

VIOLATION OF ETHICS BY GENERAL ELECTION ORGANIZERS IN INDONESIA

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Abstract: As the institution responsible for organizing elections in Indonesia, the Election Organizer Ethics Council (DKPP) plays a crucial role in examining and adjudicating ethical violations committed by the election organizers. Alongside the numerous complaints from the public regarding alleged ethical breaches by the election organizers, the DKPP has dealt with several such cases. This research aims to explore and analyze the ethical violations committed by the election organizers in Indonesia and to provide recommendations for improving the quality, integrity, and professionalism of the electoral process. The study on these ethical violations was conducted using normative research methods. The research findings indicate the occurrence of ethical breaches by the General Election Commission (KPU) and the Election Supervisory Board (Bawaslu) in the recruitment process of election organizers at the district/city, sub-district, and village levels. Therefore, it can be concluded that there is a significant need for improvement in the quality, integrity, and professionalism of the election

INTRODUCTION

As a country born in the 20th century, Indonesia is a constitutional democracy (Miriam Budiardjo, 2014). Despite the acknowledged ups and downs in its implementation during the presidencies of President Soekarno, President Soeharto, and the current reform era, The existence of Pancasila as the state foundation, which in its fourth principle mentions the existence of deliberation, consensus, and representation, ensures that governance in Indonesia is always conducted democratically.

General elections, as a means of implementing the people's sovereignty, have been institutionalized in the 1945 Constitution of the Republic of Indonesia (UUD NRI) in Article 22E, namely for electing members of the DPR, DPD, and DPRD. The authority of the DPR, DPD, and DPRD is determined within the 1945 Constitution. Similarly, the executive authority carried out by the President at the national level is directly elected by the people, as regulated in Article 6A. The President's authority is determined within the

1945 Constitution, and the term of office is limited to five years for only two terms (Feri Amsari et al., 2021). Furthermore, regional governments, which are part of the executive authority, are also required to be chosen by the people in a democratic regional head election (Article 18 paragraph (4) of the 1945 Constitution of the Republic of Indonesia).

The institutionalization of democracy in the constitution of Indonesia can be considered the most recent stage of a democratic developmental process. This condition essentially aims to guarantee the realization of the founding goals of the state, namely to protect all Indonesians and the entire Indonesian heritage, to promote the general welfare, to educate the nation, and to participate in maintaining world order (Jimly Assidique, 2006).

The goal of the founding of the Indonesian nation and state, which is guaranteed to be fulfilled through a constitutional democratic system, will not change the situation much if citizens do not participate. Participation becomes a subjective condition that greatly determines the functioning of all objective (outside of humans) democratic instruments. Participation in every general election must be accompanied by a willingness to monitor the governance carried out by the representatives elected through the general election.

Election organizing institutions, such as the General Election Commission (KPU) and the Election Supervisory Board (Bawaslu), are responsible for ensuring the smoothness, honesty, and integrity of the electoral process in Indonesia's constitutional democracy. A strong democracy depends on general elections, which place citizens as the determiners of the fate of the state. The process of democratization in Indonesia has become a crucial milestone in building and strengthening the political system. However, specific cases related to ethical violations in elections in society indicate that there are still many challenges to be faced to realize a healthy and integral democracy in Indonesia (Jeremia Alexander Wewo, 2018).

Relevant regulations and laws establish the rules that general election organizers must comply with. At every stage of the implementation of general elections, the principles of transparency, fairness, and integrity must be upheld. However, there are several situations where the implementation of general elections in Indonesia has faced significant challenges related to ethical violations that have the potential to threaten the integrity of the democratic process as a whole.

On the other hand, a number of events have raised doubts about the integrity of the election process. Ethical conventions for administering general elections are often ignored or violated, as demonstrated by violations related to data manipulation, excessive political influence, and corrupt practices during the general election stages.

In this complicated situation, it is important for us to understand how important it is to be a moral and fair election organizer. If things that violate these ethical principles occur, people's trust in the democratic process will be destroyed. They will also destroy the foundations of democracy itself. Consequently, to ensure that general elections in Indonesia are a dignified and accountable democratic process, thorough analysis and concrete action need to be carried out.

RESEARCH METHOD

This research uses normative research, which aims to resolve legal problems by identifying legal rules, principles, and theories related to election ethics violations. The law is considered the foundation of the standards system in this research. This normative legal research is carried out to develop new arguments, theories, or concepts to recommend assessments of problems related to election ethics violations (Muhaimin, 2020). This research has a qualitative prescriptive nature, which means it presents arguments for the research findings. In this research, an analytical approach is used that focuses on interpreting the meaning of terms contained in legislation.

