

Portrait of Election Violations: Damage of Political Party Attributes, Elimination of Voting Rights and Obstruction of Campaigns, Perspective of Election Law No. 7 of 2017

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Abstract

This research aims to analyze a portrait of election violations in 2024, with a focus on damaging political party attributes (APK), eliminating voting rights, and obstructing campaigns in the context of Law Number 7 of 2017 concerning General Elections in Gorontalo City. The method used in this study is liberty research, which includes literature review, analysis of official documents, case studies, and review of statutory regulations. Data collection techniques include study of books, scientific articles, reports from Bawaslu and KPU, as well as mass media news. Research findings show that the main violations consist of the practice of money politics, destruction of APKs, elimination of voting rights, and obstruction of campaigns. The practice of money politics, which includes bribery and vote buying, dominates with an incidence rate of 64%, followed by PK damage at 18%, removal of voting rights at 9%, and campaign obstruction also at 9%. Even though Law Number 7 of 2017 stipulates strict sanctions against money politics, this practice remains rampant and damages the integrity of elections. Apart from that, destruction of APKs, elimination of voting rights, and obstruction of campaigns are also significant issues that affect the fairness of elections. This research concludes that more effective efforts are needed from all parties related to election organizers, supervisory institutions and the public to deal with these violations and ensure the implementation of cleaner and more democratic elections.

Keywords: Portrait of Violations, Election, Election Law, Gorontalo City



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INTRODUCTION

Law Number 7 of 2017 states that elections are a means of popular sovereignty to elect members of the People's Representative Council, members of the Regional Representative Council, President and Vice President, and to elect members of the Regional People's Representative Council, which are carried out directly, publicly, freely and confidentially, honest and fair in the Unitary State of the Republic of Indonesia based on Pancasila and the 1945 Constitution of the Republic of Indonesia, general elections are an embodiment of people's sovereignty and democracy. Elections are one of the implementations of democratic practices in Indonesia. The community as citizens is involved in determining the direction and leadership figures of the country through the political process carried out through the Indonesian Democratic Party (Dedi, 2019).

Admittedly, democracy has been a concept that inspired systems of government throughout the world since ancient times, with a significant early example coming from Ancient Athens, where Athenian citizens had the right to elect officials and take part in the decision-making process. Nonetheless, restrictions on political rights to certain groups, such as women and slaves, were common in democratic history, including in Ancient Roman culture and the republican system of Venice. The American and French Revolutions then provided a major impetus for the development of modern democracy, championing individual rights and broader political participation. Since then, democracy has evolved and adapted in countries around the

world, undergoing constant change in an effort to expand public participation and strengthen democratic institutions. (Ramdadhani et al., 2022) On the other hand, reflecting on democracy in the United States has its roots in the American Revolution in the 18th century, which resulted in the US Constitution in 1787. The Constitution established the framework for a federal government consisting of three branches: executive, legislative, and judicial, as well as guarantee basic individual rights. This system also introduces the concept of selecting representatives through general elections. Although initially limited to land-owning whites, voting rights in the US have expanded over time, including the extension of voting rights to women (through the 19th Amendment) and to people from minority groups (through various laws civil rights). The United States uses a presidential system where the president is elected separately from the legislature. (Wuisang & Abiyoso, 2022)

Meanwhile, in Indonesia, democracy experienced a different journey. After gaining independence from Dutch colonialism in 1945, Indonesia adopted a democratic government system governed by Pancasila as the basis of the state philosophy. However, the early period of the Republic of Indonesia was marked by political instability caused by competition between various political forces. In 1959, Indonesia switched to a guided democracy system under President Soekarno. However, after the New Order era which began in 1966 under Suharto, democracy was restrained and political opposition was silenced. After the 1998 Reformation, Indonesia returned to a more open multi party democracy with direct presidential elections. Currently, Indonesia uses a presidential system, with general elections for president and parliament held separately. Nevertheless, challenges such as corruption, inequality and pluralism are still important issues in the development of democracy in Indonesia. (Alhadar, Sahi & Katili 2024). Since the Reformation in 1998, Indonesia has experienced significant changes in the development of its democracy. The transition from authoritarian regimes to more open and democratic governments has seen important steps such as direct elections, the creation of democratic institutions, and increased freedom of the press and expression. Despite this, Indonesia is still faced with serious challenges, including widespread corruption, inadequate human rights protection, and minority and civil rights issues that need further attention. Nevertheless, positive developments in strengthening democratic institutions and people's political participation continue to be the focus of Indonesia's democratic progress. (Kamuli, Latarte & Sahi 2023).

General elections in Indonesia have been an important part of the democratic process since the Reformation era in 1998. Several crucial general elections have taken place since then, such as the 1999 elections which marked the transition from the New Order authoritarian regime to the new democracy. The 2004 election was the first time a president was directly elected, with Susilo Bambang Yudhoyono elected as president. The 2009 election marked the third election after the Reformation, with the reelection of Susilo Bambang Yudhoyono. In the 2014 elections, Joko Widodo was elected as the first president who came from outside the military and traditional political elite. The 2019 election was the most complex in Indonesian history, where Joko Widodo was reelected as president. Now, the 2024 Election is the focus as the main political agenda, it is hoped that it will be an important momentum in the development of Indonesian democracy with the election of the president, members of the DPR, DPD and regional heads in several regions. (Sahi, et., al 2023).

