

Effectiveness of Bawaslu's Supervision Function on Election Participation in Gorontalo Regency

Hamzah Abdul¹, Darmawati², Kingdom Makkulawuzar³

Universitas Ichan Gorontalo

Article Info

Article history:

Accepted: 6 June 2024

Published: 1 September 2024

Keywords:

Effectiveness;

Supervision;

Bawaslu.

Abstract

General elections are a very important thing in democracy. Like two sides of a coin that cannot be separated from each other, the same applies to elections and democracy. The two cannot be separated. If there is a general election then there is democracy. The existence of an election supervisory institution (Bawaslu) which is regulated in Law of the Republic of Indonesia Number 7 of 2017 concerning General Elections is very important in determining the effectiveness of the election implementation process. The aim of the research is to find out the role and function of BAWASLU in holding General Elections and to find out the factors that influence the existence of Gorontalo Regency Bawaslu in holding General Elections. The role and function of Bawaslu in organizing General Elections is based on the position of the position in the form of authority and obligations, while function refers to the duties held by that position, so that the duties and functions of Bawaslu refer to the provisions of Law of the Republic of Indonesia Number 7 of 2017 concerning General Elections, namely in Paragraph 3 of Article 101 and Article 102 concerning duties, Article 103 concerning authority and Article 104 concerning the obligations of Regency/City Bawaslu. Factors influencing the effectiveness of the Gorontalo Regency Bawaslu in holding general elections. People who think pragmatically think that elections are only at the time of voting and do not focus on the programs offered by the people's representative candidates who are taking part in the elections.

This is an open access article under the [Lisensi Creative Commons Atribusi-BerbagiSerupa 4.0 Internasional](https://creativecommons.org/licenses/by-sa/4.0/)



Corresponding Author:

Hamzah Abdul

Universitas Ichan Gorontalo

Email: hamzahabdul823@gmail.com

1. INTRODUCTION

The most basic characteristic of a democratic country is the existence of general elections (Pemilu). Even though it is not the only aspect of democracy, elections are a very important part, because elections act as a mechanism for political change regarding the pattern and direction of public policy and/or regarding the periodic and orderly circulation of elites. However, in the implementation of the democratic party there are still shortcomings.

Often in the spotlight is the rise of money politics in every election, from the village head election to the presidential election. One of the factors causing the rise of money politics is the lack of awareness among the majority of Indonesian people that elections are the most effective vehicle for upholding people's sovereignty. This is categorized as an election crime for which the threat of sanctions is strict. In Law no. 7 of 2017 concerning Elections shows the government's seriousness in eradicating election crimes through the establishment of Gakkumdu. Gakkumdu as an integrated law enforcement center has an important role in handling election crimes.

In Law Number 7 of 2017 concerning General Elections, election organizers are:

1. KPU, Provincial KPU, Regency/City KPU are permanent, PPK, PPS, PPLN, KPPS, KPPSLN are ad hoc.

2. Bawaslu, Provincial Bawaslu, Regency/City Bawaslu are permanent, Subdistrict Panwaslu, Subdistrict/Village Panwaslu, Overseas Panwaslu, TPS Supervisors are ad hoc.
3. DKPP is permanent and domiciled in the country's capital

At this time, namely the reform era, the demand for honest and fair elections is increasingly high, as evidenced by the increasingly strong legal formality of the formation of Election Supervisory Bodies (Bawaslu) at the Central level, at the Provincial level, up to the formation of Election Supervision Committees at the Regency/City level which were initially ad hoc only, it is proposed to make it permanent.

One of the functions of the General Election Supervisory Body (Bawaslu) is to monitor the stages and prevent election violations. As an institution authorized by law to supervise the implementation of elections and elections, Bawaslu has an important role in upholding democracy in Indonesia, especially in enforcing election law in Indonesia. This aims to create elections that are democratic, with integrity and dignity that produce quality leaders in this country.

The authority to supervise election organizers is given to the Election Supervisory Body (Bawaslu) and its subordinate ranks, in this case the General Election Supervisory Body at the Regency/City level of Gorontalo Province. There is a strategic and significant function of Bawaslu, namely avoiding potential election violations by implementing optimal prevention strategies. Bawaslu has a strategic function and role in efforts to create democratic elections. The Election Supervisory Body was formed with the hope that elections will be honest, open, free and fair. As we know, the main task of the Election Supervisory Body is to supervise elections, receive complaints, and resolve cases of administrative violations, code of ethics, and criminal election violations.

