

## **A MODEL OF ELECTION SUPERVISION BASED ON VILLAGE JUDICIAL INSTITUTIONS; A REVIEW OF LEGAL ANTHROPOLOGY IN MADURA**

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### **Abstract**

The General Election Law has placed villages at the forefront of the election monitoring system by establishing Village Panwaslu. However, it still needs to be fully able to unravel the complexity of the election monitoring system. This study aims to strengthen the election supervision system so that all electoral issues can be resolved at the village level. This research uses normative legal research methods that focus on the reconstruction and institutionalization of the election supervision system at the village level through the synergy of village judicial institutions. The result of the research is that the design of election supervision at the village level, which only places one member, has yet to resolve the many burdens of election supervision fully. Although Article 448 paragraph (3) of the Election Law authorizes the community to monitor actively, it has proven not optimal because there is no clear legal protection for the participatory monitoring system. The weakness of the monitoring system can be strengthened through 1) The establishment of Village Panwaslu members that involve village judicial institutions consisting of Babinkantibmas, Babinsa, and community leaders; 2) Expanding the authority of the Village Panwaslu to resolve disputes over the election process at the village level.

**Keywords:** Election Supervision, Village Judicial, Madura.

## Introduction

Although the Indonesian people's participation level in organizing the 2019 Simultaneous General Elections is categorized as a drastic increase, with 158,012,506 voters using their voting rights from the total final voter list of 199,987,870 votes, a percentage of 81%, the percentage has increased significantly by around 10% compared to public participation in the 2014 elections, which was 70% of voting rights users.<sup>1</sup>

The increase in voter participation rates in the 2019 simultaneous elections is the most prestigious achievement compared to the organization of two elections in the previous period (the 2009 and 2014 elections). This is based on the post-reform election participation table, which shows a "positive trend" in the organization of the 2019 elections, as shown in the table below:

**Table 1:** *Public Participation in Election Organization.*<sup>2</sup>

No.	Election Year	Percentage
1	2019	81%
2	2014	75,2%
3	2009	70,9%
4	2004	84,1%
5	1999	92,6%

**Source:** *Merdeka.com, This is the level of Election Participation 1955-2019*  
<https://www.merdeka.com/politik/ini-tingkat-partisipasi-pemilih-dari-pemilu-1955-2014.html>.

What is interesting about this phenomenon is the increase in voter turnout in rural areas such as Papua, where the voter turnout rate reached 90%, indicating that the participation rate far exceeds the national participation rate.<sup>3</sup>

However, the high voter participation in the 2019 elections certainly does not guarantee that the elections will run smoothly without any violations at each stage. It is proven that the Election Supervisory Agency (Bawaslu) still handles many election violations during the elections this year. This shows that the burden of

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<sup>1</sup> Redaksi., "KPU Sebut Partisipasi Pemilih Pada Pemilu 2019 Capai 81 Persen," *Harian Kompas*, 2019.

<sup>2</sup> Redaksi, "Ini Tingkat Partisipasi Pemilih Dari Pemilu 1955-2014," *Harian Merdeka*, 2014.

<sup>3</sup> Dimas Bayu, "Data Tingkat Partisipasi Pemilih Dalam Pilpres, Tertinggi 2019," *December 2022*.

election supervision needs to be strengthened, considering that there are still many violations surrounding the holding of elections at each stage.

It is important to note that the supervision system initiated by the Bawaslu in the 2019 elections is centred on downstream supervision, which places the village as the spearhead of election supervision. This system distinguishes this year's election supervision from the election supervision system in previous years, which has yet to make villages the basis of supervision. Thus, it is very easy to achieve a supervisory system of integrity as an important part of a country with a democratic system based on public trust.<sup>4</sup>

However, the facts show different results and do not place supervision at the village level as the basis for election supervision. This is evidenced by the number of alleged election violations that Bawaslu must resolve at the city district, provincial and central levels. There is a dispute resolution of the electoral process that is still at the central level and overrides the supervision system at the village level.

The issue of a village-based election supervision system should be distinct from the idea of participatory election supervision, which emphasizes supervision based on civil power. Unfortunately, this concept and its implementation at the practical level cannot be found as a standardized concept due to the provisions of Article 89 paragraph (2) of Law Number 7/2017 on General Elections (Election Law), which limits the election supervision system at the village level only to the Village Election Supervisory Committee (Panwaslu Desa) and Polling Station Supervisors (TPS Supervisors).<sup>5</sup>

Not to mention the issue of legal protection for the implementers of participatory election supervisors, for which there is no legal basis. Therefore, the election monitoring system based on the strength of civil society (participatory) needs to be more successful in suppressing acts of election violations and has yet to be able to do much in the process of resolving cases of election violations.

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<sup>4</sup> M Rahmatunnisa, "Mengapa Integritas Pemilu Itu Penting?," *Jurnal Bawaslu* 1, no. 3 (2017): 7.

<sup>5</sup> Humas, "Inilah Undang-Undang Nomor 7 Tahun 2017 Tentang Pemilihan Umum (2)" (2017).

Starting from the above thoughts, the development of thinking around the resolution of cases and legal disputes at the village level has provided a new strategy to accelerate the process of resolving legal disputes amid village life. Through Article 28 of Law No. 6/2014 on Villages (Village Law), the state authorizes the village head to resolve various legal disputes at the village level.<sup>6</sup>

A phenomenon that can be an interesting example of efforts to ground the law through strengthening the role of the village apparatus is the East Java Police Chief's Telegram Letter Number ST/38/I/2014/DITBINMAS. Dated January 8, 2014, concerning Basic Guidelines for Strategy and Implementation of Community Policing in Carrying out the Tasks of the Indonesian National Police, which contains recommendations to optimize Pre-Emitive activities by empowering judicial institutions at the village level in the form of Bhabinkantibmas, Babinsa, Village Head, and Community Leaders. The circular referred to above is to optimize the Regulation of the Chief of the Republic of Indonesia Police Number 7 of 2008 concerning Basic Guidelines for the Strategy and Implementation of Community Policing in Carrying out the Duties of the Indonesian National Police.<sup>7</sup>

Such legal nomenclature should be utilized to conduct election supervision at the village level so that the dispute process can be resolved quickly, accurately, and with a sense of kinship at the village level. The East Java Police Chief's Telegram Letter above can be a reference model for other regions to accelerate and maximize the legal settlement process at the village level. The study will certainly be more interesting because the settlement of legal disputes based on village figures has been practised in several legal cases in Madura.<sup>8</sup>

The author realizes that the study of the electoral monitoring system is familiar in the repertoire of legal research in Indonesia, as evidenced by the many

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<sup>6</sup> Winanda Kusuma, Bunga Permatasari, and Reza Adriantika Suntara, "Peningkatan Pengawasan Partisipatif Masyarakat Desa Dalam Pelaksanaan Pemilihan Umum Serentak Tahun 2024 Melalui Penyuluhan Hukum," *DAS SEIN: Jurnal Pengabdian Hukum Dan Humaniora* 2, no. 2 (July 27, 2022): 93–104, <https://doi.org/10.33756/jds.v2i2.15256>.