Every election in Indonesia since the Reformation has marked a step forward in strengthening democratic institutions and increasing citizen political participation. Even though it is still faced with challenges such as corruption and the development of better electoral infrastructure, elections in Indonesia have become an important milestone in realizing a more inclusive and representative political system. It must also be acknowledged that even

though the election has been held, there are still many findings regarding election violations in Indonesia, especially those committed by the political parties themselves. (Pangestu et al., 2021) General elections (Pemilu) are a crucial element in a country's democratic system. Democratic elections must guarantee equal opportunities for all candidates and ensure that voters can make decisions freely without pressure from certain parties. However, the phenomenon of money politics often becomes a major challenge faced during general elections, resulting in many violations that can damage the basic values of true politics and democracy. This is caused by a lack of emphasis on the intellectual qualities and personal character of a political candidate, so that their financial factors become the main determinant or standard of victory in elections (Nurjulaiha et al., 2022). The practice of money politics poses a serious threat to the integrity of the democratic process with the potential to undermine the principles of equality, fairness and freedom in general elections. Money politics is explained as the act of giving rewards to individuals or groups (voters) as part of the practice of buying and selling votes in political competition (Nabilah et al., 2022). In the Dumbo Raya sub district in the 2024 election, money politics is a major concern because of its ability to disrupt the balance of democracy and influence the performance of the election management institution, in this case Bawaslu.

The Election Supervisory Body (Bawaslu) is an institution that has the main responsibility for supervising the implementation of general elections throughout Indonesia. His duties include supervision of all stages of elections, starting from the election of members of the DPR, DPD, DPRD, president and vice president, to regional heads. Bawaslu itself is a body that exists permanently, with its members serving for five (5) years from the time they are appointed (Dian Rahmadani Hardin, 2022). Its function is important in maintaining the honesty of elections and ensuring that the process runs fairly without the interference of money politics. However, to ensure that this goal is achieved, it is necessary to evaluate Bawaslu's performance in handling money politics. (Adjie, Wantu & Sahi 2024). Based on Law No. 7 of 2017 concerning Elections, Bawaslu has great authority. Apart from being a supervisor, Bawaslu also plays a role in executing judges who decide cases (Indasari et al., 2020). Bawaslu not only provides advice, but also has the authority to resolve cases. One of Bawaslu's duties includes receiving, examining, evaluating and determining administrative violations (Anggraini et al., 2023). Examining the effective performance of the Election Supervisory Body (Bawaslu) is something that requires more in-depth research. Even though supervisory institutions such as Bawaslu at the provincial, district/city, sub-district and sub-district/village levels are widespread, the practice of money politics is still very common.

RESEARCH METHODS

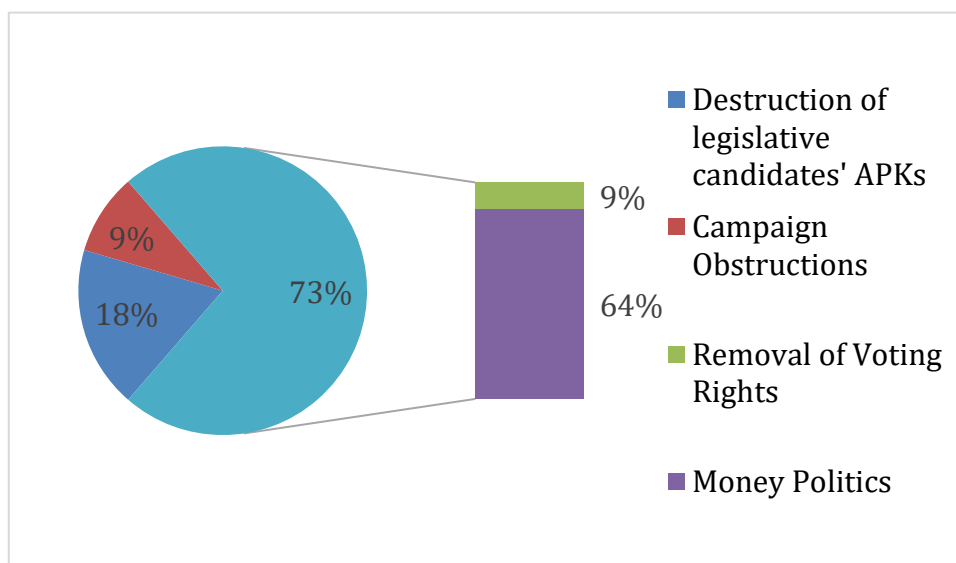
This research method adopts a liberty research approach to explore election violations in Gorontalo City, with a focus on damage to political party attributes (APK), elimination of voting rights, and obstruction of campaigns within the framework of Law Number 7 of 2017. This research begins with a literature review to understand basic theories and concepts related to election violations, including money politics, destruction of APKs, elimination of voting rights, and obstruction of campaigns. Next, document analysis was carried out by examining reports from the Election Supervisory Agency (Bawaslu) and the General Election Commission (KPU), as well as relevant policy documents. At this stage, a phenomenological approach was carried out as a material for identifying and analyzing various incidents of violations that occurred in Gorontalo City. An in-depth review of Law Number 7 of 2017 was carried out to assess the effectiveness of regulations and law enforcement related to election violations. Data collection techniques include studying books, scientific articles, Bawaslu and KPU reports, as well as news