Furthermore, in the implementation of elections there are still many problems which are caused by many interpretations of legislation regarding General Elections by political elites who have an interest in the running of the General Election. Apart from that, political awareness or maturity is directly proportional to political participation which is determined by political awareness and trust in the political system.

Criminal violations were the most frequent violations with 54 findings. Second place was logistics with 36 findings, one form of violation was the failure to distribute C6 form election invitations to voters. In third place are administrative violations with 25 findings, while violent violations are in fourth place with 13 findings, and candidacy disputes are in last place with 12 findings. This can also be seen in the Pilkada Case handled by the Gorontalo Regency Bawaslu with number 16/TM/Kab/29.04/XI/2020), namely the finding of ASN individuals who had not acted neutrally in the Gorontalo Regency Pilkada by supporting one of the candidate pairs so that this This has the potential to disrupt democratic regional elections and violate the principle of ASN neutrality.

Apart from that, there are several allegations of violations in the 2024 election that occurred in Gorontalo Regency. Among them are:

First, Alleged Election Violation Number: 001/REG/LP/PL/KAB/29.04/I/2024, in the form of a Campaign Advertisement played in the form of a song, the contents of which are: "an invitation to the people in Electoral District 4 Dungaliyo and Bongomeme to vote Candidate for Member of the Gorontalo Regency DPRD number 1 from the Democratic Party, namely Hj. Nuraini Kangiden, in the advertisement which is in the form of a song, it also states that Mrs. Nuraini is moving forward for society and is a figure who never hesitates." Although, based on the results of the study, the Gorontalo Regency Bawaslu stated that the report was not proven to be an Election Crime Violation.

Second, the initial allegation of election violations number: 002/REG/LP/PL/KAB/29.04/2/2024, that the witness brother Wiyanto said that suddenly a

silver Suzuki APV car stopped in front of the shophouse owned by brother Narsin, and he saw a man he didn't know (Mr. Ramli Langga) got out of the car then approached him and asked whether you were married or not, then the witness answered no, after that the man gave him a basic food package, saying then just 3 (sembako) which is packaged using a black plastic bag. Each plastic bag contains 5 KG of rice and 1 liter of cooking oil as well as 1 sheet of sample ballot papers for the general election for members of the Gorontalo Regency Regional People's Representative Council in 2024 which contains the party serial number, party logo, party name, serial number of candidates for Gorontalo Regency DPRD members. and the name of the Gorontalo Regency DPRD Member Candidate in the name of Sarifa Pangalima. And after giving the basic food package, the person concerned left.

One factor in the tendency for violations in each election is due to the limited number of observers when seen from the number of existing polling stations (TPS). The structured, systematic and massive forms of violations that occur in the current era have become the empirical basis for the importance of community involvement and participation in election monitoring.

Direct general elections by the people are a means of realizing people's sovereignty in order to produce a democratic State government based on Pancasila and the 1945 Constitution of the Republic of Indonesia in Article 1 paragraph (2) states that "sovereignty is in the hands of the people and is implemented according to the Constitution". This is an effort to realize honest and fair elections and to avoid election delegitimization, election law enforcement issues must be resolved comprehensively. So, it is necessary to identify the triggers of the problem and then find a solution so that the law can be enforced.

2. RESEARCH METHOD

The method used in this research is a qualitative analysis method, namely the data obtained is compiled systematically and then analyzed qualitatively so that clarity on the problem to be discussed can be obtained. Data analysis in qualitative research aims to categorize, systematize, and even produce meaning by researchers regarding what is the center of attention.

Mile and Huberman, as quoted by Syofian Siregar, stated that there are three steps in processing qualitative data, namely data reduction, data display and conclusion drawing and verification. The implementation of the three is not bound by chronological boundaries. Overall, these steps are interconnected during and after data collection, so this model is also called an interactive model.

3. RESEARCH RESULTS AND DISCUSSION

3.1. The Role and Function of the General Election Supervisory Body (Bawaslu) in Organizing the Gorontalo Regency General Election.

Democratic life offers opportunities for everyone who is willing and able to participate in practical policy life, especially for representative campaigns at the central, provincial and regional levels. This question is about the health of the state and a government that follows the principle of universal sovereignty or the principle of democratic government.

According to Melvin J Urofsky, that:

"A government cannot be considered democratic unless the officials who lead the government are freely elected by the citizens in a manner that is open and honest to the public. Apart from that, guaranteed access for all citizens who meet the requirements to obtain the right to vote, protection for each individual against unwanted external influences when voting, and an honest and open calculation of the results of the vote count."

