



The General Election Supervisory Agency (Bawaslu) Role In Preventing 2024 Election Violations

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Received: 3 January 2023 | Accepted: 11 February 2023 | Published: 30 June 2023

Abstract

The purpose of this study is to understand the role of Bawaslu in preventing election violations in 2024. The approach in this study is qualitative using the literature study method (library research) focuses on reviewing various literatures. This method involves collecting data sources namely; books, journals, academic research, and other sources relevant to this research. The results of this study show that; First, Bawaslu has extraordinary authority as an election supervisory institution, including as the executor and adjudicator of cases of election violations. Second, In an effort to increase the effectiveness of supervision and prevention of election violations, Bawaslu needs to take corrective steps. This includes improving quality systems and human resources, reforming the bureaucracy, increasing cooperation with related institutions, and increasing community participation. Third, by making the necessary improvements and improvements, Bawaslu can play a more effective role in realizing elections with integrity, fairness and free from violations.

Keywords: *Bawaslu, Violation Prevention, Obstacles and Challenges.*

1. INTRODUCTION

In 2024, Indonesian politics will be faced with a situation of changing power, be it the executive, legislative, or judiciary. This was marked by simultaneous general elections to elect the president, members of the MPR, DPR, and DPRD at the central, provincial and district, and city levels. Toward the 2024 elections, the political atmosphere in Indonesia is heating up. Several individuals have been announced as presidential candidates by the community or volunteers. The question that arises is whether the 2024 election will produce candidates who have integrity and can maintain the integrity of the nation amidst various threats (Zuhro, 2021).

The history of holding elections in Indonesia has been held 12 times from 1955 to 2019, then it will be held again in 2024. Elections in each country aim to create regular changes in government. This gives hope to the community regarding better changes through elections (Prayogo, 2022). Pancasila democracy is the application of the Indonesian democratic system, which in its implementation involves public participation, because in practice one person, one vote. This means that every citizen is given the right to vote. However, in practice, the election mechanism has not been ideal in the implementation of democracy. The holding of elections is considered wasteful, inefficient, and ineffective because political parties often use "underhanded" methods in mobilizing the public so that the quality of holding elections is disrupted (Aji & Indrawan, 2020; Fitri, 2018).

Election administration must be based on principles that refer to a set of systematic values that legally require and oblige election administrators to create election organizers who have integrity. Since the primary task of the EMB is to ensure that the conversion of votes into seats is carried out reliably, EMBs must operate based on a value system or election management principles. International IDEA has developed seven election management principles that apply universally,



namely; independent, fair, impartial, integrity, transparency, efficiency, and professionalism (Wall, 2006).

Problems that interfere with the holding of elections must be anticipated by maximizing the role of the Election Supervisory Body (Bawaslu). Bawaslu is a government institution that has duties, authorities, and obligations in carrying out its role. The role of Bawaslu is regulated in Law Number 7 of 2017 concerning Elections, which requires that Bawaslu have good loyalty, coordination, and synergy with various elements of society, stakeholders, institutions, and related agencies. This is confirmed in laws and regulations to ensure effective oversight of the implementation of democratic parties, and to make a positive contribution to the quality of democracy in Indonesia. This task must be carried out jointly as a country that adheres to the Pancasila democratic system. Without adequate oversight, the implementation of elections will not be following what has been determined (Amane et al., 2022).

Various research on the role of Bawaslu in handling election violations has been carried out a lot, especially by focusing on its role in legislative elections, presidential elections, and regional head elections. Several existing studies also emphasize the importance of elections with integrity. The study conducted (Prayogo, 2022) shows that community involvement in the form of participatory monitoring has a strategic important role in forming responsive law. The community plays an active role in ensuring the implementation of democratic elections in 2024. This research focuses on monitoring efforts that have been carried out by Bawaslu as a related institution. Although previous research by researchers also examined efforts to realize democratic elections, this research is more specific in analyzing the supervisory steps that have been carried out by Bawaslu.

Another study conducted, (Diniyanto & Sutrisno, 2022) highlighted the importance of elections faced with several specific problems, one of which is the spread of false information or hoaxes that can influence public opinion and views of candidates or certain political issues. Another challenge is the use of social media and digital platforms as a means of spreading political propaganda that is difficult to control.

