

**SILENT ENFORCEMENT: THE PARADOX OF REGULATORY COMPLIANCE AND
CRIMINAL VIOLATIONS IN GOWA'S ELECTION CAMPAIGNS**

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ABSTRACT

Election campaigns in Indonesia are governed by increasingly comprehensive regulations, yet enforcement frequently fails to materialize a phenomenon this study conceptualizes as "silent enforcement." Drawing on a qualitative case study of Gowa Regency, South Sulawesi, this research investigates the paradox of regulatory compliance and criminal violations during election campaigns, examining the gap between formal legal provisions under Peraturan Bawaslu Nomor 7 Tahun 2019 and their practical implementation. Data were collected through semi-structured interviews with 32 informants, participant observation of campaign activities and enforcement processes, and document analysis of Bawaslu reports, Gakkumdu case files, and court decisions. Thematic analysis reveals three primary forms of violations: money politics, civil servant involvement, and procedural violations and three mechanisms of silent enforcement: procedural delays, selective enforcement, and weak documentation practices. Institutional resource constraints, inter-agency coordination failures, and political patronage networks emerge as key factors perpetuating enforcement failure. This study advances the concept of "silent enforcement" as a theoretical lens for understanding regulatory gaps in electoral governance, contributing to debates on democratic consolidation in Indonesia and offering practical implications for strengthening Bawaslu's enforcement capacity at the regency level.

Keywords: silent enforcement; election campaign violations; Gowa Regency; regulatory compliance.

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INTRODUCTION

Elections serve as the cornerstone of democratic governance, functioning as the primary mechanism through which citizens exercise their sovereign rights to choose their representatives. In Indonesia, the constitutional mandate for periodic democratic elections is enshrined in Article 22E of the 1945 Constitution, further operationalized through Undang-Undang No. 7 Tahun 2017 tentang Pemilihan Umum. This legal framework establishes the comprehensive architecture for electoral governance, encompassing everything from voter registration to dispute resolution. However, the implementation of election campaigns a critical phase where candidates communicate their platforms to the electorate frequently becomes a site of legal contestation, where regulatory provisions collide with practical realities (Afifuddin, 2020; Assidqie, 2012). The integrity of electoral processes depends not merely on the existence of robust regulations but crucially on the effectiveness of their enforcement, a challenge that becomes particularly acute in local contexts where institutional capacity and political dynamics intersect.

The regulatory framework governing election supervision in Indonesia has evolved significantly since the reform era. The establishment of the Election Supervisory Agency (Badan Pengawas Pemilihan Umum Bawaslu) represents a pivotal institutional development, conferring upon this body the authority to prevent, detect, and prosecute electoral violations (Huda, 2019). Bawaslu's mandate, articulated through Peraturan Bawaslu Nomor 7 Tahun 2019 concerning organizational structure and working procedures, positions the agency as the frontline guardian of electoral integrity. Haryanti (2020) contends that the reconstruction of Bawaslu's membership elements has been instrumental in enhancing the quality of electoral oversight, though she acknowledges persistent challenges in operational effectiveness. The supervisory architecture is further complemented by the Sentra Penegakan Hukum Terpadu (Gakkumdu) an integrated law enforcement center comprising Bawaslu, the police, and the public prosecutor's office which serves as the primary mechanism for coordinating criminal enforcement of election offenses (Handitya, 2018; Fahmi, 2015).

Despite these institutional advancements, scholarly attention has predominantly focused on the structural and procedural dimensions of electoral governance rather than the micro-dynamics of regulatory enforcement during campaign periods. Zoelva (2015) provides an authoritative analysis of procedural law governing election dispute resolution at the Constitutional Court, while Taufiqurrohman, Jayus, and Efendi (2022) examine the potential integration of the election judiciary system through the establishment of an Election Court. Hiariej (2012) offers a criminal law perspective on local elections, evaluating the adequacy of existing penal provisions in addressing electoral misconduct. Syahuri (2009) traces the constitutional court's jurisprudence on vote counting disputes, illuminating the judicial pathways available for addressing electoral irregularities. Collectively, these studies have contributed substantially to understanding the legal infrastructure of Indonesian elections, yet they exhibit a pronounced orientation toward formal legal analysis and institutional design.

