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The Election Supervisory Agency's Political Mitigation Against Religious Polarization in Regional Head Elections: A Study of Democratic Transcendence

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ABSTRACT

Regional Head Elections in Indonesia are often colored with religious polarization, which becomes a challenge for democracy and may potentially trigger conflicts. The Election Supervisory Agency holds a crucial role in mitigating this polarization. This research aims to analyze the Election Supervisory Agency's political mitigation model against religious polarization in Regional Head Elections. Using the qualitative approach with the doctrinal method, this research analyzed legal regulations and democratic principles related to the general election as well as analyze the Election Supervisory Agency's role in handling religious polarization. Research results showed that religious polarization in Regional Head Elections is manifested in several forms, such as using issues related to ethnic groups, religion, race, and groups in campaigns, spreading religion-related hoaxes and hate speech, as well as mass mobilization based on religious sentiments. Even though the Election Supervisory Agency has a supervisory mandate, it faces limitations in handling religious polarization. This issue is often under the scope of political ethics, which is not specifically regulated in the General Election Law. The analysis also shows that democratic and religious principles, especially those of Islam, support deliberation and dialogs, which may become a base for mitigating polarization.

This research concludes that the Election Supervisory Agency needs to develop a more comprehensive political mitigation strategy which involves cooperation with various parties and strengthens the public understanding of political and democratic ethics. This research recommends the expansion of the Election Supervisory Agency's authority in handling violations against political ethics, strengthening coordination with other institutions, and increasing society's political literacy.

Keywords: Election Supervisory Agency, Political Mitigation, Regional Head Elections, Religious Polarization, Democratic Transcendence.

INTRODUCTION

The implementation of Regional Head Elections indirectly leads to a competitive event for governor candidates and city/regency candidates to win political positions (Amancik,

Sifulloh, Ayub, Barus, & Ramadhani, 2024). General Election participants compete through the stages which were determined by the general election organizer, namely the General Election Commission (*Komisi Pemilihan Umum*). Even, it is not seldom that Regional Head Elections lead to conflicts between the supporters of these regional head candidates (Afrimadona, 2021). One of the frequently occurring conflicts is religious polarization in politics. What is meant by polarization is the intersection between two groups (interest groups, etc.) and their oppositions (Kementerian Pendidikan dan Kebudayaan Indonesia, 2025b). Therefore, institutions that have the special task and function to handle conflicts need to carry out preventive efforts to mitigate conflicts before, during, and after the Regional Head Elections (Mulyadi, Lestari, Alvareza, & Hujaipah, 2024).

The Election Supervisory Agency (*Badan Pengawas Pemilu*/Bawaslu) is included as one of the institutions that have the task to carry out supervision against various forms of violation actions that occur during the Regional Head Election process (Suhariyanto, Ishwara, & Kirana, 2024). Law No. 7 of 2017 on the General Election (General Election Law) regulates that the Election Supervisory Agency has the role of a supervisory agency on the General Election organization in the area of the Republic of Indonesia Unified State. Meanwhile, the Provincial Election Supervisory Agency supervises the organization of General Elections and Head of the Region General Elections at the provincial level. Next, the City/Regency Election Supervisory Agency supervises the organization of General Elections and Head of the Region General Elections at the city/regency level.

However, as a juridical norm, the General Election Law does not specifically regulate religious polarization as a form of general election violation, both in its process or organization (Salahudin et al., 2020). This was because the religious polarization issue cannot be deemed as a violation of the general election process. However, it tends to be directed to the violation of political ethics. The use of the religious polarization narration in general elections generally happens during the campaign period of general election participants which is connotated as hate speech to the group of political oppositions. If this religious polarization narration is related to general election participants or other individuals, the perpetrator who spread the hate speech narration can be punished. This is not due to the violation of general election regulations, but due to insults or blasphemy against religion (Salahudin et al., 2020).

Religious polarization in the Indonesian Regional Head Election is a complex and multi-dimensional democratic phenomenon (Kimura, Istania, Afrimadona, Imawan, & Ramadhan, 2024). The emergence of issues related to ethnic groups, religion, race, and groups

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in campaigns, the spread of religion-related hoaxes and hate speech, as well as efforts of mass mobilization based on religious sentiments become serious challenges for the organization of a democratic and honorable Regional Head Election (Pilander, Lolong, & Rawung, 2024). This condition may threaten the unity of the nation, trigger horizontal conflicts, and damage the harmonic social order. General Elections and Regional Head Elections that run in a conducive manner may become one of the benchmarks for the success of a democracy in a country. The state must protect the rights of society to choose regional leaders so that society can implement democratic practice in a safe and orderly manner. As a pillar of democracy, General Elections are a manifestation of the people's democracy which in essence also supports the freedom of speech that is a manifestation of human rights (Bae, 2022).

