

Synchronization Between Election Campaign Regulations and University Autonomy Rules

Nabilah Qonita Maharani¹, Imran¹, Mohammad Safrin¹

¹ Universitas Tadulako, Indonesia

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ABSTRACT

The Constitutional Court's decision that allows election campaigning in academic settings sparks an existential dilemma for educational institutions, where the line between maintaining political neutrality and upholding campus autonomy becomes blurry, leading to legal uncertainty. This normative legal research aims to analyze the synchronization of election campaign regulations with university autonomy, as well as to examine the implementation and impact of enforcing neutrality rules. Using Hans Kelsen's Stufenbau Theory and Lawrence Friedman's Legal Effectiveness Theory, this study looks into the tension between the norms of Law No. 7 of 2017 on Elections and Law No. 12 of 2012 on Higher Education. Research results show that there is horizontal antinomy at the law level, which triggers legal dualism. Although the Constitutional Court Decision No. 69/PUU-XXII/2024 has mitigated this tension through conditional campaigns with the Rector's permission, vertical misalignment still occurs in KPU Regulations that contain complicated administrative restrictions, making them materially flawed (*lex superior derogat legi inferiori*). On the other hand, a total ban on campaigning through college statutes is seen as hierarchical disobedience (normative disobedience). From a legal effectiveness perspective, enforcing neutrality has not been effective and is subordinate due to gaps in the law (*leemten in het recht*) in the legal substance, overlapping authority between Bawaslu, BKN, and the Rectorate in the legal structure, and the emergence of a chilling effect and self-censorship in the academic community's legal culture, which will threaten the campus as a laboratory of democracy.

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Corresponding Author:

Nabilah Qonita Maharani
Universitas Tadulako, Indonesia; maharaninabilah1@gmail.com

1. INTRODUCTION

The Presidential and Vice-Presidential General Election (Pemilu) is essentially a main pillar and the most legitimate constitutional instrument in realizing a democratic system and the principle of popular

sovereignty in Indonesia (Rahmatullah et al., 2025). As a concrete manifestation of the mandate in Article 1 paragraph (2) of the 1945 Constitution of the Republic of Indonesia, elections ensure that the country's highest power remains in the hands of the people, exercised through a mechanism of periodically, peacefully, and legally replacing national leadership. This paradigm emphasizes that the people are not just positioned as mere voters, but act actively as legal subjects holding full legitimacy over the direction of the government's future. To ensure that this participation runs rationally and with quality, the campaign phase serves as an important space that should not be reduced merely to a tactical power struggle.

On the other hand, the essence of carrying out an election campaign is as a means of political communication and a massive political education platform for the wider community. By presenting the vision, mission, work programs, and ideological ideas of the candidate pairs, campaigns help educate voters about political life, reduce election pragmatism, and foster emancipatory critical civic awareness (Romli et al., 2024). Well-structured political education during the campaign period ultimately leads to improved democratic literacy, enabling citizens to make choices based on objective considerations to achieve aspirational and responsible governance.

However, in realizing the function of campaigns as a means of political education, the dynamics become much more complex when these activities enter the realm of educational institutions, especially universities. As a scientific institution, universities essentially have an autonomous nature that covers academic and non-academic areas, as well as self-management, which is strictly protected by law to maintain the dignity and freedom of the academic forum (Rachmaningsih et al., 2023). This institutional independence makes the campus a sterile space free from any form of practical political power co-optation.

On the other hand, colleges are also filled with an academic community made up of lecturers, researchers, and students who sociologically represent the educated segment of society. The characteristics of this group are very strategic because they not only have normative voting rights but also critical intellectual capacity that allows them to filter, test, and analyze rationally every vision, mission, and political promise offered by presidential candidates (Purnama & Hernawan, 2025). As a result, universities naturally become very attractive yet challenging campaign targets for political actors. There's a tug-of-war of interests that happens in this space; when the campus is pressured to open up for political election discourse to facilitate its citizens' political rights, at the same time, this institution carries the ethical and legal burden of maintaining its internal autonomy so it doesn't end up becoming an extension of any political contender's camp.