In his research (Susila Wibawa, 2019), he focuses his research on fraudulent practices carried out by political elites to gain power, both openly and covertly. This includes data manipulation, vote falsification, voter intimidation, and other tactics that can undermine the integrity of elections. The research also involves observing the oversight efforts and strategies used by Bawaslu (the Election Supervisory Body) to realize democratic elections. Bawaslu is responsible for overseeing and controlling the election process so that it runs fairly, and honestly, and follows applicable regulations. Islamic da'wah to provide guidance and teaching to the community in dealing with the changes brought about by globalization and technological advances.

From another perspective, (Yuhandra, Rifa'i, Akhmaddhian, Budiman, & Andriyani, 2023), has an important role in preventing election violations in Indonesia. Some of the functions carried out by Bawaslu to prevent election violations include: Bawaslu conducts identification and mapping of election violations that occur in its working area. This is done through the collection of information, reports, and complaints from the public as well as the analysis of election-related data. Bawaslu coordinates with related government agencies, such as the KPU (General Election Commission) and the police, to maintain the integrity and smooth running of elections. This coordination aims to anticipate and respond effectively to election violations that occur. Bawaslu supervises the implementation of elections, both from a technical and substance perspective. Bawaslu oversees KPU activities, budget use, and actions or policies that could violate election rules. Bawaslu guides election organizers, both the KPU and PPK (District Election Committee), to improve their understanding of election rules and procedures. This guidance is intended so that election organizers can carry out their duties properly and avoid election violations. A similar study conducted by (Tahe, Yasin, & Jaya, 2021), states that Bawaslu has a role and function in enforcing Law no. 7 of 2017 in the 2019 elections



in Sinjai Regency are considered quite good. However, there are problems that need to be fixed and improved in the upcoming 2024 elections, and require attention from the Bawaslu itself. Some of the problems that are still found include the practice of money politics, the lack of neutrality of some State Civil Apparatuses and Village Heads, the use of State facilities, places of worship, and educational places as campaign tools, as well as activities that disturb public order.

Several previous studies have provided almost the same attention and focus on the role of Bawaslu in general elections. Therefore, this research will emphasize different perspectives and perspectives regarding the role of Bawaslu in realizing elections with integrity in 2024. This research aims to understand how Bawaslu can play a role in elections with integrity in 2024. This effort is important to answer the challenges faced by Bawaslu in facing the 2024 general election. In this way, various impacts of changes that occur in the implementation of general elections, especially those related to the dissemination of irresponsible values and information that can harm society, can be understood.

2. METHOD

This study uses a qualitative approach with the method of literature (*library research*) to collect data. This method involves collecting data sources from various formats, such as books, magazines, newspapers, the internet, journals, legislation, literature, and other sources relevant to this research. Through library research, writers can access pre-existing information and explore a deeper understanding of the topic being researched. This method allows the writer to analyze and interpret the data that has been collected from these sources to support the arguments and research findings.

3. RESULT AND DISCUSSION

Prevention of Election Violations

In realizing elections with integrity, Bawaslu has an important role in preventing violations. Bawaslu identifies and maps election violations, and coordinates, supervises, guides, monitors, and evaluates election implementation. Through this activity, Bawaslu seeks to ensure that all stages of the election run according to the applicable regulations. The holding of elections that have integrity, professionalism, and accountability is an important requirement in realizing elections that are direct, public, free, confidential, honest, and fair. In a democratic country, one of the important requirements for holding general elections is the existence of an independent institution appointed by the government (Pramana, Junaidi, Arifin, & Sukarna, 2020).

The implementation of general elections is a manifestation of democracy as a means to elect people's representatives in the legislature, elect regional heads in regional elections, and elect presidents in presidential elections. An independent election management body has an important role in ensuring that the general election process is fair, transparent, and following democratic principles. An independent general election management body must have independence and autonomy in carrying out its duties. They must be free from political interference and external pressures that could affect their objectivity and neutrality. In addition, professionalism in terms of organizing, supervising, and conducting general elections is also very important.

The accountability of the general election management body must also be properly maintained. They must be accountable for the actions and decisions taken during the election process to the people and the government. Transparency in budget management and reporting of election results is also an important aspect of this accountability. By having an election management body that is



independent, professional, and accountable, the general election process can run smoothly and the public can have full confidence in the integrity and results of the election. This is a strong foundation for maintaining the quality of democracy and public trust in the country's political system.

Through the Election Law, Bawaslu has been given significant additional powers, leading some to argue that this makes Bawaslu the strongest election supervisory body in its history. This additional authority is related to the role of Bawaslu as executor and adjudicator in the settlement of election cases, as stipulated in Article 94 paragraphs (2) and (3) of the Election Law.

