

The Quasi-Judicial Authority of Bawaslu in the Perspective of *Das Sollen* and *Fiqh Siyasah*

Dodi Afriyanto, Febrian, Iza Rumesten

Universitas Sriwijaya Palembang, Indonesia^{1,2,3}

Email: dodiafriyanto76@gmail.com

Keywords:

Bawaslu;

Das sollen;

Fiqh siyasah;

Quasi-judicial
authority.

DOI:

<https://doi.org/10.19109/nurani.v25i2.30257>

Submitted:

July 14, 2025

Accepted:

September 26, 2025

Published:

October 13, 2025

Pages: 462 - 472

Abstract: *This study examines the quasi-judicial authority of the General Election Supervisory Agency (Bawaslu) in handling administrative violations and disputes related to the electoral process, using das sollen and fiqh siyasah as the analytical framework. Bawaslu's authority is formally designed to reinforce legal certainty, yet its implementation still reveals significant imbalances. Evidence from practice shows inconsistencies between the normative dimension (das sollen) and the empirical reality (das sein), indicating that Bawaslu's institutional role as a quasi-judicial body continues to leave room for suboptimal law enforcement. The research applies a normative-comparative approach with case studies in Indonesia, Mexico, Costa Rica, and the Philippines. The analysis highlights the urgency of reconstructing Indonesia's electoral legal system, particularly Article 462 of Law No. 7 of 2017 on General Elections, so that Bawaslu's decisions acquire executorial power. Comparative findings reveal that Costa Rica, Mexico, and the Philippines have independent and robust electoral courts whose rulings are final and binding. Viewed from the perspective of fiqh siyasah, electoral justice is not limited to legal-formal mechanisms but also encompasses substantive justice that fulfills the function of hisbah (oversight) and safeguards the constitutional rights of citizens (hifz al-huquq).*

Introduction

General elections are a cornerstone of democracy in Indonesia and have undergone significant transformation since the 1998 Reform Era (Bayani et al., 2025; Rahmatullah et al., 2024). The amendments to the 1945 Constitution, particularly Article 1(2) and Article 22E, reaffirm the principle of popular sovereignty as the foundation for organizing inclusive and participatory elections. Nevertheless, numerous violations are still frequently found in the conduct of elections, including administrative infractions, money politics, intimidation, and voter mobilization (Aji et al., 2024). Instances of abuse of power have also occurred, particularly through the exploitation of state facilities for purposes other than the public interest (Oktarina & Mufakkar, 2024).

Moreover, the simultaneous implementation of elections under a multi-party system has generated legal challenges that have not yet been fully capable of ensuring substantive justice, particularly in the resolution of administrative disputes and electoral processes (Maulana & Mustikaningsih, 2019). In addition, the imbalance of power between election organizers and

supervisory bodies often hinders the realization of procedural justice, which constitutes one of the fundamental pillars of genuine democracy (Endrawati, 2024; Widodo & Prasetyo, 2011).

Previous studies have examined Bawaslu's role from various perspectives. For instance, Efriza and Wirman (2025) analyzed Bawaslu's authority in handling campaign violations through the lens of *siyasah dusturiyah*. Their study concluded that, within this framework, Bawaslu's authority to adjudicate violations falls under the category of *siyasah qadha'iyyah*, namely an institution tasked with safeguarding justice and ensuring public welfare through supervision and law enforcement. Similarly, research by Alfiatus Zahro (2024) explored Bawaslu's quasi-judicial authority in elections from the perspective of electoral law and *fiqh siyasah*, finding that such authority is closely correlated with the principles of *fiqh siyasah*. Meanwhile, Ariansyah (2023), in his study on Bawaslu's quasi-judicial powers through a *fiqh siyasah dusturiyah* lens, identified gaps in regulation, particularly concerning executorial norms. Despite these contributions, existing literature remains limited in its exploration of the relationship between positive legal norms, the gap between what ought to be implemented (*das sollen*) and what occurs in practice (*das sein*), and their theoretical implications when analyzed through the perspective of *fiqh siyasah* in the context of modern elections in Indonesia.

