



***DIGITALIZATION AND
OPPORTUNITIES IN
THE TOUGH TIME***



PROCEEDING

UNIKOM International Conference on Business, Economics,
Social Sciences and Humanities (ICOBEST) 2021



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PREFACE

It is our great honor and delight to greet you all and to particularly extend a warm welcome to the distinguished keynote speakers and all of our guests. Welcome to the International Conference on Business, Economics, Social Sciences, and Humanities 2021 (ICOBEST 2021). This year, based on Covid-19 Pandemic condition with most authors appeal and health consideration as well as careful discussion, the organizing committee of ICOBEST 2021 has changed this event to an online conference.

By raising the topic of “Digitalization and Opportunities in the Tough Time”, it is expected that ICOBEST 2021 can provide global figure concerning the new normal era, the social condition, and the adaptation of people in different ways after pandemic as well as its impact in our lives. Thus, the conference will expand our global network, facilitate mutual understanding concerning the trend, practical challenges, and opportunities encountered, provide solutions, and discover global partners for future collaboration in the new era.

This proceeding provides a written record of the synergy between these communities. It represents a solid framework from which new interaction will result in the future. The scope of the conference has made participants enthusiastically submit their full paper. There are selected papers to be published in Scopus indexed international journals and accredited national journals. The review is performed after passing the plagiarism check since it is a crucial part of the publication process. The researchers and experts conducted the review process with a single-blind review system.

The challenging part of the conference is always on the smoothness of the conference day. Thus, for all the best preparation for the conference and publication, we would like to express our sincere gratitude to the organizing committee for their strong commitment to the accomplishment of the conference. Our highest appreciation also rendered to all of the reviewers, advisory board, and scientific committee for making all the papers international standardized. We are grateful to all cooperative participants and for their hard work in preparing high-quality papers. We are also very grateful to have a highly supportive leader, the Rector of Universitas Komputer Indonesia, and all other organizations that have contributed their best efforts to the success of ICOBEST 2021.

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on Business, Economics, Social Sciences, and Humanities 2021**

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Abstrak. This study aims to determine the effectiveness of the role of the Election Supervisory Body (Bawaslu) in preventing corruption in elections in Indonesia. Indonesia as a country that adheres to a democratic government system as referred to in Article 1 paragraph (2) of the 1945 Constitution, where the general election is a means of implementing people's sovereignty which is carried out directly, openly, honestly and fairly. Therefore, the law serves to resolve disputes or problems. It is hoped that the holding of elections can maintain public trust in democratic institutions. Where currently corruption is still happening in the implementation of elections. This research method is descriptive with the type of normative juridical research, using a statutory approach and a conceptual approach. The results of the study show that there are still many violations in the form of criminal acts of corruption and there are still many election disputes that occur in the implementation of elections. Based on the results of the study indicate that the role of Bawaslu in preventing corruption in elections is considered less than optimal. Although the establishment of the Integrated Law Enforcement Center (Gakkumdu) functions as a center for resolving election crimes which is a repressive effort, it has not provided a deterrent effect for perpetrators of corruption in the administration of elections. Based on this, the authors view that preventive efforts are seen as more effective efforts in preventing corruption in elections in Indonesia. Therefore, it is important to realize elections with integrity through optimizing the role of Bawaslu in fostering an anti-corruption culture.

1. Introduction

Corruption can be likened to a social phenomenon as well as a crime, namely where there is a community there is the potential for corruption to occur. Corruption is understood as a bad act that seems to happen anywhere and anytime, but it cannot be said as a culture, because culture is synonymous with positive things while acts of corruption are actions that are against the law and living values. in society. With various forms as its form, corruption is a criminal act that must be tackled in an extraordinary way. Judging from the form of corruption, it can be in the form of state financial losses, bribes, embezzlement in office, extortion, fraudulent acts, conflicts of interest in procurement and gratuities. These various forms can occur in the implementation of general elections as a mechanism for institutionalizing power constitutionally. Therefore, the existence of political parties as pillars of democracy should be able to prevent acts of corruption, given that Firmanzah's view states that the roles and functions of political parties can be divided into 2 (two), namely internal functions and external functions. In internal functions, political parties play a role in coaching, education, debriefing and cadre for members of political parties for the sake of the lasting political ideology which is the background for the establishment of the political party,