Simultaneously, empirical investigations of election violations have proliferated, yielding valuable insights into specific forms of misconduct. Rizanizarli, Jalil, and Din (2020) propose a model for law enforcement in election crimes tailored to Aceh's provincial context, emphasizing the need for justice-based approaches. Fransisca and Sardini (2023) examine Bawaslu's role in preventing and prosecuting money politics in the Purbalingga and Bontang local elections of 2020, revealing both successes and persistent limitations. Sudirman and Hardin (2022) analyze substantive violations in the implementation of Bawaslu's functions in Pinrang Regency, identifying gaps between regulatory mandates and on-the-ground practices. Harefa, Siallagan, and Siregar (2020) argue for the urgency of establishing specialized judicial bodies to handle local election disputes, highlighting the inadequacies of existing mechanisms. Yuliyanti (2016) examines criminal liability in legislative election offenses through a case study of a court decision, demonstrating the complexities of prosecuting electoral crimes. Hikam (2002) situates these enforcement challenges within the broader framework of citizenship politics and democratization, arguing that electoral integrity is inseparable from the consolidation of democratic institutions.

However, a significant gap remains in our understanding of the everyday practices of campaign regulation enforcement at the regency level, particularly the dynamics that produce a divergence between regulatory provisions and their practical application. While extensive research has focused on the formal institutional architecture of election supervision including Bawaslu's authority, the Gakkumdu mechanism, and judicial dispute resolution little is known about how these mechanisms operate in specific local contexts where political competition, bureaucratic culture, and community

dynamics intersect to shape enforcement outcomes. Existing studies have largely relied on doctrinal legal analysis or broad quantitative surveys, thus failing to capture the nuanced, lived experiences of enforcement actors and the subtle mechanisms through which regulatory compliance is negotiated, contested, or circumvented during campaign periods. Moreover, the concept of "silent enforcement" situations where regulatory violations occur without meaningful intervention despite the existence of formal oversight mechanisms remains theoretically underdeveloped in the Indonesian electoral governance literature. This gap is particularly pronounced in studies of Eastern Indonesian contexts, where institutional capacity and enforcement practices may diverge significantly from those documented in Java and Sumatra.

This study addresses this gap by investigating the paradox of regulatory compliance and criminal violations in election campaigns in Gowa Regency, South Sulawesi. Specifically, this research asks: (1) What forms of criminal violations occur during election campaigns in Gowa Regency? (2) How does Bawaslu implement its enforcement functions in response to these violations? and (3) What factors explain the divergence between the "silent enforcement" between regulatory provisions and enforcement practices? The study employs a qualitative case study methodology, drawing on document analysis, in-depth interviews with enforcement actors, and observation of campaign activities to illuminate the micro-practices of regulatory enforcement.

This research makes several significant contributions to the study of electoral governance and regulatory enforcement. First, it introduces the concept of "silent enforcement" as a theoretical lens for understanding the paradox of regulatory compliance, offering a new terminology for analyzing the gap between formal legal provisions and enforcement practices in contexts of weak institutional capacity. Second, it provides empirical evidence from Gowa Regency, an understudied context in Eastern Indonesia, thereby expanding the geographical scope of electoral governance research beyond the predominantly Javanese focus of existing scholarship. Third, by employing qualitative methods to capture the lived experiences of enforcement actors, this study complements the predominantly doctrinal and quantitative approaches that have characterized much of the electoral law literature, offering richer insights into the everyday practices and practical challenges of campaign regulation enforcement. Fourth, the findings contribute to broader debates in regulatory governance and criminal law enforcement by demonstrating how institutional, political, and cultural factors interact to produce enforcement outcomes that diverge significantly from regulatory intentions. In doing so, this research responds to the call for more contextually grounded analyses of democratic governance in non-Western settings, where the implementation of democratic institutions often produces unintended consequences that challenge formalist assumptions about law and regulation.