<sup>7</sup> Mohammad Nurul Huda Ach Khoiri, "Metode Penyelesaian Konflik Antar Aliran Agama Melalui Peran Kiai Kampung Dan Kepala Desa," *Simposium Hukum Indonesia* 1, no. 1 (2019): 637–47.

<sup>8</sup> Muwaffiq Jufri, *Metode Penyelesaian Konflik Agama; Optik Hukum, HAM, Dan Nilai Kearifan Lokal* (Surabaya: Scopindo, 2021), 143.

studies on the electoral monitoring model. Some of the studies in question include: First, research conducted by Ade Putra Ode Amane in 2022 entitled "Steps and Anticipation of the Banggai General Election Supervisory Agency (Bawaslu) in the Election Stages". This study describes the practice of election supervision carried out by Bawaslu Binggai in the stages of election implementation, both in terms of prevention, supervision, and prosecution.<sup>9</sup>

Second, research conducted by Ratnia Solihah in 2018 entitled "The Importance of Participatory Supervision in Guarding Democratic Elections". This paper discusses issues arising in the context of participatory supervision, carried out by election monitoring institutions and other civil society organizations, and efforts made in participatory supervision to oversee democratic elections by applicable laws and regulations.<sup>10</sup>

Third, research conducted by Nurkinan in 2018 entitled "The Role of Community Participation in Supervising the 2019 Simultaneous Legislative and Presidential Elections". This research focuses on efforts to maximize the role of civil society in carrying out the supervisory function so that elections can be implemented honestly and with integrity. With this participatory supervision, it is hoped that it will minimize the potential for fraud in implementing elections.<sup>11</sup>

Of the three previous studies above, there has yet to be a study that explicitly discusses the judicial institution-based participatory monitoring model at the village level in Madura. Several studies that have previously been conducted only discuss the implementation of regulations in the implementation of elections. Therefore, the novelty value initiated in this research is attractive because it

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<sup>9</sup> Ade Putra Ode Amane et al., "Langkah Dan Antisipasi Badan Pengawas Pemilihan Umum (Bawaslu) Banggai Dalam Tahapan Pemilu," *E-Amal: Jurnal Pengabdian Kepada Masyarakat* 2, no. 2 (May 20, 2022): 1251–60, <https://doi.org/10.47492/eamal.v2i2.1559>.

<sup>10</sup> Ratnia Solihah, Arry Bainus, and Iding Rosyidin, "Pentingnya Pengawasan Partisipatif Dalam Mengawal Pemilihan Umum Yang Berintegritas Dan Demokratis," *Jurnal Wacana Politik* 3, no. 1 (2018): 14–28, <https://doi.org/10.24198/jwp.v3i1.16082>.

<sup>11</sup> Nurkinan, "Peran Partisipasi Masyarakat Dalam Pengawasan Pemilihan Umum Serentak," *Jurnal Politikom Indonesia* 3, no. 1 (2018): 26–40, <https://doi.org/https://doi.org/10.35706/jpi.v3i1.1409>.

contributes to the community conducting election supervision at the village level, especially the implementation of election supervision in Madura.<sup>12</sup>

The hypothesis built in this paper is that there is a classic method as part of the legal treasures in Indonesia, which can be used to overcome the weaknesses in the process of election supervision at the village level. Based on the new supervisory authority over such methods, it is believed that it will make the election supervision system at the village level more practical, easy and can be done quickly, unlike the current supervision system, which emphasizes formal procedural matters.

## Method

Furthermore, the type of research used in this research is normative legal research, which is research based on the analysis of library materials as data sources, some legal principles and laws and regulations,<sup>13</sup> which is used to study, know and analyze the weaknesses of the election supervision system at the village level, as well as reconstruct a supervision system based on the synergy of judicial institutions at the village level as an effort to strengthen the supervision system for the realization of an integrity election.

This research uses a *statute approach*, *conceptual approach*, and *case approach*. While the legal sources used are:

- a) Primary legal sources, namely in the form of authoritative legal sources in the form of laws and regulations, including Law Number 17 of 2017 concerning General Elections; Law Number 6 of 2014 concerning Villages; National Police Chief Regulation Number 7 of 2008 concerning Basic Guidelines for Strategy and Implementation of Community Policing in Carrying out Police Duties.
- b) Secondary legal sources, in the form of the results of academic studies on election supervision and judicial institutions at the village level, both the

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<sup>12</sup> R Mukhlis, Safi', Yulianti, "A Three-Pillar Synergism Reinforcement Model in Judicial Function Policy at Village Level.," *Untag Law Review* 2, no. 1 (2017): 19.

<sup>13</sup> Peter Mahmud Marzuki, *Penelitian Hukum* (Jakarta: Kencana Prenada Media, 2019), 37.

results of studies in the form of books, journals, magazines, proceedings, research reports, and so on.

- c) Tertiary legal sources that support the existence of primary and secondary legal sources, in the form of internet sources, legal dictionaries, and so on.

In order to strengthen the legal sources above, legal sources were also found through scientific interviews in order to find a model of election supervision that has developed in the community as a legal habit in election supervision, especially the existence of judicial institutions at the village level in an effort to strengthen the election supervision system.

All of the above legal sources are then analyzed using prescriptive-analytical analysis techniques to find academic answers about the model of strengthening the election supervision system at the village level in order to realize the implementation of elections with integrity. This is because only elections with integrity will give birth to ideal leadership systems and models, pro-democracy, and uphold social values.<sup>14</sup>

## **Discussion**

### **Weak Legal Rules for Election Supervision at the Village Level**

As described in the introduction above, it must be recognized that the holding of simultaneous elections in 2019 can be categorized as well implemented compared to the holding of elections in previous years. This can be proven by the increasing participation of citizens in exercising their voting rights. The use of voting rights that increased by around 10% is evidence of public trust in the performance of election organizers, both organizers at the voting stage and organizers related to supervision and electoral legal processes.<sup>15</sup>

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<sup>14</sup> Uu Nurul Huda, "The Position and Authority of The Election Supervisory Board In Indonesian Constitutional System," *Unifikasi: Jurnal Ilmu Hukum* 6, no. 1 (June 26, 2019): 71, <https://doi.org/10.25134/unifikasi.v6i1.1807>.