while in external functions the role of political parties is related to a wider scope, namely society, nation, and country. This is because political parties also have constitutional, moral and ethical responsibilities to bring the conditions and situations of society to be better. The holding of elections as a manifestation of human rights in an effort to realize a democratic system. There are at least 5 (five) parameters for democratic elections, namely: universal, equality, freedom, confidentiality and transparency. These five parameters must be met in order to produce quality elections that are honest and fair. As for the focus of corruption in the general election, namely the occurrence of money politics in the general election, misuse of campaign funds and the use of public facilities. An example of a criminal election corruption case is Nazaruddin as the Chairperson of the KPU 2001-2005 in the case of procurement of insurance for election officials and in the management of KPU partner funds, Mulyana as the Commissioner of the KPU in the case of bribing the auditors of the Supreme Audit Agency (BPK) and the procurement of general election ballot boxes, Daan in the case of procuring ballot seals for the legislative general election, Rusadi Kuntaprawira in the case of corruption in the procurement of ink in the election.¹ Judging from the number of violations until May 2019, there were 458 cases of criminal violations, 149 cases of code of ethics violations, 5,319 administrative violations, and 730 other legal violations.²

Corruption in elections has a very broad impact, among others, the danger to politics, the danger to the younger generation, the danger to the nation's economy, and the danger to the bureaucracy. Therefore, the role of the General Elections Supervisory Body (Bawaslu) is very important in order to create an honest and fair general election. Given that the implementation of elections to elections there are always allegations of various forms of violations including election crimes. Indeed, elections are the main pillar of the process of accumulating the will of the people, therefore elections must proceed both procedurally and substantially. Elections are procedurally good if the prerequisites have been met and elections are substantially successful if the objectives are achieved. Prerequisites for the election outline the existence of freedom of choice, the realization of public participation, and a fair arena of political competition. The goal to be achieved with the implementation of the election is the election of a leader who is the will of the people. Trustworthy leader who is able to realize prosperity and justice.³

Based on the formulation of the problem above, the purpose of this research is to know and understand the role of Bawaslu in preventing corruption in elections in Indonesia. This research method is descriptive with the type of normative juridical research, using a statutory approach and a conceptual approach. The specification of the research used descriptive analytical method. This research was conducted by taking an inventory of policies that support the role, function and authority of Bawaslu.

2. Method

This research method is descriptive with the type of normative juridical research, using a statutory approach and a conceptual approach. The research specification uses descriptive analytical method, a research that describes, finds legal facts thoroughly and systematically examines secondary data. This research was conducted by taking an inventory of policies that support the role, function and authority of Bawaslu, as well as optimizing the position of Bawaslu through optimizing communication between institutions so as to minimize sectoral ego. As for the variable of the success of Bawaslu, namely the increase in public awareness in rejecting all forms of corruption in all electoral processes.

3. Literatur Review

1. General Election

1) Rule of law

The idea of ideals, or the idea of a rule of law, in addition to being related to the concept of *Rechtstaat* and the rule of law, is also related to the concept of *nomocracy* derived from the words of *Nomos* and *Cratos*, the words of *Nomocracy* can be compared with *democracy*

and *cratos* or *kratein* in democracy. *Nomos* means norm, while *cratos* is power, which is imagined as a determining factor in the administration of power is a norm or law. Therefore, the term *nomocracy* is closely related to the idea of the rule of law or the principle of law as the highest authority.⁴