RESEARCH METHODS

This study employs a qualitative case study approach to investigate the paradox of regulatory compliance and criminal violations in election campaigns in Gowa Regency. The qualitative paradigm is particularly appropriate for this research as it seeks to interpret and illuminate the actions, subjective experiences, and everyday practices of enforcement actors, rather than merely measuring the frequency or distribution of violations. As qualitative research in electoral governance emphasizes context and reflexivity (Fransisca & Sardini, 2023; Sudirman & Hardin, 2022), this approach enables a nuanced understanding of how institutional, political, and cultural factors interact to produce enforcement outcomes that diverge from regulatory intentions. The case study design was selected because it allows for an in-depth, contextualized examination of a contemporary phenomenon within its real-life setting, particularly where the boundaries between the phenomenon and its context are not clearly evident (Harefa, Siallagan, & Siregar, 2020). Gowa Regency was chosen as the research site through purposive selection, justified by several considerations: first, Gowa has experienced documented electoral violations in recent elections, including cases of money politics and civil servant neutrality breaches; second, as a regency in South Sulawesi with significant political dynamics and institutional complexity, it represents a critical case for understanding the challenges of election supervision in Eastern Indonesia (Bachtar, 2014); and third, the availability of access to key informants and institutional stakeholders facilitated in-depth data collection (Akhmaddhian, Yuhandra, & Andriyani, 2021).

Data for this study were drawn from both primary and secondary sources. Primary data were collected through three principal methods: in-depth semi-structured interviews, participant observation, and document analysis. Semi-structured interviews were conducted with key informants selected through purposive and snowball sampling techniques (Solihah, Bainus, & Rosyidin, 2018). The informant sample encompassed a range of stakeholders involved in election supervision and

enforcement, including: commissioners and staff of the Gowa Regency Bawaslu; members of the Sentra Penegakan Hukum Terpadu (Gakkumdu), comprising representatives from Bawaslu, the police, and the public prosecutor's office (Handitya, 2018); election candidates and campaign team members; civil servants and government officials; community leaders and civil society organizations involved in participatory election monitoring (Mukti, 2009); and academic experts with knowledge of electoral governance in South Sulawesi. The selection of informants was guided by the principle of maximum variation sampling to capture diverse perspectives on the enforcement process (Josviranto, 2022). Interviews were conducted using an interview protocol developed from the research questions and preliminary document analysis, with questions designed to elicit detailed narratives about enforcement practices, challenges, and decision-making processes. Each interview lasted between 60 and 120 minutes, was conducted in Bahasa Indonesia, and was audio-recorded with the informed consent of participants. Interviews continued until data saturation was reached the point at which additional interviews yielded no new insights relevant to the research questions (Rizanizarli, Jalil, & Din, 2020).

Participant observation was undertaken to complement interview data by providing direct insight into the everyday practices of election supervision and enforcement. Observation activities included attending Bawaslu coordination meetings, observing Gakkumdu case handling sessions, monitoring campaign activities, and observing community outreach and socialization programs conducted by Bawaslu. Field notes were recorded systematically during and immediately after observation sessions, capturing both descriptive accounts of activities and reflective observations on the researcher's interpretations and emerging analytical insights (Yuliyanti, 2016). The observational component was essential for understanding the gap between formal procedures and actual practices the "silent enforcement" phenomenon that constitutes the central puzzle of this research (Sudirman & Hardin, 2022).

Document analysis constituted the third primary data collection method. A range of documents was collected and analyzed, including: Bawaslu regulations and standard operating procedures; reports on election violation handling; Gakkumdu case files and prosecution documents (Handitya, 2018); Constitutional Court decisions on election disputes; media reports on election violations in Gowa; and internal Bawaslu communications and meeting minutes. These documents provided crucial contextual information and served as a basis for triangulating findings from interviews and observations (Fransisca & Sardini, 2023; Harefa et al., 2020). Secondary data sources included relevant legislation (Undang-Undang No. 7 Tahun 2017, Peraturan Bawaslu Nomor 7 Tahun 2019), academic literature on Indonesian electoral governance, and official statistics on election violations.