<sup>15</sup> Hendra Setiadi, Mala Sondang Silitonga, and Edy Sutrisno, "The Strategy of The Election Supervisory Agency in The West Java Region in Increasing Community Participatory Supervision," *Dia* 21, no. 01 (June 3, 2023): 109–22, <https://doi.org/10.30996/dia.v21i01.7670>.

However, evaluations and notes of shortcomings that are the weaknesses of the 2019 elections must still be conveyed to the public, solely to explain that no matter how good the system is organized in the election process, there are still gaps that must be followed up so that the implementation of elections in the next period can be held better, honestly, and with dignity as the ideals of democracy as the system chosen in giving birth and/or succession of leadership.<sup>16</sup>

This evaluation is important considering that several violations in the implementation of elections still exist, including election violations in 2019. Even the form and number of election violations in that year experienced a significant increase compared to previous years. Some of the breaches in question can be seen in the table below:

**Table 2: Alleged Election Violations in 2019**

No.	Type of Violation	Total
1	Election administration violations	16.427
2	Code of ethics violations	426
3	Criminal Offenses	2.798
4	Other violations of the law	1.518
<b>Total</b>		<b>21.169</b>

*Source: Data on Election Violations in 2019, www.bawaslu.go.id.*

From the number of violations above, it turns out that not all violations can be handled properly because this institution cannot handle all alleged election violations as described in the data above.

**Table 3: Election Handling Data by Bawaslu in 2019**

No.	Handling of Election Violations	Total
1	Election administration violations	16.134
2	Code of ethics violations	373
3	Criminal Offenses	582
4	Other violations of the law	1.475

<sup>16</sup> S Hamimah, "Memperkuat Peran Dan Fungsi Bawaslu Dalam Pengawasan Dan Penegakan Hukum Pemilu," *Prosiding Seminar Nasional Hukum Universitas Negeri Semarang* 4, no. 3 (2018): 804.



<b>Total</b>	<b>18.564</b>
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*Source: Data on Election Violations in 2019, www.bawaslu.go.id.*

One of the most important things in evaluating the holding of simultaneous elections in 2019 is evaluating the election supervision system directly commanded by the Election Supervisory Agency (Bawaslu). The existence of an election supervisory institution is an embryo of the noble ideals of reform that want to restore people's sovereignty in organizing elections. The existence of this institution is intended so that the dark history of organizing elections in the pre-reform period is not repeated.<sup>17</sup>

So far, the Bawaslu institution has experienced several forms and systems of authority in organizing election supervision. The last change is regarding its hierarchical form as stipulated in Article 89 paragraph (2), which states that the Bawaslu hierarchy consists of:<sup>18</sup>

- 1) The Election Supervisory Agency of the Republic of Indonesia this institution is the parent of election supervisory institutions and is located at the central level.
- 2) The Provincial Election Supervisory Agency is an election supervisory institution whose position is at the provincial level.
- 3) Regency/City Election Supervisory Agency is an election supervisory institution whose position is at the provincial level.
- 4) The Sub-district Election Supervisory Committee is an election supervisory institution at the sub-district level.
- 5) The Overseas Election Supervisory Committee is an election supervisory institution for implementing elections abroad.
- 6) A Polling Station Supervisor (TPS Supervisor) is an election supervisory institution for implementing polling station-level elections.

<sup>17</sup> Fritz Siregar, "The Role of the Elections Supervisory Agency to Contend Hoax and Hate Speech in the Course of 2019 Indonesian General Election," *PADJADJARAN Jurnal Ilmu Hukum (Journal of Law)* 07, no. 02 (2020): 158–80, <https://doi.org/10.22304/pjih.v7n2.a2>.

<sup>18</sup> Dede Sri Kartini, "Demokrasi Dan Pengawas Pemilu," *Journal of Governance* 2, no. 2 (2017): 146–62, <https://doi.org/10.31506/jog.v2i2.2671>.

There are several exciting things from the hierarchical composition of election supervisory institutions above, namely the existence of election supervisory institutions at the village level. Interestingly, supervisors at the village level prove that the concentration of election supervision, which was initially centred in the Bawaslu Republic of Indonesia, has now turned to supervision at the village level. In the sense that the state has made the village the spearhead of election supervision.

In this case, the intended supervision system is stipulated in Article 109 of Law No. 7/2017 on General Elections, which gives authority to the Village Panwaslu: a) receiving and submitting everything related to alleged election violations regulated in laws and regulations. The allegations are forwarded to the District Panwaslu; b) Assist in requesting information materials needed to associated parties to prevent and prosecute election violations; c) carry out other powers by the provisions of laws and regulations.<sup>19</sup>

Meanwhile, polling station supervisors whose position at the polling station level is only carried out by 1 (one) member with authority in the form of: a) submitting objections in the event of alleged violations, errors and/or irregularities in the administration of voting and counting; b) receiving copies of the minutes and certificates of voting and counting; c) exercising other powers by the provisions of laws and regulations.<sup>20</sup>

If scrutinized, the existence of an election supervisory institution at the village level is limited to administrative matters only. The institution is limited to its authority in matters of electoral procedures, including submitting reports of objections to alleged election violations, requesting and assisting information materials as needed in preventing election violations, and very administrative matters in the form of requesting copies of the minutes of the voting at each polling station.

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<sup>19</sup> Rizki Ramadani and Andika Prawira Buana, "The Needed but Unwanted Independent Regulatory Agencies: Questioning Their Legitimacy and Control in Indonesia," in *Proceedings of the 2nd International Conference of Law, Government and Social Justice (ICOLGAS 2020)* (Paris, France: Atlantis Press, 2020), 312–27, <https://doi.org/10.2991/assehr.k.201209.351>.

<sup>20</sup> Simon Butt and Fritz Siregar, "Multilayered Oversight: Electoral Administration in Indonesia," *Asian Journal of Comparative Law* 16, no. S1 (December 1, 2021): S121–35, <https://doi.org/10.1017/asjcl.2021.32>.

The spirit built in reforming and strengthening Bawaslu's functions has led to executorial functions where this institution is given authority not only on administrative matters and stops at legal products in the form of recommendations, as was the authority given to Bawaslu before the enactment of Law No. 7 of 2017 concerning Elections.<sup>21</sup>

This pattern should be supported by granting authority to election supervisory institutions at the village level so that the handling and resolution of electoral legal issues at the village level can be resolved quickly and carefully and does not require procedures that slow down the resolution of the problem.

