

Handling of Election Violations in the Election of Regency/City DPRD Members at the Election Supervisory Agency (Bawaslu) of Konawe Regency

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ABSTRACT

The handling of election violations in the election of members of the Regency/City DPRD at the Bawaslu of Konawe Regency is carried out in several stages. First, election supervisors submit recommendations and files of the results of the study of alleged administrative violations to the General Elections Commission (KPU), Provincial KPU, Regency/City KPU, PPK, or PPS according to the level. For criminal election violations, the violation report files and the results of the study are forwarded by the election supervisors to the Indonesian National Police (POLRI) investigators no later than 1 x 24 hours after the decision by the election supervisors. In addition, the Bawaslu of Konawe Regency also handles election process disputes carried out by the parties. If the resolution of the election process dispute carried out by Bawaslu is not accepted by the parties, the parties can file legal action with the state administrative court. The entire Bawaslu decision-making process must be carried out through an open and accountable process. The results of the study found that the handling of election crimes is based on empirical facts in Konawe Regency. Data collected regarding the handling of election criminal cases in the three cities has several similarities and differences. In handling election violations, the Bawaslu of Konawe Regency also considers provisions regarding the procedures for handling election crimes, which consist of three parts. The first section regulates the procedures for handling election crimes, and the second section regulates the Special Election Crimes Council. In summary, the handling of election violations in the election of members of the Regency/City DPRD at the Konawe Regency Election Supervisory Agency (Bawaslu) is carried out in several stages, including administrative supervision, handling of criminal violations, and handling of election process disputes.

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INTRODUCTION

The background of this research on the handling of electoral violations in the election of members of the Regional People's Representative Council (DPRD) in Konawe Regency is an important aspect to understand. This section aims to provide an overview of the context in which the study was conducted, including the historical, social, and political factors that influenced the electoral process in the region. By examining the background of the research, it becomes possible to understand the specific challenges and issues that emerged in the context of electoral violations in the DPRD elections in Konawe Regency. Understanding the background of this research is important for identifying the root causes of election violations and developing effective strategies to address and prevent such violations in the future. Furthermore, this section will shed light on the

significance and relevance of the study within the broader socio-political landscape of Konawe Regency, providing a basis for subsequent analysis and discussion in the research. To provide a solid foundation for our research, we will explore the historical and contextual factors that have shaped the electoral landscape in Konawe Regency. This will involve exploring the broader political and social dynamics that influence the election process and its outcomes at the local level. By understanding the specific challenges and opportunities within the district, we aim to highlight the unique context in which election violations are addressed. This will set the stage for a detailed examination of the role and function of Bawaslu (Elections Supervisory Agency) in responding to and managing election violations during the Regional People's Representative Council (DPRD) elections. (Hak et al. 2023) (Suherman, 2023) (Mutiar Sari et al., 2023). In the introductory section of this paper, we will provide an overview of the handling of election violations in the Regional People's Representative Council (DPRD) elections in Konawe Regency. The focus of this study is to examine the processes and mechanisms involved in addressing and resolving election violations at the district level, with a particular emphasis on the role of the Election Supervisory Agency (Bawaslu). The ultimate goal is to gain a comprehensive understanding of the challenges and practices in addressing election violations in the context of local parliamentary elections. (Waluyo and Rodiyah 2023) (Crisbiantoro et al. 2023) (Putra & Lindiasari, 2024).

The general election (general election) for the membership of the Regional People's Representative Council (DPRD) of Konawe Regency will be held in 2024. The following is an important overview of the process of handling election irregularities at Bawasuru Konawe Regency: Determination of election results: General Election Committee (KPU) of Konawe Regency The results of the DPRD election have been decided. The results show that the PDI Perjuangan and the National Mandate Party (PAN) each won six seats, while the Gerindra Party, Golkar, and Nasdem each won four seats. Its members number 30 people, divided into 10 political parties. The National Mandate Party (PAN) obtained a majority with eight seats, followed by the Indonesian Democratic Party of Struggle (PDI-P) with four seats, and the Great Indonesia Movement Party (Gerindra) with five seats. Konawe KPU Decree Number 1101 Determination of the Results of the 2024 Konawe Regency DPRD General Election determines the election results. Therefore, the Konawe Regency Election Supervisory Agency (Bawaslu) must be ready to handle election violations that occur during the 2024 DPRD election process in Konawe Regency.