This article aims to analyze the quasi-judicial authority of Bawaslu as regulated in Law No. 7 of 2017, as well as to evaluate the implementation of this authority in the 2019 and 2024 general elections. In addition, the study undertakes a comparative analysis with electoral court models in Costa Rica, Mexico, and the Philippines, each of which is recognized for having independent electoral tribunals whose rulings are final and binding. The selection of these three countries as comparators is particularly relevant, as their institutional experiences provide practical lessons for Indonesia in strengthening the legal effectiveness of its electoral supervisory body.

This study departs from the thesis that, although Law No. 7 of 2017 grants Bawaslu quasi-judicial authority, the absence of a strong executorial norm, particularly as stipulated in Article 462, renders its judicial function largely symbolic. Normatively, this article seeks to propose a reconstruction that would make Bawaslu's decisions final, binding, and effectively enforceable. Theoretically, the study also aims to enrich the discourse on *fiqh siyasah* within the framework of modern democracy by emphasizing the relevance of concepts such as *hisbah* (public oversight), *maslahah* (public good), and *hifz al-huquq* (protection of rights) as foundational principles for upholding substantive justice in electoral governance.

Method

The primary object of this study is the quasi-judicial authority of Indonesia's General Election Supervisory Agency (Bawaslu), as regulated in Law No. 7 of 2017 on General Elections. The focus is placed on the implementation of this authority in resolving administrative violations and electoral process disputes during the 2019 and 2024 elections, as well as on the ineffectiveness of Bawaslu's decisions when executed by the General Election

Commission (KPU). This object is further expanded through a comparative analysis of electoral court models in Costa Rica, Mexico, and the Philippines, which serve as institutional benchmarks.

This research is a normative legal study that employs statutory, conceptual, and comparative approaches (Efendi & Ibrahim, 2018; Marzuki, 2008). The data consist of primary sources, including relevant national and international legislation as well as decisions of Bawaslu, the Constitutional Court, and comparable institutions in the selected countries. Secondary data are drawn from books, scholarly journals, dissertations, and relevant institutional reports.

Data collection was carried out through library research, involving a systematic review of legal instruments, judicial documents, and academic literature available from reliable print and online sources. The data were analyzed using descriptive-analytical and prescriptive-comparative methods. The descriptive technique was applied to map the structure of Bawaslu's authority and its implementation. The prescriptive technique was employed to formulate normative solutions, particularly recommendations for the reconstruction of Article 462 of Law No. 7 of 2017. The comparative approach was used to develop normative reconstructions by referring to electoral court practices in the comparator countries and the principles of *Fiqh Siyasah*. Data validity was maintained through triangulation across legal sources and cross-literature confirmation (Butarbutar, 2018).

Results and Discussion

Bawaslu's Quasi-Judicial Authority in Indonesia's Electoral System

The quasi-judicial authority of the General Election Supervisory Agency (Bawaslu) is derived from Law No. 7 of 2017, which mandates the institution to adjudicate administrative violations and disputes arising during the electoral process. From the perspective of legal theory, this authority constitutes a direct attribution from the statute, thereby making it inherent and independent of delegation from other institutions (Juhardin & Ananda, 2023; Siagian et al., 2022). Consequently, Bawaslu performs not only administrative functions but also adjudicative ones through the mechanism of adjudicating electoral administrative violations.

Nevertheless, the implementation of Bawaslu's quasi-judicial authority faces serious challenges, one of which is the frequent non-compliance of its decisions by the General Election Commission (KPU). According to Bawaslu's 2019 report, out of 422 adjudication rulings, approximately 30 percent were not fully followed up by the KPU (Bawaslu, 2019). A similar situation recurred in the 2024 elections, where several rulings concerning legislative candidacies and administrative disputes were not duly enforced. This reality illustrates the imbalance between legal norms (*das sollen*) and actual practice (*das sein*).