RESULTS AND DISCUSSION

In Indonesia, the electoral organizer's code of ethics regulates the behavior of electoral organizers, including the General Election Commission (KPU), the Election Supervisory Board (Bawaslu), and the Election Organizer Ethics Council (DKPP). Ethical violations in the conduct of elections refer to actions that contravene these ethical codes. Actions that harm the public interest, such as abuse of power, discrimination, and corruption, can be categorized as violations of the code of ethics (Paisal Akbar et al., 2021).

Several elements, such as community involvement, transparency, political participation, technology, security, and stability, are used to assess the behavior of electoral organizers in Indonesia. One determining factor for the success of the election

process is the involvement of the community. Electoral transparency encompasses various aspects, including vote counting, constituency mapping, campaign financing, and transparency in candidate selection. Political participation involves more than just voting; it also encompasses the participation of political parties in preparing candidates and presenting clear political programs (Muhammad Afied Hambali, 2022).

Active political participation from various groups demonstrates that Indonesian elections are a democratic and open space for all those who wish to participate in the political process. Furthermore, technological advancements also influence the effectiveness of elections in Indonesia. Technology can aid the election process, including overseeing and improving the accuracy and efficiency of vote counting (Palupi Anggraheni et al., 2021). Security and stability are also crucial components in evaluating the effectiveness of the electoral process.

Various legal instruments and regulations form the basis for the assessment system of the conduct of electoral organizers in Indonesia. Some of the legal instruments and regulations in Indonesia are:

1. Law Number 7 of 2017 concerning General Elections.
2. Law Number 15 of 2011 concerning the Election Organizers.
3. General Election Commission Regulation Number 28 of 2013 concerning the Casting, Counting, and Recapitulation of Votes for Indonesian Citizens Abroad in the General Election of Members of the House of Representatives in 2014.
4. General Election Commission Regulation Number 12 of 2013 concerning Amendments to General Election Commission Regulation Number 04 of 2013 concerning the Formation and Work Procedures of Overseas Election Committees and Overseas Voting Organizing Groups in Organizing the 2014 General Election for Members of the House of Representatives.
5. General Election Commission Regulation Number 11 of 2013 concerning Amendments to General Election Commission Regulation Number 03 of 2013 concerning the Formation and Work Procedures of District Election Committees, Voting Committees, and Groups of Vote Organizers in the Organization of General Elections for Members of the House of Representatives, Regional Representatives Council, and Regional House of Representatives in 2014.

6. General Election Commission Regulation Number 10 of 2013 concerning the Preparation of Voter Lists Abroad for General Elections of Members of the House of Representatives.
7. Regulation of the Election Organizer Honor Council of the Republic of Indonesia Number 1 of 2019 concerning Amendments to Regulation of the Election Organizer Honor Council Number 5 of 2017 concerning Regional Examination Teams.
8. Regulation of the Election Organizer Honor Council of the Republic of Indonesia Number 4 of 2017 concerning the Code of Ethics and Guidelines for Behavior of the Election Organizer Honor Council.
9. Regulation of the Election Organizer Honor Council of the Republic of Indonesia Number 1 of 2021 concerning the Second Amendment to Regulation of the Election Organizer Honor Council Number 3 of 2017 concerning Procedural Guidelines for the Code of Ethics for Election Organizers.

Abuse of power, fraud, or lack of neutrality are some forms of ethical violations in the conduct of elections in Indonesia. Abuse of power occurs when electoral organizers use their authority for personal or specific group interests. Actions that harm the public interest, such as ballot stuffing, document forgery, and voter intimidation, can be classified as fraud. When electoral organizers do not act objectively and fairly, a lack of neutrality can occur (Paisal Akbar et al., 2021).

Ethical violations that occur during the conduct of elections in Indonesia undermine the credibility and public trust in the democratic process. Ethical violations can make the public doubtful and distrustful of election results. Ethical violations can also damage the reputation of electoral organizers and institutions involved in the electoral process. Ethical violations can threaten Indonesia's political and social stability in the long run.

The General Election Commission (KPU), the Election Supervisory Board (Bawaslu), and the Election Organizer Honor Council (DKPP) are crucial election organizing bodies in preventing and handling violations that occur during the electoral process. The KPU is responsible for the smooth conduct of the entire election process, from planning to the announcement of results. The KPU is accountable for preventing manipulation or fraud in the election by ensuring transparency, integrity, and accuracy in the process. On the other hand, as an independent supervisor, Bawaslu closely monitors

the electoral process and takes action against violations such as black campaigns, intimidation, and other forms of fraud. Bawaslu fosters public trust in the integrity of the democratic process by ensuring electoral fairness through a robust monitoring system. In contrast, the DKPP is responsible for ensuring that electoral organizers act professionally and avoid any involvement.

The Election Organizer Honor Council (DKPP) plays a significant role in handling allegations of ethical violations by election organizers. The DKPP receives complaints and reports from various parties, including election organizers, election participants, campaign teams, the public, voters, and recommendations from the House of Representatives. Complaints and reports can be submitted directly to the DKPP RI Jakarta or through the online complaint application on the official DKPP website (M. Hasbi Azis Agani, 2022).