The tug-of-war between involving campus intellectuals and protecting institutional autonomy then found a new momentum through shifts in Indonesia's election law landscape. Normatively, the door for practical political activities to enter academic environments has opened wide following the issuance of Constitutional Court Decision Number 65/PUU-XXI/2023. Through this decision, the Constitutional Court carried out a constitutional reinterpretation of Article 280 paragraph (1) letter h of Law Number 7 of 2017 on General Elections (Ahmad et al., 2024). The rule, which previously strictly prohibited the use of government facilities and educational institutions as campaign venues, has now been changed to be exceptional or conditional. These restrictive provisions state that campaigns in higher education settings are legally allowed as long as they meet a strict set of conditions: they must be carried out without electoral campaign attributes, require official permission from the institution's authorities, and can only be conducted based on an official invitation from the relevant institution (Nazmi, 2023). This fundamental change not only shifts the direction of electoral technical policies, which were later adopted in the latest General Election Commission Regulations (PKPU), but also forces the internal legal framework of universities to respond. This conditional legality directly requires campuses to reformulate their domestic regulations to filter outside political influence without infringing on the citizens' right to freedom of expression.

The legal construction following that Constitutional Court Ruling clearly created a new dilemma in the form of potential overlap between election law and higher education law. On one hand, Law Number

7 of 2017 on General Elections along with its derivative regulations like the General Election Commission Regulations (PKPU) provide legal legitimacy for carrying out campaigns on campus, with strict limitations to maintain fairness and equality among contestants. However, Article 8 of Law Number 12 of 2012 on Higher Education explicitly requires universities to always maintain neutrality and strictly prohibits any form of practical political intervention from entering the academic environment. This normative conflict creates a tricky situation for campus governance; the obligation to facilitate citizens' political education clashes with the legal duty to keep institutions free from partisan electoral interests. This horizontal misalignment between laws could lead to legal uncertainty in its implementation on the ground (Patty, 2026).

The legal mismatch becomes even clearer when looking at the problems with order and clarity of the norms that regulate the technical implementation of campaigns. Election regulations haven't provided clear standard parameters on how a campus leader can give permission or issue an official invitation from the university without undermining the principle of neutrality. Normatively, the right to non-academic autonomy gives campus leaders full authority to manage their institution through the University Statute. This policy ambiguity creates legal vulnerability: if a campus leader invites one of the candidates in the name of the academic platform, that action is prone to being accused of bias or violating neutrality by election supervisors. The harmonization between public electoral law and the private-autonomous law of universities has not yet been realized coherently, leaving room for multiple interpretations that could threaten the independence of university institutions from administrative or criminal election sanctions (Aprianto et al., 2017).

When it comes to implementation, enforcing election neutrality rules within academic settings often runs into the wall of campus internal autonomy and creates serious institutional dilemmas. When the Election Supervisory Agency (Bawaslu) along with law enforcement officers involved in the Integrated Law Enforcement (GAKKUMDU) carry out tactical oversight inside universities, public legal jurisdiction often clashes with the autonomous governance of higher education institutions. Repressive law enforcement that is insensitive to the academic environment risks undermining the very essence of academic freedom. Overly rigid and dogmatic restrictions in the name of neutrality can create a chilling effect among scientists, potentially stifling critical discussions, mission-vision evaluations, or public testing of candidates, which are actually the core intellectual activities of a university (Putra et al., 2024). On the other hand, if external oversight is too lax, the walls of campus autonomy are bound to collapse due to exploitation and destructive politicization by outside political forces. This imbalance puts universities in a vulnerable position, where the line between objective scientific study and partisan political propaganda becomes very blurry and open to multiple interpretations by law enforcement.