The quality of democracy started to decrease in 2014 or in the last decade. Since then, there has been an increase in polarization. Religious conservatism and the state's oppression also increased. This creates a political situation where more and more people become scared of arbitrary arrest. They generally fear discussing political issues (Setiawan & Tomsa, 2023). Politics are often infiltrated in *da'wa* (Islamic missionary activities) media or religious events, even though places of worship should ideally be sterile from political discussions. Ideally, human beings should come to places of worship to focus on the orientation of life in the hereafter rather than thinking about worldly political issues. This is a form of violation against political ethics, as places of worship are not campaign venues.

The Election Supervisory Agency has a vital role in minimizing religious polarization in Regional Head Elections. As an independent institution that has the authority to supervise the organization of general elections, the state gave the Election Supervisory Agency to prevent and act upon ethical and legal violations that occur during the election process. It is hoped that the political mitigation the Election Supervisory Agency carries out may prevent the spreading of religious polarization as well as create a conducive political climate for the organization of an honest, just, and democratic Regional Head Election. According to the Great Indonesian Dictionary, the mitigation act is defined as actions that are required to decrease the impacts of a disaster (Kementerian Pendidikan dan Kebudayaan Indonesia, 2025a). Or at least, in the political context, it is to decrease the impacts of conflicts that are caused by religious polarization issues that spread in society.

The identified research gap is that there is a limited amount of research that specifically discusses the issue of political mitigation The Election Supervisory Agency has a

role in carrying out political mitigation in Indonesian Regional Head Elections. The majority of previous studies tend to focus on the legal and statute aspects of the supervision of Regional Head Elections. Meanwhile, there is less research on political mitigation strategies and implementation carried out by general election organizational institutions, especially the Election Supervisory Agency as the supervisor of the general election organization in the context of religious polarization. The element of novelty in this research focuses on the Election Supervisory Agency's political mitigation strategies and implementation in handling religious polarization in Regional Head Elections.

This study aims to analyze the Election Supervisory Agency's model of political mitigation against religious polarization in Regional Head Elections in Indonesia. This research is expected to bring benefits and provide academic contribution for the development of legal, political, and social studies, especially in the context of Regional Head Election supervision and social mitigation. Apart from that, it is also hoped that this research may give methodical suggestions for the Election Supervisory Agency in formulating its future strategies and programs. It may also give insight to the government and other stakeholders in formulating a public policy that is responsive to the challenge of religious polarization in Regional Head Elections. Thus, this research is expected to become a facility of contribution to organize Regional Head Elections that are democratic and honorable to strengthen the nation's unity and oneness.

RESEARCH METHOD

This was a type of qualitative research with a doctrinal or normative approach. This approach emphasizes the analysis of the aspects of applicable laws and regulations as well as their interpretation in certain contexts (Fajar & Achmad, 2019, p. 183). In this case, this research focuses on studying the implementation of Regional Head Elections and the role of the Election Supervisory Agency. Thus, regulations related to general elections and democratic principles in Indonesia became the main basis of analysis.

This research employed the deductive analytical method, i.e., drawing conclusions from things with a general characteristic to those with special characteristics (Marzuki, 2005). This process starts off by identifying primary legal sources in the form of the Holy Qur'an and Hadith. The authors also analyzed legal regulations that are relevant to the Regional Head Elections, especially Law No. 7 of 2017 on the General Election, then elaborated them with

the perspectives of legal experts. Then, the authors analyzed the role of the Election Supervisory Agency in handling the issue of religious polarization in Regional Head Elections. Then, the authors conducted an in-depth analysis to find the link between regulations, expert opinions, and their application in the context of Regional Head Elections and the role of the Election Supervisory Agency in carrying out political mitigation. The analysis results were then formulated into a specific conclusion on the analyzed issue.