If the complaint or report meets the requirements, the DKPP will conduct an examination and hearing. The Regional Examination Team (TPD), established by the DKPP in each region, is responsible for handling allegations of ethical violations by election organizers. The TPD consists of members of the DKPP, the Provincial KPU, the Provincial Bawaslu, and competent representatives of the community residing within the TPD's jurisdiction.

The Regional Examination Team has the authority to investigate violations committed by all levels of election organizers, including the Provincial KPU, the District/City KPU, the Provincial Bawaslu, the District/City Bawaslu, the PPK, the Sub-district Election Supervisory Committee, Members of the PPS, the Sub-district/Village Election Supervisory Committee, Members of the KPPS, and Polling Station Supervisors.

DKPP Chairman Heddy Lukito revealed an increase in complaints related to violations of the principles of election organizers, such as unprofessional conduct, injustice, overlapping positions, and cases of gratification. The cause might be related to the advancement of information technology, which enables the public to more easily monitor and report violations. However, the ethical awareness of election organizers in the regions still needs to be improved. Based on the data submitted to the DKPP, many cases have been processed, heard, and decided. Researchers obtained data on ethical violations at the DKPP as follows (M. Tio Aliansyah, 2023):

Distribution of Complaints and/or Reports for Each Province

No.	Province	Total
1	Aceh	26
2	Sumatera Utara	55
3	Sumatera Barat	4
4	Riau	2
5	Jambi	5
6	Sumatera Selatan	21
7	Bengkulu	9
8	Lampung	6
9	Kep. Bangka Belitung	3
10	Kep. Riau	0
11	DKI Jakarta	4
12	Jawa Barat	30
13	Jawa Tengah	10
14	Banten	11
15	Jawa Timur	22
16	DI Yogyakarta	1
17	Bali	1
18	Nusa Tenggara Barat	9
19	Nusa Tenggara Timur	3
20	Kalimantan Barat	2
21	Kalimantan Tengah	2
22	Kalimantan Selatan	2
23	Kalimantan Timur	3
24	Kalimantan Utara	3
25	Sulawesi Utara	4
26	Sulawesi Tengah	5
27	Sulawesi Selatan	17
28	Sulawesi Tenggara	6
29	Gorontalo	1
30	Sulawesi Barat	1
31	Maluku	3

Source : DKPP RI, 2023

Awareness of the ethical conduct of election organizers should commence during the recruitment process of prospective election organizers by ensuring their track records. The internal monitoring system must also be strengthened in stages by developing instruments to ensure that all election organizers comply with the principles of the code of ethics. Election organizers need to be reinforced with values and principles related to their tasks. Election organizing bodies play a crucial role in regulating the process of democratically and ethically electing the nation's leadership. In carrying out their duties, election organizers are always subject to public scrutiny.

The DKPP has received various complaints related to the stages of the election, such as Complaint Number: 34-P/L-DKPP/II/2023 and Case Number: 29-PKE-DKPP/II/2023, concerning the Simalungun Regency Election Supervisory Board (Bawaslu). These complaints have been processed by the DKPP, and hearings have been conducted. The basis of these complaints is the unprofessional conduct, lack of transparency, and discriminatory attitudes of the Simalungun Regency Bawaslu in the recruitment process of prospective PPK members for Siantar Simalungun. The complainant claimed to have been disadvantaged and discriminated against during the interview test phase. However, the Simalungun Regency Bawaslu did not respond to the complaint letter, which was deemed a violation of the law and ethics. Bawaslu should comply with Article 6 paragraph 3 letter c of DKPP Regulation Number 2 of 2017, as well as Article 12 letter e and Article 15 letter c of DKPP Regulation Number 2 of 2017.

Ethics are essential for all aspects of national life as they can bring about civility and dignity (J. Kristadi, 29/8/23). Ethics encompasses the moral values underlying the actions of individuals and groups in society, in addition to the list of regulations to be followed. Ethics determine transparent policies, governance, and sustainable social development. Consequently, ethics must be a top priority in all matters, including the electoral process.

We aspire to live in a dignified and civilized country. This goal depends on many things, such as conducting fair and transparent elections. A polling official is expected to work professionally, adhere to moral values, and comply with applicable codes of ethics. Violations of the ethics and ethical codes of election organizers can lead to a decline in the quality of their work. Integrity and honesty in elections are crucial to maintaining the dignity and civility of a country's political system.

It is hoped that the conduct of the elections will improve and be of higher quality due to the public's awareness of the need to actively participate in overseeing the electoral process at every step towards the 2024 general election. It is crucial for the community to ensure that the elections take place democratically, honestly, and fairly. Active community involvement can help maintain morality and ethics in the elections. As a result, the country can come closer to the vision of a dignified and civilized nation.

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