

ELECTION SUPERVISORY BODYS IN INDONESIA POST-REFORM

MUHAMMAD HELMI FAHROZI

Universitas Pembangunan Nasional “Veteran” Jakarta.

Abstract

The existence of the Election Supervisory Body in Indonesia is an interesting phenomenon for political scientists to see how the changes that have occurred in the institution since the 1998 reformation until now. The changes that have taken place in this institution are a phenomenon, because in the period of fourteen years, or in every post-reform election, there have been 5 (five) changes in the law that forms the basis for the existence of the institution. Meanwhile, at the same time, this has never happened to the General Election Commission (KPU) or the Election Organizing Honorary Council (DKPP), which have the same position as election organizers in Indonesia as regulated by law. However, until now this institution is considered not to have found the most appropriate design in carrying out its functions and roles, this is in line with the response and criticism of the community at this institution. The role of the DPR as a legislator (actors, processes and structures) in formulating the roles, functions, duties and authorities of this institution needs to be questioned, where exactly is the design direction of this institution directed.

1. Introduction

If we look closely, the changes to the election supervisory body show that all changes are an addition and strengthening of the roles, functions, duties and authorities of these institutions. Increasing the status of the institution from being ad hoc at the central level to being permanent, and followed by lower institutions up to the provincial and district/city levels became one of the key significant changes. This change in status also encourages changes in the roles, functions, duties and authorities of each Election Supervisory Body based on their level. Interesting things that became the background of this research, namely the five changes refer to what? Is the separation of implementing agencies and election supervisors better, what is the most appropriate design? And is this institution still needed? These four questions form the basis of the novelty in this research, which is directed at how the DPR prepares laws related to the Election Supervisory Body's.

Table 1. Summary of Institutional Changes for Election Supervisors in the Law

No	Type of Act	Changes
1	Law No. 12 of 2003 concerning the General Election of Members of the People's Representative Council, Regional Representative Council and Regional People's Representative Council; Law Number 7 of 2017 concerning the Implementation of Elections	<ol style="list-style-type: none"> 1. Panwaslu from the national level to the sub-district level is formed, article 120 paragraph (1) to paragraph (5). 2. The organizational structure, budget and recruitment are unified and implemented by the KPU, articles 121, 123 and 124. 3. The duties and authorities of Panwaslu are attached to the KPU, article 122. 4. The results of the supervision are forwarded to the KPU if they are administrative and criminal in nature to the police, and the authority to settle disputes that arise in the administration of the election, article 122 paragraph (1).
2	Law No. 22 of 2007 concerning Election Organizers;	<ol style="list-style-type: none"> 1. The national election supervisor becomes Bawaslu, is permanent and permanent in Article 70 paragraph (2)

		<p>2. Overseas Election Supervisory Committee (PPLN) was formed. Article 70 paragraph (3).</p> <p>3. The institution is separate from the KPU with its own secretariat, budget, and recruitment articles 108 and 109.</p> <p>4. The duties and authorities of Bawaslu are only limited to supervising, findings of administrative violations are forwarded and recommended to the KPU, and crimes are forwarded to the police and prosecutors.</p>
3	Law No. 15 of 2011 concerning election organizers;	<p>1. Provincial Election Supervisory Committee is permanent and permanent, 69 paragraph (2).</p> <p>2. Establishment of an integrated law enforcement center (Gakkumdu) by holding criminal cases whose members consist of elements of election supervisors, the police and the prosecutor's office,</p> <p>3. Organizational governance becomes the General Secretariat type B, the Provincial Bawaslu secretariat has the status of a work unit (Satker), and recruitment is carried out independently.</p>
4	Law No. 8 of 2015 concerning Amendments to Law No. 1 of 2015 concerning the Stipulation of Government Regulations in Lieu of Law Number 1 of 2014 concerning the Election of Governors, Regents and Mayors to become Laws;	<p>1. TPS supervisor was formed</p> <p>2. Bawaslu, and its subordinates supervise the implementation of the Pilkada as regulated by law.</p> <p>3. Provincial Bawaslu may temporarily disable KPU or impose administrative sanctions on candidates for governor, regent and mayor.</p> <p>4. Recommend to the police the criminal offenses committed by candidates for governor, regent and mayor, written in article 27.</p> <p>5. Supervise the follow-up of the Bawaslu decision on sanctions to the Provincial KPU, the KPU Secretariat and their staff if they violate the rules that can interfere with the election stages, written in article 28.</p>
5	Law Number 7 of 2017 concerning the Implementation of Elections.	<p>1. Regency/City Bawaslu is formed, article 89 paragraphs (1) and (2).</p> <p>2. The membership of Provincial Bawaslu is 5 (five) to 7 (seven) people, and Regency/City Bawaslu is 3 (three) to 5 (five) people, article 92 paragraph (2).</p> <p>3. Bawaslu, Provincial Bawaslu and Regency/Municipal Bawaslu carry out prevention and prosecution of election violations and electoral process disputes, supervise election preparations, supervise election stages, prevent money politics practices, supervise state civil apparatus, supervise the neutrality of state civil apparatus (ASN) , overseeing DKPP decisions/decisions, or authorized officials, reporting violations of the code of ethics, reporting election crimes, preventing election violations and disputes through mapping and coordination, receiving and investigating and deciding election violations, receiving, verifying, mediating, and deciding process disputes election, articles 93-94.</p> <p>4. The authority to receive and examine and decide on administrative violations, money politics, electoral process disputes, recommend to related agencies regarding ASN violations, article 95.</p> <p>5. The organization of Bawaslu becomes the General Secretariat of type A, with the positions of secretary general of echelon 1A and deputy of echelon 1B, as well as the secretariat of Provincial Bawaslu of echelon II, articles 151-154.</p> <p>6. Budget management and recruitment are carried out independently.</p>

2. The Role of the DPR in Drafting the Law on Election Oversight Institutions

The role of the DPR in drafting a law is the key in determining the substance and importance of the law itself, although in the process there are many inputs from many parties. The discussion processes are important, because political interaction in the DPR is inseparable from the birth of a law. The researcher strongly believes that the election supervisory institution which has undergone 5 (five) changes in roles, functions, duties and authorities cannot be separated from the interests of political parties that have their representatives in the DPR as legislators. What are the interests of political parties, and how the parties place an interest in any changes that occur, this is the formulation of the research problem, thus raising the question of how important the Election Supervisory Body's is for political parties, therefore it must continue to be strengthened institutionally.