RESULTS & DISCUSSION

Religious polarization is often associated with the Islamic religion, especially because Islam is the religion of the majority of the Indonesian population. Apart from that, in Indonesia, there are many Islam-based societal organizations and some political parties also have an Islamic nuance, coloring the democratic pluralism in Indonesia. In essence, Islam does not prohibit human beings in carrying out democracy, even though democratic principles did not originate from Islamic law. Even though democracy was born from Western law, it was found that many democratic principles reflect Islamic law. The simplest examples are the use of deliberation to achieve an agreement, the expression of opinions, doing debate in a good manner, as well as other methods. This is also supported by arguments in Al-Qur'an and Hadiths of Prophet Muhammad ...

The first argument is Al-Qur'an, Chapter *Ali 'Imran* (The Imran Family/3) verse 159 as follows:

Meaning: "It is out of Allah's mercy that you 'O Prophet' have been lenient with them. Had you been cruel or hard-hearted, they would have certainly abandoned you. So pardon them, ask Allah's forgiveness for them, and consult with them in 'conducting' matters. Once you make a decision, put your trust in Allah. Surely Allah loves those who trust in Him."

The second argument is Al-Qur'an, Chapter *Asy-Syura* (The Consultation/42) verse 38, as follows:

Meaning: "Who respond to their Lord, establish prayer, conduct their affairs by mutual consultation, and donate from what We have provided for them."

However, a verse in Al-Qur'an that is often misused in the democratic practice and is connotated as religious polarization. This verse is Al-Qur'an, Chapter *Al-Maidah* (The Feast/5) verse 51 as follows:

Meaning: "O believers! Take neither Jews nor Christians as guardians—they are guardians of each other. Whoever does so will be counted as one of them. Surely Allah does not guide the wrongdoing people."

From the interpretation of the verses above, it can be concluded that Islam does not prohibit human beings from carrying out political or democratic activities. However, Islam determines concrete limitations for the followers of Prophet Muhammad if they wish to be involved in politics or democracy. Every Muslim is prohibited from choosing non-Muslim leaders due to the clear verse above. If that stipulation is violated, it will lead the person to be deemed converting from Islam (murtad) as in the interpretation of the verse "... Whoever does so will be counted as one of them (Jews and Christians)". This verse is then used as a weapon by individuals in Islamically-nuanced political parties to scare citizens who are religious laypeople. The argument on the prohibition from choosing disbelieving leaders cannot be debated. However, it often becomes a trigger which angers regional head candidates, their supporters, and sympathizers who are non-Muslims, causing political turmoil in society. Religious polarization in politics may even trigger ghazwul fikri (the war of thought) among the Muslim community itself (van Bruinessen, 2015).

Regional Head Elections and General Elections with a nuance of religious polarization did not only recently emerge. A rather popular case of religious blasphemy happened in 2017, involving the governor candidate of the Jakarta Special Capital Region, Basuki Tjahaja Purnama, who was imposed with imprisonment for two years (Chen, 2022). The issue of religious polarization becomes a sensitive issue that commonly happens before General Elections or during the campaign period. It is unfortunate that not all religious polarization cases were reported to the Election Supervisory Agency and ended in a dispute in court. The following table shows a list of events in the elections that can be linked to religious polarization from 2014 to 2024.

Table 1. Religious Polarization Cases in Presidential and Regional Head Elections

Year	Event	Type of Case	Legal Case	Impact
2014	2014	Allegations against	There is no legal	The increase in
	Presidential	Joko Widodo related	case, only negative	religious issues to

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	Elections	to religious issues, such as the suspicion that he is a communist and that he is not a practicing Muslim.	1 0	mobilize a certain voter base.
2017	Jakarta Regional Head Elections	The controversy on the statement of Basuki Tjahaja Purnama (Ahok) on Al-Qur'an, chapter <i>Al-Maidah</i> verse 51, which triggered the 212 Act and a sharp religion-based polarization.	Basuki Tjahaja Purnama (Ahok) was imposed with imprisonment for two years for the allegation of religious blasphemy based on the Decision of the North Jakarta District Court No. 1537/Pid.B/2016/PN JKT. UTR dated May 9th, 2017.	Purnama lost against Anies Baswedan.
2018	2018 West Java Regional Head Elections	Ridwan Kamil faced religious narrations from his political opposition who questioned his representation of Islam.	No legal case. There was only a competition of political narrations through media and field campaigns.	There was a competition of Islamic narrations in politics even though in the end, Ridwan Kamil was elected as the Governor of West Java
2019	2019 Presidential Elections	Anti-Islamic issues were again directed to Joko Widodo, while Prabowo Subianto obtained support from conservative Islamic groups.	There is no legal case that is directly related to religious issues. There were only negative campaigns via social media.	
2024	2024 Presidential Elections	Anies Baswedan was positioned as a symbol of conservative Islam, while Ganjar Pranowo was a symbol of moderate Islam.	Up to now, there has not been a prominent legal decision or case related to religious issues.	Polarization still continues, strengthening the segmentation between conservative Islam and moderate nationalists.