Data analysis followed the thematic analysis framework developed by Braun and Clarke (2006), comprising six phases: familiarization with the data, generating initial codes, searching for themes, reviewing themes, defining and naming themes, and producing the report. The analysis process was both inductive and deductive: inductive coding allowed themes to emerge from the data without predetermined categories, while deductive coding was informed by the theoretical framework and research questions. Interview transcripts were transcribed verbatim and, together with field notes and documentary evidence, were imported into qualitative data analysis software for systematic coding and theme development (Rizanizarli et al., 2020). The coding process involved multiple rounds of review, with codes continually refined and aggregated into broader thematic categories. Themes were developed iteratively, with constant comparison between data sources and ongoing reference to the research questions (Solihah et al., 2018). The analysis focused on identifying patterns in enforcement practices, the factors contributing to the gap between regulatory provisions and actual enforcement, and the mechanisms through which "silent enforcement" operates in the Gowa context (Sudirman & Hardin, 2022; Josviranto, 2022).

To ensure the trustworthiness and rigor of the findings, this study adhered to the criteria established by Lincoln and Guba (1985): credibility, transferability, dependability, and confirmability. Credibility was achieved through prolonged engagement in the field, triangulation of data sources and methods (Fransisca & Sardini, 2023), member checking whereby findings were shared with key informants to verify accuracy and peer debriefing with colleagues familiar with electoral governance research (Bachtar, 2014; Akhmaddhian et al., 2021). Transferability was addressed through thick description of the research context, participants, and processes, enabling readers to assess the applicability of findings to other settings (Harefa et al., 2020; Yuliyanti, 2016). Dependability was ensured through systematic documentation of the research process, including detailed records of data collection, analysis decisions, and methodological choices, allowing for the replication of the

research process (Solihah et al., 2018). Confirmability was established by maintaining an audit trail of raw data, analysis notes, and interpretive decisions, and through reflexive practice that acknowledged the researcher's positionality and its potential influence on the research process (Mukti, 2009; Handitya, 2018).

Ethical considerations were paramount throughout the research process. This study was conducted in accordance with established ethical principles for social science research. Informed consent was obtained from all participants prior to data collection, with participants fully informed of the research objectives, their rights to withdraw at any time, and the measures taken to protect their confidentiality. To protect participant identities, pseudonyms are used in all reporting of findings, and identifying information has been anonymized (Rizanizarli et al., 2020; Josviranto, 2022). Data are stored securely, with access restricted to the research team. The research was conducted with respect for the institutional protocols of Bawaslu and other participating organizations, and all fieldwork activities were carried out in compliance with applicable regulations.

RESULTS AND DISCUSSION

This section presents the findings of the study and discusses their implications in relation to the research questions and existing literature. The analysis is organized around four thematic areas that emerged from the data: (1) Forms of Criminal Violations in Gowa's Election Campaigns; (2) The Mechanisms of "Silent Enforcement"; (3) Institutional and Political Factors Constraining Enforcement; and (4) The Paradox of Regulatory Compliance. Each theme integrates empirical evidence from interviews, observations, and document analysis with theoretical interpretation and connections to prior scholarship.

Forms of Criminal Violations in Gowa's Election Campaigns

The data revealed that criminal violations during election campaigns in Gowa Regency manifest in multiple forms, ranging from overt acts of money politics to more subtle forms of administrative and procedural violations. Money politics emerged as the most frequently reported violation, consistent with broader patterns documented in Indonesian electoral politics (Santoso, 2018; Fransisca & Sardini, 2023). Informants from Bawaslu Gowa described how money politics operated through various mechanisms, including direct cash transfers to voters, distribution of basic necessities, and promises of material benefits in exchange for votes. A Bawaslu commissioner explained:

"In every election, we receive reports of money politics. The methods are increasingly sophisticated not just cash in envelopes, but also through social assistance programs, door-to-door distributions, and even through religious institutions. The challenge is that these transactions often occur in private spaces, making it difficult to gather evidence that meets the legal threshold for prosecution." (Interview, Bawaslu Commissioner, 15 June 2024)

This observation aligns with Santoso's (2018) analysis of money politics in Indonesian elections, which emphasizes the adaptive strategies employed by candidates to circumvent legal prohibitions. The informant's reference to "evidence that meets the legal threshold" points to a recurring tension between the prevalence of violations and the institutional capacity to prosecute them a tension that constitutes a central element of the "silent enforcement" phenomenon.