This research itself will see how the political process in each discussion of the roles, functions, duties and authorities of each law which is the legal basis for the existence of the Election Supervisory Body by the DPR. It is hoped that by looking at this political process, researchers can see the interests of political parties in every change in the roles, functions, duties and authorities of the Election Supervisory Body in each existing law, including the direction of changes to be achieved institutionally.

In the initial search carried out, political parties involved in the process of discussing the laws governing the roles, functions, duties and authorities of the Election Supervisory Body can be clustered based on the working period of DPR membership as a result of the post-reform elections, namely First, the period of discussion of Law No. 13 of 2003, namely; PDIP, Golkar, PPP, PKB, PAN, PBB, Justice Party, PKP, PNU, PDKB, PBIPDI, PP, PDR, PSII, PNI Marhaen, IPKI, PKU, Masyumi, and PKD. The political parties that sit in the DPR are political parties resulting from the 1999 general election, the first general election and the post-reformation accelerated election. This election was participated by 48 (forty eight) political parties, and only 21 political parties could sit in the DPR, with the top 5 parties having seats, namely PDIP, Golkar, PPP, PKB, PAN. This means that not all parties can place their representatives on commissions in the DPR.

Second, the period of discussion of Law no. 22 of 2007, namely; Golkar Party, PDIP, PKB, PPP, Democratic Party, PKS, PAN, PBB, PBR, PDS, PKPB and PKPI. The existing parties are the result of the 2004 general election which was attended by 24 political parties. This election is the most complicated election in the history of elections in Indonesia because the calculation of the allocation of seats is disputed by the election contestants which results in a long process of counting due to debates and disputes at the Constitutional Court (MK). There are at least 7 (seven) parties that can seat their representatives in all commissions in the DPR, namely the Golkar party, PDIP, PKB, PPP, Democratic Party, PKS, PAN, because other parties get less than 2 (two) percent of the votes.

Third, the period of discussion of Law no. 15 of 2011, namely the Democratic Party, Golkar Party, PDIP, PKS, PAN, PPP, PKB, Gerindra Party and Hanura Party. The 2009 election was participated by 34 political parties, and of the 34 (thirty-four) parties that took part in the

general election, only 9 parties were able to have their representatives in the DPR, because there is a party vote threshold in the DPR (parliamentary threshold), which is at least 2, 5% of the vote.

Fourth, the discussion period for Law Number 8 of 2015, namely PDIP, Golkar Party, Gerindra Party, Democratic Party, PAN, PKB, PKS, PPP, Nasdem Party and Hanura Party. The 2014 election was participated by 15 political parties that passed verification by the KPU. The number of political parties sitting in the DPR is getting smaller because the parliamentary threshold of 3.5% is applied.

Fifth, the period of discussion of Law no. 7 of 2017, namely PDIP, Golkar Party, Gerindra Party, Democratic Party, PAN, PKB, PKS, PPP, Nasdem Party and Hanura Party. Political parties discussing Law no. 7 of 2017 is the same party in the discussion of Law Number 8 of 2015. This is because the new election will be held in 2019.

Table 2. Political Parties in the DPR Involved in Drafting the Law on Supervisors Election

No	Type of Act	Partai Politik
1	Law No. 12 of 2003 concerning the General Election of Members of the People's Representative Council, Regional Representative Council and Regional People's Representative Council Law Number 7 of 2017 concerning the Implementation of Elections	PDIP, Golkar, PPP, PKB, PAN, PBB, Partai Keadilan, PKP, PNU, PDKB, PBIPDI, PP, PDR, PSII, PNI Marhaen, IPKI, PKU, Masyumi, dan PKD
2		Partai Golkar, PDIP, PKB, PPP, Partai Demokrat, PKS, PAN, PBB, PBR, PDS, PKPB dan PKPI
3	Law No. 22 of 2007 concerning Election Organizers	Partai Demokrat, Partai Golkar, PDIP, PKS, PAN, PPP, PKB, Partai Gerindra dan Partai Hanura
4	Law No. 15 of 2011 concerning election organizers	PDIP, Partai Golkar, Partai Gerindra, Partai Demokrat, PAN, PKB, PKS, PPP, Partai Nasdem dan Partai Hanura
5	Law No. 8 of 2015 concerning Amendments to Law No. 1 of 2015 concerning the Stipulation of Government Regulations in Lieu of Law Number 1 of 2014 concerning the Election of Governors, Regents and Mayors to Become Laws	PDIP, Partai Golkar, Partai Gerindra, Partai Demokrat, PAN, PKB, PKS, PPP, Partai Nasdem dan Partai Hanura

Observing the changes in the roles, functions, duties and authorities of the Election Supervisory Body, it seems that the political parties in the DPR want the Election Supervisory Body to become an institution that is expected to ensure that elections can be monitored better, from election to election. This pattern can be seen from the changes in the substance of the roles, functions, duties and authorities that are changed in each law. The political interactions in each arrangement are very interesting to know, so it is clear the reasons why the Election Supervisory Body is designed to be like this. And that picture can be seen from how the actors played their role in the evolution of this institution, and the bargaining process in the preparation of each law, as well as the socio-political context and the structure of ideas that make this institution in every draft of the law that is enacted.

