands equal treatment (equality) for all election participants, as well as the structuring of institutions in such a way that they do not grant undue advantages to specific groups. In the enforcement of electoral law, justice requires that the sanctions imposed be proportional to the degree of the violation, non-discriminatory, and not influenced by the political or economic power of the perpetrator (Rawls, 2016). If serious violations such as systemic vote-buying, the misuse of state facilities, or the manipulation of vote tabulation are not dealt with firmly, while minor violations are instead met with severe sanctions, then elections risk becoming merely a procedural ritual that conceals substantive injustice. In such situations, formal legality does not automatically correlate with the moral or democratic legitimacy of election results (Zulfaidah & Kholik, 2026).

Neutrality is a crucial prerequisite for the conduct of truly free and fair elections. This neutrality is particularly demanded of the bureaucracy, security forces, and law enforcement agencies, which are normatively obligated to maintain an equal distance from all candidates (Aspinall & Berenschot, 2019). However, studies on clientelistic politics and patronage in Indonesia indicate that the practice of buying and selling support and patron-client relationships often erode bureaucratic neutrality, particularly among civil servants and local officials. Aspinall and Berenschot, for example, describe how clientelistic networks encourage some officials to actively or covertly facilitate specific candidates, whether through the mobilization of state resources or structural influence on the ground. When the neutrality of the bureaucracy and law enforcement is compromised, the process of addressing election violations becomes easily perceived or even directed as a political tool rather than an instrument of justice.

Finally, accountability requires transparency and openness throughout the entire electoral law enforcement process, from the receipt of reports and the handling of findings to the final decision-making. International IDEA emphasizes that

public accountability in electoral law enforcement is a key element of the concept of “electoral justice,” which ensures that any violation of voting rights or electoral integrity can be addressed through legitimate, independent mechanisms free from political manipulation (IDEA, 2023). Accountability requires electoral law enforcement agencies to provide clear justifications for every decision, allow for public oversight and appeal mechanisms, and make data and information accessible. Without accountability, the law enforcement process tends to be opaque, difficult to monitor, and prone to being used as a tool for political bargaining among interested parties.

Although these principles have been formally recognized within Indonesia’s electoral legal framework including in the constitution, the electoral law, and its implementing regulations their implementation in practice remains far from ideal. In line with Mahfud MD’s observation, there is a persistent gap between “law on the books” and “law in action,” indicating that the existence of written norms does not automatically guarantee the realization of justice on the ground. This divergence underscores the need for systemic reform that goes beyond mere improvements to regulatory design. Such reform must include institutional strengthening (independence, capacity, and integrity of officials), restructuring the relationships among election law enforcement agencies, and transforming the political and legal culture in society so that these normative principles do not remain merely declarative but truly function as guidelines for behavior and practice at every stage of the election.

3.2.1. Electoral Law Enforcement

An analysis of election law enforcement in Indonesia reveals several tangible outcomes resulting from the existing regulatory and institutional framework. The most immediate result is the establishment of a multi-tiered enforcement mechanism that distinguishes between administrative, ethical, and criminal election violations. This differentiation allows election violations to be addressed through specialized institutions: Bawaslu for administrative violations, DKPP for ethical violations by election organizers, and Sentra Gakkumdu for criminal offenses. Normatively, this design reflects a commitment to electoral justice by providing tailored procedures and sanctions for various types of violations.

Another significant outcome is the institutionalization of preventive and corrective measures within the electoral process. Preventive activities include regulatory oversight, voter education campaigns, and early warnings issued by Bawaslu during the electoral phase. Corrective measures are reflected in administrative recommendations to the General Election Commission (KPU), such as revisions to the voter list and adjustments to procedures. These measures contribute to procedural compliance and reduce technical

irregularities, although they often lack a strong deterrent effect (Direktori Putusan, t.t.).