If this is the case, then the existence of an election supervisory institution at the village level will only slow down the process of resolving electoral legal issues because it is still going through a series of tiered administrative procedures before being decided by the election supervisory institution at the district/city level. This is different from the procedure for resolving violations of the electoral process at the time before Law No. 7/2017 on Elections was enacted. In the regime before the Election Law of 2017, a tier of election supervisory institutions was only a procedural institution that could not decide election violations.<sup>22</sup>

Although there is a participatory monitoring mechanism that involves the general public in conducting election monitoring, the authority given by the law to this type of monitoring remains limited to administrative matters as stipulated in Article 448 paragraph (3) of the Election Law, including:

- 1) not take sides in favour of or against election participants;
- 2) does not interfere with the process of organizing the election stages;
- 3) aims to increase the political participation of the community at large;
- 4) encourage the realization of an atmosphere conducive to holding safe, peaceful, orderly and smooth elections.

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<sup>21</sup> Herry Febriadi, "The Supervisory Performance of Bawaslu Hulu Sungai Utara in The 2019 Election," *International Journal of Law, Environment, and Natural Resources* 1, no. 2 (January 10, 2022): 74–80, <https://doi.org/10.51749/injurlens.v1i2.18>.

<sup>22</sup> Sahran Raden, "The Adjudication Function of the Election Supervisory Body (ESB) in Realizing Election Justice," *International Journal Papier Public Review* 2, no. 4 (September 15, 2021): 9–19, <https://doi.org/10.47667/ijppr.v2i4.105>.

Not to mention the issue of unclear forms of legal protection for civil society members who carry out participatory monitoring activities in implementing elections. This legal protection is essential in a country that proclaims itself as a state of law. Legal protection is a forum for citizens to be guaranteed authority in-state activities.

Legal protection also serves to make legal efforts if the rights and obligations inherent in each citizen are disturbed by certain parties. With legal protection, civil society that wants to supervise the implementation of elections can have their activities guaranteed by the state. They can take legal remedies when there is interference with their activities as participatory election supervisors. Thus, the existence of legal protection for participatory supervisors is a must.

In summary, the weaknesses of the election monitoring system at the village level, as described above, can be seen in the chart below.

**Table 4.** Weaknesses of the Village Election System

No.	Institutional Perspective	The perspective of civilian involvement
1	Supervisory management at the village level is limited to administrative, not executorial, matters.	Unclear form of legal protection for civilians to participate in monitoring the implementation of elections at the village level
2	Limited human resources in monitoring the implementation of elections at the village level	

*Source: The author's creation is based on several references.*

### **A Model of Election Supervision at the Village Level Based on Madurese Legal Tradition to Realize an Integral General Election**

The idea of strengthening election supervision at the village level is inspired by the history of the legal system in the past, which provides arrangements for the existence of legal institutions at the village level which are used as a means of accessing justice for the community without being treated to a variety of judicial procedures that take a long time.

Legal traditions in the past are a whip for improving the current legal system, making formal justice institutions the foundation for the community in seeking and

fighting for justice. Unfortunately, the judicial institution used as the only justice-seeking institution applies governance that makes citizens go through it quickly. In fact, on several occasions, the judiciary has been overwhelmed in resolving a series of problems that develop in people's lives.<sup>23</sup>

The existence of legal institutions in the village is a community need for the presence of legal and/or judicial institutions at the village level so that all legal problems the community faces can be resolved quickly and carefully and have legal certainty. Legal development efforts starting from the village level will be easily achieved if this model can be appropriately maximised. They will have implications for improving legal culture in the midst of community life.

To strengthen this study, it is necessary to conduct a theoretical-based analysis from the point of view of legal science. In this study, the intended analytical knives are: First, the theory of *sociological jurisprudence*. Many literatures convey that the emergence of this school was pioneered by Roscoe Pound. His scheme of thought is intended to answer people's views on the rigid model of applying the law and only sees the rule of law from a one-sided view, namely the state. The nature of the law exists to regulate society, and the law is indeed for society.<sup>24</sup>

But, in this theory, the law is seen as a social institution, so the law is needed so that the public interest can be maximally achieved. According to this school, the law can be said to be good with a note that the law is by the laws that live in the life of the community explicitly the flow of sociological jurisprudence separates between positive law (*positive law*) and the law that lives in society (*living law*).<sup>25</sup>

The emphasis of this theory is related to the teachings of *social engineering* (social engineering), which conceptualizes law as a tool to change or reform the structure and order of life in society. Law is placed as human behaviour, namely directing the behaviour of society towards progress. In this *social engineering*

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<sup>23</sup> I Nyoman Nurjaya, "Memahami Kedudukan Dan Kapasitas Hukum Adat Dalam Politik Pembangunan Hukum Nasional," *Perspektif* 16, no. 4 (2011): 236, <https://doi.org/10.30742/perspektif.v16i4.86>.

<sup>24</sup> Safi', Muwaffiq Jufri, and Ansori, *Filsafat Hukum; Mengurai Esensi Hukum Berbasis Multi-Prespektif* (Jakarta: Prenada Media, 2023), 37-38.

<sup>25</sup> Surya Prakash Sinha, *Jurisprudence; Legal Philosophy in a Nutshell* (St. Paul Minn: West Publishing.co, 1993), 173.

teaching, law is oriented towards development used by *agents of development*. This *agent of development* can later shape the law as a means of development in the framework of "*law as a tool of social engineering*".

The link between the theory of *sociological jurisprudence* and the idea of an election supervision system based on village judicial institutions is that the existence of judicial institutions at the village level needs to be transformed in social life by making it a positive law so that the nuances built in the legal products of election supervision at the village level should be designed to involve judicial institutions at the village level. In this condition, the existence of the judicial institution is intended to engineer community life in terms of election supervision as the primary mission of the Sociological Jurisprudence legal school, which defines "*law is a tool as social engineering*".

Second, legal pluralism, the phenomenon of legal pluralism itself, only emerged around the middle of the 20th century and developed according to social developments that were indeed dynamic. The initial concept of this thought is that in the life of the state and society, more than one legal system is simultaneously adopted and practised in the same social and legal field. This fact is especially prevalent in countries with deep-rooted consensus and cultural identity, such as those in eastern countries, one example is Indonesia.<sup>26</sup>

In simple terms, the study of legal pluralism is considered a meeting and/or interaction of one legal concept and system with another legal concept and system. The development of *legal pluralism* has made it the most controversial and exciting study in various fields of law, including legal theory, legal sociology, and legal anthropology. So strategic is this study that it is referred to as a critical concept in legal studies in the era of post-modernism.<sup>27</sup>

Legal pluralism seeks to place legal understanding in its comprehensive and holistic form to obtain concepts and legal systems with a view to substantive justice.

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<sup>26</sup> Keebet von Benda-Beckmann and Bertram Turner, "Legal Pluralism, Social Theory, and The State," *The Journal of Legal Pluralism and Unofficial Law* 50, no. 3 (September 2, 2018): 255–74, <https://doi.org/10.1080/07329113.2018.1532674>.