The ongoing impact of this uncertainty in implementation boils down to the threat of sanctions, both administrative and electoral criminal sanctions, which can strongly interfere with the independence of university institutions. Under the election law regime, any indication of violation of the neutrality of educational facilities can drag university leaders or their institutions into serious legal accountability. The threat of administrative sanctions, ranging from license suspension, budget cuts, to criminal imprisonment for those responsible if found biased, acts as a coercive tool that pressures the independence of campus non-academic management (Rusmana, 2024). Such strong external legal intervention threatens a university's sovereignty in determining its internal policy direction. As a result, instead of serving as a fortress for the nation's critical thinking, universities are forced to take defensive and bureaucratic steps to avoid criminal entanglement.

Based on all the explanations above, the researcher found a legal gap that manifests as acute legal uncertainty at the normative level. This gap lies in the blurred juridical boundaries regarding when a dialogical activity on campus can be categorized as a legitimate 'scientific campaign' to facilitate academic freedom of speech, and when the activity is considered a breach of neutrality that could result in sanctions. The absence of standard operational parameters ultimately puts universities in a dilemma that threatens their independence. Therefore, this normative legal research is urgent and important to carry out. This study will analyze in depth the consistency and synchronization between regulations, both vertically

between the constitution and laws, and horizontally between the election law regime and higher education law.

2. METHODS

This research is a normative legal study that focuses on analyzing the synchronization of regulations, norm antinomies, and the effectiveness of laws related to election campaign practices within universities. The research approaches used include the statute approach to examine Law No. 7 of 2017 on Elections, Law No. 12 of 2012 on Higher Education, Constitutional Court Decision No. 69/PUU-XXII/2024, and its derivative regulations such as KPU Regulations and Campus Statutes; the case approach to study the implications of the Constitutional Court's decisions; and the conceptual approach to dissect the principles of university autonomy, academic neutrality, Hans Kelsen's Stufenbau Theory, and Lawrence Friedman's Theory of Legal Effectiveness. The subjects of this study are legal norms, principles, and doctrines regarding the hierarchy of legislation and the enforcement of election law in educational institutions. The materials used in this research rely on secondary data, consisting of primary legal materials such as laws and relevant court decisions; secondary legal materials like law books, scholarly journals, and election monitoring reports; as well as tertiary legal materials such as legal dictionaries. The main instrument used is the researcher themselves as a human instrument, supported by a digital-based legal document retrieval system. The research procedure starts with identifying legal issues related to the tension between campus neutrality and autonomy, which is then followed by collecting data through library research using techniques of inventorying, classifying, and systematically recording documents. Finally, the data analysis technique was carried out qualitatively using a deductive reasoning method, where the collected legal materials were interpreted grammatically and systematically to produce precise legal interpretations and arguments regarding regulatory desynchronization and its impact on the legal culture (chilling effect and self-censorship) of the academic community.

3. FINDINGS AND DISCUSSION

Enforcing election neutrality in academic settings often sparks a clash between election law and higher education law. The law requires educational institutions to remain neutral to ensure democratic, honest, and fair elections (Asshiddiqie, 2006). At the same time, the law also guarantees university autonomy and universal academic freedom (Rismansyah & Sitabuana, 2022). This tension has become more apparent following regulatory changes, one of which is Constitutional Court Ruling No. 65/PUU-XXI/2023 that allows campaigning on educational premises under strict conditions. This shift in top-level legal stance calls for alignment at the lower levels to avoid overlapping interpretations.

The drafting of regulations that aren't vertically aligned can create legal uncertainty (*rechtsonzekerheid*) that undermines campus autonomy. Technical rules issued by supervisory bodies or election organizers often limit the space for academic discourse under the pretext of maintaining neutrality. A law enforcement approach that is too rigid risks shrinking the role of universities as laboratories for critical societal thinking. This section will examine the vertical structure of election campaign regulations at universities. The review is conducted to assess whether the lower-level implementing rules are normatively consistent or deviate from the hierarchical legislation above them.