In the realm of ethics enforcement, the Election Organizers' Honorary Council (DKPP) has produced relatively consistent outputs in the form of disciplinary sanctions against election officials who violate the principles of neutrality and professionalism. Such decisions reinforce ethical standards within electoral institutions and enhance internal accountability. Compared to other enforcement mechanisms, ethical adjudication yields clearer procedural outcomes and stronger public visibility.

However, outcomes in the criminal enforcement dimension remain limited. Although many reports of criminal election violations are recorded, only a small fraction proceed to investigation, prosecution, and court rulings. These results indicate that while formal legal enforcement structures exist, their practical outcomes particularly regarding punitive sanctions—remain weak. Consequently, the deterrent effect of criminal electoral law enforcement is minimal, allowing recurring violations such as vote-buying to persist throughout the electoral cycle. Overall, the results of electoral law enforcement in Indonesia demonstrate partial effectiveness. Administrative and ethical mechanisms produce observable results, while criminal enforcement remains largely symbolic. This imbalance suggests that the law enforcement system functions more effectively as a corrective and oversight mechanism than as a punitive one.

3.2.2. Sensitivity Analysis

The sensitivity analysis in this study examines how variations in legal, institutional, and sociopolitical factors influence the effectiveness of election law enforcement. The findings indicate that the outcomes of law enforcement are highly sensitive to changes in legal clarity, institutional capacity, the quality of coordination, and political culture.

First, the effectiveness of law enforcement is highly sensitive to the substance of the law, particularly the clarity and enforceability of statutory provisions. Election violations that require complex standards of proof, such as vote-buying, are significantly more difficult to prosecute. Minor variations in the availability of evidence often determine whether a case proceeds or is dismissed. This sensitivity reveals that legal design plays a decisive role in shaping the outcomes of law enforcement.

Second, institutional capacity and coordination represent critical factors of sensitivity. The effectiveness of the Gakkumdu Center is highly dependent on the availability of trained personnel, forensic resources, and shared interpretive standards among participating agencies. Organizational cultural differences

between oversight bodies and law enforcement agencies often create friction, reducing the efficiency of coordination. Personnel turnover and uneven expertise further amplify this sensitivity, leading to inconsistent enforcement outcomes across regions and election cycles.

Third, political and social legal culture significantly influences law enforcement performance. In communities where vote-buying is socially tolerated, reporting rates are low and social pressure for law enforcement is weak. Conversely, in contexts where public awareness and civic engagement are stronger, enforcement mechanisms tend to function more effectively. These findings confirm that legal culture acts as an amplifier or suppressor of law enforcement capacity.

Fourth, the outcomes of law enforcement are sensitive to political intervention and power asymmetries. When political interests exert influence over law enforcement agencies, legal processes become selective and inconsistent. Even limited interference can disrupt the course of law enforcement, illustrating the vulnerability of electoral justice mechanisms in politically contested environments.

Overall, this sensitivity analysis indicates that election law enforcement in Indonesia operates within a fragile balance. Minor changes in legal clarity, institutional coordination, or the political context can significantly alter the outcomes of law enforcement. This fragility explains why election law enforcement often fails to produce consistent deterrent effects despite a seemingly robust normative framework.

4. Conclusion

This study reveals that the primary challenge in enforcing election laws in Indonesia lies in the persistent gap between a comprehensive normative framework and the reality of implementation on the ground, where criminal law enforcement particularly regarding vote-buying remains largely symbolic compared to more consistent administrative enforcement. This ineffectiveness is driven by a combination of regulatory ambiguity, fragmented inter-agency coordination, and a permissive political culture that hinders the creation of a deterrent effect, thereby fueling a cycle of recurring election violations. To address this and uphold the legitimacy of democracy, multidimensional reforms are needed that focus not only on refining regulations and strengthening institutional investigative capacity but also on transforming the public's legal culture to ensure that elections are not merely procedural formalities but a reflection of substantive democratic values capable of maintaining public trust.

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