from the mass media to obtain the latest perspectives. The collected data is analyzed qualitatively to identify patterns and trends, as well as evaluate the impact of violations on electoral fairness and election integrity. This aims to provide a comprehensive picture of election violations in Gorontalo City and assess the effectiveness of law enforcement in the context of applicable laws.

RESEARCH RESULTS AND DISCUSSION

Portrait of Election Violation Cases in Gorontalo City

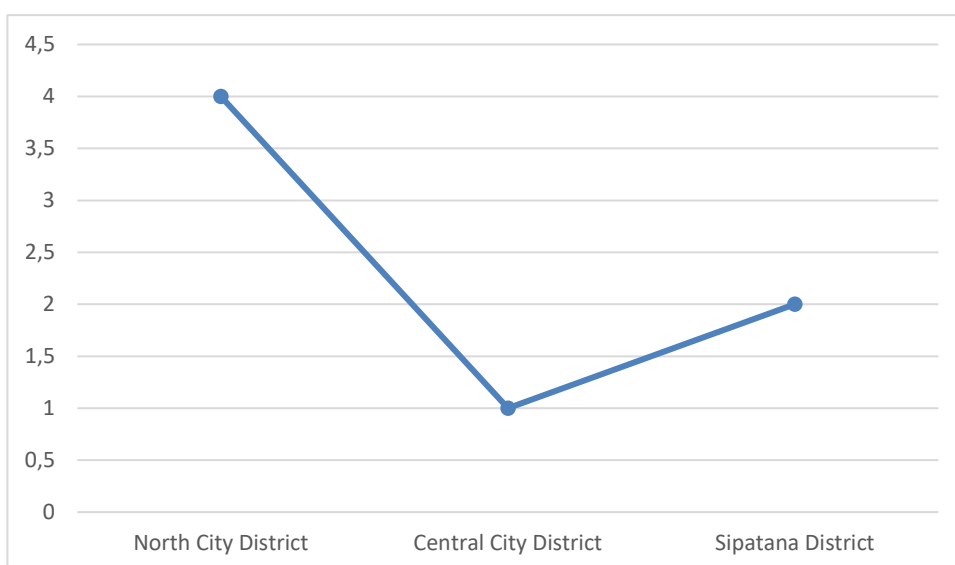
Portrait of Election Violation Cases in Gorontalo City refers to the analysis and documentation of incidents related to legal violations in the implementation of general elections in the Gorontalo City area. This portrait includes various forms of violations, such as fraud in vote counting, intimidation of voters, use of power by certain parties to influence election results, and non-compliance with established election procedures. By collecting data and facts from these cases, this portrait aims to provide a clear picture of the challenges and problems faced in maintaining election integrity in Gorontalo City. The existence of Bawaslu's authority to supervise the implementation of general elections also seems to still show quite worrying conditions. This argument is based on aspects of election violations that occurred in Gorontalo City, which indicate that Bawaslu is still not optimal in carrying out its own functions. Based on the results of a study regarding election violations in Gorontalo City, it shows that there are case presentations. This can be seen in the following diagram:



Graph 1. Election Violation Cases in Gorontalo City
Data Source: Gorontalo City Bawaslu, (2023). (in Sports 2024).

The 2024 election in Gorontalo City is in the spotlight because there have been a number of violations that have affected the integrity and sustainability of the democratic process. One of the violations that emerged was the destruction of political party attributes (APK) with an incident rate reaching 18%. Destruction of the APK is an action that violates citizens' political rights to participate in the democratic process, because the APK is a means of introducing candidates and the party's vision and mission to the public. Furthermore, there were 9% cases of deprivation of voting rights. Deprivation of voting rights can take the form of voter intimidation, fraud, or other actions that prevent citizens from exercising their voting rights freely and fairly. This is certainly detrimental to the democratic process which should be inclusive and fair for all citizens. Another significant violation was campaign obstruction,

reaching 9%. Campaign obstruction can take the form of limiting the movement of candidates or political parties, threats, or other repressive actions that hinder the delivery of political messages to the public. This violates democratic principles which guarantee freedom of expression and healthy political competition. The highest level of violations in the election was the practice of money politics, which reached 64%. Political money refers to the practice of bribery, vote buying, or financial abuse in the general election process. This undermines the integrity of elections, as votes should not be tradeable and the political process should not be based on material wealth. These violations illustrate serious challenges in efforts to create clean and democratic elections in Gorontalo City. Joint efforts are needed from various parties, including election organizers, political parties, supervisory institutions and civil society, to address and prevent the recurrence of similar violations in the future. The areas that are the main findings in this money politics case can be seen.