<sup>27</sup> N. D. Masyitoh, "Dilaketika Pluralisme Hukum: Upaya Penyelesaian Masalah Ancaman Keberagaman Dan Keberagamaan Di Indonesia," *Jurnal Walisongo* 2, no. 24 (2016): 369–70.

Legal pluralism offers a new model in legal studies focused on the plurality of people in understanding the law, which certainly considers aspects of *natural law* (*ethics, morals, religion*), *positive law*, and *socio-legal*.<sup>28</sup>

According to Suteki, legal pluralism is a breakthrough new strategy to sharpen legal studies through non-enforcement. This study model is intended so that efforts to explore and find legal models can make leaps towards considering legal systems that have been traditional and historic in people's lives. Suteki emphasized the existence of 4 (*four*) legal characteristics, including customary law, religious law, *civil law system* and *common law system*. The position of customary law in this study is called *living law*, which was born from the perspective of Indonesian people in law. In contrast, religious law is a tradition of community law contained in religious teachings whose existence is referred to as *natural law*.<sup>29</sup>

The urgency of legal pluralism theory in this study is to normalize traditions in social life related to election monitoring. Judicial institutions at the village level are a tradition in community life and have existed since Indonesia did not proclaim its independence. Normalizing the tradition of election supervision that develops in a country with a legal system like Indonesia is necessary. Because in the current tradition of the Indonesian state of law, a formal state idea can only be implemented by the state if it has received legal legitimacy from the state.<sup>30</sup>

The rule of law only requires that everything related to state administration must be regulated and enforced by positive state law. If not, all actions taken are potentially referred to as actions and/or policies not based on the law. Therefore, ideas related to strengthening the election monitoring system through

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<sup>28</sup> S Irianto, "Sejarah Perkembangan Pemikiran Pluralisme Hukum Dan Konsekuensi Metodologisnya," *Jurnal Hukum Dan Pembangunan* 33, no. 4 (2003): 49.

<sup>29</sup> Bakti, "Pluralisme Hukum Dalam Mekanisme Penyelesaian Sengketa Sumber Daya Alam Di Aceh," *Kanun: Jurnal Ilmu Hukum* 17, no. 1 (2015): 129–49, <https://doi.org/10.24815/kanun.v17i1.6056>.

<sup>30</sup> Pan Mohamad Faiz et al., "Big Man, Bag or Ballot Box? Upholding Legal Pluralism through Noken as a Traditional System of Voting in Elections in Papua, Indonesia," *Legal Pluralism and Critical Social Analysis* 55, no. 3 (September 2, 2023): 339–65, <https://doi.org/10.1080/27706869.2023.2274167>.

strengthening judicial institutions at the village level must first obtain legal legitimacy from the state.<sup>31</sup>

This legal concept is practised in people's lives (living law) to solve all legal problems, including electoral law-related ones. The existence of such a legal tradition is important to be conceptualized in formal rules to realize a more effective election monitoring system.

In summary, the urgency and contribution of thoughts in the theory of *sociological jurisprudence* and the theory of legal pluralism in this research, as described above, can be seen in the chart below:

**Table 5.** Theoretical Urgency and Contribution

No.	Legal Pluralism	Sociological Jurisprudence
1	Engineering the existence of judicial institutions at the village level through the rule of law	Develop a study of the methods of resolving legal issues that have developed into the habits of the village community.
2	Engineering the authority of judicial institutions at the village level as election supervisory institutions.	Reconstructing the legal habits of the community with formal state regulations regarding election supervision at the village level.

*Source: Compiled by the author from various references*

The idea of resolving legal issues at the village level has existed since Indonesia was not independent. This method has existed since the days of royal power in Indonesia. An example is the mechanism for resolving legal issues during the Majapahit Kingdom, where a religious figure called "Raja Pandita" resolved a law enforcement mechanism. So that community legal matters can be resolved at the village level without going through the state courts.<sup>32</sup>

Furthermore, during the Dutch East Indies government, the mechanism for resolving legal issues at the village level was also enforced through legal policies such as granting authority to village judges (*Drops rechter*) to resolve all the legal problems within the village. The regulation was stipulated through Ordinance No.

<sup>31</sup> Saldi Isra, Ferdi Ferdi, and Hilaire Tegnan, "Rule of Law and Human Rights Challenges in South East Asia: A Case Study of Legal Pluralism in Indonesia," *Hasanuddin Law Review* 3, no. 2 (August 12, 2017): 117, <https://doi.org/10.20956/halrev.v3i2.1081>.

<sup>32</sup> Muwaffiq Jufri, "Regulation Model of Religious Rights and Freedoms for Local Religious Believers in the Majapahit Constitution," *HAM* 1, no. 1 (2022): 57–67, <https://ejournal.balitbangham.go.id/index.php/ham/article/view/3112>.



102, dated March 9, 1935. This policy was then maintained by the Government of the Republic of Indonesia, which had only celebrated its independence for a few years, as outlined in Emergency Law No. 1 of 1951 (Emergency Law 1951). Article 3a paragraph (1) of the 1951 Emergency Law states that village judges are authorized to hear and decide all issues within the village.<sup>33</sup>

Even the village judge's decision can be continued through an appeal mechanism at the district court with stringent provisions in the form of a village judge's decision that must be considered in deciding the case submitted. This shows that the existence of village judges (*Drops rechter*) is legally recognized by the state as part of efforts to create a method of resolving legal disputes among village communities quickly and accurately.<sup>34</sup>

In addition, the fact that the rural environment still maintained the method of resolving legal cases that are resolved in a family manner is an intellectual treasure in the field of law that has been traditionalized across the period and era. This method is then used as the basis for the community to resolve all legal issues. In the study of legal pluralism, a legal system that develops in the community is usually considered a necessity, and there are other laws besides the positive law established by the state. By this study, the legal system is commonly called *living law* and/or *indigenous law*.

However, such a legal concept has yet to be given sufficient space since the enactment of Law No. 14/1970, which stipulates that the criteria for judicial institutions are only those directly managed by the state under the auspices of the Supreme Court (MA). Thus, this legal policy made the existence of Swapraja Courts and adat courts lose their function in resolving legal issues at the village level.<sup>35</sup>

Apart from the description above, the rules of electoral law provide their legal legitimacy in the election supervision process. The Election Law mandates Bawaslu

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<sup>33</sup> A. Ubbe, "Peradilan Adat Dan Keadilan Restoratif," *Jurnal Rechtsvinding* 2, no. 2 (2013): 168.

<sup>34</sup> Nurjaya, "Memahami Kedudukan Dan Kapasitas Hukum Adat Dalam Politik Pembangunan Hukum Nasional."