METHOD

This research is a normative-empirical one. A research with a normative approach, namely an approach that emphasizes the legal aspects (legislation) regarding the Handling of Election Violations in the Election of Regency/City DPRD Members at the Bawaslu of Konawe Regency. Meanwhile, the empirical approach is a legal reality or field facts, namely regarding how the Konawe Regency Election Supervisory Body Regulations are implemented. Therefore, this research is more focused on the approach to the legal aspects (legislation) related to the main problem, which is linked to the legal reality in the field. In order to find a legal framework.

As for efforts to obtain the validity of legal materials, so that accurate data will be obtained as study material, the methods of collecting data in this study include Observation Techniques (Observation): namely conducting direct observations of research locations, Interview Techniques: the legal material collectors used are closed interviews, namely research directly conducting questions and answers with respondents, where the interviews are conducted in a directed manner using a list of questions as a guide and Documentation Techniques, a method of collecting legal materials by reading and studying reading materials in the form of literature, legislation, doctrines

and other sources that have relevance to the problem, so as to obtain a theoretical picture.

Bawaslu's Role in Handling Election Violations

General elections are the process of changing power in the democracy of the Unitary State of the Republic of Indonesia. Law No. 7 of 2017 was created to ensure that the democratic process takes place honestly (fair play), orderly, and safely, thus creating a General Election with integrity. Therefore, law enforcement for any election violations is a legal responsibility. The process of controlling democracy is inseparable from the role of the people in choosing qualified leaders through general election mechanisms regulated by election laws and regulations, which clearly protect the constitutional rights of citizens to choose their own leaders, as stated in Article 1 paragraph 2 of the 1945 Constitution of the Republic of Indonesia, which states that "Sovereignty is in the hands of the people." "Sovereignty is in the hands of the people" means that the people have the freedom, responsibility, rights, and obligations to democratically choose leaders who will form a government to manage and serve all levels of society, as well as elect people's representatives to oversee the running of the government.

However, one unavoidable consequence of the implementation of popular sovereignty is that there are many violations committed by parties involved in the election, be they organizers, voters, or participants, which compromise the integrity of the election. Therefore, the best way to maintain popular sovereignty is through law enforcement, because the sovereignty granted to citizens through elections has a positive impact on the future of the Indonesian people if the elections are conducted honestly and fairly, and an honest and fair democratic process is maintained. Therefore, the Unitary State of the Republic of Indonesia is a state based on the rule of law. For law enforcement to work well and effectively, a legal framework and legal compliance are necessary. The legal framework and legal compliance cannot function well without each other, so both must work well together for elections to be democratic.

One of the most important factors is the "electoral legal framework," which refers to all laws and legal documents related to elections. The electoral legal framework in a democratic and constitutional state is governed by various rules, derived from the constitution and other fundamental provisions. These provisions include the constitution, international treaties, election laws, jurisprudence, codes of ethics, and other relevant regulations. This electoral legal framework is also structured by considering the history, social and cultural characteristics, and prevailing legal regulations in the country.

This legal framework must be systematically structured by following several principles: unambiguous, clear, easy to understand, and easy to understand. This legal framework must also encompass all elements of the electoral system necessary to ensure democratic elections, including all components of the electoral system necessary to ensure democratic elections. Election regulation in Indonesia begins with the constitution, which regulates three election organizers: Bawaslu, KPU, and DKPP. The constitution also regulates the organizing laws, including laws on legislative elections, presidential and vice-presidential elections, regional head elections, gubernatorial and vice-gubernatorial elections, regents and vice-regents, mayors, and mayors. The legal framework for elections still faces several problems, such as the unclear definition of campaigning. One definition of campaigning is

The implementation of the election has given rise to disagreements between the election organizing body and the police and prosecutors regarding the handling of election crimes. Furthermore, there is no comprehensive explanation of election administration violations and disputes between election participants. This could lead to administrative violations, but because it is not detailed, sanctions cannot be imposed. Therefore, legal certainty is a crucial component of

law. Compliance with written laws is known as legal certainty.

According to Prof. Ramlan Surbakti, Phd, there are at least two signs of a democratic general election process: (1) there is legal certainty that regulates all stages of the general election process (predictable procedures), but no one knows the results (unpredictable results). (2) All stages of the general election process are regulated based on the democratic principles of general elections, namely direct, general, free, secret, honest, and fair. In a negative formulation, legal certainty means that the General Election Law does not have legal gaps, articles that contradict each other, or articles that can be interpreted in various ways.