However, it seems that the DPR's decision in designing the Election Supervisory Body through several changes to the law is considered not to have reached the most perfect form, because institutionally changes in the roles, functions, duties and authorities of the Election Supervisory Body in the form of adding and strengthening institutions, are considered to still raise a number of problems. To date. One of the latest problems that can serve as an example is the enactment of Law no. 7 of 2017 concerning the holding of elections which is a change from Law no. 15 of 2011 concerning Election Organizers.

As the last law that regulates the Election Supervisory Body, this law is considered to have made the Election Supervisory Body an institution that has no clear design and concept because it combines the duties of supervision and prosecution in the form of handling violations and resolving disputes with the quasi-function of the electoral court. Coupled with the authority to decide on administrative violations and disputes up to the level of the Regency/City election supervisors, as well as the determination of the membership of the Regency/City election supervisors to become permanent and permanent, from the previous ad hoc nature.

Such a large role, function, task and authority (super body), should be a means so that all forms of violations and fraud which are the main problems of the election do not occur again or at least decrease, especially during the 2019 election. But in reality, a number of election violations and problems of election violations and fraud often occur. This condition encourages the public to give a cynical assessment of this institution, because there is an assumption that it weighs the authority of the Election Supervisory Body with wider attributions, causing this institution to become unfocused in carrying out its roles, functions, duties and authorities.

In addition, changes to the legal rules regarding the existence of the Election Supervisory Body also seem to have become routine, this is done under the pretext of the need to strengthen the institution. Every time a new type of election fraud and fraud emerges, the Election Supervisory Body will be given a new attribution of duties and authorities. This action is actually considered to make this institution unclear, because all duties and authorities to enforce election integrity are delegated to this institution. There are some concerns that the more and more heavy duties and powers of election supervisors have actually caused this institution to be slow and not tactical in carrying out its duties.

3. The Concept of the Electoral Management Body (EMB) and the Practice of Institutional Elections in Indonesia.

In the book "Electoral Management Design: The International Idea Handbook", IDEA (International Institute For Democracy And Electoral Assistance) states conceptually, the existence of the Election Supervisory Body is part of the election management body, because election supervisors are considered to carry out some of the important elements in the election management body. Organizing elections, such as media monitoring and seeking resolution of conflicts, as well as differences of opinion regarding the conduct of elections¹.

This shows that IDEA does not recognize the separation between the Election Supervisory Body and the technical implementing Body for elections, as is the case in Indonesia, so that

Indonesia is the only country that practices the separation of election administrators into several institutions, with naming and roles, duties, duties and responsibilities. Different authorities, namely Bawaslu as an institution that oversees the election process, KPU as an institution that carries out election technicalities, and DKPP as an institution that prosecutes violations of the election supervisory code of ethics.

The separation of election management institutions like this then becomes an unfinished discussion as to whether an Election Supervisory Body like Indonesia can be included in the category of election organizers. This has an impact on the recognition of world election management associations that have not fully recognized the existence of the Election Supervisory Body as part of the election management body.

In addition, IDEA also explicitly states that institutions that essentially do not have the authority and responsibility to carry out the important elements of the election as mentioned above, cannot be categorized as Election Supervisory Institutions, even though the duties of these institutions intersect with the duties of election supervisors. For example the Body for handling conflict and disputes over the results of the Mexican election or The Electoral Tribunal of the Judicial Power of the Federation (TEPJF) ².

This IDEA book, at least can be used as a basic concept in viewing the Election Supervisory Body from the aspect of institutional design for organizing elections. In the ten discussions of IDEA, only six discussions were considered relevant in this study. This is because these six discussions have a close relationship with the management of the Election Supervisory Body. The six discussions are, namely: First, regarding the definition of election management institutions, models and principles of election management. EMB as an organization or institution has the authority and legal responsibility to organize part or all of the important elements of the implementation of elections or other democratic instruments. This must be clear at the beginning to ensure the form of institutions, authorities and responsibilities, and professionalism in carrying out the assigned tasks.

Second, the legal framework for the existence of the Election Supervisory Body. IDEA explains that the structure, powers, functions and responsibilities of institutions are usually defined within the legal framework of a country that specifically deals with the electoral process. Especially in emerging democracies, the current trend is to develop a comprehensive legal framework that can ensure the independence and integrity of the electoral process, increase consistency and equity in the administration of elections, and increase the participation of political parties, civil society organizations, and voters.

Third, authority, function and responsibility. The negotiation process between various political forces is one of the important factors, both from within and outside the country, besides that there are political, government, and geographical factors that affect the structure of the state, so that the presence of an election management body cannot be separated from this negotiation process.

Fourth, the composition, role, and recruitment of the Election Supervisory Body. Election supervisory membership requires high managerial skills and a commitment to maintaining

integrity in stressful situations. This is closely related to recruitment, recruitment methods, and terms of service for members in each country.

And Fifth, Funding for Election Supervisory Institutions. According to IDEA, the principles of financial management of EMBs, in the form of budgeting, procurement of goods/services, approval of expenditures, reporting, and auditing, are usually regulated in laws, accounting and financial codes of ethics, or regulations belonging to these institutions or the government. A clear legal framework will make the financial administration of this institution more certain, consistent, and encourage good financial governance within the institution to become transparency, efficiency and effectiveness and integrity.

In Indonesia in recent decades, the issue of how to build an effective, efficient, accountable and integral Election Supervisory Body has become an empirical phenomenon within the framework of building a better democratic system through elections. The issue of the need for the presence of an Election Supervisory Body with effective, efficient, accountable and integral election integrity arises along with the need for canalization of prevention and resolution of violations, as well as electoral fraud that does not show complexity, ambiguity, and legal uncertainty that can lead to election conflicts. This has prompted the need for innovation in order to design a better Election Supervisory Body in Indonesia, because it has an important role in guarding and ensuring that elections are conducted fairly and democratically³.