<sup>35</sup> Sukirno, "Implementasi Putusan Mahkamah Konstitusi No. 97/PUU/XIV/2016 Pada Masyarakat Adat Karuhun Urang Di Cigugur," *Jurnal Penelitian Hukum De Jure* 17, no. 3 (2017): 413–25, <https://doi.org/http://dx.doi.org/10.30641/dejure.2020.V20.11-24>.

to supervise the process of organizing elections, and for supervision at the village level, there are supervisory institutions in charge of supervising elections. The institutions referred to are Village Panwaslu and TPS Supervisors, who work hierarchically in supervising elections. Unfortunately, the institutional design and election supervision system have several areas for improvement, as described in the previous discussion.<sup>36</sup>

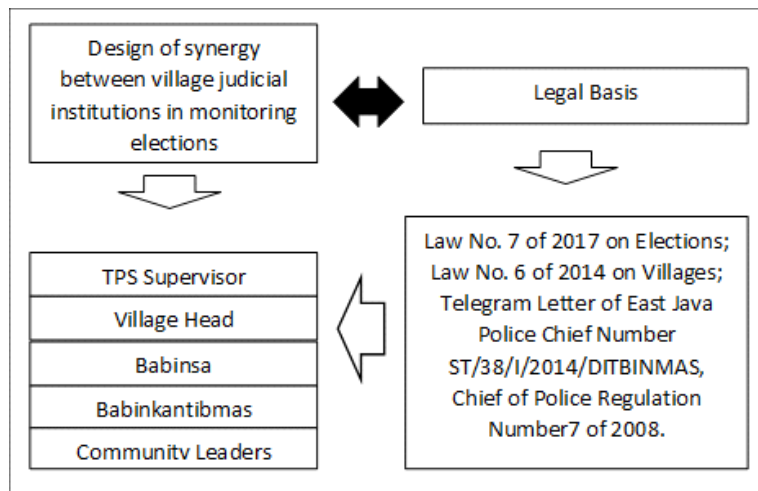
As a follow-up to the evaluation of election supervision, some initiatives want to strengthen the existence of election supervisory institutions at the village level, namely by synergizing the existence of election supervisory institutions at the village level with village institutions that have judicial functions to resolve all legal issues that occur in the village.

The existence of village institutions with judicial functions is a follow-up to the mandate of Article 28 of the Village Law, which provides flexibility for the village head to resolve all legal issues within the village. A typical example that can be used as a reference in this regard is the existence of the East Java Police Chief's telegram letter No. ST/38/I/2014/DITBINMAS. Dated January 8, 2014, concerning Basic Guidelines for the Strategy and Implementation of Community Policing in Organizing the Tasks of the Indonesian National Police. The letter contains recommendations to optimize Pre-Emitive activities by empowering judicial institutions at the village level in the form of Bhabinkantibmas, Babinsa, Village Heads, and Community Leaders. The circular letter referred to above is to optimize the existence of the Regulation of the Chief of Police of the Republic of Indonesia Number 7 of 2008 concerning Basic Guidelines for the Strategy and Implementation of Community Policing in Carrying out Police Duties. Thus, the design and/or pattern resulting from the content of the two legal instruments above are as shown in the chart below:

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<sup>36</sup> Kusuma, Permatasari, and Suntara, "Peningkatan Pengawasan Partisipatif Masyarakat Desa Dalam Pelaksanaan Pemilihan Umum Serentak Tahun 2024 Melalui Penyuluhan Hukum."

**Figure 1. Judicial Institutional Design at the Village Level**



**Source:** Village Law, Chief of Police Regulation No. 7 of 2008, and East Java Police Chief's telegram letter No. ST/38/I/2014/DITBINMAS

The existence of judicial institutions at the village level can overcome all the weaknesses of the current election monitoring system as an institutional optimization step. However, there is no clear enough nomenclature on the legal basis for this idea. However, if seen from the point of view of legal pluralism, the supervision mechanism can be justified as the community's views and/or legal habits regarding the enforcement of election violations at the village level.<sup>37</sup>

From the viewpoint of *sociological jurisprudence* theory, the formalization of the institutionalization of judicial institutions at the village level can be done by determining the authority possessed by the electoral judicial institution to participate in monitoring the implementation of elections at the village level.<sup>38</sup> This perspective requires a policy accommodating local values in resolving a legal issue. This view believes that the community's traditions and/or legal customs significantly contribute to creating a law-abiding society that will facilitate the state in creating an orderly, peaceful life away from fraudulent actions.

<sup>37</sup> H.M. Dimiyati Huda, Agus Edi Winarto, and Lestariningsih Lestariningsih, "Problematika Penegakan Hukum Tindak Pidana Pemilu Pada Pemilu Tahun 2019 Di Kabupaten Kediri," *Briliant: Jurnal Riset Dan Konseptual* 7, no. 2 (May 31, 2022): 434, <https://doi.org/10.28926/briliant.v7i2.1012>.

<sup>38</sup> Agam Primadi, David Efendi, and Sahirin Sahirin, "The Role of Beginner Voters In Oversight Of Participative Election," *Journal of Political Issues* 1, no. 1 (July 24, 2019): 63–73, <https://doi.org/10.33019/jpi.v1i1.7>.

The composition and system of election supervision at the village level built by the discourse above are:

- 1) Composition of election supervisors from the perspective of the Election Law: consists of 1 (*one*) member of the Panwaslu, 1 (*one*) member of the TPS Supervisor, and the community as participatory election supervisors.
- 2) Election supervisor composition from the perspective of the Village Law: consists of the village head based on the mandate of Article 28 of the Village Law.
- 3) Election supervisor composition from the perspective of Perkapolri No. 7/2008: consists of Bhabinkamtibmas.
- 4) The general example of law enforcement at the village level can be based on the composition of election supervisors from the perspective of the East Java Police Chief Telegram Letter Number: ST/38/I/2014/DITBINMAS, dated January 8, 2014. The supervisors consist of the Village Head, Bhabinkamtibmas, Babinsa, and community leaders.