Beyond money politics, the data revealed significant violations related to the involvement of civil servants and state apparatus in campaign activities. Several informants described instances where government officials, particularly at the village level, were mobilized to support particular candidates. Field notes from observations of campaign events documented the presence of village heads and civil servants at candidate rallies, raising questions about their neutrality. A community leader observed:

"It is an open secret that many village heads support certain candidates. They organize meetings, mobilize their networks, and sometimes even use village facilities for campaign purposes. But when you ask Bawaslu, they say there is not enough evidence to act. The law is clear, but the enforcement is not." (Interview, Community Leader, 22 June 2024)

This finding resonates with Sudirman and Hardin's (2022) study of substantive violations in Bawaslu's functions in Pinrang Regency, which documented similar patterns of state apparatus involvement in campaign activities. The discrepancy between the clarity of legal provisions and the ambiguity of enforcement outcomes reflects what Huda (2019) identified as a gap between Bawaslu's formal authority and its practical capacity to exercise that authority effectively.

Document analysis of Bawaslu Gowa's violation reports for the 2024 election period revealed that while numerous complaints were lodged, a significant proportion were dismissed at the

preliminary review stage due to insufficient evidence or jurisdictional issues. Of the reported violations, administrative violations constituted the largest category, followed by criminal violations (money politics and intimidation), and violations of the code of ethics for election organizers. However, the rate of cases advancing to prosecution through the Gakkumdu mechanism remained low compared to the number of initial complaints a pattern that corroborates findings from other Indonesian regencies (Handitya, 2018; Rizanizarli, Jalil, & Din, 2020).

The Mechanisms of "Silent Enforcement"

The concept of "silent enforcement" emerged inductively from the data as a framework for understanding the gap between regulatory provisions and actual enforcement practices. This section elucidates the mechanisms through which enforcement fails to materialize despite the existence of clear regulatory mandates.

First, the data revealed a pattern of procedural delays that effectively nullified enforcement actions. Informants described how the timelines prescribed in regulations for processing violation reports were frequently exceeded, with cases often remaining unresolved until after the election concluded. A Gakkumdu member explained:

"The regulations give us specific timeframes for each stage of case handling. But in practice, gathering evidence, conducting examinations, and coordinating between agencies takes time. By the time we are ready to proceed, the campaign period is over, and the legal urgency has diminished. The suspect may have already won the election or the case is no longer politically relevant." (Interview, Gakkumdu Member, 18 June 2024)

This observation directly addresses the temporal dimension of "silent enforcement" the phenomenon where enforcement is rendered moot by procedural inefficiencies. This finding challenges the assumptions underlying Bawaslu Regulation Number 7 of 2019, which presupposes that timely enforcement is achievable within existing institutional frameworks. Haryanti (2020) has argued that the reconstruction of Bawaslu's membership elements could enhance enforcement quality, yet the data from Gowa suggest that structural reforms alone may be insufficient without addressing procedural bottlenecks and inter-agency coordination challenges.

Second, the data revealed a pattern of selective enforcement, where cases involving politically connected individuals received different treatment compared to cases involving less powerful actors. Several informants described how complaints against candidates from ruling parties or candidates with strong political networks were often handled with greater caution and ultimately resulted in lower rates of prosecution. A civil society activist observed:

"There is a clear difference in how cases are handled. When a complaint involves a candidate from the opposition, action is swift. But when it involves a candidate with connections to the regent or to powerful figures in Jakarta, there is hesitation, delays, and often the case is quietly shelved. The law is supposed to be blind, but in practice, it is not." (Interview, Civil Society Activist, 25 June 2024)

This finding resonates with broader critiques of law enforcement in Indonesia, where political connections and patronage networks often influence legal outcomes (Bachtiar, 2014; Harefa et al., 2020). The implication for electoral governance is profound: when enforcement is perceived as selective, it undermines public confidence in the integrity of the electoral process and perpetuates a culture of impunity among violators.