In Indonesia, the Stufenbau theory is formally applied to the hierarchy of legislation through the principle of *lex superior derogat legi inferiori*, which plays a crucial role as an instrument for testing legal norms (*normkontrolle*). According to this principle, any lower-level secondary legal regulations, such as General Election Commission Regulations (PKPU) or University Rector/Statute Regulations, absolutely must not contain material that contradicts, reduces, or negates the legal rights already established by the primary norms above them, like the General Election Law, Higher Education Law, up to the top-level constitutional rules in the 1945 Constitution (Asshiddiqie, 2006). Therefore, testing vertical consistency based on Kelsen's theory becomes a very relevant analytical tool to dissect whether

election campaign regulations on campus are formally and materially valid, or whether they actually suffer from normative defects for exceeding the limits of authority delegation given by the law above them.

Closely related to the hierarchy of norms, Kelsen's concept of the validity of a law is not solely measured by its effectiveness in society, but rather by the fulfillment of formal requirements for creating the law and the alignment of its substance with higher-level rules. This concept of validity requires a linear compliance relationship from the lower levels up to the top of the legal pyramid (Marzuki, 2017). Synchronization refers to the process of adjusting and aligning various regulations that are related to existing and newly formulated rules to govern a specific aspect. The purpose of synchronization is to achieve a balance between different regulations, whether they are higher in the hierarchy or at the same level (Busroh et al., 2024). When there is an ideal harmonization and synchronization between national election regulations and university autonomy rules, the legal system can achieve its goal of providing fair legal certainty. This legal synchronization ensures that the freedom of academic expression and the sovereignty of campus governance guaranteed by law are not interfered with by practical political interests, while on the other hand, citizens' constitutional right to receive political education through election campaigns can still be facilitated proportionally.

The lack of synchronization in regulations, both vertically and horizontally, creates contradictions in norms (antinomy) that trigger legal uncertainty (*rechtsonzekerheid*) (Nur et al., 2023). This situation occurs due to the overlap between campaign limitations set by the KPU and the mandate for maintaining neutrality as well as academic autonomy by university leaders. In the normative legal realm, the vagueness of norms (*vage normen*) forces legal actors to make unilateral interpretations to avoid sanctions, thereby sacrificing the principles of utility and justice. The impact is very destructive in the academic environment; campus administrators get caught in a duality of compliance between allowing space for national political expression or facing the shadow of sanctions for violating civil servant neutrality from Bawaslu. This uncertainty has the potential to paralyze institutional functions, shrink the academic freedom of students and lecturers, and undermine the independence of campuses from short-term electoral interests.

As the supreme law of the land, the 1945 Constitution serves as a material test for the alignment of organic regulations under it in overseeing the fulfillment of civil-political election rights and the protection of independent educational rights. The constitutional roots that guarantee the space for freedom of thought and academic forums are explicitly stated in Article 28E paragraph (3) of the 1945 Constitution regarding the right to freedom of association, assembly, and expression. These fundamental rights are reinforced by Article 28C paragraph (1) of the 1945 Constitution about the individual's right to develop themselves through meeting basic needs and education to improve quality of life. The guarantee of the right to freedom of expression and self-development becomes the core spirit for campus autonomy as a scientific public space to test the vision and mission of prospective leaders, while also serving as the main legal shield protecting the academic community from excessive practical political restrictions.

On the other hand, the constitution provides a strong mandate regarding the organization of democratic national leadership succession through Article 22E paragraph (1) of the 1945 Constitution, which requires elections to be held directly, publicly, freely, secretly, honestly, and fairly. The principle of free and fair in this constitutional norm means that every citizen, including students and lecturers, has the right to access equal and objective information about the candidates to make their political choices freely (Marzuki, 2019). Thus, election campaigns, which are essentially part of the right to political information and public education, gain their constitutional legality from this article as a key means to realize substantive people's sovereignty.