Graph 2. Cases of Money Politics in Gorontalo City
Data Source: Gorontalo City Bawaslu, (2023). (in Sports 2024).

In the diagram above, Money politics, or money politics, in Indonesian can be defined as bribery. The meaning of bribe according to the Big Indonesian Dictionary is bribe money. Money politics itself involves exchanging money for positions, policies, or political decisions that are claimed to be in the name of the interests of the people, even though they are actually for the interests of individuals, groups, or certain parties. Apart from that, money politics also includes efforts to influence other people, or society, by providing material rewards. In the context of politics and power, this can be interpreted as the practice of buying and selling votes in the political process, as well as the act of distributing money, whether personal or party property, to influence voters' votes (Awaludin, 2021:96). In sociology, the term money politics is usually called venality. According to Ignas Kleden, this term refers to a condition where money is used to pay for something that should not be able to be bought with money according to its nature (Hariyanto, 2021). In general, political practice is a very influential resource in influencing the public to choose potential political leaders. Resources such as a candidate's intellectual intelligence, although they should be an indicator of a candidate's eligibility to be elected, are often overlooked in the face of financial magnetism which is the main determinant of victory in the General Election (Hawing & Hartaman, 2021).

Meanwhile, Bumke (in Chandra & Ghafur, 2020) added that in general he categorizes money politics in three dimensions, namely, vote buying, vote brokering, and political

corruption. Vote buying is the exchange of goods, services or money for votes in general elections and the person who represents the candidate/party to buy votes is a vote broker. Meanwhile, political corruption is any form of bribery to politicians in order to obtain favorable policies or other benefits. Money politics has a detrimental impact because it can lower people's dignity. Apart from that, money politics is also a trap that has the potential to trap people during a leadership period. This is because leaders who lack dedication to the people tend to fail to provide good services, are unable to realize the promised change agenda, and may not be able to implement the vision and mission that have been expressed during the election or campaign process (Febrianto et al., 2020). The practice of money politics in elections not only violates democratic principles, but also ignores ethical and moral values that should be an integral part of democracy. Therefore, the main result of this problem is a lack of honesty and justice, which should be the basic principles in a democratic system.

In Article 280 paragraph (1) of Law Number 7 of 2017 concerning General Elections regarding campaign organizers, participants and teams, it is prohibited to promise or give money or other materials to election campaign participants, as regulated in letter j. This law strictly prohibits the practice of money politics, even just making a promise is considered a violation. Sanctions for violators of money politics are regulated in Article 523 of Law Number 7 of 2017 concerning General Elections as follows:

1. Every election campaign organizer, participant and/or team who deliberately promises or provides money or other materials as compensation to election campaign participants directly or indirectly as intended in Article 280 paragraph (1) letter j, shall be punished with a maximum imprisonment 2 (two) years and a maximum fine of Rp. 24,000,000.00 (twenty four million rupiah).
2. Any organizer, participant and/or election campaign team who deliberately during the quiet period promises or provides monetary or other material rewards to voters directly or indirectly as intended in Article 278 paragraph (2), shall be punished with a maximum imprisonment of 4 (four) years and a maximum fine of Rp. 48,000,000.00 (forty eight million rupiah).
3. Any person who deliberately on voting day promises or gives money or other materials to voters not to exercise their right to vote or elect certain election participants, shall be punished with imprisonment for a maximum of 3 (three) years and a fine of a maximum of Rp. 36,000,000.00 (thirty-six million rupiah). (Afina, 2020:1)

Based on the definitions above, it can be concluded that money politics is bribery which involves the exchange of money to obtain a political position or policy, often for personal or party interests, including in an effort to influence voters with material rewards. This practice is detrimental because it lowers the dignity of the people and has the potential to make them enslaved during a period of leadership. Apart from violating democratic principles, money politics also ignores ethics and morality, resulting in a lack of honesty and justice which should be the basic principles of a democratic system. Although Article 523 of Law Number 7 of 2017 emphasizes sanctions for violators who are involved in money politics practices.

Case Context Based on Law Number 7 of 2017

Elections in Indonesia follow the Luber principle which is short for Direct, General, Free and Secret. This principle has been applied since the New Order era. Furthermore, in the reform era, the principle of Jurdil, which means Honest and Fair, also began to develop. In Law Number 7 of 2017 concerning General Elections for members of the DPR, DPD and DPRD, the principles of Luber and Jurdil in Elections are explained as follows:

1. Direct, meaning that the people who vote have the right to directly channel their votes in accordance with their desires and moral values without going through intermediaries.
2. General, meaning that every Indonesian citizen (WNI) aged 17 years or married has the right to vote in elections, and those aged 21 years have the right to be elected without any discrimination or exceptions.
3. Free, meaning that every person who chooses has the right to determine their choice based on their own inner beliefs, without being influenced, pressured or coerced by anyone or anything.
4. Secret, meaning that voters have a guarantee from the rules to keep their identity and the method of voting secret, so that no one knows who they voted for or to whom their vote was cast (secret voting).
5. Honestly, in carrying out general elections, all parties involved, such as organizers, the government, political parties participating in the election, supervisors and election observers, including voters and parties indirectly involved, are expected to act in accordance with the rules of law and be honest.
6. Fairness, in the implementation of general elections, every election participant and political party is guaranteed fair treatment and is free from attempts at fraud by any party.