One example can be seen in Case No. 001/PS.REG/BAWASLU/X/2022, which was postponed by the General Election Commission (KPU) on the grounds of awaiting a Supreme Court ruling. This situation demonstrates a clash of authority between electoral management bodies, which ultimately

generates legal uncertainty and undermines the political rights of election participants.

Several scholars, such as Ida Budhiati (2022) and Refly Harun (2021), argue that the core problem lies not only in the weakness of supervisory functions but also in the lack of clarity in legal norms, which results in Bawaslu's rulings lacking permanent legal force. Consequently, there has been a proposal to transform Bawaslu into a special electoral court so that its decisions become binding and cannot be disregarded by other institutions. Normatively, Article 462 of the Election Law stipulates that Bawaslu's rulings "must be followed up." However, the wording leaves room for interpretation, which weakens the executorial power of these rulings. This normative ambiguity prevents Bawaslu from holding full authority comparable to electoral courts in other countries.

Thus, the weakness of Indonesia's electoral legal framework lies in granting supervisory institutions authority that is not genuinely binding. The lack of executorial power makes it difficult to realize the principle of electoral justice, since Article 462 employs weak wording and provides no enforcement mechanism. On this basis, normative reconstruction and institutional strengthening are required so that Bawaslu's decisions attain a status equivalent to those of an electoral court.

Fiqh Siyasah as a Normative Foundation for Electoral Oversight

Fiqh siyasah is a branch of Islamic jurisprudence that addresses governance, the exercise of power, and the realization of public justice. Its core concepts include *maslahah 'ammah* (public welfare), *al-'adalah* (substantive justice), and *al-amanah fi al-hukm* (trust in the exercise of authority) (Fathorrahman et al., 2024; Hariyanto et al., 2025; Jaelani et al., 2024). As a field of study, *fiqh siyasah* examines the regulation, administration, and leadership of the community in social, national, and state life, with the objective of promoting collective welfare and preventing injustice (*munkar*) (Damayanti, 2023; Syarifuddin et al., 2025). Scholars broadly agree that the ultimate purpose of the *shari'ah* is to realize human welfare (*maslahah*) (Ifandy & Hasanah, 2024).

In the context of elections, *fiqh siyasah* emphasizes that the conduct of elections must be grounded in substantive justice rather than limited to the fulfillment of legal-formal requirements. Within this framework, Bawaslu as a supervisory body can be viewed as a representation of *hisbah* (public oversight) in the modern democratic system, functioning to ensure that the exercise of power does not deviate from the principles of justice and public welfare.

This perspective is consistent with the thought of al-Mawardi (1967), who emphasized the importance of supervisory institutions endowed with the authority to take action against officials who breach their mandate. Similarly, Ibn Taymiyyah (1998) asserted that the state is obliged to safeguard the rights of the people (*hifz al-huquq*) through strong institutional mechanisms. These ideas are highly relevant for reinforcing the normative argument in favor of strengthening Bawaslu's authority.

Constitutionally, although Bawaslu is not explicitly mentioned in the 1945 Constitution, its institutional legitimacy is grounded in Article 24(3), which provides room for the establishment of other judicial bodies. Accordingly, the strengthening of Bawaslu can be viewed as part of the implementation of *siyasah syar'iyah* aimed at ensuring justice in the electoral process.

Furthermore, the integration of *fiqh siyasah* and positive law plays a vital role in addressing normative gaps that have weakened Bawaslu's authority. Indonesia's electoral system cannot rely solely on legal-formal aspects but requires ethical and substantive dimensions as well. In this context, *fiqh siyasah* may serve as a foundation for strengthening Bawaslu's position as an independent supervisory body that functions not only in a juridical capacity but also as a guardian of the moral values of democracy.