The existence of Articles 28C, 28E, and 22E of the 1945 Constitution simultaneously shows that Indonesia's constitution actually balances the interests of the right to education, freedom of expression, and political election rights. The polarization between demands for university neutrality and the legality of conducting campaigns on campus actually originates from the same constitutional source.

Normative tension only arises at the level of primary norms (laws) and secondary norms (implementing regulations) beneath them, where lawmakers often fail to formulate a harmonious synchronization in translating academic freedom and political rights into operational articles. As a result, there are conflicts in lower-level rules that threaten legal certainty in the academic environment, requiring in-depth testing based on the hierarchy of legal norms.

Stepping down one level from the constitution, the analysis of normative jurisdiction enters the realm of laws, which in legal anatomy act as primary norms. According to the Stufenbau Theory, laws serve to concretize the abstract principles of the constitution into operational positive legal norms. However, the juridical tension in this issue actually crystallizes at this level, considering there are two organic laws that occupy an equal hierarchical level (horizontal) but have different value protection orientations. On one hand, the election law demands strict protection of public facilities from political infiltration, while on the other hand, the higher education law protects the independence of scientific institutions. The parallel nature of these two legislative products triggers horizontal antinomy, requiring careful mapping of each article.

The rules for campaigning in academic settings are outlined in Law Number 7 of 2017 on General Elections (Election Law). Historically, educational institutions have been treated as spaces free from electoral activities, as stated in Article 280 paragraph (1) letter h of the Election Law, which prohibits using educational premises for campaigning. However, following legal challenges in the Constitutional Court, there has been a shift in the normative paradigm, allowing educational institutions to be exempt from this ban as long as they get approval from the institution's authorities and participate without campaign materials (Nainggolan et al., 2025). This change shows that the Election Law is starting to make room for politically educational campaigns on campus, although how they are carried out is still strictly limited by rules on institutional neutrality and bans on mass mobilization.

The development of normative law regarding campaigning in educational facilities has undergone a very fundamental shift in paradigm following the issuance of Constitutional Court Decision Number 69/PUU-XXII/2024. Through this ruling, the Court reinterpreted the constitutionality of Article 280 paragraph (1) letter h of the Election Law, reaffirming the position of educational institutions as autonomous and scholarly public spaces, while still respecting citizens' right to political education. This Constitutional Court decision establishes a clear constitutional boundary on how campus areas can be used as arenas for election discourse without compromising their independence.

If analyzed using the Stufenbau Theory, Constitutional Court Decision No. 69/2024 acts as an intermediary norm that clarifies ambiguous interpretations of the law so they align with the 1945 Constitution, by reinforcing the requirement for permission from the person in charge of the educational institution and the obligation to attend without campaign attributes. The Court implicitly recognizes the autonomous power of university management (Rector) as the highest authority in their area. As a result, the election participants' right to campaign vertically is subject to and dependent on the will and conditional permission of the autonomous university authority, which is protected by higher education law.

The Court also emphasized that campaign methods in higher education settings are strictly limited to academic activities like debates, seminars, or public lectures, while mass mobilization or showing off party visuals is strictly forbidden because it's seen as destructive to the academic environment and the principle of institutional neutrality (Surbakti, 2021). This clarification helps resolve the horizontal conflict between the Election Law and the Higher Education Law by dividing jurisdiction proportionally and turning campuses from politically sterile zones into spaces open to intellectual national politics. This ruling has become a key benchmark for testing regulatory synchronization, where any PKPU or Rector Regulation must not contradict the ratio decidendi of the Constitutional Court's decision.

Alongside election regulations, there is Law Number 12 of 2012 on Higher Education, which in Article 62 lays the foundation for University Autonomy, meaning the right of an academic institution to manage itself independently (Kurniawan et al., 2023). The essence of this autonomy describes the

concept of academic freedom and freedom of the academic platform, where the academic community is given legal immunity to study and critique knowledge independently.