Therefore, institutions to supervise the process of general elections are held to ensure justice for every citizen. To exercise and obtain the right to vote as a proxy during the election event. One of the government agencies can monitor the election. And clearly states that supervision of the implementation of elections is the responsibility of Bawaslu. Bawaslu is assisted in carrying out its duties by provincial Bawaslu and district/city Bawaslu, district/city Panwaslu, district/village Panwaslu, Overseas Panwaslu, equivalent TPS examiners, including some Provincial Bawaslu and Regency/City Bawaslu special governments or areas that have special statutory status. Bawaslu as the supervisor of the election administration is loaded in Article 89 of Law of the Republic of Indonesia Number 7 of 2017 regarding the General Election, which reads:

1. Supervision of Election Implementation is carried out by Bawaslu;
2. Bawaslu as intended in paragraph (1) consists of:
 - a. Bawaslu;
 - b. Regency/City Bawaslu;
 - c. District Panwaslu; l
 - d. Subdistrict/Village Panwaslu;
 - e. Overseas Panwaslu; And
 - f. TPS Supervisor.
3. Bawaslu, Provincial Bawaslu, and Bawaslu l (Regency/City, Subdistrict Panwaslu, Subdistrict/Village Panwaslu, LN Panwaslu, TPS Supervisors are hierarchical, including Provincial Bawaslu and Regency/City Bawaslu in special or special regional administration units regulated by law -invite;
4. Bawaslu, Provincial Bawaslu, and Regency/City Bawaslu are permanent;
5. Subdistrict Panwaslu, Subdistrict/Village Panwaslu, Overseas Panwaslu, and TPS Supervisors, as intended in paragraph (1) are ad hoc.

Furthermore, understanding that the elections held have enormous benefits for the Indonesian people. Among these benefits is that the elections are an implementation of the embodiment of people's sovereignty. The assumption of democracy is that sovereignty lies in the hands of the people, because the sovereign people cannot rule directly, so through elections the people can determine their representatives and the people's representatives will determine who will hold the reins of government.

Therefore, the role and function of Bawaslu is crucial in realizing democratic popular sovereignty in holding elections. In other words, it is very urgent to determine the success of selecting people's representatives through elections.

In accordance with the duties and functions of Bawaslu in articles 93, 84, 95, 96, 101, 102, 103, Law of the Republic of Indonesia No. 7, 2017, elections actually strengthen the domination of organizers. Transparency of organizers and accountability of election results. With the stipulation of the duties and functions of the Bawaslu Institution, it controls the implementation of successive elections. Elections are generally democratic, direct and free, confidential, fair, honest and ethical, and enforce all applicable rules and regulations properly.

Bawaslu's mission and achievements make this hope a reality. In general elections, citizens can elect their representatives first, then choose their own representatives. This person is given the authority to govern the country. The people can express their sovereignty through the general election of elected officials (Pileg) in the form of parliamentary and administrative elections for members of the DPR, DPD, DPRD as president and vice president and entering local general elections called Regional Head Elections.

The regulation of the duties and functions of the Gorontalo Regency Bawaslu, of course, refers to the provisions of Law of the Republic of Indonesia Number 7 of 2017 concerning General Elections, namely in Paragraph 3 of Article 101 and Article 102 concerning duties, Article 103 concerning authority and Article 104 concerning the obligations of Regency Bawaslu/ City. This was also conveyed during an interview with members of Bawaslu Gorontalo who stated that:

"Normatively, the implementation of the duties and functions of the Gorontalo Regency Bawaslu is to apply and refer to what is stated in Paragraph 3 of Articles 101, 102, 103 and 104 of Law of the Republic of Indonesia Number 7 of 2017 concerning General Elections."

Furthermore, in this interview, one interesting incident was conveyed, namely regarding the discovery of election violations in Gorontalo Regency in 2024 to elect the Gorontalo Regency DPRD Member Candidate number 1 from the Democratic Party, namely Hj. Nuraini Kangiden, in the advertisement which is in the form of a song, it also states that Mrs. Nuraini is moving forward for society and is a figure who never hesitates." Although, based on the results of the study, the Gorontalo Regency Bawaslu stated that the report was not proven to be an Election Crime Violation.