From the perspective of *fiqh siyasah*, the principle of justice in elections is part of the *maqāṣid al-sharī'ah*, particularly in safeguarding religion (*ḥifẓ al-dīn*), ensuring legal rationality (*ḥifẓ al-'aql*), and protecting the rights of the people (*ḥifẓ al-ḥaqq*). Accordingly, the *maqāṣid al-sharī'ah* serve as a normative foundation for electoral justice in general elections. A fair electoral process thus becomes the basis for the realization of legitimate political authority.

A study conducted by Said Syahrul Rahmad (2022) in Aceh revealed the challenges of regulation and compliance with Bawaslu's rulings, highlighting weaknesses in the regulatory framework for electoral dispute resolution, particularly with regard to time limits for settlement and the lack of clarity concerning the implementation of follow-up measures. This finding underscores that electoral justice is not confined to formal rules but also encompasses the ethics of governance (*akhlaq siyasah*), political equality (*musawah*), and the accountability of public officials (*mas'uliyah*). Therefore, Bawaslu's rulings should be complied with rather than disregarded.

The Implementation Gap between *Das Sollen* and *Das Sein*

This study reveals a significant gap between legal norms (*das sollen*) and practical implementation in the field (*das sein*). Bawaslu's rulings are frequently disregarded by the General Election Commission (KPU), often on administrative grounds or due to divergent interpretations. From the perspective of *maqāṣid al-sharī'ah*, such neglect undermines several fundamental dimensions: *ḥifẓ al-'aql*, resulting in the distortion of legal rationality; *ḥifẓ al-ḥaqq*, where the rights of electoral participants are neglected; and *ḥifẓ al-dīn wa al-murū'ah*, which reflects the erosion of political dignity and democratic ethics.

This condition demonstrates that the weak authority of electoral supervisory bodies undermines the legitimacy of election outcomes in many new democracies (Butt & Siregar, 2021; Higashijima et al., 2024). A similar situation is evident in Indonesia, where democracy remains fragile due to inconsistencies in the application of law (Cahyani et al., 2025; Khoirinnisa, 2024; Sembiring & Yahya, 2024). Ambiguously worded provisions and the absence of clear sanction mechanisms further exacerbate this problem. Therefore, regulatory reforms are urgently needed to establish explicit legal consequences for parties that disregard Bawaslu's rulings.

For instance, in several rulings concerning legislative candidacies in the 2019 elections, including cases involving former corruption convicts, the General Election Commission (KPU) failed to comply with Bawaslu's decisions. A similar pattern emerged in the 2024 elections, where a number of administrative disputes related to legislative candidacies were also left unimplemented on the grounds of being "procedurally inappropriate." These cases demonstrate that the problems faced are recurrent and systemic.

These cases illustrate the weakness of Bawaslu's authority due to the absence of enforcement mechanisms. Without executorial power, Bawaslu tends to function merely as a pseudo-administrative body. The relationship between these case studies underscores the urgent need to strengthen regulations so that every Bawaslu ruling is effectively implemented. The weakness of Indonesia's law enforcement framework leaves Bawaslu's decisions without a clear instrument of execution and strips them of effectiveness, since its authority is not final and remains dependent on the General Election Commission (KPU).

From the perspective of *fiqh siyasah*, normative reconstruction is necessary to ensure that Bawaslu's rulings carry executorial authority. The phrase "must be followed up" should be replaced with "must be implemented." Such a formulation is consistent with the concept of *al-ḥukm al-naḥīdh* in *fiqh siyasah*, which affirms that the decisions of a supervisory authority (*qāḍī al-maẓālim*) cannot be disregarded by other institutions. As Rahmad (2022) notes, the lack of clarity in the clause concerning follow-up has caused many rulings to remain at the administrative level only. Therefore, the reconstruction of this provision is required as a form of *ijtihād siyāsah shar'īyyah*, aimed at closing the gap of legal uncertainty.