These various problems require solutions that can be implemented by the legislative authorities, such as the House of Representatives (DPR) and the Government, through revisions to legislation, or by election organizers, such as the Elections Supervisory Agency (Bawaslu) or the Elections Commission (KPU), through the creation of technical regulations for election administration. The first action is easier to implement, but very dangerous. If this action is not taken, the implementation of future elections will be problematic. As stipulated in Law 15 of 2011 concerning election organizers, specifically Article 119 paragraph (4) for the General Elections Commission and Article 120 paragraph (4) for Bawaslu, every regulation made by these two organizing elements is determined after consultation with the House of Representatives (DPR), the government, and the Elections Supervisory Agency (DKPP). However, at the very least, this should be a common practice. However, at the very least, this should be a general principle that can be understood by everyone so that the article is used wisely.

In addition, the legal framework for elections must also include effective mechanisms to ensure the enforcement of electoral laws and the upholding of civil rights. The enforcement of civil rights aims to protect citizens' rights to vote and be elected. In this regard, the legal framework must stipulate that every voter, candidate, and political party has the right to complain to the election management body or the competent court if there are alleged violations of these rights. IDEA proposes four checklists to examine the legal framework that will govern the conduct of elections to ensure the upholding of international law.

Considering the regulations relating to election organizers in Indonesia based on the checklist above, it can be concluded that the election law enforcement system in Indonesia has the capacity to ensure democratic elections. This is evident in the existence of legal resolution mechanisms, namely the Election Supervisory Agency (Bawaslu) and the Election Commission (KPU) to resolve administrative violations, the police and prosecutors' office to resolve criminal violations, and the Election Supervisory Agency (Bawaslu) to resolve election disputes. Furthermore, there are regulations regarding the right of parties to report violations of election laws and regulations, the time limit for filing lawsuits against election organizers' decisions, and the right to appeal against election organizers' decisions. However, there are several obstacles to law enforcement in practice. The time required to report violations, for example, is 7 (seven) days from the time the violation is discovered and/or discovered. Furthermore, the time given to Bawaslu to examine

Reports are very short, making it difficult to obtain evidence. Although the law stipulates a 7+7 turnaround time for handling violations, this does not align with the turnaround time stipulated by the Regional Election Law (Regent, Mayor, and Governor Elections). Another problem is that the Elections Supervisory Agency (Bawaslu) does not have the authority to forcibly summon individuals suspected of committing violations for questioning. Therefore, if a subject wishes to escape an investigation, there is no way to stop them due to time constraints and other constraints. In resolving administrative and criminal cases, law enforcement must make legal breakthroughs.

Types of election violations

Election violations are actions that are contrary to or not in accordance with laws and regulations related to elections. The types of election violations are as follows:

a. Administrative violations

Election Administration Violations are violations that include the procedures, methods and mechanisms related to the administration of election implementation in each stage of election implementation.

b. Election crime violations

Election Crimes are criminal acts of violation and/or crimes against the provisions of election crimes as regulated in the Law on General Elections and the Law on the Election of Governors, Regents and Mayors.

c. Violation of the election code of ethics

Violation of the Code of Ethics is a violation of the ethics of Election Organizers which is guided by the oath and/or promise before carrying out duties as Election Organizers.

Election Monitoring Strategy and Election Violation Prevention

Election Monitoring Strategy

To begin addressing election violations, election supervisors formally conduct proper oversight. Good oversight will produce quality results, which can be easily processed by election supervisors through to the court hearing stage. Because the oversight process is the beginning of cases that will be handled by election supervisors, election supervisors must implement supervisory standard operating procedures (SOPs) professionally if the results are to be considered findings. Monitoring, reviewing, examining, and assessing the election process in accordance with the law is known as election oversight. One definition that can be used to describe the work of election supervisors is the following:

1. Observe the entire implementation of the election, both by organizers, participants, and other parties such as the government, mass media, and others;
2. Reviewing is an activity that assesses certain incidents in the election process that are suspected to be a form of election violation;
3. Examining is an activity that examines and considers initial evidence found in relation to alleged violations that have occurred as support for the review process; and
4. Assessment is an activity that assesses and concludes the results of supervision.