In its implementation, Indonesia gives a unique name according to the context of their respective duties and authorities, such as in the form of a supervisory Body or tribunal. Election integrity enforced by this institution is interpreted as an important concept because it can encourage the fulfilment of various positive aspects in elections, such as legitimacy, mass political behavior through increased participation, strengthening the quality of political representation, preventing security conflicts, and other benefits in the political system. This institution is also correlated with regime transitions, democratic processes and institutional reforms that are effective and peaceful, and more broadly is a manifestation of efforts to consolidate democracy in a country towards a more established country in democracy.

On the other hand, if the integrity of the election is not maintained and maintained, the election will be filled with fraud (flawed election) and weaken trust in political institutions. This condition will have implications for low public participation during voting, lead to rejection or protest, riots and mass violence, pseudo contestation will also exacerbate tensions between supporters who win and lose, and ultimately weaken the legitimacy of elections as a democratic system. Under certain conditions persistent and ongoing public dissatisfaction with electoral malpractice, including candidate pairs who are dissatisfied with the wider political system, has the capacity to mobilize significant reforms to the electoral process⁴.

Failure to achieve elections with integrity is also caused by the occurrence of various violations (electoral fraud) and vote manipulation in various forms (ballot-rigging). This condition can lead to a decrease in the level of public participation, strengthening public sentiment, which in turn will disrupt democratic stability and discredit elections. The anti-climax of this problem will erode and weaken the democratic system as a whole⁵. Another negative impact of elections

that have no integrity, namely the strengthening of voter apathy, and distrust of various democratic institutions, elections that are filled with various violations which will ultimately invalidate the election itself as a means to achieve accountability and legitimacy of the elected leader⁶. This has prompted Indonesia to establish an Election Supervisory Body which is one or separate from the institution that technically carries out election events.

This idea is different from the IDEA concept which also explicitly states that institutions which essentially do not have the authority and responsibility to carry out the important elements of the election as mentioned above, cannot be categorized as EMB, even though the task of the Body intersects with the duties of the EMB, for example the handling Body. Conflicts and disputes over election results, as well as others such as the existence of the Electoral Tribunal Del Poder Judicial De La Federacion (The Electoral Tribunal of the Judicial Power of the Federation), which is abbreviated as TEPJF or the Mexican electoral justice institution. In IDEA's view, institutions such as Bawaslu and TEPJF are not part of the LPP. This is because the task of TEPJF itself is only responsible for the electoral justice process and disputes that occur during the election process. However. The different concepts regarding election integrity enforcement agencies do not prevent the development of models of electoral integrity enforcement agencies in various countries that are adapted to the constitution and the socio-political conditions of the people⁷.

The existence of the Election Supervisory Body in Indonesia is also faced with the problem of unclear functions. One example is the impact on the roles, functions, duties and authorities of this institution, namely directly changing the organizational structure and governance of the institution. This condition causes inevitably this institution to become a 'big' institution. However, at the beginning, there was no clarity on the design concept of what Bawaslu institution wanted to be encouraged to become. Whether the supervisory Body (election supervisory body), or the electoral court (electoral court), because both have different roles and functions. So that Bawaslu is often connoted as an institution that has a 'gado-gado' or 'unclear gender' role and function, as the term is often given by election observers in Indonesia.

What is more crucial than this problem is that the tasks carried out by Bawaslu are considered to have the potential to be violated by Bawaslu itself, because placing two different roles has the potential to cause problems in its implementation. So that there is a gap between the expectations mandated by the law and the practice in the field, including the expectation of better enforcement of election integrity. This then raises the question whether Bawaslu can carry out its duties and authorities to the maximum, namely by simultaneously conducting supervision, then following up on reports of existing violations, including findings, as well as receiving and resolving process disputes. And with all of its duties and authorities, has Bawaslu succeeded in eliminating or at least reducing the number of violations?

It should be noted that changes to the legal rules regarding the existence of the Election Supervisory Body also seem to have become routine. These changes were made on the basis of arguments for the need for institutional strengthening. Every time a new type of election fraud and fraud emerges, Bawaslu is given a new attribution of duties and authorities. This action actually makes the specificity of this institution unclear.

Based on this, the presence of election supervisory institutions in Indonesia is still questionable, its role and function in ensuring that the integrity of elections is properly enforced. There are still some weaknesses in the concept of institutions, operationalization, resources and the amount of budget needed to be a gap in finding ways to build an effective, efficient, accountable and integral Bawaslu as this institution. Indonesia, through the presence of an effective, efficient, accountable and integral election integrity enforcement Body to be more concrete in realizing elections with integrity.

4. Who owns the Election Supervisory Body? Is the Election Supervisory Body still considered necessary?

The debate about whether or not it is necessary to change the role, function, duties and authority of the election supervisory Body, or even at the extreme the presence of the election supervisory Body still needs to be maintained or not, at least as illustrated by two discussions of the law governing the election supervisory Body. First, during the Public Hearing Meeting (RDPU) with Commission II of the DPR in the preparation of Law Number 15 of 2011 concerning Election Organizers. The Indonesian Institute of Sciences (LIPI) suggests that election supervisory institutions such as the Election Supervisory Body (Bawaslu) and the Election Supervisory Committee (Panwaslu) should be abolished, even if they are to be maintained, these institutions do not need to be permanent. This was stated by LIPI senior researcher Syamsuddin Haris, during a Public Opinion Meeting (RDPU) with Commission II DPR, at the DPR Building Senayan, Jakarta on Monday, February 15, 2010. According to Haris, the existence of this election supervisory Body is not effective, and only adds to the only the burden of the state budget. He also assessed that the existence of an election supervisory Body was not running effectively. This institution does not have adequate authority to carry out executions, as a result, many election violations cannot be resolved by election supervisors. So according to him, the election supervisory Body does not need to be made permanent as it is now until 2014, because it is considered a waste of state money. Furthermore, Haris gave an example in a number of democratic countries, the existence of an election supervisory Body is unknown and not implemented. In developed countries, the supervisory function is commonly implemented by expanding the authority of the election commission as an election implementing Body as well as an election supervisor. He considers the unification of the election supervisory Body and the election implementing Body, able to streamline the system and institutions in the election supervisory board. It can also prevent overlaps in authority within election-related institutions. And according to Haris, the current conflict between KPU and Bawaslu is an indication of overlapping election management institutions⁸.