In Costa Rica, the *Tribunal Supremo de Elecciones* (TSE) holds constitutional status, and its decisions are final, with no institution authorized to disregard them. In Mexico, the *Tribunal Electoral del Poder Judicial de la Federación* (TEPJF) functions as a specialized electoral court whose rulings are binding on all parties, including the government, thereby guaranteeing comprehensive electoral justice. In the Philippines, the Commission on Elections (COMELEC) possesses both administrative and judicial authority; its rulings are final in many electoral cases and are recognized within the national judicial system.

Comparative data indicate that electoral institutions in Costa Rica, Mexico, and the Philippines possess far stronger authority than their counterpart in Indonesia. This explanation underscores that the strength of these institutions lies in their constitutional status and binding authority. The comparison suggests that Indonesia can draw lessons from these models to strengthen the position of Bawaslu so that it functions not merely as a quasi-judicial body but as an institution with genuinely binding authority.

Implications of *Fiqh Siyasah* for the Institutional Design of Bawaslu

Granting adjudicative authority to Bawaslu alone is not sufficient. A clear enforcement mechanism must also be established to ensure that its rulings genuinely possess executorial power. In the Islamic tradition, the *qāḍī al-maẓālim* provides an apt analogy, as its rulings are final and binding. Thus,

strengthening Bawaslu represents both a normative necessity and a mandate of *siyāsah shar‘iyyah*.

The *fiqh siyasah* approach views Bawaslu as a modern adaptation of the concept of *hisbah*, which functions to safeguard the *maslahah ‘ammah* (public good). This relationship affirms that strengthening Bawaslu should focus not only on dispute resolution but also on ensuring compliance, grounded in the constitutional legitimacy provided by Article 24(3) of the 1945 Constitution.

The weak enforcement of Bawaslu’s rulings has trapped Indonesian democracy within a procedural framework, making it difficult to realize the principle of substantive justice. This indicates that although legal procedures are formally in place, their implementation remains insufficient to guarantee political legitimacy and the protection of electoral participants’ rights.

The main cause lies in the ambiguous wording of Article 462 of the Election Law, which is open to multiple interpretations, as well as the institutional structure of Bawaslu that lacks a strong enforcement mechanism. In the absence of clear and firm instruments of execution, Bawaslu’s rulings often depend on other bodies such as the General Election Commission (KPU), which prevents its authority from being final and binding.

Oleh karena itu, langkah strategis yang perlu diambil meliputi merevisi UU Pemilu untuk memperjelas kewajiban pelaksanaan putusan Bawaslu, memperkuat kelembagaan Bawaslu, serta menjadikannya setara dengan lembaga peradilan pemilu di negara lain seperti Kosta Rika, Meksiko, dan Filipina agar putusannya benar-benar mengikat. Transformasi ini tidak hanya akan memperkuat legitimasi Bawaslu, tetapi juga meningkatkan kualitas demokrasi di Indonesia secara substansial.

Based on the foregoing discussion, this study underscores the importance of integrating positive law with *fiqh siyasah*. Positive law provides formal certainty, while *fiqh siyasah* offers substantive legitimacy grounded in Islamic ethics. The synergy of the two is relevant not only at the normative level but also as a foundation for institutional design, enabling Bawaslu to function as an instrument of substantive justice that bridges procedural democracy with Islamic moral values. This approach affirms that strengthening Bawaslu is not merely a technical or normative demand but also a moral and long-term strategy for realizing a dignified democracy consistent with the *maqāsid al-sharī‘ah*.

Furthermore, the integration of positive law and *fiqh siyasah* is also relevant in designing institutional structures. This approach enables Bawaslu to connect procedural democracy with Islamic political ethics while at the same time upholding the *maqāsid al-sharī‘ah* within a contemporary political context. With an institutional framework that incorporates the principles of *fiqh siyasah*, Bawaslu can serve as an independent supervisory body endowed with executorial authority rather than functioning merely as a quasi-adjudicative institution. This approach affirms that strengthening Bawaslu is part of a long-term strategy to build substantive democracy in Indonesia, a democracy that is not solely grounded in legal procedures but also emphasizes justice, public accountability, and the political dignity of the people.