Election supervisors employ two primary strategies to conduct election oversight: prevention and enforcement. Prevention involves making every effort to prevent potential violations and/or their initial indications. Enforcement involves examining reports from the public and election supervisors, then making recommendations to relevant institutions based on these findings. To ensure elections are conducted fairly, honestly, and in accordance with regulations, election supervisors must have a strong strategy for implementing preventive measures and processes. Election supervisory activities are essential, demonstrated by their diligent and thorough work in achieving their objectives. However, for subjective reasons, election supervisory institutions only have the authority to oversee the entire election process, including the minister. This perspective emerged as an effort to increase understanding of the oversight process in gubernatorial, regental, and mayoral elections, as well as other elections.

The politics of oversight explains the goals, missions, and orientations used in election supervision, so that oversight activities have more spirit and character than simply overseeing election administration techniques. Therefore, oversight is more than just a routine task of identifying and examining potential violations. It also aims to achieve the values embodied in the mission of establishing election legislation standards. Election supervisors are not simply soulless "machines"; they are human supervisors with the spirit, desire, and will to realize electoral justice

through their duties. Furthermore, the "politics of oversight" is also a way of viewing violations. Violations are not simply seen as direct facts. Rather, they can have a multifaceted impact, and they can contribute directly or indirectly to various types of violations. For example, violations related to delays in the distribution of ballot paper logistics occur; these violations not only stop there but also impact other violations, such as loss of voting rights or, politically, decreased voter turnout. While postponing voting hours may help address logistical delays, it will not necessarily make voters ready to return to the polling stations because the time they had allocated for voting has passed and they already have other highly productive tasks to attend to, such as finding work for their families.

Another example is campaign finance oversight, which is not only defined as the activity of tracking violations of the law, but is also intended to promote the objectives of campaign finance regulation. The objectives of campaign finance oversight include (1) ensuring that all election participants have an equal opportunity to compete, or a balanced fighting space; (2) preventing campaign fund donors from interfering with the policies of the elected candidate; (3) ensuring that all people who contribute campaign funds. Although these principles are not explicitly regulated in the law, these principles form the basis of all existing regulations. This perspective can improve the oversight process because election supervisors are not only "supervision machines" that work mechanically, but also have a spirit and *ghiroh* (purpose, spirit) that can guide them to work intelligently and progressively. There may be many other examples, but basically the politics of oversight is the "intuition" that a supervisor must have to analyze a violation and then take necessary precautions against subsequent violations. from the perspective of "politics of oversight". It is hoped that the work of oversight in the paradigm prevention is more effective because each supervisor has a broader, deeper, and more profound view.

Election Violation Prevention Strategy

Every election supervisor is required to identify potential violations at every stage of the gubernatorial, regent, and mayoral elections. Therefore, as part of their legal responsibility, they must identify and prevent various violations that may occur at each stage of the regional elections. At least two things are important in understanding preventive measures: first, supervision in the context of prevention, which refers to the public's understanding of potential violations that must be anticipated. Second, potential violations, which refer to the experience and data of previous election or regional election organizers.

Each region has unique socio-political characteristics. This influences the variety of patterns and tendencies of violations, both in terms of *modus operandi* and type. To map the patterns and trends of violations at each stage, it is important to understand the social characteristics of the region and learn from data on violations resulting from previous elections and regional elections. To identify potential violations in the workplace, two aspects can be considered: the patterns and trends of violations that have occurred in previous elections and regional elections; and the perpetrators or actors. The perpetrators or actors refer to the main stakeholders involved in the election or regional election, namely: voters (the community as a whole, interest groups, bureaucracy, etc.); and election participants and organizers.

Law Number 7 of 2017 concerning general elections gives Bawaslu a significant responsibility. In addition to prevention, the law also requires Bawaslu to take action against election violations and election process disputes. The activities of observing, reviewing, examining, and evaluating the implementation of elections are in accordance with the statutory regulations of Article 94 of the Law. (1) finding and identifying potential violations and vulnerabilities in the election; (2) collaborating with relevant government agencies to oversee the implementation of elections; (3) regulating, examining, guiding, monitoring, and evaluating the implementation of

elections; and (4) increasing public participation in election supervision. To explain further, the four prevention processes can be explained as follows:

Identify and address potential vulnerabilities and election violations. Before beginning election supervision, Bawaslu must identify and address potential vulnerabilities. To prevent vulnerabilities and violations that may occur at every stage of the election, Bawaslu needs to know how to do so. Bawaslu must have the ability to immediately take action that can have a deterrent effect on perpetrators of election violations after preventive measures have been implemented. It is crucial for Bawaslu to have a formulation and technique for conducting supervision, coordination, supervision, training, oversight, and evaluation of election implementation. It is crucial to ensure that election supervisors at all levels adhere to the principles and regulations in carrying out their duties. They must always coordinate with other parties, provide guidance and guidance to all parties involved in election legal matters, and continuously oversee the implementation of elections and assess the results of their supervision.