On the same occasion, Daniel Zuhron (National Coordinator of the Election Education Network for the people/JPPR) who represents election monitoring institutions said he also expressed the same view. According to him, "the existence of an election supervisory Body has taken on the task and role of election observers, where election observers are also an instrument of democracy as a pressure group, so it will be difficult to put the election supervisory Body into a neutral position because it is part of the state, so it should be dissolved". What was conveyed by Zuhron ultimately prompted the election supervisory Body to form a

partnership with election observers, and in the end caused these election observers to become private.

On the other hand, Nur Hidayat Sardini (Bawaslu Chair for the 2007-2011 period) and other Bawaslu members have different views. In the academic text that was prepared, Sardini argued that 'the existence of an election supervisory Body is still very much needed at this time, considering that we are still in transition to democracy after so many years in the grip of the new order, where realizing honest and fair elections is difficult to realize'. It was further said that 'in realizing honest and fair elections, tools are needed to guard and maintain them, so this is where the role of election supervisors comes in'. In addition, according to Sardini, 'what election supervisory institutions need today is the strengthening of their roles, functions, duties and authorities, because it is well known that election supervisory institutions have limitations in carrying out their duties'. He then took several examples, for example, the status of election supervisors at the provincial level (Panwaslu Province) which is still ad hoc, where ad hoc status is often an obstacle in carrying out the heavy tasks they do, for example in coordinating with the Provincial KPU which is institutionally permanent. He considers there are psychological obstacles and execution there. Furthermore, Sardini also has the opinion that the election supervisory authority also has obstacles, namely the matter of following up on violations, one of which is election crimes as regulated by law. According to him, it would be nice to establish a forum (later called the Gakkumdu Center or Integrated Law Enforcement Center) between several parties, such as the police, prosecutors and election supervisors in following up on reports or findings of criminal violations, so that handling election criminal cases will be faster and more effective. . Entering this Nur Hidayat Sardini, then it was made into a book entitled 'Election Oversight Leadership: A Sketch' which was published by Rajawali Press, in 2013⁹.

Second, in the discussion of the preparation of Law no. 7 of 2017 concerning the Implementation of Elections, debates and disagreements also occurred related to election supervisory institutions. This law contains a breakthrough in strengthening the authority of election supervisors in enforcing election law. The most striking new authority of election supervisors is to take action and decide on administrative violations that can be carried out by election supervisors at the central level and with election supervisors at the Regency / City level. In addition to reinforced administrative violations, election supervisors also have the authority to take action on criminal election violations up to the level of sub-district election supervisors in accordance with Article 476 paragraph (1) of Law no. 7 of 2017. The strengthening of other election supervisory institutions also directs election supervisory institutions to be pushed towards quasi-judicial institutions. However, the supervisory function is still attached to the election supervisory Body. Rahmat Bagja (Bawaslu Member 2017-2022) is of the opinion that regarding the two different authorities, election supervisors will not rely on the new authority. Election supervisors will also take maximum precautionary measures before using the new powers to crack down on violations¹⁰

In addition to containing a breakthrough in strengthening the authority of election supervisors in enforcing election law, election supervisors also received reinforcements in the form of

election supervisors at the Regency/City level who became permanent Regency/City Bawaslu. This law also mandates the adjustment of the number of Bawaslu members based on the criteria for population, area, and number of government administrative areas. So that it can be ascertained that the number of election supervisors throughout Indonesia at the provincial and district/city levels will increase in number, which is a maximum of 5 (five) people, from the previous 3 (three) people. So that Law no. 7 of 2017 is considered to have placed the election supervisory Body as an institution that has a large role, function, task and authority, and is often considered to exceed the authority of the Corruption Eradication Commission (KPK).

On the other hand, Didik Supriyanto and his friends in the book 'Strengthening Bawaslu: Optimizing Positions, Organizations, and Functions in the 2014 Elections' published by Perludem Needdem (Association for Elections and Democracy) are included in the drafting of the law. According to him, the performance of election supervisory institutions in carrying out their duties and authorities in the law is still considered not optimal. This is seen based on the performance of the election supervisory Body in the 2009 and 2014 elections as the basis for providing an assessment of this institution. According to Supriyanto and colleagues, 'although after the 2009 election the effectiveness of election monitoring by election supervisors remains questionable, so that the proposal to dissolve this institution has strengthened again, the legislators are of the opinion that an election supervisory body is still needed. This means that it can be said that almost all the demands for the election supervisors to be able to carry out their supervisory functions optimally have been fulfilled, so the election supervisors must really prepare themselves so that their performance will not disappoint again in supervising the 2014 elections later. Jargon alone is not enough, and what is more important is a comprehensive and implementative monitoring strategy'.

What was conveyed by Supriyanto and his friends illustrates that disappointment with the performance of election supervisors still occurs, because this institution fails to build an effective supervisory work, so that election violations often occur everywhere, even election organizers in this case Bawaslu are even more busy fighting. With the KPU at every level. This view was conveyed by Supriyanto and his friends long before the enactment of Law no. 7 of 2017 concerning the Implementation of Elections, which should be included in the discussion of this law.