When Article 280 of the Election Law opens a conditional space for election participants to enter campuses, that right directly clashes horizontally with the guarantee of autonomy in managing institutions by the rector and the academic senate. The legislators' inability to harmonize the overlap between electoral mobility and the boundaries of campus autonomy at the law level ultimately forces secondary norms at lower levels to produce new, conflicting interpretations.

Moving down to the bottom layer of the Stufenbaulehre pyramid, law formation enters the territory of implementing regulations, which act as secondary norms. In normative legal doctrine, implementing regulations don't have independent authority to create new rights or obligations beyond what has been delegated by the primary norms above them, so their substantive validity absolutely depends on material compliance with the overarching laws (Paulson, 2013). This tension gives rise to a technical regulatory dualism when election management bodies and campus authorities issue their own implementing rules.

The concrete manifestation of these technical election regulations is governed through the General Election Commission Regulation (PKPU) on Election Campaigns. As an institution mandated by the Election Law, the KPU lays out strict operational guidelines, such as the requirement to have written permission from university leaders, clear designation of responsible persons, and a total ban on political party or candidate attributes. From the perspective of election law enforcement, this PKPU serves as a formal guarantee to ensure that electoral competition on campus runs within the corridor of equality, legal order, and maintaining the neutrality of public facilities.

On the other hand, as a concrete form of non-academic autonomy guaranteed by the Higher Education Law, each campus has its own legal instruments in the form of University Statutes and Rector Regulations. These internal regulations are a manifestation of the self-governing system that academic institutions have to manage their own affairs, including enforcing rules, the code of ethics for the academic community, and protecting the campus's dignity from practical political polarization (Diyanto et al., 2021). When it comes to election campaign permits, Rector Regulations usually set much stricter limits than PKPU, such as restricting the location of podiums, limiting the audience to internal academic circles, and even screening discussion materials to ensure they stay within scientific/academic boundaries.

The presence of these two secondary legal products, the PKPU on one hand and the Rector's Regulation on the other, shows a potential overlap of normative jurisdiction at the lower layer of the Stufenbau. If the KPU comes up with technical rules that overly dictate campus internal governance, or conversely, if the Rector issues regulations that completely shut the door on political education up to negating higher legal rulings, it indicates a regulatory mismatch (Hariadi, 2018). Harmonization between the PKPU and the Rector's Regulation is really important because this is the level where both rules directly interact with legal subjects on the ground and determine whether college campaign activities can run smoothly without undermining the pillars of university autonomy.

This vertical analysis step examines the validity and consistency of the relationship between lower and higher norms based on the principle of *lex superior derogat legi inferiori*, derived from Hans Kelsen's Stufenbau Theory. The main focus is on the confrontation between the content of the General Election Commission Regulation (PKPU) regarding campaigning in educational facilities and the Election Law. Normative studies indicate that certain technical restrictions in the PKPU—such as the requirement to avoid party attributes, day limitations, and conditions for event responsible parties—could potentially go beyond the delegated authority (*ultra vires*). Implementing regulations should not limit the essence of political education rights opened up by the Election Law after the Constitutional Court's decision; new restrictions that make campaigning technically impossible cause these lower-level norms to suffer from material validity defects because they negate the rights set out by the higher-level norms.

Vertical testing is also carried out on internal campus rules, such as the Statute or Rector Regulations. The inventory of legal documents shows a tendency for some universities to issue decisions that completely ban any form of political actors attending campaigns on their grounds, under the pretext of maintaining neutrality. From a normative legal perspective and Hans Kelsen's Stufenbau theory, this total ban by the Rector is a form of hierarchical disobedience (normative disobedience). This is because Rector Regulations or the Statute rank below the Election Law and Constitutional Court Decisions, which are nationally binding and have conditionally legalized campaigning in educational institutions.

Therefore, the Rector does not have the legal authority to remove those constitutional rights through internal campus regulations. The autonomous authority that universities have is only limited to regulating procedures (how to regulate) to maintain academic order, not to completely abolish or prohibit rights (how to prohibit). When a campus institution enforces a total ban, that internal regulation loses its formal legitimacy because it directly contradicts higher-ranking laws in the national legal hierarchy.