Collaborate with relevant government agencies; collaborate with the government to ensure the neutrality of state civil servants (ASN). ASN may not participate in any election campaign outreach or campaign activities, as every aspect of the campaign is highly susceptible to infiltration by ASN seeking to compete with candidates or incumbents for positions.

Rewards for positions after being elected. Furthermore, the civil servant in question may have kinship ties with the ticket brokers, who have the potential to gain and increase public participation in election oversight. The law allows public participation in oversight through various means, such as political education for voters, election outreach, and quick counts of election results, as well as surveys or opinion polls about the election. Furthermore, the public can participate in reporting election violations, allowing them to provide direct reports of violations. A greater number of public reports indicates an increase in public participation in participatory oversight. Thus, the outreach conducted by Bawaslu can be considered successful. However, the fewer public reports received, the poorer Bawaslu's techniques for encouraging participatory oversight. While public reports are not the only way to measure the success of participatory oversight, as the sole election supervisory body receiving reports, Bawaslu must implement effective strategies to encourage voters to report violations or fraud. In terms of participatory oversight, Bawaslu should strive to encourage public participation through various agendas that motivate people to participate.

The primary goal is for Bawaslu to have a partner, as it cannot conduct oversight independently. In addition to its preventive duties, Bawaslu is also responsible for implementing election law enforcement or handling election law violations. After all preventive measures have been implemented, the final step is to punish the perpetrators. Several types of violations fall into this category: election administration violations, violations of the election organizers' code of ethics, election criminal violations, and disputes during the election process. These four actions fall within the scope of election supervisors. Bawaslu is tasked with enforcing election law by Law Number 7 of 2017. Now, it remains to determine how Bawaslu and its staff will carry out this mandate. If compared to a pencil as a writing tool, it is sharpened and ready to write; it is only a matter of whether the strokes meet writing standards. Likewise, election supervisors have every right to prevent and take action. The only issue is whether the organizers have the ability and courage to carry out their duties; it depends on the organizers' readiness to uphold the mandate of the law. It is clear that the public highly expects Bawaslu to ensure elections with integrity. Because Bawaslu is responsible for the implementation of democratic elections, it's reasonable for the public to assume that the success or failure of elections depends on this institution, which is responsible for the oversight and integrity of the electoral process. Given the high public expectations of Bawaslu, this must be a crucial component in implementing fundamental changes to the institution itself.

The Bawaslu (Election Supervisory Agency) oversight system, which has been very weak to

date, is undergoing this important change. In the election oversight process, Bawaslu itself must have a standard format. First, the oversight system can be built through a dual-standard oversight pattern, where implementers act as both direct supervisors and indirect supervisors. For example, in terms of monitoring campaign stages, the Election Commission (KPU) participating in the election must collaborate with Bawaslu to implement technical campaign procedures. The KPU and participants are responsible for coordinating as the stages begin. Bawaslu also plays an active role in coordinating and handling election violations through investigations and investigations.

Provide clarification in the event of violations. To achieve this, Bawaslu, the KPU, and election participants must agree on joint regulations. Second, improve supervision and guidance. In major cases such as political money or political dowries that can influence candidate disqualification, Bawaslu must provide tiered guidance so that the process of monitoring and handling violations can run smoothly. This supervision and guidance will be carried out by supervisory and advisory actors who have the necessary competencies to provide useful recommendations on how to handle such cases. Third, simplify procedures for handling violations, from reporting to decision-making and advice. Mechanisms for handling violations can assist both reporters and supervisors. Fourth, improve the capabilities and strengths of election supervisory staff. Efforts to enhance the role of institutions require strong management, from the central to the regional levels. Stronger action should be taken to address violations, even serious ones, if sufficient capacity exists. Fifth, by strengthening laws that allow Bawaslu to act at every stage of the election process, they have sufficient power to conduct oversight. However, without civil support, participatory oversight will increase public involvement. The involvement of civil society organizations and observers, as well as civil society organizations committed to upholding democracy, must begin before they fall into the hands of pragmatic political elites. As a result, Bawaslu's impactful power will be diminished, as civil society organizations can act as election observers.