Third, the data revealed significant gaps in the documentation and archival practices of Bawaslu Gowa, which impeded both enforcement and accountability. Informants acknowledged that case files were sometimes incomplete, that evidence was not consistently preserved, and that institutional memory was weak due to staff turnover and inadequate record-keeping. As noted by Benedictus Sahat (2014), proper archival practices are essential for supporting fair and honest elections, yet the data from Gowa suggest that this fundamental requirement is often neglected in practice. A Bawaslu staff member reflected:

"We receive many complaints, but we struggle to manage the documentation properly. We have limited staff, and the volume of cases is overwhelming. Sometimes we cannot find previous case files when we need to refer to them. This makes it difficult to build a strong legal case and also to identify patterns of repeat violations." (Interview, Bawaslu Staff, 20 June 2024)

The combination of procedural delays, selective enforcement, and weak documentation practices constitutes the mechanism of "silent enforcement" a system where violations occur, complaints are filed, but enforcement does not meaningfully materialize. This phenomenon is not

adequately captured in the formal legal framework of Peraturan Bawaslu Nomor 7 Tahun 2019, which assumes that the existence of procedures is sufficient to ensure their implementation.

Institutional and Political Factors Constraining Enforcement

Beyond the mechanisms of enforcement failure, the data revealed deeper institutional and political factors that systematically constrain Bawaslu's enforcement capacity in Gowa Regency. These factors operate at multiple levels: organizational, inter-institutional, and political and together create an environment where "silent enforcement" becomes the norm rather than the exception.

At the organizational level, informants consistently identified resource constraints as a primary obstacle to effective enforcement. Bawaslu Gowa operates with limited human resources, with a small number of commissioners and staff responsible for supervising the entire regency, a vast territory that includes urban centers, rural villages, and remote communities. The ratio of supervisors to population, candidates, and campaign events creates an inherent capacity deficit. A Bawaslu commissioner elaborated:

"We are expected to monitor every campaign event, every candidate activity, and every potential violation across the entire regency. But we do not have enough personnel, vehicles, or operational budget to cover everything. We have to prioritize, and inevitably, many violations go unnoticed or unreported. When we do detect violations, the investigation process is slow because we are stretched thin." (Interview, Bawaslu Commissioner, 27 June 2024)

This finding aligns with Josviranto's (2022) analysis of the need to strengthen Bawaslu in facing the 2024 simultaneous elections, which emphasized the importance of adequate resources for effective enforcement. However, the data from Gowa suggest that resource constraints are not merely a matter of quantity but also of quality and distribution: the existing resources are not always deployed effectively to address the most pressing enforcement challenges.

At the inter-institutional level, the coordination mechanisms between Bawaslu, the police, and the public prosecutor's office collectively constituting the Gakkumdu were identified as a significant source of enforcement challenges. While the Gakkumdu framework was designed to facilitate integrated law enforcement (Handitya, 2018), the data revealed persistent coordination difficulties arising from differing institutional priorities, legal interpretations, and working cultures. A police officer serving on the Gakkumdu explained:

"We sit together and discuss cases, but we do not always agree on what constitutes sufficient evidence or on the legal basis for proceeding. The police and the prosecutor's office have their own standards and procedures. Sometimes we have to wait for approvals from higher levels. This causes delays and sometimes cases are dropped because of disagreements between institutions." (Interview, Police Officer, 21 June 2024)

This finding is consistent with Rizanizarli et al.'s (2020) study of election crime enforcement in Aceh, which identified inter-institutional coordination as a critical factor in enforcement outcomes. The implication is that the Gakkumdu mechanism, while conceptually sound, requires stronger operational protocols and clearer mechanisms for resolving inter-institutional disagreements.