In order to reformulate the main ideas of the concept of the rule of law and their application, it is important to note the main pillars that support the establishment of the rule of law, namely the rule of law, equality in law, the principle of legality, limitation of power, independent organs, a judiciary that is free and impartial, the protection of human rights, and is democratic.⁵ A democratic rule of law, has two synthesizing and integrated sovereigns into one. These powers are the power of law and the power of the people. Legal power means that sovereignty is based on law (*nomocracy*), where legislation is the basis for state administration. While people's power means that sovereignty belongs to the people (*democracy*), where the people have full control over their country. Abraham Lincoln, stated that "democracy is a system of government organized by the people, by the people, and for the people". This means that the people have the right to obtain equal opportunities and rights in an effort to regulate public policy.⁶

2) Politics of law

Legal politics is an activity that determines patterns and ways of forming laws, overseeing the operation of laws, and updating laws for state purposes. Legal politics determines the direction of legal development in Indonesia, if the direction of legal development is laid on a solid foundation and foundation, the law will provide protection for people's lives. In connection with this, legal politics is tasked with receiving input regarding the values for the objectives of the results obtained from the processed legal philosophy and selecting the best values or views to be achieved from the values that have been selected which are then formulated into tools for achieve national goals, which are then further elaborated in other fields such as: economic, social, educational, and community defense and security..⁷

Mahfud MD defines legal politics as legal policy implemented by the government which includes an understanding of how politics affects the law by looking at the configuration of power behind the making and enforcement of the law. Therefore, according to Mahfud MD, the study of legal politics must have a special emphasis on historical interpretation on the background of the formation of the law.⁸

Based on the five precepts of *Pancasila*, it can be seen that the legal politics of national development must be able to realize equitable development both in social and ecological contexts, which does not only rely on the interests of minority groups of ruling elites and large investors but prioritizes the interests of the community.⁹

There are 20 International Obligations on Elections standards in 2014 by IDEA, namely: 1) Rights and opportunities to participate in the public interest; 2) Right and opportunity to vote; 3) Rights and opportunities to be elected; 4) Periodic elections; 5) Universal suffrage; 6) Equal voting rights; 7) Guarantee of confidentiality in voting; 8) Freedom from discrimination and equality before the law; 9) Equality of rights between men and women; 10) Freedom of association; 11) Freedom to assemble; 12) Freedom to act; 13) Freedom of opinion and expression; 14) Right to security; 15) Disclosure and the right to information; 16) Prevention of corruption; 17) Rule of law; 18) The right to an effective remedy; 19) The right to a fair and public hearing; and 20) States should take the necessary steps to protect the rights.¹⁰

Furthermore, in the 21 Components of Legislation on Elections (International IDEA 2014), namely: 1) Structure of the legal framework; 2) The electoral system; 3) Electoral boundaries; 4) political parties; 5) Political finance; 6) electoral management; 7) Gender equality; 8) Equal opportunities for minorities and marginalized groups; 9) Equal opportunities for persons with disabilities; 10) Electoral observers; 11) Civic and voter education; 12) Voter eligibility; 13) Voter registration; 14) Registration of candidates; 15) Media environment; 16) Election

Campaign; 17) Campaigns in the media; 18) Polls; 19) Counting and result management; 20) Electoral Justice; 21) Election Violations.¹¹

3) General Election System In Indonesia

The electoral system is one of several elements in political institutions and has a very important influence, especially on broader governance issues. The electoral system was formed to understand the political situation so that it can accommodate changes in the electoral attitudes and behavior of the people in the future.¹² Elections as a means of realizing people's sovereignty are also the fairest arena of competition for political parties, the extent to which they have carried out their functions and roles and are accountable for their performance so far to the people who have voted for them. The people are sovereign to determine and choose according to their aspirations which political party is considered the most trusted and able to carry out their aspirations. In addition, elections are the fairest means to determine which political parties still exist and are most entitled to continue their duties in the context of realizing prosperity for the people.¹³