Article 94 paragraph (2) letter d of the Election Law provides Adjudication authority to Bawaslu to decide election administration violations. In this context, Bawaslu has the power to deal with offenses related to the election administration process, such as violations related to voter lists, fulfilling candidate requirements, using campaign funds, and implementing the duties and powers of election organizers. Through the adjudication process, Bawaslu can make decisions regarding election administration violations and impose appropriate sanctions. Furthermore, Article 94 paragraph (3) of the Election Law gives authority to Bawaslu to adjudicate election process disputes. This means that Bawaslu has the authority as a judge in resolving disputes that arise in the election process. Bawaslu can receive complaints regarding violations or irregularities in the election process, carry out investigations, and make decisions regarding these disputes. Bawaslu decisions in terms of election disputes have the legal force that binds the parties involved.

With this additional authority, Bawaslu has a stronger and more comprehensive role in maintaining the integrity and continuity of elections. Bawaslu has the authority to resolve election administration violations and handle disputes related to the election process. This increases the capacity of Bawaslu to carry out supervisory duties, enforce election rules, and ensure the implementation of fair and democratic elections.

Election implementation requires a comprehensive mapping of potential violations and vulnerabilities as part of efforts to prevent and supervise elections. To meet the need for valid and accurate information for the public and stakeholders, Bawaslu has developed an Election Vulnerability Index (IKP). The purpose of the IKP is to provide data, analysis, and recommendations to election supervisors and all stakeholders as a basis for formulating policies, and developing programs and strategies in the context of monitoring and preventing election violations.

The Election Law through Article 93 letter (b) gives a mandate to Bawaslu to further regulate the implementation of the prevention function. This provides legal legitimacy for Bawaslu to develop the necessary methods and instruments to carry out the task of preventing election violations. Thus, Bawaslu can compile and apply the Election Vulnerability Index as a tool to identify and analyze potential vulnerabilities that may occur in the holding of elections.

Driving and Inhibiting Factors

In every election, starting from the initial stages such as registration of candidates for election contestants and potential voters, determination of candidates for election participants and voters, and campaigns, up to the election period, election violations often occur. Bawaslu, along with its staff, has evidence regarding violations committed by administrators, participants, election administrators, the government, the judiciary, and the general public. However, in law enforcement, there is still discrimination and injustice in the handling of election violations.

Referring to the experience of implementing the 2019 Simultaneous Elections, several important issues attracted attention institutionally. First, related to the strengthening of Bawaslu's authority in handling electoral disputes at the district/city level which is also concurrent with the establishment of a permanent institution at that level. Second, there are still many (administrative and technical)



violations in the administration of elections caused by the lack of ability and capacity of the organizers to *do this* permanently. Third, there is still a question about the effectiveness of financing the holding of elections which is cheaper and able to work efficiently.

Not only do the three problems and issues above need to be discussed but there are also different views between election administrators in responding to various electoral technical issues that can disrupt institutional relations. For example, there are differences of opinion regarding legislative candidates who are still convicts or suspects of corruption. This has an impact on the relationship between the General Elections Commission (KPU) and Bawaslu which seems rigid in responding to these different views. It is hoped that the KPU and Bawaslu can work in harmony without bringing each other down.

In facing this challenge, it is necessary to carry out dialogue and coordination between various parties related to election management to reach a common understanding and improve existing systems and mechanisms. It is important to overcome discrimination, injustice, and differences of opinion to strengthen the integrity and success of holding elections.

The first factor that influences the implementation of Bawaslu's duties is internal factors, namely, the system used and human resources in Bawaslu. To ensure quality election supervision, Bawaslu needs to have a good and efficient system. A good system will enable accurate data collection, in-depth analysis, and timely reporting. In addition, competent human resources with high integrity are also very important. Bawaslu needs to ensure that its members and staff have adequate knowledge, necessary skills, and a commitment to carry out their duties fairly and professionally.

The second factor that influences the implementation of Bawaslu's duties is external factors, namely the political and social environment around it. Bawaslu must be able to operate independently and free from political interference or external pressure. In the context of democracy, the existence of Bawaslu is very important to maintain the integrity of elections, so the government and society need to provide strong support for this institution. In addition, Bawaslu also needs to cooperate and coordinate with various related parties, including election administrators, judiciary, and the public, to increase the effectiveness of election supervision.