In a more comprehensive manner, Titi Anggraini (Director of Perludem) has also provided input on the preparation of Law no. 7 of 2017 concerning the Implementation of Elections. According to him, the election supervisory Body has turned into a super body. This enormous authority actually becomes problematic, especially in the operationalization of its duties and authorities. Anggraini, then divided the problem into several aspects, namely; first, the aspect of the institutional concept. Bawaslu as an election integrity enforcement Body is considered not to have a clear concept in design and operation, so that it becomes an institution that appears "patched" in an effort to find a way out of violations and electoral fraud that occurred. The "patchwork" of the authority of the election supervisory Body is increasingly making it unclear the direction of the enforcement of electoral integrity, on the one hand this institution has

become "fat" in its organizational structure, on the other hand, the enforcement of election integrity according to the authority of Bawaslu has no significant success¹¹

The fundamental question of this institutional concept is whether this institution is a pure supervisory Body, quasi-judicial or mixed. If you put this institution into a pure supervisory Body, and still make it one with the KPU with the same legal umbrella, then it is considered more appropriate, as regulated in Law Number 22 of 2007, compared to placing this institution with supervisory authority as well as the duties of a tribunal. Under the same legal umbrella as the KPU. This can lead to friction, even conflicts between institutions where the KPU will be more marginalized, because it seems as if the KPU is a sub-ordination of the election supervisory Body, for example, the election supervisor can annul the KPU's decision, even though the KPU and Bawaslu positions are the same in the law. One effort to resolve this can be done by removing Bawaslu from the electoral administration regime, which is separate from the KPU, or progressively changing its institutional concept to a quasi-judicial institution by handing over full election supervision to the public, or otherwise focusing on aspects of oversight and tribunal affairs. Submitted to existing legal institutions. This is to further ensure that this institution in the concept of election management falls into what design category it is, or what gender it is¹².

The second aspect, namely the implementation of authority. The supervisory duties, handling of election violations and disputes owned by this institution have not been properly integrated into a single unit that mutually reinforce each other, or there are contradictions that cause inconsistencies in the enforcement of electoral justice within the framework of elections with integrity, for example, how many reports on the results of supervision are carried out. by election supervisors in the field that cannot be followed up or processed in handling violations. This shows that the integration of the supervision model with the handling model has not been carried out properly, so the results of supervision are only limited to seeing, observing and just taking notes. The absence of a connectivity relationship between these authorities causes the low level of legal products and policies from Bawaslu that can be seen and felt by the public directly in elections. Problems with the implementation of other authorities, such as the case of the determination of the Crescent Star Party (PBB) in the verification of candidates for the 2019 general election. The results of Bawaslu supervision in the verification process carried out by the KPU approved the KPU's decision that the PBB was deemed ineligible (TMS) to participate in the 2019 election. But at the trial of the dispute submitted by the United Nations to Bawaslu it was decided that the United Nations met the requirements and could participate in the 2019 election. This shows the contradictions and inconsistencies of Bawaslu in the implementation of the existing authorities. Some examples of problems related to the implementation of this authority often occur, because the dual powers that make Bawaslu decisions overlap, not to mention overlap with decisions of other electoral institutions¹³.

Another thing that is also a concern in the implementation aspect is the lack of innovation and breakthroughs in dealing with the authority possessed related to the supervision of the election stages, even though election violations and fraud do not only lie in the technical implementation of the election stages. The issue of money politics, political dowry and the neutrality of ASN

has never been taken seriously by Bawaslu because of the pretext of difficulties in proving, including campaign funds which became a topic of discussion in the community during the general election. In fact, these issues are then stated in the substance articles in Law 7 of 2017 which must be followed up by election supervisors. This means that it is difficult to implement the assessment of the many tasks and powers of election supervisors for various reasons¹⁴

The third aspect, Human Resources. Bawaslu's large task and authority also encourages the need for competent human resources. The ability and expertise in understanding their duties and authorities is the most important thing needed, because the scope of work of Bawaslu is not only the substance of supervision, but also legal procedural skills. What is ironic is that on the one hand, the duties and authority of Bawaslu have been strengthened to become a super body, on the other hand, the rules regarding the recruitment of Bawaslu members have not changed the degree of competence required. In reality then, Bawaslu members from the central to the regional levels were recruited with qualifications of expertise and experience that did not specifically reflect the heavy duties and authorities. This recruitment model has also become a criticism in itself because apart from the provisions in the law, which are weak, and also the practice of patronage often occurs¹⁵.

And the fourth aspect, a big budget. The large tasks and authorities certainly have implications for the form of a large institutional organization, and in the end this institution requires large funding. In translating the duties and authorities of Law Number 7 of 2017 concerning the Implementation of Elections, all membership of election supervisors at the national, provincial and district/city levels are permanent, with a term of office of five years. Even though we know that elections or regional elections that are part of the task of Bawaslu in the Province and Regency/City are not carried out every year¹⁶.

On a different occasion, Hasyim Asy'ari (Member of KPU RI 2017-2022) expressed his views on the existence of an election supervisory Body at the time of drafting Law no. 7 of 2017 concerning the Implementation of Elections. He is of the view that there will be a polemic between the election supervisors and the KPU due to unclear regulations and overlapping powers between the election supervisors and the KPU. Asy'ari said that previously the KPU and election supervisors had often disagreed regarding the decisions or products of their respective regulations, according to him, this should no longer happen. Strengthening election supervisory institutions should not conflict with the duties and authorities of elections, which will create conflict between election administrators, and can disrupt the ongoing elections¹⁷.