Based on the description above, it can be concluded that elections carried out in accordance with democratic principles such as transparency, honesty and free participation will create legitimacy for the elected government. This helps maintain political and social stability in a country. The electoral principle also aims to secure the voting rights of every citizen, ensuring that everyone has the same opportunity to vote in general elections without any discrimination or pressure.

Definition of Election Organizer

The implementation of elections is regulated in accordance with Law Number 7 of 2017 concerning General Elections. According to this law, Election Organizer refers to the institution responsible for organizing elections. This institution consists of the General Election Commission, the Election Supervisory Body, and the Honorary Council of Election Organizers who work together in the function of organizing elections. The main function of holding elections is to carry out the process of electing members of the People's Representative Council, Regional Representative Council, President and Vice President, as well as direct election of members of the Regional People's Representative Council by the people. The following will explain further regarding each election organizing institution: (Government of Indonesia, 2022)

1. General Election Commission (KPU). The General Election Commission (KPU) is an independent national institution, tasked with organizing and supervising elections. The KPU has 7 members. The Provincial KPU and Regency/City KPU, as part of the KPU, are tasked with managing elections at the provincial and district/city levels respectively, with a total of 5 or 7 members. These two agencies are hierarchical under the KPU. The term of office for members of the KPU, Provincial KPU and Regency/City KPU is 5 years, starting from the time they are appointed. The existence of these three institutions is permanent.
2. Bawaslu (Election Supervisory Body). Bawaslu, an abbreviation for Election Supervisory Body, is an institution responsible for supervising the implementation of elections throughout the territory of the Republic of Indonesia. Bawaslu RI has 5 members. Apart from that, there is a Provincial Bawaslu which is tasked with supervising elections at the provincial level with a membership of between 5 and 7 people. Then, there is the

Regency/City Bawaslu which is tasked with supervising elections at the regency/city level with 5 members. Bawaslu is permanent. The Subdistrict Panwaslu, which was formed by the Regency/City Bawaslu, supervises the implementation of elections at the subdistrict level or other designations with 3 ad hoc members. Field Election Supervisory Officers, appointed by the Sub-district Panwaslu, supervise the implementation of elections at the village or sub-district level, with the number of officers ranging from 1 to 5 people. Finally, there are Overseas Election Supervisors who are assigned by Bawaslu to supervise the implementation of elections abroad.

3. DKPP. DKPP, which is an abbreviation for Election Organizer Honorary Council, is an institution responsible for handling code of ethics violations committed by Election Organizers. This institution is an integral part of the election implementation function and has permanent status with its headquarters in the National Capital. The DKPP will be formed no later than two months after the KPU and Bawaslu members take the oath/promise. The DKPP structure consists of seven members from the KPU, Bawaslu, DPR and government.

Thus, election organizers can create legitimacy for the government and political system by electing leaders and representatives fairly and transparently, increasing the accountability of the government and elected leaders by providing a mandate from the people, encouraging a stable and peaceful political process by providing regular channels for resolving political differences, promoting democratic values, such as freedom of opinion, human rights, and the principles of justice in society. Article 89 paragraph 4 states that Bawaslu, Provincial Bawaslu, and Regency/City Bawaslu are permanent election organizing institutions. Furthermore, the Election Supervisory Body (Bawaslu) is a body that has the main task and supervision of the stages of election implementation, which includes elections for members of the DPR, DPD, DPRD, Presidential and Vice Presidential Elections, as well as Regional Head and Deputy Regional Head elections. Bawaslu is a permanent body, with a term of office for its members of 5 (five) years, calculated from the time the oath/promise of office is taken. In article 22 E paragraph (5) of the 1945 Constitution of the Republic of Indonesia which reads "*General elections are held by a national, permanent and independent General Election Commission*".

Bawaslu or Panwaslu is an institution formed before the first stage of the election, namely at the voter registration stage which begins and is disbanded after the candidates selected in the election have been inaugurated. Election monitoring institutions are unique to Indonesia, where Panwaslu was formed to supervise the implementation of election stages, receive complaints, and handle cases of administrative violations and criminal election violations (Purba, 2021). Bawaslu is an election management institution that has the authority to receive reports and follow up on alleged violations of the implementation of laws and regulations governing elections, examine, review and decide on election administration violations, as well as examine, review and decide on money politics violations (Josviranto, 2021). Furthermore, the Duties, Authorities and Obligations of Election Supervisors based on the mandate of Law Number 7 of 2017 concerning General Elections are as follows: (General, 2021);

1. Bawaslu's duties are based on Article 93
 - a. Developing standards for implementation supervision of Elections for Election supervisors at every level;
 - b. Carry out prevention and action against:
 - 1) Election Violations; And
 - 2) Election process disputes;
 - c. Supervise preparations for the General Election, which consists of:
 - 1) Planning and determining the schedule for the election stages;