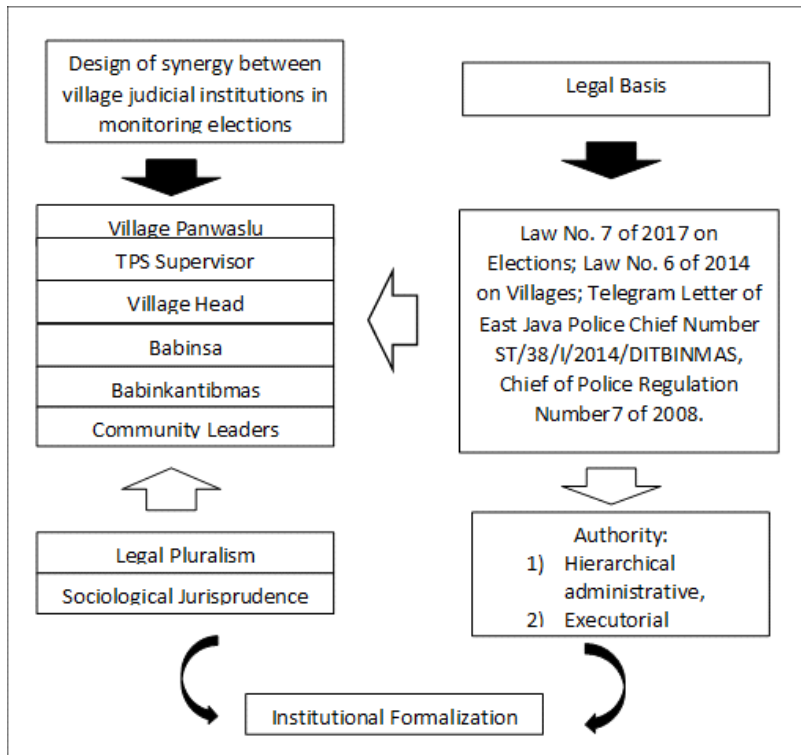
Another exciting thing inherent in the election monitoring system based on the synergy of judicial institutions at the village level is the existence of executorial authority. With this authority, the supervision process at the village level is no longer procedural. Still, it can also decide a case as the findings of the electoral case are at hand. Such authority will cut off the lengthy process of resolving election violations at the village level that cannot be processed directly by the TPS Supervisor and Village Panwaslu.<sup>39</sup>

In simple terms, the institutional design can be seen in the chart below:

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<sup>39</sup> Lalu Parman, Rodliyah Rodliyah, and M. Natsir, "Penanggulangan Tindak Pidana Pemilu (Studi Di Pulau Lombok Nusa Tenggara Barat)," *Journal Kompilasi Hukum* 5, no. 1 (June 29, 2020): 207–25, <https://doi.org/10.29303/jkh.v5i1.46>.

**Figure 2:** Design and Composition of Election Supervision through Judicial Institution Synergy at the Village Level



*Source: Election Law, Village Law, Perkapolri No. 7 of 2008, and East Java Police Chief's telegram letter No. ST/38/I/2014/DITBINMAS.*

## Conclusion

Based on the description in the discussion above, it can be concluded that *First*, the problem that is the weakness of the performance of election supervisors at the village level is that they are still adhering to the old standard in terms of supervision, which focuses on procedural matters, and does not place an executorial supervisory function; *Second*, the design of institutional strengthening of election supervisors based on the synergy of judicial institutions at the village level has regulative and theoretical arguments that can be scientifically accounted for. The design and composition of the supervision consists of Village Panwaslu, TPS Supervisor, Village Head, Babinsa, Babinkantibmas, and community leaders. The existence of such a supervisory composition is then equipped with executorial authority so that all violations of election law can be resolved quickly and thoroughly at the village level.

The important contribution of this research is to facilitate civil society in conducting election supervision at the village level and to actualize the local wisdom of the Madurese community in resolving legal issues, including election law issues.

## References

- Ach Khoiri, Mohammad Nurul Huda. "Metode Penyelesaian Konflik Antar Aliran Agama Melalui Peran Kiai Kampung Dan Kepala Desa." *Simposium Hukum Indonesia* 1, no. 1 (2019): 637–47.
- Bakti. "Pluralisme Hukum Dalam Mekanisme Penyelesaian Sengketa Sumber Daya Alam Di Aceh." *Kanun: Jurnal Ilmu Hukum* 17, no. 1 (2015): 129–49. <https://doi.org/10.24815/kanun.v17i1.6056>.
- Bayu, Dimas. "Data Tingkat Partisipasi Pemilih Dalam Pilpres, Tertinggi 2019," December 2022.
- Benda-Beckmann, Keebet von, and Bertram Turner. "Legal Pluralism, Social Theory, and The State." *The Journal of Legal Pluralism and Unofficial Law* 50, no. 3 (September 2, 2018): 255–74. <https://doi.org/10.1080/07329113.2018.1532674>.
- Butt, Simon, and Fritz Siregar. "Multilayered Oversight: Electoral Administration in Indonesia." *Asian Journal of Comparative Law* 16, no. S1 (December 1, 2021): S121–35. <https://doi.org/10.1017/asjcl.2021.32>.
- Faiz, Pan Mohamad, Saldi Isra, Irfan Nur Rachman, Abdul Ghoffar, and Khairul Fahmi. "Big Man, Bag or Ballot Box? Upholding Legal Pluralism through Noken as a Traditional System of Voting in Elections in Papua, Indonesia." *Legal Pluralism and Critical Social Analysis* 55, no. 3 (September 2, 2023): 339–65. <https://doi.org/10.1080/27706869.2023.2274167>.
- Febriadi, Herry. "The Supervisory Performance of Bawaslu Hulu Sungai Utara in The 2019 Election." *International Journal of Law, Environment, and Natural Resources* 1, no. 2 (January 10, 2022): 74–80. <https://doi.org/10.51749/injurlens.v1i2.18>.
- Hamimah, S. "Memperkuat Peran Dan Fungsi Bawaslu Dalam Pengawasan Dan Penegakan Hukum Pemilu." *Prosiding Seminar Nasional Hukum Universitas Negeri Semarang* 4, no. 3 (2018): 804.
- Huda, H.M. Dimiyati, Agus Edi Winarto, and Lestariningsih Lestariningsih. "Problematika Penegakan Hukum Tindak Pidana Pemilu Pada Pemilu Tahun 2019 Di Kabupaten Kediri." *Briliant: Jurnal Riset Dan Konseptual* 7, no. 2 (May 31, 2022): 434. <https://doi.org/10.28926/briliant.v7i2.1012>.
- Huda, Uu Nurul. "The Position and Authority of The Election Supervisory Board In Indonesian Constitutional System." *Unifikasi: Jurnal Ilmu Hukum* 6, no. 1 (June 26, 2019): 71. <https://doi.org/10.25134/unifikasi.v6i1.1807>.