Conclusion

Bawaslu's quasi-judicial authority, as regulated in Law No. 7 of 2017, still lacks sufficient executorial power. Although Article 462 normatively stipulates that the General Election Commission (KPU) "must follow up" on Bawaslu's rulings, in practice many of these rulings have been ignored or left unimplemented, including during the 2019 and 2024 elections. These findings reveal a clear gap between legal norms and the realities of electoral administration. The distinct contribution of this study lies in linking these normative problems with the perspective of *fiqh siyasah*, which emphasizes the importance of substantive justice, *maslahah 'ammah* (public welfare), and the principle of *hisbah* (public oversight) as the foundation of effective electoral supervision. It is this integration of positive law and *fiqh siyasah* that differentiates the present research from previous normative legal studies.

The main conceptual contribution of this study lies in proposing a model for strengthening Bawaslu's institutional design through the integration of *fiqh siyasah*. This approach provides not only an ethical but also a normative foundation for Bawaslu's institutional reform, particularly by emphasizing the need to reconstruct Article 462 so that the phrase "must be followed up" is replaced with "must be implemented." In addition, the study underscores the importance of transforming Bawaslu into a specialized electoral court, as practiced in Costa Rica, Mexico, and the Philippines, so that its rulings carry binding force. Through this approach, the study offers a novel contribution to the literature on constitutional law and contemporary Islamic legal studies.

Adapun keterbatasan dalam penelitian ini terletak pada dominasi analisis normatif-doktrinal serta cakupan studi kasus yang terbatas pada Pemilu 2019 dan Pemilu 2024. Data empiris dari lapangan terkait pelaksanaan putusan Bawaslu di tingkat daerah, respons masyarakat, dan resistensi politik lokal belum sepenuhnya terungkap. Oleh karena itu, penelitian selanjutnya disarankan untuk mengadopsi pendekatan empiris-sosiologis dengan melibatkan wawancara mendalam kepada penyelenggara, peserta pemilu, dan pemilih, sehingga dapat memahami faktor-faktor yang menyebabkan resistensi terhadap pelaksanaan putusan. Selain itu, kajian komparatif yang lebih intensif mengenai desain pengadilan pemilu di negara lain akan memperkaya rekomendasi transformasi kelembagaan Bawaslu di Indonesia.

References

- Aji, A. B. W., Repelita, R., Kasmarani, Y., Tri Yandy, E., & Rahmat, A. F. (2024). Problems with Regional Head Elections: Constitutional Court Decisions on Disputes over Regional Head Election Results in Jambi Province. *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan*, 23(2), 228–239. <https://doi.org/10.30631/alrisalah.v23i2.1474>
- Al-Mawardi, A. al-H. (1967). *Al-Ahkam al-Sultaniyyah*. Dar al-Sha'ab.