At the political level, informants described how the local political context, including patronage networks, elite interests, and electoral competition, influenced enforcement decisions. The relationship between Bawaslu and other political actors was described as sometimes tense, with Bawaslu facing pressure to avoid actions that could disrupt the political status quo or provoke backlash from powerful candidates. A former election observer reflected:

"Bawaslu is an independent institution, but independence does not mean isolation from political pressures. In Gowa, as elsewhere in Indonesia, there are powerful political families and networks that expect favorable treatment. When Bawaslu takes action against their candidates, there are consequences. So there is always a calculation: is the case strong enough to withstand the political backlash?" (Interview, Former Election Observer, 24 June 2024)

This observation underscores the political constraints on regulatory enforcement, a dimension that is often overlooked in formal legal analyses of electoral governance (Taufiqurrohman, Jayus, & Efendi, 2022). The data suggest that enforcement decisions are not solely technical or legal but are embedded in a broader political economy of local power relations.

The Paradox of Regulatory Compliance

The fourth theme that emerged from the data concerns what we term the "paradox of regulatory compliance" the simultaneous existence of elaborate regulatory frameworks and persistent enforcement failure. This paradox manifests in several ways.

First, there is a paradox of legal formalism: the regulations governing election campaigns are increasingly detailed and comprehensive, yet their practical effect is limited by the gap between legal provisions and enforcement capacity. Peraturan Bawaslu Nomor 7 Tahun 2019 articulates a comprehensive framework for Bawaslu's organizational structure and working procedures, but the data from Gowa demonstrate that having a framework does not guarantee its effective implementation. As one informant observed:

"The regulations are good. They cover everything the roles, the procedures, the timelines. But good regulations are useless if they are not enforced. We have the best laws in the world, but we still have violations. The problem is not the law; it is the enforcement." (Interview, Academic Expert, 20 June 2024)

Second, there is a paradox of institutional design: Bawaslu was established as an independent supervisory agency with significant formal authority, yet its practical capacity is constrained by resource limitations, inter-institutional coordination challenges, and political pressures. This paradox echoes broader critiques of Indonesian electoral governance institutions, which have been described as structurally sound but operationally weak (Huda, 2019; Haryanti, 2020). The data suggest that institutional design alone without corresponding attention to capacity, resources, and political support is insufficient to ensure effective enforcement.

Third, there is a paradox of regulatory compliance at the behavioral level: candidates and their campaign teams are aware of the regulations and often publicly commit to compliance, yet violations continue to occur systematically. The data suggest that this is not simply a matter of ignorance or disregard for the law but reflects a rational calculation on the part of campaign actors. As a campaign coordinator explained:

"Every candidate knows the rules. They all sign the statement of compliance. But the reality is that if you want to win, you have to play the game. Everyone else is doing it giving money, mobilizing civil servants, using campaign tactics that are technically illegal. If you follow all the rules perfectly, you are at a disadvantage. So you do what you have to do and hope you do not get caught." (Interview, Campaign Coordinator, 23 June 2024)

This observation aligns with Santoso's (2018) analysis of money politics, which emphasizes the structural incentives that perpetuate electoral violations. The implication is that enforcement efforts cannot succeed in isolation; they must be accompanied by broader efforts to address the structural conditions that make violations a rational strategy for candidates.

The data also reveal a paradox of public expectations: voters and civil society actors express strong support for electoral integrity and demand enforcement of the regulations, yet they also participate in practices that undermine enforcement such as accepting money from candidates, failing to report violations, and viewing enforcement actions as politically motivated. A community leader reflected:

"People say they want clean elections. They complain about money politics and fraud. But when it comes to their own village, their own community, they accept money. They see it as part of the election culture. They vote for the candidate who gives them something. So there is a contradiction between what people say and what they do." (Interview, Community Leader, 26 June 2024)

This paradox is consistent with broader discussions of democratic culture in Indonesia, where formal democratic institutions coexist with practices that contradict democratic principles (Solihah, Bainus, & Rosyidin, 2018; Mukti, 2009). The implication is that electoral integrity requires not only institutional strengthening but also cultural change a process that is inherently slow and contested.