- Humas. Inilah Undang-Undang Nomor 7 Tahun 2017 tentang Pemilihan Umum (2) (2017).
- Irianto, S. "Sejarah Perkembangan Pemikiran Pluralisme Hukum Dan Konsekuensi Metodologisnya." *Jurnal Hukum Dan Pembangunan* 33, no. 4 (2003): 49.
- Isra, Saldi, Ferdi Ferdi, and Hilaire Tegnan. "Rule of Law and Human Rights Challenges in South East Asia: A Case Study of Legal Pluralism in Indonesia." *Hasanuddin Law Review* 3, no. 2 (August 12, 2017): 117. <https://doi.org/10.20956/halrev.v3i2.1081>.
- Jufri, Muwaffiq. "Regulation Model of Religious Rights and Freedoms for Local Religious Believers in the Majapahit Constitution." *HAM* 1, no. 1 (2022): 57–67. <https://ejournal.balitbangham.go.id/index.php/ham/article/view/3112>.
- Kartini, Dede Sri. "Demokrasi Dan Pengawas Pemilu." *Journal of Governance* 2, no. 2 (2017): 146–62. <https://doi.org/10.31506/jog.v2i2.2671>.
- Kusuma, Winanda, Bunga Permatasari, and Reza Adriantika Suntura. "Peningkatan Pengawasan Partisipatif Masyarakat Desa Dalam Pelaksanaan Pemilihan Umum Serentak Tahun 2024 Melalui Penyuluhan Hukum." *DAS SEIN: Jurnal Pengabdian Hukum Dan Humaniora* 2, no. 2 (July 27, 2022): 93–104. <https://doi.org/10.33756/jds.v2i2.15256>.
- Marzuki, Peter Mahmud. *Penelitian Hukum*. Jakarta: Kencana Prenada Media, 2019.
- Masyitoh, N. D. "Dilaketika Pluralisme Hukum: Upaya Penyelesaian Masalah Ancaman Keberagaman Dan Keberagamaan Di Indonesia." *Jurnal Walisongo* 2, no. 24 (2016): 369–70.
- Mukhlis, Safi', Yulianti, R. "A Three-Pillar Synergism Reinforcement Model in Judicial Function Policy at Village Level." *Untag Law Review* 2, no. 1 (2017): 19.
- Muwaffiq Jufri. *Metode Penyelesaian Konflik Agama; Optik Hukum, HAM, Dan Nilai Kearifan Lokal*. Surabaya: Scopindo, 2021.
- Nurjaya, I Nyoman. "Memahami Kedudukan Dan Kapasitas Hukum Adat Dalam Politik Pembangunan Hukum Nasional." *Perspektif* 16, no. 4 (2011): 236. <https://doi.org/10.30742/perspektif.v16i4.86>.
- Nurkinan. "Peran Partisipasi Masyarakat Dalam Pengawasan Pemilihan Umum Serentak." *Jurnal Politikom Indonesia* 3, no. 1 (2018): 26–40. <https://doi.org/https://doi.org/10.35706/jpi.v3i1.1409>.
- Parman, Lalu, Rodliyah Rodliyah, and M. Natsir. "Penanggulangan Tindak Pidana Pemilu (Studi Di Pulau Lombok Nusa Tenggara Barat)." *Journal Kompilasi Hukum* 5, no. 1 (June 29, 2020): 207–25. <https://doi.org/10.29303/jkh.v5i1.46>.
- Primadi, Agam, David Efendi, and Sahirin Sahirin. "The Role of Beginner Voters In Oversight Of Participative Election." *Journal of Political Issues* 1, no. 1 (July 24, 2019): 63–73. <https://doi.org/10.33019/jpi.v1i1.7>.
- Putra Ode Amane, Ade, Sahraen Sibay, Wildan Zaman, Sri Ayu Laali, Nurul Munthoha, and Elcha Rima Cahyani. "Langkah Dan Antisipasi Badan Pengawas

- Pemilihan Umum (Bawaslu) Banggai Dalam Tahapan Pemilu.” *E-Amal: Jurnal Pengabdian Kepada Masyarakat* 2, no. 2 (May 20, 2022): 1251–60. <https://doi.org/10.47492/eamal.v2i2.1559>.
- Raden, Sahran. “The Adjudication Function of the Election Supervisory Body (ESB) in Realizing Election Justice.” *International Journal Papier Public Review* 2, no. 4 (September 15, 2021): 9–19. <https://doi.org/10.47667/ijppr.v2i4.105>.
- Rahmatunnisa, M. “Mengapa Integritas Pemilu Itu Penting?.” *Jurnal Bawaslu* 1, no. 3 (2017): 7.
- Ramadani, Rizki, and Andika Prawira Buana. “The Needed but Unwanted Independent Regulatory Agencies: Questioning Their Legitimacy and Control in Indonesia.” In *Proceedings of the 2nd International Conference of Law, Government and Social Justice (ICOLGAS 2020)*, 312–27. Paris, France: Atlantis Press, 2020. <https://doi.org/10.2991/assehr.k.201209.351>.
- Redaksi. “KPU Sebut Partisipasi Pemilih Pada Pemilu 2019 Capai 81 Persen.” *Harian Kompas*, 2019.
- Redaksi. “Ini Tingkat Partisipasi Pemilih Dari Pemilu 1955-2014.” *Harian Merdeka*, 2014.
- Safi’, Muwaffiq Jufri, and Ansori. *Filsafat Hukum; Mengurai Esensi Hukum Berbasis Multi-Prespektif*. Jakarta: Prenada Media, 2023.
- Setiadi, Hendra, Mala Sondang Silitonga, and Edy Sutrisno. “The Strategy of The Election Supervisory Agency in The West Java Region in Increasing Community Participatory Supervision.” *Dia* 21, no. 01 (June 3, 2023): 109–22. <https://doi.org/10.30996/dia.v21i01.7670>.
- Siregar, Fritz. “The Role of the Elections Supervisory Agency to Contend Hoax and Hate Speech in the Course of 2019 Indonesian General Election.” *PADJADJARAN Jurnal Ilmu Hukum (Journal of Law)* 07, no. 02 (2020): 158–80. <https://doi.org/10.22304/pjih.v7n2.a2>.
- Solihah, Ratnia, Arry Bainus, and Iding Rosyidin. “Pentingnya Pengawasan Partisipatif Dalam Mengawal Pemilihan Umum Yang Berintegritas Dan Demokratis.” *Jurnal Wacana Politik* 3, no. 1 (2018): 14–28. <https://doi.org/10.24198/jwp.v3i1.16082>.
- Sukirno. “Implementasi Putusan Mahkamah Konstitusi No. 97/PUU/XIV/2016 Pada Masyarakat Adat Karuhun Urang Di Cigugur.” *Jurnal Penelitian Hukum De Jure* 17, no. 3 (2017): 413–25. <https://doi.org/http://dx.doi.org/10.30641/dejure.2020.V20.11-24>.
- Surya Prakash Sinha. *Jurisprudence; Legal Philosophy in a Nutshell*. St. Paul Minn: West Publishing.co, 1993.
- Ubbe, A. “Peradilan Adat Dan Keadilan Restoratif.” *Jurnal Rechtsvinding* 2, no. 2 (2013): 168.