- Ariansyah, R. (2023). *Tinjauan Fiqh Siyasah Dusturiyah Terhadap Kewenangan Quasi Peradilan Badan Pengawas Pemilihan Umum (Bawaslu) Menurut Uu No. 7 Tahun 2017 Tentang Pemilihan Umum*. UIN Fatmawati Sukarno Bengkulu.
- Bawaslu. (2019). *Laporan Akhir Penyelesaian Sengketa Tahun 2019*. Badan Pengawas Pemilihan Umum. <https://bawaslu.go.id/id/hasil-pengawasan-pemilu/laporan-akhir-penyelesaian-sengketa-tahun-2019>
- Bayani, A. Z., Gempita, M. A., Heriarji, R. W., & Al-Ghifari, Z. N. (2025). Transformasi Demokrasi Indonesia: Menuju Keberlanjutan Politik yang Inklusif dan Partisipatif. *Jurnal Ilmiah Mimbar Demokrasi*, 24(2), 538–543. <https://doi.org/10.21009/jimd.v24i2.53154>
- Budhiati, I. (2022). *Kelemahan Regulasi Pemilu dalam Perspektif Pengawasan*.
- Butarbutar, E. N. (2018). *Metode Penelitian Hukum: Langkah-Langkah Untuk Menemukan Kebenaran Dalam Ilmu*. PT Refika Aditama.
- Butt, S., & Siregar, F. (2021). Multilayered Oversight: Electoral Administration in Indonesia. *Asian Journal of Comparative Law*, 16(S1), S121–S135. <https://doi.org/10.1017/asjcl.2021.32>
- Cahyani, E. D., Ariyani, P. D., & Arrayyan, A. K. (2025). Abuse of Power oleh DKPP: Dampak dan Solusi. *Cerdika: Jurnal Ilmiah Indonesia*, 5(1).
- Damayanti, R. (2023). The Relevance of Fiqh Siyasah Dauliyah and Religion as Indonesian Soft Power in International Relations. *De Jure: Jurnal Hukum Dan Syar'iah*, 15(2), 343–365. <https://doi.org/10.18860/j-fsh.v15i2.23371>
- Efendi, J., & Ibrahim, J. (2018). *Metode Penelitian Hukum Normatif dan Empris*. Prenada Media Group.
- Efriza, E., & Wirman, H. P. (2025). Peran Bawaslu Dalam Penanganan Pelanggaran Tahapan Kampanye Pada Pemilu 2024 Di Kabupaten Lima Puluh Kota: Perspektif Siyasah Dusturiyah. *KIPS-Jurnal Kajian Islam Politik Dan Sosial*, 1(2), 9–23. <https://kipsjournal.kips.or.id/index.php/kips/article/view/14>
- Endrawati. (2024). Problematika Penegakan Hukum Dalam Mewujudkan Keadilan Pemilu Ditinjau Dari Perspektif Pengawas Pemilu. *Jurnal Huma Betang Demokrasi*, 2(1), 1–25. <https://doi.org/https://doi.org/10.55108/hbd.v1i1.189>
- Fathorrahman, A Hashfi Luthfi, Riyanta, & Ach Fatayillah Mursyidi. (2024). Dynamics of Thought in the Fiqh of Civilization Halaqah at Pesantren Affiliated with Nahdlatul Ulama (NU) in Yogyakarta. *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan*, 24(1), 71–95. <https://doi.org/10.18326/ijtihad.v24i1.71-95>
- Hariyanto, H., Mukhlis, M. M., & Rismana, D. (2025). The Role and Authority of the Deputy Regional Head According to Islamic Principles within the Framework of Regional Government Law. *JURIS (Jurnal Ilmiah Syariah)*, 24(1), 13–27. <https://doi.org/10.31958/juris.v24i1.12678>
- Harun, R. (2021). *Pemilu dan Penguatan Demokrasi di Indonesia*. Prenadamedia.
- Higashijima, M., Kadoya, H., & Yanai, Y. (2024). The Dynamics of Electoral Manipulation and Institutional Trust in Democracies: Election Timing,