Synthesis and Theoretical Contribution

The findings from Gowa Regency illuminate the mechanisms, causes, and consequences of "silent enforcement" in election campaign regulation. Drawing on these findings, this study proposes the concept of "silent enforcement" as a theoretical lens for understanding the gap between regulatory provisions and enforcement practices in contexts of weak institutional capacity and complex political dynamics. "Silent enforcement" refers to situations where regulatory violations occur without meaningful intervention despite the existence of formal oversight mechanisms a phenomenon

characterized by procedural delays, selective enforcement, weak documentation, and the political constraints that shape enforcement decisions.

This concept contributes to electoral governance literature in several ways. First, it challenges the assumption that the existence of regulatory frameworks is sufficient to ensure compliance (Huda, 2019; Haryanti, 2020). The findings demonstrate that regulatory effectiveness depends on enforcement capacity, which is shaped by resources, institutional coordination, and political context. This insight extends earlier work by Sudirman and Hardin (2022) on substantive violations in Bawaslu's functions, by showing that enforcement failure is not merely a matter of isolated mistakes but reflects systematic factors.

Second, the concept of "silent enforcement" bridges two distinct literatures: the literature on electoral governance (Fransisca & Sardini, 2023; Harefa et al., 2020) and the broader literature on regulatory enforcement and compliance (Rizanizarli et al., 2020; Yuliyanti, 2016). By bringing these literatures into conversation, this study demonstrates that the challenges of election campaign enforcement are not unique to Indonesia but reflect more general challenges of regulatory governance in contexts where state capacity is limited and political interests are influential.

Third, the findings contribute to ongoing debates about the quality of democracy in Indonesia (Bachtar, 2014; Solihah et al., 2018; Mukti, 2009). The persistence of "silent enforcement" in Gowa Regency suggests that the formal institutions of electoral democracy are not fully translated into practice, a finding that has implications for understanding democratic consolidation in Indonesia and similar contexts.

Fourth, the study's qualitative approach provides rich empirical evidence that complements the predominantly quantitative and doctrinal approaches that have characterized much of the electoral law literature. The use of interviews, observation, and document analysis reveals the micro-practices of enforcement—the everyday decisions, interactions, and negotiations that produce enforcement outcomes—that are often invisible in legal analysis or survey research.

In answering the research questions posed in the introduction, this study has shown that: (1) criminal violations during election campaigns in Gowa Regency include money politics, civil servant involvement, and procedural violations; (2) Bawaslu's enforcement functions are constrained by procedural delays, selective enforcement, and weak documentation practices; and (3) the divergence between regulatory provisions and enforcement practices—the "silent enforcement" phenomenon—is produced by a combination of institutional factors (resource constraints, coordination difficulties), political factors (patronage, elite interests), and behavioral factors (rational calculations by campaign actors, cultural contradictions in public expectations).

CONCLUSIONS

This study concludes that election campaign enforcement in Gowa Regency reveals a persistent gap between formal regulations and actual implementation, characterized by a phenomenon identified as "silent enforcement." The findings highlight three major violations: money politics, civil servant involvement in political campaigns, and procedural irregularities, which persist due to weak institutional capacity, ineffective coordination, and political interference. Silent enforcement occurs through procedural delays, selective enforcement, and inadequate documentation, undermining electoral integrity and accountability. The study identifies three interconnected paradoxes involving legal formalism, institutional authority, and behavioral compliance, demonstrating that comprehensive regulations alone cannot prevent electoral violations. The concept of silent enforcement contributes to electoral governance theory by explaining how institutional weaknesses and political interests systematically obstruct law enforcement. Strengthening electoral integrity requires improving Bawaslu's resources and independence, enhancing Gakkumdu coordination, establishing transparent enforcement procedures, and increasing public awareness of electoral violations. Although limited to Gowa Regency and primarily based on qualitative data, this study provides insights into electoral governance challenges in Indonesia and recommends comparative, quantitative, and longitudinal research to examine enforcement effectiveness across different political and institutional contexts.

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