2. Corruption in elections

1) Campaign funds

The regulation of campaign funds in Indonesia is contained in Law Number 7 of 2017 concerning Elections and Law Number 2 of 2008 concerning Political Parties, as amended in Law Number 2 of 2011 concerning Amendments to Law Number 2 of 2011 about political parties. The implementing regulations for campaign finance provisions regulated in the Election Law are Election Commission Regulation Number 24 of 2018 concerning Election Campaign Funds as amended in General Election Commission Regulation Number 29 of 2018 concerning the First Amendment to General Election Commission Regulation Number 24 of 2018 concerning Funds. Election Campaign and General Election Commission Regulation Number 34 of 2018 concerning the Second Amendment to General Election Commission Regulation Number 24 of 2018 concerning Election Campaign Funds.¹⁴

According to PKPU No. 5 of 2017 Article 1 paragraph 9 states that campaign funds are a number of costs in the form of money, goods and services used by Candidate Pairs and/or Political Parties or Combined Political Parties who propose Candidate Pairs to finance Election Campaign activities. The regulation of campaign funds aims to: First, ensure the realization of a fair and healthy contestation. Second, to prevent the appearance of voter pragmatism considerations in making choices. Third, ensuring equal opportunities for election participants to contest and wider opportunities for voters to see different options in the election. Fourth, prevent the policies made by elected officials from being controlled by campaign contributors. Fifth, guarantee a good candidate (even though he doesn't have a lot of money but can be elected) in the election.¹⁵

Whereas in the use of campaign funds as regulated in statutory provisions there are still gaps that have the potential to be misused, among others, firstly, the regulation only regulates the amount of campaign funds that can be donated, but there is no mechanism to ensure every contribution is recorded and known to the election administration. This is a regulatory loophole that candidates can exploit to receive illicit money from anonymous donors. Second, the special account for campaign funds does not describe the actual flow of funds in and out. Third, the campaign finance report consisting of LADK, LPSDK, and LPPDK has the potential to describe the reality of candidates' campaign funds not according to the reality. Fourth, campaign finance audits are only limited to compliance audits. The compliance audit conducted only assesses the conformity of campaign finance reporting with campaign finance laws and regulations. The audit conducted is neither investigative nor comprehensive.¹⁶

The rules have explained how and the process of accountability for campaign funds must be carried out along with the consequences. However, the absence of real sanctions has led to the current misuse of campaign funds. The absence of real sanctions makes law enforcement not optimal.¹⁷ This is considering that the funding for the election needs of political parties is very large and varied, resulting in inequality and inequality between election participants.¹⁸

2) Money Politic

Politics and money are two different things but cannot be separated from each other because to do politics people need money and with money people can do politics. This is because politics is a very lucrative arena for conducting various kinds of transactions. Money politics is also not a new thing for the existing democratic system in Indonesia, because since the beginning, direct elections have been carried out.¹⁹

Systematically the criminal provisions in the election law are regulated in Book V under the title of Election Crimes Book II from Article 488 to Article 554. So that election crimes are regulated in 66 articles. Anatomically, election crimes are divided into several categories. First, criminal acts committed by election administrators are regulated in 24 articles including: Articles 489, 499, Articles 501 to 508, Articles 513-514, Article 518, Article 524, Article 537-539, Article 541-543, Article 545 and 546, Articles 549 and 551. Second, election crimes committed by the general public are regulated in 22 articles, namely Articles 488, 491, Articles 497-498, Article 500, Article 504, Article 509-511, Article 515-517, Articles 519-520, Articles 531-536, Articles 544, Articles 548. Third, election crimes by government officials are stipulated in 2 articles, namely Articles 490, and 494. Fourth, election crimes committed by state officials or public officials, stipulated in 2 articles, namely Articles 522 and 547. Fifth, election crimes committed by corporations are regulated in 5 articles including: Article 498, Article 525 paragraph (1), Article 526 paragraph (1), Article 529-530. Sixth, election crimes committed by campaign implementers and election participants consist of 9 articles, namely Articles 495, 496, Article 521, Article 523, Article 525 paragraph (2) Article 526 paragraph (2), Article 527 and Article 528, Article 550 Election crimes by presidential and vicepresidential candidates consist of 2 articles, namely Article 552 and Article 553.²⁰