In dealing with these two factors, Bawaslu needs to continue to make efforts to make improvements and reforms. System improvements, improving the quality of human resources, and strengthening cooperation with various parties will be important steps to improve the quality of election supervision. In addition, Bawaslu also needs to be open to constructive input and criticism from the public and other related parties to continue to make improvements and overcome the challenges it faces. By having a good system, competent human resources, strong support from the government and society, as well as the ability to make improvements and reforms, Bawaslu will be able to carry out its roles and functions more effectively in realizing quality, transparent and fair elections.

The driving factors in preventing election violations are;

1. The existence of solid authority and clear regulations governing the duties and responsibilities of the Bawaslu is a driving factor in carrying out election oversight duties. With sufficient authority, Bawaslu can effectively prevent election violations.
2. The active participation of the community in election supervision is also a motivating factor. Through high public participation, Bawaslu can obtain broader and more detailed information regarding potential election violations.
3. Support from the government and related institutions, such as the police and prosecutors, in providing cooperation and supporting Bawaslu's work is a driving factor. Collaboration between Bawaslu and related institutions can strengthen efforts to prevent election violations.



While the inhibiting factors in preventing violations of the 2024 election include:

1. Uncertainty and various interpretations of the technical regulations for holding elections at the central level can be limiting factors. This can hinder the effectiveness of preventive measures taken by Bawaslu.
2. The lack of quality and capacity of human resources owned by Bawaslu can be an obstacle in carrying out supervisory duties. Lack of technical capacity and lack of an effective planning system can hinder the effectiveness of preventing election violations.
3. Transactional politics that still occurs in the implementation of elections is an inhibiting factor. Transactional politics creates an unfair environment and can reduce the integrity of election implementation.
4. The imbalance between community participation in election supervision and counseling efforts conducted by Bawaslu can be an inhibiting factor. low public participation and lack of community technical skills in conducting election oversight can hinder the effectiveness of fraud prevention.

To increase the effectiveness of preventing election violations, Bawaslu needs to overcome existing obstacles and make improvements in several aspects, namely:

1. Bawaslu needs to coordinate better with election administrators at the central level to ensure a consistent interpretation of the applicable regulations. This will help reduce uncertainty and multiple interpretations in the implementation of violation prevention.
2. Bawaslu needs to develop a special strategy to prevent transactional politics, which is a form of violation that often occurs during the implementation of elections. This strategy can involve working with related institutions, increasing oversight of political transactions, and outreach to the public regarding the negative impacts of transactional politics.
3. It is necessary to strengthen the Bawaslu institution, especially in terms of HR planning and development. Bawaslu needs to ensure that they have qualified human resources, with adequate technical capabilities in conducting election supervision. This can be done through training and competency development, as well as improving a more effective planning system.
4. Bawaslu needs to increase public participation in election supervision by increasing the information and counseling provided to the public. Bawaslu needs to be more proactive in disseminating information about elections and the important role of society in preventing violations. In addition, Bawaslu can also actively involve the community in election supervision through participatory programs such as voluntary election supervisor training.

By overcoming these obstacles and making improvements in relevant aspects, Bawaslu will be able to increase the effectiveness of preventing election violations. Thus, elections can run more fairly, transparently, and reliably, so that people have high confidence in the ongoing democratic process. This is in line with the results of research (Yuhandra et al., 2023), (Muhammad, 2023; WENTI, 2023) which concluded that Bawaslu has an important role in preventing election violations.

4. CONCLUSION

The results of this study show that: First, Bawaslu has extraordinary authority as an election supervisory body, including as the executor and adjudicator of cases of election violations. However, in its implementation, Bawaslu still faces challenges and obstacles that need to be improved. Several driving factors that support Bawaslu's performance include the existence of strong authorities and regulations, community involvement, and support from the government and related institutions. On the other hand, there are inhibiting factors such as constraints on the interpretation of regulations,



inadequate capacity and capability of human resources, transactional politics, and an imbalance in community participation. Second, to increase the effectiveness of supervision and prevention of election violations, Bawaslu needs to take corrective steps. This includes improving quality systems and human resources, reforming the bureaucracy, increasing cooperation with related institutions, and increasing community participation. In addition, it is also necessary to resolve uncertainties in the interpretation of regulations and special efforts to prevent transactional politics. Third, by making necessary improvements and improvements, Bawaslu can play a more effective role in realizing elections with integrity, fairness, and free from violations. Mapping potential violations, strengthening supervision, and improving the system will be important steps to create democratic and reliable elections.

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