- 2) Logistics procurement planning by the KPU;
 - 3) Socialization of Election Implementation; And
 - 4) Carrying out other preparations for holding elections in accordance with the provisions of statutory regulations.
- d. Supervise the implementation of the stages of election administration, which consist of:
- 1) Updating voter data and determining temporary voter lists and permanent voter lists;
 - 2) Arrangement and determination of district/city DPRD electoral areas;
 - 3) Determination of Election Participants;
 - 4) Nominations up to the determination of Candidate Pairs, DPR member candidates, DPD member candidates, and DPRD member candidates in accordance with the provisions of statutory regulations;
 - 5) Campaign implementation and financing;
 - 6) Procurement of election logistics and distribution;
 - 7) Implementation of voting and counting of election results at TPS;
 - 8) Movement of ballot papers, minutes of vote counting, and certificates of vote count results from the TPS level to the PPK;
 - 9) Recapitulation of vote counting results at PPK, Regency/City KPU, Provincial KPU and KPU;
 - 10) Implementation of counting and re-voting, follow-up elections and follow-up elections; And
 - 11) Determination of election results;
- e. Prevent the practice of money politics;
- f. Supervise the neutrality of the state civil apparatus, the neutrality of members of the Indonesian National Army, and the neutrality of members of the Indonesian National Police;
- g. Supervise the implementation of decisions/decisions, which consist of:
- 1) DKPP Decision;
 - 2) Court decisions regarding election violations and disputes;
 - 3) Decisions/decisions of Bawaslu, Provincial Bawaslu, and Regency/City Bawaslu;
 - 4) Decisions of the KPU, Provincial KPU and Regency/City KPU; And
 - 5) Decisions of authorized officials regarding violations of the neutrality of the state civil apparatus, the neutrality of members of the Indonesian National Army, and the neutrality of members of the Indonesian National Police;
- h. Convey alleged violations of the Election Organizer's code of ethics to DKPP;
- i. Conveying alleged election crimes to Gakkumdu;
- j. Manage, maintain and care for archives and carry out depreciation based on the archive retention schedule in accordance with the provisions of statutory regulations;
- k. Evaluate election supervision;
- l. Supervise the implementation of KPU Regulations; And
- m. Carry out other duties in accordance with statutory provisions.
2. Bawaslu has the authority to:
- a. Receive and follow up on reports relating to alleged violations of the implementation of laws and regulations governing elections;
 - b. Examining, reviewing and deciding on violations in election administration;
 - c. Examining, reviewing and deciding money politics violations;
 - d. Receive, examine, mediate or adjudicate, and decide on the resolution of election process disputes;

- e. Recommend to the relevant agencies regarding the results of supervision of the neutrality of the civil-state apparatus, the neutrality of members of the Indonesian National Army, and the neutrality of members of the Indonesian National Police; '
 - f. Take over temporarily the duties, authority and obligations of the Provincial Bawaslu and Regency/City Bawaslu in stages if the Provincial Bawaslu and Regency/City Bawaslu are temporarily unable to do so due to sanctions or other consequences in accordance with the provisions of statutory regulations;
 - g. Request information needed from related parties in order to prevent and take action against administrative violations, violations of the code of ethics, alleged election crimes and election process disputes;
 - h. Correct the decisions and recommendations of the Provincial Bawaslu and Regency/City Bawaslu if there are things that conflict with the provisions of statutory regulations;
 - i. Forming Provincial Bawaslu, Regency/City Bawaslu, and Overseas Panwaslu;
 - j. Appoint, develop and dismiss members of the Provincial Bawaslu, Regency/City Bawaslu members and members of the Overseas Panwaslu; And
 - k. Carry out other authorities in accordance with statutory provisions.
3. Bawaslu is obliged to:
- a. Be fair in carrying out duties and authority;
 - b. Carry out guidance and supervision of the implementation of Election Supervisor duties at all levels;
 - c. Submit monitoring results reports to the President and DPR according to the election stages periodically and/or based on needs
 - d. Supervise the continuous updating and maintenance of voter data carried out by the KPU by paying attention to population data in accordance with statutory provisions; And
 - e. Carry out other obligations in accordance with statutory provisions.

Thus, it can be understood that Bawaslu is an election organizing institution that has a very important role in maintaining the integrity and continuity of the democratic process in Indonesia through the implementation of its duties and authority. Cases of violations in the 2024 elections in Gorontalo City reflect non-compliance with democratic principles which are the main basis for holding general elections in Indonesia. Violations such as destroying the attributes of political parties, eliminating voting rights, banning campaigns, and the practice of money politics violate the principles of Luber (Direct, Public, Free and Confidential) and Jurdil (Honest and Fair), which should guarantee integrity, free participation, and fairness in the democratic process. Efforts to enforce these principles are essential to maintain the legitimacy of the elected government and to ensure that every citizen has the same right to participate in general elections without discrimination or coercion.