This vertical analysis line is drawn up to touch the highest pillar of the legal system, namely the 1945 Constitution, where such a lack of synchronization undermines the guarantee of the right to freedom of expression and the development of oneself through political education (Articles 28C and 28E). A legal system is considered harmonious if lower-level norms serve as channels for realizing constitutional values (Slamet, 2004). As a result, PKPU, which burdens campuses with complicated bureaucracy, and Statutes that close themselves off completely, have stifled the scientific thinking climate while also reducing citizens' political rights. The conclusion from this vertical analysis emphasizes that the validity of the PKPU and Rector Regulations must be reorganized so they do not stand as institutional egos but fully adhere to the principle of the hierarchy of national legal norms.

The vertical misalignment in this lineup of secondary norms actually stems from normative tensions at the law level as primary norms that are on the same tier (Anugrah & Yudiawan, 2026). This clash of interests crystallizes between Law No. 7 of 2017 on Elections and Law No. 12 of 2012 on Higher Education, which occupy the same level in the Stufenbaulehre, triggering a horizontal antinomy that cannot be resolved by the principle of *lex superior*. This doctrinal conflict reflects a dichotomy in institutional functions; the Higher Education Law conceptualizes campuses as autonomous public spaces immune to outside interference for academic truth-seeking, while the Election Law sees them as strategic arenas for presidential socialization and campaigning (Kesuma, 2023). This polarization creates a dilemma between protecting the sanctity of the academic podium from partisan polarization or expanding the dissemination of political vision and mission to the educated voter base.

Resolving this horizontal conflict requires applying the principle of *lex specialis derogat legi generali*, where the Higher Education Law acts as the special law (*lex specialis*) concerning campus governance and internal ethics, while the Election Law is the general law (*lex generalis*) regulating national campaigns. Therefore, external electoral authorities like the KPU and Bawaslu must respect the jurisdictional limits of campus autonomy. The ideal horizontal synchronization demands that both laws be read as a coherent single system; the campus as a space for political socialization can only exist as long as it does not undermine its nature as an autonomous space for academic discourse (Bawaslu Bali Public Relations, 2026). This limitation is not about silencing political rights but is a normative protection to ensure that the electoral process adheres to scientific reasoning methodologies (Rahman et al., 2024). Through this reconstruction, neutrality isn't meant as being apolitical or completely sterilized, but rather as a tool to support autonomy so that the campus remains free from partisan bias, precisely to protect its freedom in fairly examining the vision and mission of all candidate pairs.

The jurisdictional boundaries between campus autonomy and national election regulations are determined by the division of functional sovereignty of each institution (Argawati, 2024). National election regulations have absolute binding power in terms of subjects, stages, and legal election sanctions, which cannot be negotiated by internal university rules. The authority of campus autonomy has full sovereignty in determining spatial areas, academic methods, and internal educational

regulations. National law does not have the legitimacy to intervene in the academic arena as long as activities are based on rational-objective reasoning. The jurisdiction of university autonomy collapses if the campus is actively used to mobilize crowds unilaterally, distribute campaign materials, or facilitate transactional politics that undermine the integrity of elections. The existence of this functional boundary ensures that external election laws respect the campus's academic sovereignty, while internal campus regulations are subject to the framework of national public law.

The ideal legal interpretation for dealing with this normative tension points toward using a systematic-teleological method of interpretation. This approach views that permitting campaigning on educational grounds should not diminish academic freedom, while also not infringing on the constitutional rights of candidates to spread their ideas. The implementation of campaign rights on campus must be transformed from a form of political mobilization into a rigorous forum for scientific testing. Presidential and vice-presidential candidates are granted equal constitutional rights to present their governance visions before an academic forum. The academic community has full control in testing the validity of these arguments using objective scientific analysis. Such an interpretative construction creates a legal harmony where campus autonomy acts as a quality filter for the national campaign, and the national campaign acts as a renewing energy for academic political maturity.