Thus, the slogan "Together with the People, Oversee the Election, Together with Bawaslu, Enforce Election Law" strongly supports Bawaslu's involvement of the public as participants and informants in enforcing election law. To realize the shared ideal of electoral justice, let us collaborate to encourage public participation in enforcing election law. After its establishment, the Election Supervisory Board was regulated by Law Number 15 of 2011 concerning election organizers. Previously, Law 22 of 2007 regulated election organizers. Furthermore, Law 7 of 2017 has granted election supervisors more authority to carry out their supervisory duties. Election supervisors at the Bawaslu and regional election supervisory committee levels have handled and resolved various election violations. Administrative violations, violations of the election organizer code of ethics, and election crimes are included in the categories of election violations handled.

Experience in handling violations has shown that several challenges hinder the collection of evidence and the transfer of cases to the appropriate authorities. As explained earlier in this article, election supervisory officers face several challenges when handling election crimes. Among these obstacles is the time limit for handling election crimes. This time limit makes it difficult for the Election Supervisory Agency (Bawaslu) to collect evidence during its review of election crimes. Furthermore, the subject of election crimes is not covered by election criminal provisions. Furthermore, the audit committee lacks the authority to summon defendants by force. Furthermore, it lacks the authority to seize evidence found during the process of monitoring operational violations. Therefore, the role of the three central institutions for law enforcement (gakkumdu) is crucial to maximizing the capacity of election supervisors. The police and the prosecutor's office are ready to support the implementation of election supervisory duties.

Of course, Bawaslu has strengthened the existence of a memorandum of understanding (MOU) between the Police, the Prosecutor's Office, and Bawaslu in the integrated law enforcement center system (Sentra Gakkumdu) to find alternative solutions to problems faced by election

supervisors. In addition, in accordance with Article 486 Paragraph One (1) of Law No. 7 of 2017 concerning Legislative Elections, which stipulates that "Bawaslu, the Indonesian National Police, and the Attorney General's Office of the Republic of Indonesia establish an integrated Law Enforcement Center to align understanding and patterns of handling election crimes." However, the problem is the lack of coordination between election supervisors and other law enforcement agencies, such as the prosecutor's office and the police. As a result, Article 486 cannot be implemented comprehensively because, according to the practice of Gakkumdu, Article 486 paragraph 4 (4) states that investigators and public prosecutors carry out their duties full-time to handle election violations but cannot be implemented comprehensively during the process. Article five clearly states that investigators and prosecutors are assisted at the Gakumdu secretariat, but it seems that investigators and prosecutors also lack the manpower to be placed at the Gakumdu secretariat.

As stated in Article 477 of Law 7 of 2017, investigations, inquiries, and examinations of election crimes are carried out in accordance with Law Number 8 of 1981 concerning Criminal Procedure, unless otherwise specified in this law. Therefore, to ensure that the handling of election crimes can be carried out effectively and efficiently, an integrated system as mentioned in Article 477 must be created. By considering the case resolution system according to the Criminal Procedure Code, which adheres to an integrated criminal justice system, consisting of a common perception of justice and the administration of criminal justice as a whole and unit (Administration of criminal justice system), this clearly helps election supervisors resolve election crimes from the report or finding stage to the review process stage. Investigation is the first stage of the case handling process in the integrated criminal justice system according to the Criminal Procedure Code. After the investigation is completed, the investigator begins the inquiry and investigation. After the investigation is completed, the case is sent to the prosecutor's office for investigation by the prosecutor or public prosecutor.

The public prosecutor will present the entire case file if they believe it is worthy of being submitted to the court. An indictment will then be prepared and submitted to the court. The hearing will be held at a court hearing on a designated date. The court will impose a sentence if the defendant is found guilty of committing the crime as stated in the public prosecutor's indictment. In cases of imprisonment, the correctional institution is responsible for enforcing the court's decision. In short, that is what an integrated criminal justice system is all about. Law enforcement officials implement it step by step. The Integrated Law Enforcement Center, also known as the Gakkumdu Center, has used an integrated system to handle election crimes. However, this system has not been fully utilized, and there are still many differing opinions on how to implement it. Although this system is considered appropriate for resolving election crimes, it actually makes it difficult for election supervisors to progress in resolving election crimes.