Disposition Arrangements for Election Violations According to Law 7 of 2017 concerning Elections

Elections are carried out through the process of voter registration, nomination, campaign, vote submission and vote counting. The implementation of each stage is based on the principles of organizing elections contained in Law Number 7 of 2017 concerning Elections. The formulation of such principles is or is considered perfect if it is based on the assumption that voters have sufficient political independence and that the implementation of elections takes place formally and materially. Failure to fulfill democratic standards as mandated by the Election Law has given rise to various election disputes/disputes that require further handling. As a democratic rule of law, democratic elections must also provide legal mechanisms to resolve

possible election violations and disputes regarding election results so that they remain legitimate. Violations may occur either intentionally or unintentionally. Therefore, a legal mechanism is needed in the implementation of elections to resolve election violations and disputes over election results. Compliance and Law Enforcement Election Violations Division of Election Disputes and Violations Legal disputes and election violations can be divided into six types, namely: (1) election criminal violations (election crimes); (2) disputes in the election process; (3) election administration violations; (4) violation of the code of ethics for election organizers; (5) disputes (disputes) of election results; and (6) other legal disputes. Each election legal issue is resolved by different institutions. Law Number 10 of 2008 concerning the General Election of Members of the DPR, DPD and DPRD only explicitly mentions three types of legal issues, namely: election administration violations, election criminal violations and disputes over election results.

Two other types of legal problems, although not explicitly mentioned in Law Number 10 of 2008, are materially regulated, namely violations of the code of ethics for election organizers and disputes in the election process or stages. Meanwhile, other legal disputes are not explicitly regulated, either in name or material, but practice recognizes their existence, namely other legal issues. It is important to remember that not all legal issues that occur are legal disputes or election violations. Why does this need to be limited? Because if interpreted too broadly, it makes it very difficult to focus election supervision. For example, traffic violations during the campaign period. This is not a violation of the election campaign because it is a violation of general laws. Likewise, if an election organizer is accused of corruption, of course this concerns corruption law and not election law. The explanation below only discusses enforcement of election crimes, election administration violations, and codes of ethics. To guarantee free and fair elections, protection is needed for voters, parties taking part in the election, and the people in general from all fear, intimidation, bribery, fraud and other fraudulent practices that will affect the purity of the general election results. If the election is won through fraudulent means (malpractices), it is difficult to say that the leaders or legislators elected to parliament are the people's representatives and true leaders.

It is in order to protect the purity of elections, which are very important for democracy, that lawmakers have made a number of fraudulent acts in elections a criminal offense. Thus, the law on elections, in addition to regulating how elections are carried out, also prohibits a number of actions that can destroy the essence of free and fair election and threatens perpetrators with punishment. Article 252 of Law Number 10 of 2008, which in general states that it is a violation of the election criminal provisions regulated in this law. Based on the formulation of this provision, it can be interpreted that not all criminal acts that occur during the election period or are related to the implementation of elections, are classified as election crimes. For example, the murder of a political opponent while campaigning, or a DPR candidate who is suspected of committing fraud. Even though the incident occurred during the election stages or was related to certain election contestants, because this crime is not regulated in the Election Law; This act is not classified as an election crime. This act is a general criminal offense regulated in the Criminal Code. Likewise, other criminal acts which may be related to elections, but are not regulated in the Election Law. For example, financial irregularities in the procurement of ballot papers are not an election crime, but rather a corruption crime.

In short, it can be said that election crime is seen as a prohibited act that is serious in nature and must be resolved in order to achieve the aim of implementing criminal provisions to protect the democratic process through elections. Election criminal offenses are regulated in Chapter XXI, starting from Article 260 to Article 311. Article 252 of Law Number 10 of 2008 reads in full: Election criminal violations are violations of the election criminal provisions

regulated in this Law, the resolution of which is carried out through the courts within the judicial environment. general. There is a visible trend of increasing coverage and increasing criminal threats in several election laws that have existed in Indonesia. For example, the number of election crimes in Law Number. 10 of 2008 is more than twice as high as election crimes regulated in Law Number. 12 of 2003. This can be understood as a legal policy for law makers to prevent this criminal act from occurring. The problem is, is the criminalization carried out appropriate? In Law Number 10 of 2008, almost all additional criminal acts relate to election organizers.

These include things that fall into the area of election administration and deserve administrative sanctions or a code of ethics, but are instead threatened with criminal sanctions. Election crimes must be processed through the criminal justice system, namely through the police, prosecutor's office and court. Similar things happen in other countries. Criminal sanctions are the harshest so that only the state through the courts can impose sanctions on perpetrators of election crimes. This is different from administrative sanctions where the government or state institutions (such as the General Election Commission) that are authorized can impose administrative sanctions, without going through a judicial process. Therefore, if an election participant commits an administrative violation, KPU 13 or KPUD, which receives a report or findings from the election supervisor, can process and impose administrative sanctions on the violator. Throughout the history of elections in Indonesia, those who can be the subject of election crimes are humans as natural individuals. In other words, corporations or legal entities and political parties are not the subject of election crimes. Even though Article 282 (survey institutions), Articles 284 and 285 (sound printing companies), Articles 307 and 308 (institutions that carry out rapid calculations) of Law Number 10 of 2008 mention institutions or companies as subjects or perpetrators of criminal acts, these provisions actually incorrect because in the article the criminal sanctions are cumulative imprisonment and fines. Only humans can be sentenced to prison. Thus, the subject acts