The above explanations become an argument for researchers to pursue what lawmakers really want regarding the design and concept of election supervisory institutions in Indonesia through the roles, functions, duties and authorities of organizers in any changes to the law on election supervisory institutions. The evolution of this election supervisory Body will either continue to occur in line with the needs for holding elections, or will only be sporadic and partial according to the needs of political parties, so that it will face obstacles at the level of implementation. This can then be known through a study of actors, processes and structures for any changes to existing laws, by drawing a common thread about the design of the right election supervisory Body in Indonesia in the future.

In addition, in pursuing what the legislators wanted regarding the design and concept of election supervisory institutions in Indonesia, the researchers did not limit themselves to the role of political parties in the DPR, but also pursued the attitude of the government at the time of drafting the law, including the political parties. Academics to complete the facts that actually occurred in the process of drafting the institutional law for election supervisors in Indonesia.

5. DPR and Law on Election Oversight Institutions: Non Power Interplay

A quiet discussion at least that is what is illustrated in the discussion of each Law on Election Supervisory Institutions. This condition is different when discussing other technical and non-technical election rules. It can be said that the DPR has a strong interest in this institution. Then what is the interest? The interest is to maintain the voice, and a place to seek justice according to the interests of political parties. The absence of serious power interplay illustrates that the interests of Political Parties in the DPR are well maintained, and must be properly safeguarded. It is not surprising that this institution is always given new attribution of authority, but the concept of EMB is not clear. So it can be said that the Election Supervisory Body belongs to a political party.

Power interplay is the political interaction of a combination of various previously different and separate actors in a process of making a decision or policy. In the theory of power interplay, it is known as coalition formation as proposed by James G. March¹⁸, which is explained as a source of power functions and relations. March, stated that this coalition formation was carried out to gain more power over certain policies, a number of actors in a coalition to increase their power compared to other actors. The concept of coalition formation in power interplay is used to test whether a coalition formation will always occur in a drafting law. This test is carried out on the preparation of laws related to the roles, functions, duties and authorities of election organizers. 5 (five) discussions of the law related to election supervisors always decide on the addition of the roles, functions, duties and authorities of the election organizers, not the other way around, namely reductions. This means that the issue of election supervisors is an issue that is of interest to all political parties, so how coalition formation in the theory of power interplay explains and reaches this empirical issue is not proven¹⁹.

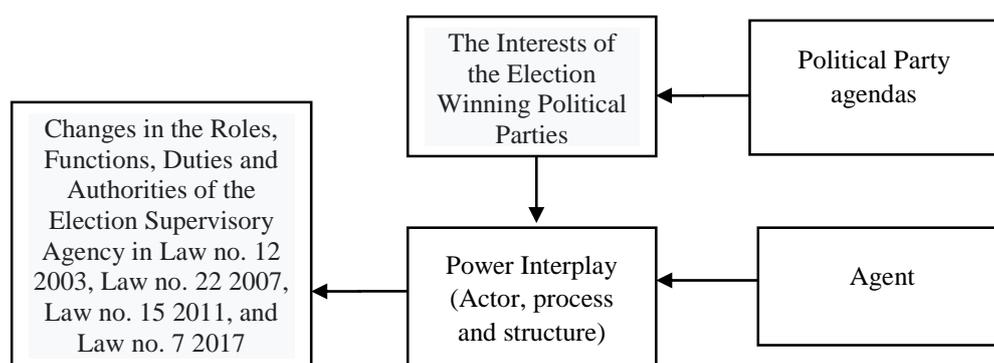
March then explains the characteristics that drive the struggle and balance of power in the pattern of power relations between actors, both in power and not in two categories. First, there is a multilevel structure in power, where one or a group of actors tends to want more power than other actors or groups. Second, every time the use of power (power exercise) tends to have an impact on the power of the actor himself. For example, the power that comes from wealth resources will decrease every time it is used. In other cases, the power applied causes reactions from other actors, such as supporting, taking advantage (free riding), compensating, or opposing. If the power of one actor is too dominating and threatens other actors, the reaction to compensate can be greater. March's views will also be tested in order to see how the formulation of laws related to the role, duties and authorities of the election supervisory Body by political parties in the DPR will be examined. Is that the balance and pattern of power relations between actors, or is there another pattern of relations beyond March's explanation.

The modelling of this relationship pattern serves to clarify the study of the power interplay of drafting laws related to the roles, duties and authorities of the election supervisory Body, which is expected to provide an explanation of how the policy process operates and most importantly who controls or dominates and benefits from the policy. And the results did not find a significant relationship pattern.

In addition, institutionalism and elite approaches are also used to help solve the problems in this research. A formal institutionalist approach can provide a focus on the policy-making process, and can be used to help explain what happens in the formation of legislation. It is known that the discussion of laws in the DPR cannot be separated from the role of the Special Committee (Pansus) or the Working Committee (Panja) which was formed by the DPR itself, including the existence of Commission 2 which is in charge of the election of these institutions. How these institutions should operate, analyze the resulting public policies, or to find the relationship between institutional structures and public policies by focusing on the political process within political institutions will also be considered by researchers. The concentration in this political process lies in the behavior of the participants and the political reality, not formalism, which starts from a static to a dynamic perspective. In this case, it is known that proposals coming from structures outside the DPR were not taken into consideration at all in drafting the law.

While the theory (elite theory) in this case will focus on public policies which are a reflection of the values and preferences of the ruling elite whose preferences are carried out and enforced by public officials and agencies and are not determined by the demands and actions of the people. Thomas Dye and Harmon Zeigler in Anderson²⁰, provide a summary of elite theory, namely 1) few people have power, 2) rulers do not reflect the conditions of the people, 3) the slow movement of non-elite to elite positions, 4) elites share a consensus on the basic values of the system. social and system preservation, 5) Public policies do not reflect the demands of the masses and are incremental rather than revolutionary, 6) Elites may act from narrow self-serving motives and risk undermining mass support, or they may initiate reforms, stop abuses, and carry out programs that involve society to preserve the system and place in it, 7) The active elite is subject to little direct influence from the apathy of the masses and the elite affects the masses more than the masses influence the elite. In this context, the contents of the Law on Election Oversight Institutions slightly contain the public's interest in electoral practice, including the protection of their constitutional rights.