The Memorandum of Understanding (MoU) between Bawaslu, the Indonesian National Police (POLRI), and JAGUNG shows several similarities between the integrated system and the Gakkumdu center. The difference is that the Gakkumdu center holds a coordination meeting before the investigation stage to align perceptions on whether the report or findings meet the elements of a criminal act or not.

No. Discussions about election crimes are usually very heated, with each party presenting arguments. If the necessary elements are present, the investigation can proceed. However, often after discussions in the Gakkumdu (National Law Enforcement Agency) room, all parties agree to proceed. Then, investigators may refuse to forward the case to election supervisors, and prosecutors may return the files after the investigation is complete. This occurs despite the various difficulties faced by the divisions handling election crimes. The Gakkumdu Center should have reestablished its original purpose, namely as a coordinating forum for stakeholders in the handling of transgender

issues. However, due to the lack of agreement in the discussions, these three institutions are facing serious problems, which not only impact their institutional status but also weaken the enforcement of election law.

The handling of election crimes is carried out in accordance with laws and regulations and the standard operating procedures and procedures of the integrated law enforcement center. This procedure begins with the election supervisor suspected of committing an election crime receiving the report or finding, recording the report in a form, and then conducting an initial examination of the report or finding. Within a maximum period of 1 day and 24 hours (one 24-hour period) from the time the report or finding of the alleged election crime is received, the election supervisor submits the report or finding to the Gakkumdu center through the Gakkumdu center secretariat using a letter submitting the report or finding of the alleged election crime (Model SG-1). This report or finding is accompanied by the report or finding of the alleged election crime.

The Gakkumdu center discusses reports or findings of alleged election crimes regarding the following matters: first, whether the report or finding meets the formal and material requirements in accordance with Bawaslu Regulations; second, determining the articles used; and third, whether the elements of an election crime are met. The Gakkumdu secretariat staff records and records all discussion meetings. This is a decision agreed upon by all elements of the Gakkumdu center. The results of the Gakkumdu center meeting can be (1) the report or finding is not an alleged election crime, (2) the report or finding is an alleged election crime but must meet the formal and/or material requirements, or (3) the report or finding is an alleged election crime. Then, recommendations are submitted as described in the SG-3 model, and these recommendations must be considered by election supervisors within a period of 1 day and 24 hours (one time 24 hours) from the time the report or finding is submitted by the Gakkumdu center secretariat staff. That is how the Integrated Law Enforcement Center (Gakkumdu) handles election crimes. Moving forward, efforts are needed to address the challenges that arise in handling election crimes at the Gakkumdu (legally enforced) centers. Ultimately, the goal of these efforts is to ensure that the election crime resolution process runs as expected, which in turn will result in a fast, honest, free, simple, and user-friendly justice system. First, efforts are being made to improve the Gakkumdu-centered system and mechanisms, where police and prosecutors collaborate to resolve election crimes. It is hoped that the working relationship will be similar to that of the Corruption Eradication Commission (KPK), allowing prosecutors and police to be involved in resolving election crimes from the outset. Second, successful implementation of duties requires positive cooperation, openness, consultation, and integration among law enforcement officials. Third, the discipline, capabilities, and integrity of law enforcement officials are being improved.

CONCLUSION

Conclusions and suggestions regarding the handling of election violations in the election of members of the Regency/City DPRD at the Konawe Regency Bawaslu can be summarized as follows:

1. Electoral Justice: Bawaslu's handling of election violations must comply with the principles of justice, which include compliance with the legal framework, protection of the public's voting rights, and access for citizens to submit complaints.
2. Bawaslu's Independence: Bawaslu is expected to be able to operate independently without intervention from other parties, such as the police and the prosecutor's office, to handle political money violations that often occur in elections.
3. Inter-institutional Synergy: Good cooperation between Bawaslu, the KPU, and other law enforcement agencies is crucial for effectively addressing election violations. This synergy must be continuously improved to achieve better results in enforcing election law.

4. Procedural Improvements: The process of handling election violations still faces obstacles, including complicated legal procedures and a culture of reluctance to testify. This results in suboptimal law enforcement.

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