Crime in Law Number. 10 of 2008 is actually a person, not an institution/company/corporation. The mention of the word institution/company in the Law is not accompanied by who represents the institution/company that must be responsible. However, because Law Number 10 of 2008 mentions the subject "institution" or "company"; If a criminal act occurs regarding articles containing the words "institution" or "company", someone from the "institution" or "company" must be held criminally responsible. In criminal law regulations, a person who can be punished is a person who can be accused of having committed a prohibited act, namely a person who commits a prohibited act or commits an act that causes consequences that are prohibited by law. So, we must find out which person in the "institution" or "company" is responsible for the actions or consequences that are prohibited by law. For this reason, each case must be looked at one by one and cannot be generalized. Apart from that, the teachings of criminal law also concern criminal participation, including people who participate in, mobilize, order to commit criminal acts, or assist criminal acts. Changes from the Previous Election Law The number of election crimes in Law Number 10 of 2008 has doubled compared to that regulated in the previous election law (UU No. 12/2003). There is a quite drastic development in this latest law, namely the increasingly severe threat of minimum and maximum penalties for perpetrators of election crimes, both in the form of fines and prison sanctions which can be imposed simultaneously.

For example, the criminal act of falsifying documents to carry out an action in the election, in Law Number 12 of 2003 is only punishable by imprisonment for a minimum of 3 (three) months or a maximum of 18 (eighteen) months and/or a fine of at least Rp. 600,000 (six hundred thousand rupiah) or a maximum of IDR 6,000,000 (six million rupiah). In Law Number

10 of 2008, such an act is threatened with imprisonment for a minimum of 36 (thirty-six) months and a maximum of 72 (seventy-two) months and a fine of at least Rp. 36,000,000.00 (thirty-six million). rupiah) and a maximum of IDR 72,000,000.00 (seventy-two million rupiah). In Law Number 10 of 2008, there is an increase in the number of criminal provisions for deviant acts or violations that may be committed by election organizers in carrying out electoral duties, namely 15 criminal provisions for KPU members and their officials and 2 provisions for election supervisors. Handling of Election Crimes From a procedural law perspective, there have been developments, namely the determination of short resolution times – from investigation to examination in court. This short-term provision can be said to be in line with the objectives to be achieved by the election criminal regulations themselves. Election crime can be seen as a serious prohibited act. Therefore, the criminal act must be resolved within a short time so that the aim of implementing the election criminal provisions can be achieved, namely to protect the democratic process through elections. However, in fact the time limitation in Law Number 10 of 2008 is too short, resulting in many material violations that have occurred not being able to be processed further. One way to overcome this is to strengthen understanding of political urgency. (Dotutinggi, et.,al 2023).

In terms of resolving election crimes, the law provides rules or mechanisms starting from reporting, investigation, prosecution, to trial (at least a time limit is determined), as well as resolving election crimes which also provides rules regarding time limits, even stages of dispute resolution. . On the other hand, for this administrative violation, the Election Law only states that reports which constitute an administrative violation are submitted to Article 248 of Law Number 10 of 2008. So it is not clear how the KPU will resolve this administrative violation and how long it will take for the KPU to resolve it. Election administration violations are forwarded to the KPU, Provincial KPU and Regency/City KPU according to their levels no later than 1 (one) day after being decided by the Election Supervisor. The forwarding of the report is accompanied by a copy of the reporter's report and the results of the review of the report. Some examples of election administration violations are as follows: the installation of campaign participants' props, such as posters, flags, pennants, banners, etc. placed carelessly. The law prohibits the installation of props in places of worship, places of education, government office environments; KPU regulations prohibit it.

CONCLUSION

It can be concluded that the portrait of election violations in the 2024 elections in Gorontalo City includes the practice of money politics, which includes bribery and vote buying, which is the largest violation with an incidence rate reaching 64%. This practice undermines the basic principles of democracy by ignoring honesty and justice, and has a negative impact on the dignity of voters and the quality of government. Apart from that, other significant violations include the destruction of political party attributes (APK) which reached 18%, which hampers citizens' political rights to participate in the election process freely and fairly. Cases of deprivation of voting rights and obstruction of campaigns each recorded a figure of 9%, including intimidation of voters, restrictions on the movement of candidates or political parties, as well as repressive actions that hinder the delivery of political messages.

This condition indicates that supervision and law enforcement by Bawaslu is not yet optimal, so these violations still occur frequently. Law Number 7 of 2017 concerning General Elections stipulates strict sanctions for money politics and other election violations. According to Article 280 paragraph (1) letter j, every election campaign organizer, participant or team is prohibited from promising or giving money or other materials to campaign participants, with the threat of imprisonment for a maximum of two years and a maximum fine of Rp. 24 million.

Article 523 also regulates sanctions for violators of money politics during the quiet period and on voting day, with imprisonment of up to four years and a maximum fine of IDR 48 million. Despite strict regulations, the practice of money politics remains widespread, indicating the need for more intensive efforts from all relevant parties to ensure clean and democratic elections in the future.

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