Disputes in the process of General Elections and Regional Head Elections are usually resolved by the Election Supervisory Agency. Meanwhile, normatively, disputes on General Election results are the authority of the Constitutional Court. The Election Supervisory Agency has a crucial role in enforcing the Election Law. As an independent institution that is acknowledged through the Decision of the Constitutional Court No. 11/PUU-VIII/2010, the Election Supervisory Agency is no longer a part of and no longer formed by the General Election Commission. With its status as an independent institution, the Election Supervisory Agency has an equal position as the General Election Commission as the organizer of general elections that have the characteristics of national, permanent, and independent, according to Article 22E clause (5) of the Republic of Indonesia's 1945 Constitution. Even so, in the aspect of the general election organization, it seems that the Election Supervisory Agency's tasks and authority as a supervisor of general elections are still limited (Ramdani, 2023).

The increasing religious conservatism in Indonesia is accompanied by an increase in polarization. This state is traditionally divided into those who believe that Islam must direct the state organization and policies and those who believe that the state must be religiously pluralistic. This polarization became a strong issue in the 1950's, but temporarily weakened during the Old Era and Reformation Era governmental periods. However, in the 2014 and 2019 Presidential Elections, with only two presidential candidates, religious and political polarization reached its peak (Warburton, 2020). In general, the presidential candidate at that time, Joko Widodo was deemed to represent the pluralistic side in Indonesian politics. Meanwhile, his rival, Prabowo Subianto made an alliance with Islamist groups. This polarization is reflected in the fact that Joko Widodo was supported by the majority of non-Muslim voters (97% in 2019). This means that even though there was an effort to attract non-extremist conservative groups, most voters still perceived the competition between Joko Widodo and Prabowo Subianto was in the framework of disunity between religious pluralism and Islam (Mietzner, 2020).

Politics that exploit religious issues is called "religious politization". In general, "religious politization" means the use of a certain religion's laws, Sharia, doctrines, school of thought, norms, principles, documents, discourses, and symbols in real politics to obtain power or status that is used for certain political, socio-religious, and business-economic goals or benefits (Purba & Widodo, 2021). The consequence of the emergence of religious politization is that there is a social condition where the people start to be sceptical of political parties with a religious nuance. There is political influence in places of worship or even the

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criminal violation of religious blasphemy. From the worldly perspective, political parties are allowed to be based on religious laws. However, it is inappropriate to mix issues related to the hereafter with politics. This is absolutely prohibited in religion, especially Islam (Hasanah, Absori, & Harun, 2018).

Al-Qur'an has also anticipated the situations where there may be individuals with evil intentions that sell the Qur'anic verses using illegitimate means. The prohibition from trading (selling) Qur'anic verses is stated by Allah in Al-Qur'an, Chapter *Al-Baqarah* (The She-Cow/2) verse 41 as follows:

Meaning: "Believe in My revelations which confirm your Scriptures. Do not be the first to deny them or trade them for a fleeting gain. And be mindful of Me."

A Hadith of Prophet Muhammad has also explained about misguided leaders that Allah will curse, as narrated by Imam Ahmad from Abu Dharr al-Ghifari as follows (Azmi, 2020):

Meaning: Narrated Abu Dharr al-Ghifari: "I was walking with the Prophet and he said, 'Apart from the Antichrist (Dajjal), who else worries me the most about my Ummah?' He repeated this three times. I said 'O Messenger of Allah! Apart from Antichrist (Dajjal), who else worries you the most about your Ummah?' He said: 'The misguided imams.'" (Musnad Ahmad 21296, 21297)

The Election Supervisory Agency should become one of the most forefront institutions in handling the issue of religious politization in the General Election. This is because as an independent supervisory agency, it does not only have the role of a supervisor. However, it also has a stronger authority as a law enforcer in the General Election (Sofian, 2022). Therefore, the Election Supervisory Agency can carry out efforts that are required to prevent conflicts that may potentially occur due to the issue of religious polarization in the General Election. Concerning the type of concrete actions that the Election Supervisory Agency can carry out, it is not specifically regulated in the General Election Law. Meanwhile, Article 280 clause (1) of that General Election Law, especially letters c., d., e., and h. Have the following narration:

(1) "General Election Campaign organizers, participants, and teams are prohibited from:

...