There is a horizontal antinomy at the level of primary norms between Law No. 7 of 2017 on Elections and Law No. 12 of 2012 on Higher Education, which hold the same rank in the norm hierarchy. This equality of position creates a dual approach in law between protecting the neutrality of public facilities and safeguarding the sovereignty of academic institutions, making the primary rules unable to directly override one another. This tension in the material content was then successfully mitigated constitutionally through the Constitutional Court Ruling No. 69/PUU-XXII/2024. Acting as an intermediary norm, this Constitutional Court decision serves as a normative bridge that provides strong legal recognition of campus autonomy, where the election participants' right to campaign is entirely dependent on conditional permission from the Rector as the main gatekeeper.

However, at the level of secondary norms, vertical testing based on Hans Kelsen's Stufenbau Theory detects vertical desynchronization and material validity flaws in the Regulations of the General Elections Commission (PKPU). The technical guidelines in the PKPU are considered potentially to exceed the limits of delegated authority (*ultra vires*) when they burden universities with overly complicated administrative restrictions and narrow the essence of the political education rights guaranteed by the superior norms above them, thus violating the principle of *lex superior derogat legi inferiori*. On the other hand, normative analysis also reveals hierarchical disobedience (normative disobedience) in lower-level regulations such as Statutes or Rector Regulations in several universities that impose a total ban (blanket ban) on the presence of political actors. Completely shutting down the campus like this violates the law because the Rector's autonomous authority as an inferior norm is only to regulate how academic activities are carried out, not to eliminate political rights protected by superior law.

As a doctrinal solution, this study offers a reconstruction of jurisdiction boundaries through systematic interpretation by positioning the principle of neutrality not as a form of apolitical political sterilization, but as an instrument supporting the protection of campus autonomy so that it remains free from partisan bias in order to safeguard academic freedom fairly. The jurisdiction boundaries between these two legal regimes must be determined functionally and coherently, where national election regulations are absolutely binding on electoral subjects and national election sanctions, while internal campus regulations hold full sovereignty over spatial areas and academic forum methods. Through this alignment, the dignity of higher education institutions as laboratories of democracy remains intact amidst the dynamics of national leadership succession contests.

4. CONCLUSION

This study successfully mapped out the regulatory tensions around campus elections, which stem from a horizontal antinomy situation between Law No. 7 of 2017 on Elections and Law No. 12 of 2012

on Higher Education. Even though Constitutional Court Decision No. 69/PUU-XXII/2024 has come in as an intermediary norm that mitigates the conflict by positioning the Rector's approval as the main gatekeeping control for campaigns, vertical desynchronization still occurs at the level of secondary norms. Based on Hans Kelsen's Stufenbau Theory, there are indications of material validity defects in the KPU regulations, which include overly complex administrative restrictions that go beyond delegated authority (*ultra vires*). On the other hand, a total ban on campaigning through Statutes or Rector Regulations is seen as a form of hierarchical disobedience (normative disobedience) because inferior norms at the campus level are not authorized to eliminate rights (how to prohibit) that have been guaranteed by law and Constitutional Court decisions, but only to regulate the procedures (how to regulate).

To untangle this legal deadlock, horizontal resolution must rely on the principle of *lex specialis derogat legi generali*, positioning higher education law as a special rule for managing campus spatial areas. Ideal legal synchronization is achieved through functional reconstruction of jurisdiction boundaries, where the principle of neutrality should not be interpreted as political sterilization or an apolitical stance, but rather as a tool supporting university autonomy. Campuses must remain neutral from partisan leanings precisely to protect the freedom of their academic platforms in assessing the visions and missions of all candidate pairs fairly and scientifically. Through this legal meeting point, it is hoped that national election regulations will remain absolutely binding in terms of subjects and electoral sanctions, while the dignity and independence of higher education institutions as laboratories of democracy remain intact amid the dynamics of national leadership succession.

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