Money politics in general elections and local elections is a phenomenon that is rife in procedural democracy in Indonesia. Voters are very familiar with the term money politics and also do not hesitate to accept gifts in the form of money and goods. The relationship or relationship between candidates and voters occurs in terms of vote buying, provision of personal services and activities, provision of goods, awarding of projects, electoral fraud, identity appearance and fundraising and candidate officials. Voters' social capital and local wisdom in all regions in the country are expected to reduce the practice of money politics.²¹

3) Use of public facilities

The prohibition on the use of state facilities in elections has been regulated in various laws and regulations. In Article 187 paragraph (3) of Law no. 1 of 2015 concerning Regional Head Election, namely imprisonment for a minimum of 1 (one) month or a maximum of 6 (six) months and/or a fine of at least Rp. 100,000.00 (one hundred thousand rupiah) or a maximum of Rp. 1,000,000.00 (one million rupiah), if it is indicated that he has committed a criminal act of misappropriation of state facilities. In Article 304 paragraph (1) of Law Number 7 of 2017 concerning Elections, it is stated that in carrying out campaigns, the president and vice president, state officials, regional officials are prohibited from using state facilities. Meanwhile in paragraph (2) it is stated that the state facilities as referred to in paragraph (1) are in the form of: mobility facilities, such as official vehicles including state official vehicles and employee official vehicles, as well as other official transportation means. Government

Regulation of the Republic of Indonesia Number 18 of 2013 concerning Procedures for Resignation of Regional Heads, Deputy Regional Heads, and Civil Servants Who Will Become Prospective Candidates for Members of DPR, DPD, Provincial DPRD, and Regency/Municipal DPRD, as well as Implementation of State Official Leave in Election Campaigns Article 8 which states that State Officials in carrying out Election Campaigns do not use state facilities unless stipulated otherwise by law.²²

4) Bawaslu

a) Bawaslu History

The election supervisory institution only emerged in the 1982 general election, under the name of the Election Supervisory Committee. At that time, distrust had begun to emerge against the implementation of the election which was being co-opted by the regime's power. The formation of the Election Supervisory Committee in the 1982 General Election was motivated by protests over the many violations and fraudulent vote counts carried out by election officials in the 1971 election. Because the violations and electoral fraud that occurred in the 1977 elections were much more massive. Protests - This protest was responded to by the Government and the DPR, which were dominated by the Golkar Party and ABRI. Finally, the idea emerged to improve the Law aimed at improving the Quality of the 1982 General Election. Fundamental changes related to the new election supervisory institutions were carried out through Law Number 12 of 2003 concerning the General Election of Members of the People's Representative Council, Regional Representative Council and Regional People's Representative Council. According to this law, in the implementation of election supervision, an ad hoc institution is formed regardless of the structure of the KPU, which consists of the Election Supervisory Committee. Starting from the Provincial Election Supervisor to the District. Furthermore, election supervision was strengthened through Law No. 22 of 2007 concerning the Implementation of Elections with the establishment of a permanent institution called the Election Supervisory Body (Bawaslu).²³

b) Bawaslu's role

The General Elections Supervisory Body (Bawaslu) is an election management agency tasked with overseeing the implementation of elections throughout the territory of the Unitary State of the Republic of Indonesia.²⁴ The quality of the election is determined by the consistency of Bawaslu in carrying out its functions and duties. In Article 101 of Law Number 7 of 2017 concerning General Elections, it is stated that Regency/City Bawaslu has the task of preventing and taking action against election violations and election process disputes. In carrying out its duties, Bawaslu has the authority to receive and follow up on reports relating to alleged violations of the implementation of laws and regulations governing elections as stated in Article 99 letter a of Law no. 7 of 2017. Furthermore, Article 100 letter a states that Bawaslu is obliged to be fair in carrying out its duties and authorities.