- c. Insulting a person, religions, ethnic groups, races, groups, candidates, and or other General Election Participants;
- d. Inciting and pitting individuals or society;
- e. disturb public order;

. . .

h. use governmental facilities, places of worship, and educational institutions;"

As how the General Election Law has regulated principal regulations, the General Election Commission has also issued technical regulations, one of which is the Regulation of the General Election Commission No. 15 of 2023 on General Election Campaigns, namely Chapter VIII on Prohibitions on General Election Campaigns, Article 70 letter a and Article 71 letter a, on the prohibition on installing campaign equipment in places of worship. However, the campaign equipment installation in places of worship is only in the form of a written prohibition. This is different from the condition if a prospecting general election participant comes to a place of worship and then delivers an oration with a political nuance. This is what is categorized as religious politization in politics.

Therefore, the Election Supervisory Agency can carry out efforts that may supposedly make the political situation in society more conducive, aside from whether or not there are regulations governing it. Preventive efforts that the Election Supervisory Agency carried out include cooperating with influential religious and public figures with the aim of protecting society from the influence of political paradigms spread by irresponsible individuals (Habibi, 2022). The Election Supervisory Agency has also organized focus group discussions (FGD), published books on the sermons of six official religions in Indonesia that reject the politization of issues related to ethnic groups, religion, race, and groups, as well as mapped out the Election Vulnerability Index in all regions (Gloria, 2022).

Islam prohibits actions such as pitting a person against another (namimah), gossiping about others (ghibah), defamation, spreading false information, and slander. Anyone who committed such deeds conducted a bad action (akhlaq madzmumah). Therefore, being careful in speaking is a command of religion. Every person has the obligation to guard their personal dignity (Hifzh Al-'Irdh) and Muslims are prohibited from expressing opinions that contain hate against certain religions, races, or groups. Hate speech itself is a type of evil and it is prohibited in Islam. On the contrary, Muslims are commanded to encourage others to carry out good deeds (amar ma'ruf) and prevent harm (nahi munkar). Muslims must prevent the act of hate speech as it is included in the categories of namimah, ghibah, sukhriyyah (sarcasm), istihza' (insulting), buhtan (another form of slander), and defamation (Badan Pengawas Pemilihan Umum Republik Indonesia, 2018). Therefore, the best Muslim is one who

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encourages his peers to carry out good deeds and prevent harm. This is based on an argument in Al-Qur'an, Chapter *Ali 'Imran* (3) verse 104 which states:

Meaning: "Let there be a group among you who call 'others' to goodness, encourage what is good, and forbid what is evil—it is they who will be successful."

The Election Supervisory Agency's action is according to Islamic principles which elaborates the act of *amar ma'ruf nahi munkar* (promoting good and preventing vice) stated in these arguments. Politics that are according to Islam must be clean, honest, and just. The Election Supervisory Agency has indirectly applied the principles of *da'wa* by maintaining a conducive political climate as well as protecting human rights so that members of society can use their political rights in a safe, comfortable, just, and sovereign manner. The end goal for the Election Supervisory Agency's need to carry out political mitigation is to achieve democratic General Elections and Regional Head Elections that are according to the mandate of the 1945 Constitution.

CONCLUSION

Based on the analyses above, the Election Supervisory Agency has the authority to determine strategic policies and carry out the requires actions as the steps of political mitigation to prevent religious polarization in Regional Head Elections. The Election Supervisory Agency carries out these actions by cooperating with influential religious and public figures to give education and protect society's rights in utilizing their political rights. The conducive implementation of General Elections and Regional Head Elections supports the protection of human rights and the freedom of speech. They are facilities to help Indonesians choose leaders that are according to their conscience. As a religion that is embraced by most Indonesians, Islam also guarantees the sustainability of democracy, as many democratic values align with Islamic law. The Election Supervisory Agency's

mitigative actions to anticipate the occurrence of conflicts due to religious polarization, especially those which often corner Islam, show that the Election Supervisory Agency is highly protective of society's political rights. The Election Supervisory Agency's concrete steps are also according to Islamic principles that apply clean, honest, just, and sovereign politics.

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