Thus, this fact also shows the importance of participation or in another sense, community participation in general elections is a right for every citizen in accordance with applicable laws and regulations, this should be used as well as possible and carried out with full responsibility as a citizen's obligation. country.

3.2. Inhibiting Factors for the General Election Supervisory Agency (Bawaslu) in Organizing the Gorontalo Regency General Election

As mentioned, by fulfilling one of Bawaslu's duties. Article 3 Article 101 letter b indicates the responsibility of Regency Bawaslu to monitor the implementation of the election process in state/city regions. Bawaslu is implemented as a body control survey are needed to continue to look for Audit status, control and compliance is not high Election violations by election supervisory bodies Fear that it will have a negative impact as an organizing company and election officials.

not functioning properly, the performance of the election monitoring body will affect the results of the election, then the Democratic Election, will not be successful and the obstacles faced by the General Supervisory Board in carrying out its duties must be corrected.

General election violations have become widespread in various regions. These violations vary from administrative violations, money politics and use of state facilities to bureaucratic involvement. There are no strict sanctions for legislative and executive candidates who violate this because it does not have a deterrent effect on those who violate it. For Reporting cases of General Election violations only takes 7 days from the time the case is reported and the investigation must be completed within 14 days. The short handling time is expected to make general election law enforcement ineffective.

General Election Supervisory Body (Bawaslu) The general election authority is responsible for supervising the implementation of general elections. Government coverage, including monitoring the implementation of elections. General is said to have received suspicious election reports Election Violations and Findings or Follow-up Reports to the competent authorities.

However, in carrying out Bawaslu's duties there are several weaknesses in the implementation of this General Election, some of which are reflected in the emergence of various problems in setting the time period for the stages of holding the Election,

verifying General Election participants, verifying the list of legislative and executive candidates, voting stage, stage of counting votes and determining legislative candidates and elected executives and so on.

Obstacles that affect the effectiveness of monitoring the implementation of every election of regions are indeed different, as was the case in Gorontalo Regency during the 2024 General Election. Overall, it was effective, including those voters chose candidates according to the wishes of their conscience, the stages were according to schedule and no election criminal violations were found.

4. CONCLUSION

The role and function of Bawaslu in holding elections in its position, including its duties, authority and responsibility, is handed over to Bawaslu. For the Standard Bawaslu, duties and responsibilities are subject to the law of Law Number 7 of the Republic of Indonesia Number of 2017 concerning General Elections, in particular Article 101, Article 102, Article 103 and Article 104. People who have a pragmatic view of elections, only focus on the moment voting without paying attention to the programs offered by candidates for people's representatives. In order to increase the effectiveness of the Gorontalo Regency Bawaslu in organizing General Elections, steps need to be taken to overcome these factors and strengthen the role and function of Bawaslu as a critical and competent election supervisory institution.

5. BIBLIOGRAPHY

- Afina. (2020). Peran penting Bawaslu Kabupaten Kebumen mencegah Politik uang di desa, Teori Al-Hisbah. Purwokerto: IAIN Purwokerto.
- Aholib, W. (2001). Tanggung Jawab Pendidikan Mempertimbangkan Epistemologi Secara Kultural. Yogyakarta: Kanisius.
- Amrizal, D. (2018). Penanggulangan Golput dalam Pelaksanaan Pemilu Legislatif dan Pilkada. Medan: Lembaga penelitian dan penulisan ilmiah aqli.
- Anam, B. (2018). Hukum dan Masyarakat Sejarah, Politik, dan Perkembangannya. Yogyakarta: Thafa media.
- Cambel. (2012). Riset dalam Efektivitas Organisasi . Jakarta: Erlangga.
- Husein, H. (2014). Pemilu Indonesia : Fakta, Angka, Analisis dan Studi Banding. Jakarta: Perludem.
- Hutomo, D. S. (2018). Peranan Badan Pengawas Pemilu (BAWASLU) dalam Pengawasan Penyelenggaraan Pilkada serentak di Jawa Tengah. Skripsi : Ilmu Hukum Fakultas Hukum Universitas Islam Indonesia Yogyakarta.
- Noor, T. (2009). Peran Komisi Pemilihan Umum Meningkatkan Partisipasi Masyarakat dalam Pemilihan Umum. Jurnal Konstitusi, Vol.2.
- Rizal, A. (2017). Eksistensi Badan Pengawas Pemilihan Umum Dalam Sistem Hukum Pemilihan Umum di Indonesia. Skripsi : Ilmu Hukum Fakultas Hukum Universitas Semarang.