Through Law Number 15 of 2011 concerning the Implementation of General Elections, Bawaslu carries out 4 (four) functions, namely: (1) Supervising the implementation of all stages of the election process; (2) Accommodate, review and forward reports regarding alleged violations of Election Administration Provisions to KPU/Provincial KPU/Regency-Municipal KPU; (3) Accommodate, review and forward reports regarding alleged violations of Election Criminal Provisions to the Indonesian Police; (4) Accommodate the claims of Election Contestants against KPU decisions, and resolve election disputes, both binding and non-final in nature.²⁵ General Election law enforcement (Pemilu) consists of two things. The first is the enforcement of election law related to election violations. These election violations consist of administrative violations, criminal violations, and violations of the code of ethics for election administrators. Second, related to the results and disputes, the enforcement of election law on the results and disputes in the election process.²⁶

As a follow-up to the Decision of the Constitutional Court Number 31/PUU-XVI/2018, the Regulation of the General Election Supervisory Body of the Republic of Indonesia Number 27 of 2018 concerning the Second Amendment to the Regulation of the General Election Supervisory Body of the Republic of Indonesia Number 18 of 2017 was drawn up concerning Procedures for Settlement of Disputes in the Election Process. The general public explicitly and *lex specialis* outlines the procedures for resolving disputes in the election process, Regulation of the General Elections Supervisory Body of the Republic of Indonesia Number 7 of 2018 concerning Handling of Findings and Reports of General Election Violations and Regulation of the General Elections Supervisory Board of the Republic of Indonesia Number 8 of 2018 concerning Settlement of Election Administrative Violations General.²⁷

c) Bawaslu's obstacles

In organizing elections, Bawaslu in dealing with election violations encountered many obstacles, including:

- a. The non-fulfillment of the formal and material requirements of a report on an election crime, which makes it difficult for election supervisors or investigators to follow up on a report, regarding material requirements, one of which is looking for witnesses. witnesses so that the results of the study are sometimes incomplete. Meanwhile, for the next stage of the process, namely the stage of investigation by the police, the police request that data/case files from Bawaslu must be complete.
- b. The occurrence of money politics, for example money politics carried out during the election campaign is an activity of election participants to convince voters by offering the vision, mission, and programs of election participants. From this definition, campaign elements are cumulative, thus one element that is not fulfilled cannot be used to ensnare any alleged election violations. In the case of money politics to avoid legal entanglements, election participants and legislative candidates when handing over money and/or goods to the public/voters are not accompanied by the delivery of a vision, mission or not issuing an invitation to vote.
- c. There were no witnesses because people who knew about the incident did not dare to testify due to the intimidation, while the election supervisors did not have the authority to protect witnesses.
- d. Limited time for handling election crime violations, both at the level of election supervisors and at the level of law enforcement officers
- e. The Police and/or the Prosecutor's Office do not have the authority to make arrests. For example, if the suspect is not present at the police investigation or even runs away and only appears on the 15th day after being forwarded from the election supervisor to the Police, the Police cannot follow up because it has expired at the investigation level.²⁸
- f. The lack of Bawaslu human resources in preventing and taking action against election violations.
- g. In the settlement of prosecution for election violations, Bawaslu sometimes disagrees with the Police and the Prosecutor's Office regarding the findings of Bawaslu.
- h. The *modus operandi* of election participants and campaign teams is evolving and changing, so that both voters and supervisors cannot distinguish between cost politics and money politics.
- i. In terms of handling reports of alleged election violations, to follow up on reports of violations, Bawaslu is limited by formal and material requirements, although a report of alleged violations according to the Election Law is referred to as an election violation.
- j. The discrepancy between regulations and implementation in the field, namely the legal subjects in Article 523 paragraphs (1) and (2) of Law Number 7 of 2017 concerning

Elections is only limited to each implementer, participant, and/or campaign team and in that Article there is no a clause stating that the legal object is "everyone".