- Blatant Fraud, and the Legitimacy of Governance. *Public Opinion Quarterly*, 88(SI), 472–494. <https://doi.org/10.1093/poq/nfae022>
- Ifandy, T., & Hasanah, I. (2024). Masalahat (Benefits) in Fiqh Awlāwiyāt: A Comparison between Yūsuf al-Qarādhawī's View and Abdus Salam Alī al-Karbulī's. *Al-'Adalah*, 21(1), 1–24. <https://doi.org/10.24042/adalah.v21i1.21316>
- Jaelani, A. K., Rabbani, A., & Hayat, M. J. (2024). Land Reform Policy in Determining Abandoned Land for Halal Tourism Destination Management Based on Fiqh Siyasah. *El-Mashlahah*, 14(1), 211–236. <https://doi.org/10.23971/el-mashlahah.v14i1.8051>
- Juhardin, J., & Ananda, A. I. (2023). Analisis yuridis pelaksanaan kewenangan Bawaslu sebagai lembaga pengawas dan lembaga pemutus sengketa pemilihan umum. *Jurnal Ilmu Manajemen Sosial Humaniora (JIMSH)*, 5(1), 55–65.
- Khoirinnisa, S. (2024). Urgensi Reformasi Sistem Pemilu Serentak Dalam Menjamin Efektivitas Pemerintahan di Indonesia. *Jurnal Legalitas*, 2(2), 93–103. <https://doi.org/10.58819/jle.v2i2.169>
- Marzuki, P. M. (2008). *Penelitian Hukum* (2nd ed.). Kencana.
- Maulana, M. I., & Mustikaningsih, R. M. (2019). Ketidakpastian Hukum Penyelesaian Pelanggaran Administrasidalam Proses Rekapitulasi Hasil Pemilu. *Evaluasi Pemilu Serentak*, 83–100. <https://journal.kpu.go.id/index.php/ERE/article/view/150/58>
- Oktarina, E., & Mufakkar, S. (2024). The President's Authority in the Organization of Political Campaign for General Elections May Lead to Presidential Bias. *Nurani: Jurnal Kajian Syari'ah Dan Masyarakat*, 24(1), 91–102. <https://doi.org/10.19109/nurani.v24i1.22164>
- Rahmad, S. S. (2022). *Rekonstruksi Regulasi Penyelesaian Sengketa Proses Pemilu Berbasis Keadilan di Provinsi Aceh*. Universitas Islam Sultan Agung (Indonesia).
- Rahmatullah, R., Fadli, Y., & Nurhakim, N. (2024). Diskursus Tentang Konsep Demokrasi, Partisipasi Politik Dan Pemilihan Umum. *MITZAL (Demokrasi, Komunikasi Dan Budaya): Jurnal Ilmu Pemerintahan Dan Ilmu Komunikasi*, 9(2), 185–202. <https://doi.org/10.35329/mitzal.v9i2.4957>
- Sembiring, Y., & Yahya, A. S. (2024). Election Integrity and Governance Challenges: Unravelling the Links between Voter Intimidation, Electoral Violence, Fraudulent Practices, and the Political Costs They Create in Indonesia. *Public Service and Governance Journal*, 5(2), 204–214. <https://doi.org/10.56444/psgj.v5i2.1556>
- Siagian, A. W., Alify, R. F., & Alghazali, M. S. D. (2022). Tinjauan Yuridis Kewenangan Badan Pengawas Pemilihan Umum Dalam Menangani Pelanggaran Administrasi Pemilihan Umum Pasca Penetapan Suara Nasional oleh Komisi Pemilihan Umum. *JAPHTN-HAN*, 1(2), 150–168.
- Syarifuddin, S., Soeradji, E., Alfianoor, I., Suradilaga, A. S., & Masuwd, M. A. (2025). Legal Politics of Restricting Access to Online Gambling in Fiqh Siyasah and Saddu adz-Dzariah Perspectives. *Nurani: Jurnal Kajian Syari'ah Dan Masyarakat*, 25(1), 219–243. <https://doi.org/10.19109/nurani.v25i1.25361>

The Quasi-Judicial Authority of Bawaslu in the Perspective of Das Sollen and Fiqh Siyasah

Dodi Afriyanto, et al.

- Taymiyyah, I. (1998). *Al-Siyasah al-Shar'iyah*. Dar al-Kutub al-Ilmiyyah.
- Widodo, H., & Prasetyo, D. E. (2011). Penataan Kewenangan KPU dan Bawaslu dalam Melakukan Pengawasan dan Menangani Sengketa Proses Pemilu. *Perspektif Hukum*, 21(2), 17–38. <https://doi.org/10.30649/ph.v21i2.93>
- Zahro, A. (2024). *Analisis Kewenangan Bawaslu Mengenai Quasi Judicial dalam Pemilu, Perspektif Hukum Pemilu dan Fiqh Siyasah*.