- k. The level of public understanding of the main tasks and functions is still low. Bawaslu, especially in terms of the installation of Campaign Props, so that people still think that only Bawaslu and its staff are tasked and obliged to regulate Campaign Props and Campaign Materials (BK) that are not in accordance with applicable regulations.
- l. Public compliance is still low in terms of reporting findings of alleged election violations.²⁹

4. Result and Discussion

Based on the functions and duties of Bawaslu as described above, and taking into account any obstacles or obstacles to Bawaslu in carrying out its functions and duties, it is hoped that the handling system will be improved in preventing and enforcing corruption in elections through legal certainty in handling election violations and crimes at the Sentra. Gakkumdu. In addition, efforts are needed to improve through regulatory improvements, such as regulations regarding the amount of campaign funds that must be the same and must make reports on the use of funds that must be accounted for, strengthening the capacity and professionalism of election law enforcement, such as taking action against election violations and disputes as well as increasing legal awareness in the community. . Where these efforts are very important things to be carried out for the realization of honest and fair elections. In addition to prosecution as a penal effort, preventive measures or prevention efforts are a more appropriate means of overcoming them, this prevention effort is an effort that must be prioritized compared to enforcement efforts, this is because if prevention efforts have been carried out properly so that the community feels the benefits, then what which becomes an obstacle for Bawaslu will always be reduced. The formation of Bawaslu should be strengthened with clear rules and clear procedures if there are allegations of election violations, considering that Bawaslu's authority is to process and decide on election administrative violations, the existence of Bawaslu is a strategic institution in its existence, because it has the authority to mediate parties in dispute, so that the synergy of Bawaslu, the Police and the Prosecutor's Office is a necessity in the enforcement of election crimes.

The integrity of Bawaslu must be further improved, especially in preventing money politics from rejecting the public, it is not enough to carry out socialization but also to take a massive approach, approach information technology facilities, form an open forum that can be accessed by the public, cooperate with third parties in conducting supervision. , selective and professional recruitment of Bawaslu members in their fields, especially during the election period. This is an effort that must be implemented in preventing corruption in elections. The model or method of handling corruption in elections is to increase the professionalism of Bawaslu members, increase support for administrative, organizational and management services, increase the capacity and capability of Bawaslu members, develop patterns and methods of supervision, strengthen the national control system that is structured, systematic and integrative, improvement of facilities and infrastructure,³⁰ take action against perpetrators of corruption during the election, namely by applying maximum sanctions, in addition to processing the laws of political parties participating in the election and state administrators who commit corruption. KPU and Bawaslu must synergize with law enforcement agencies, namely the police, prosecutors, KPK and PPATK. Prevention and prosecution of criminal acts of corruption during elections will be successful when all elements of law enforcement agencies work together to help each other, work hand in hand with the KPU and Bawaslu to create fair, transparent, and honest elections with integrity.³¹

5. Conclusion

The role of Bawaslu in preventing corruption in elections is considered less than optimal. Although in carrying out its functions it is assisted by the existence of a Gakkumdu center in the settlement of election crimes which are repressive efforts. However, it can be seen that violations and disputes caused by the occurrence of a criminal act of corruption have not provided a deterrent effect to the perpetrators, therefore preventive efforts are seen as more effective efforts in preventing corruption in elections in Indonesia. The importance of realizing elections with integrity through optimizing the role of Bawaslu in fostering an anti-corruption culture. In supporting the optimization of the role of Bawaslu, it is necessary to have regulations that can regulate and limit the amount of campaign costs received or issued by political parties and legislative candidates as well as optimizing the role of the community in preventing corruption in general elections in Indonesia as an increase in preventive efforts. Where the preventive efforts are through increasing legal awareness, and public education related to general elections, where generally there is a relationship or correlation between leaders who use illegal methods to get elected through money politics and corruption during their tenure. So it is important to carry out reformulation and reconstruction related to the duties, authorities and roles of Bawaslu in carrying out their functions.

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