Table 3. Modelling of Ideal Law Preparation



6. Cover

It can be said that the substance of the discussion of the Law regarding election supervisory institutions is not as complicated as the discussion of other laws, because all political parties in the DPR have the same interest in expecting the Election Supervisory Body to guarantee their interests, so it is only natural that all proposals and input positive nature is easily accommodated in the discussion of every discussion of the Law related to the Election Supervisory Body. So the hypothesis in this research is proven that;

Changes in the role, function, duties and authorities of the election supervisory Body in 5 (times) changes in Law no. 12 of 2003, Law no. 22 of 2007, Law no. 15 of 2011, and Law no. 7 of 2017 is full of the interests of political parties, thus causing this institution to only be a tool to protect political parties from all forms of fraud that will harm political parties in every election. This affects the election supervisory agencies continue to be given additional attribution of roles, functions, duties and authorities without thinking about the ideal institutional design, and not as a form of appreciation but for the interests of political parties themselves.

The attribution of the role, function, duty and authority of the election supervisory Body which is a significant addition and reinforcement to any changes to the law, is more to the fear of political parties, especially the parties that get the most votes, so that their parties are not cheated by practices involving institutions, group or person per person. This can be seen from the substance of the crucial issue in the articles of the changed law.

7. Recommendations

The Election Supervisory Body must be returned to its main function in accordance with the name of the institution from the beginning, namely to carry out the function of supervising the implementation of elections as stated in Law no. 22 of 2007, by strengthening prevention and socialization. Other powers are delegated to other institutions according to their functions. This is determined to make this institution lean, effective and efficient. The proposal for the Election Supervisory Agency to become an electoral justice institution (tribunal) will further distance this institution from the community, given the low level of public participation and the weak institutional organization/electoral observer in participating in supervising elections in Indonesia. The DPR must stop giving additional powers to the Election Supervisory Agency on an ongoing basis based on election problems in the field. This causes this institution to lack clarity of concept and institutional design which makes this institution not independent and professional due to the obvious intervention of political parties through the DPR.

Bibliography

Books:

Abdul Halim "Politik Lokal: Pola, Aktor dan Dramaturgi", 2010.

Anderson, J.E., and Public Policymaking: An Introduction, Boston: Houghton. Mifflin Company, 2003

Andrew Heywood., Politik, Jakarta; Pustaka Pelajar, 2014

- Alfian & Nazaruddin Sjamsuddin (ed), *Profil Budaya Politik Indonesia*, Jakarta, Garfity, 1991.
- Almond, Gabriel and Verba, the *Civic Culture, Political Attitudes and Democracy in Five Nation*, Sidney, Rainbow Bridge Book Co, 1965.
- Ananta, Aris, Evi Nurvidya Arifin, Leo Suryadinata, *Indonesian Electoral Behavior A Statistical Perspective*, ISEAS, National University of Singapore.
- Apter, David E., *Pengantar Analisa Politik*, Jakarta, LP3ES, 1988.
- Arora., N.D., and Awasthy, S.S., *Political Theory*, New Delhi: Har-Anand, 2008
- Azed, Abdul Bari & Makmur, Amir, *Pemilu dan Partai Politik di Indonesia*, Jakarta, Pusat Studi Hukum Tata Negara Fakultas Hukum UI , 2006.
- Bailey, Kenneth D, *Method of Social Research*, London, the Free Press, College MacHillan Publisher, 1982.
- Badan Pengawas Republik Indonesia. (2015). *Indek kerawanan Pemilu pada Pilkada 2015*. Jakarta: Bawaslu RI
- Badan Pengawas Republik Indonesia. (2020). *Evaluasi Penyelenggaraan Pemilu 2019 Pengawasan dan Penegakan Keadilan Serentak*, Jakarta: Bawaslu RI
- Bawaslu RI. (2018). *Indeks Kerawanan Pemilu 2019*. Jakarta: Bawaslu RI
- Birch, S, & Muchlinski, D, *Electoral Violence: Pattern and Trends*, In H, A, Garnett, & M. Zavadskaya, *Electoral Integrity and Political Regimes* (p. Chapter 6), New York: Routledge
- Bingham Powell, Jr, *Contemporary Democracies, Participation, Stability and Violence*, sebagaimana dikutip oleh Afan Gaffar, dalam Alfian dan Nazaruddin Sjamsuddin, *Profil Budaya Politik Indonesia*, Jakarta, Grafity, 1991.
- Bourchier, David & Vedi R, Hadiz (ed), *Indonesian Politics and Society, A Reader*, London and New York, Routledge Curzon, 2003.
- Budiarjo, Miriam (peny), *Aneka Pemikiran Tentang Kuasa dan Wibawa*, Penerbit Sinar Harapan, 1986.
- Budiarjo, Miriam, *Partisipasi dan Partai Politik*, Jakarta, Gramedia, 1989.
- Dasar-dasar Ilmu Politik*, Jakarta, Gramedia, 1977.
- Election of the Political Order*, New York, Dohn Wiley and Sons, Inc., 1967.
- Carter, D. (2010). *Electoral Systems and Election Management*. diunduh di [https://www. researchgate.net/ publication/237654779](https://www.researchgate.net/publication/237654779) tanggal 8 Oktober 2018
- Creswell. J. W., *Research Design: Pendekatan Metode Kualitatif, Kuantitatif dan Campuran* (edisi keempat) 2018
- Croissant, Aurel, Gabriele Bruns, Marrei, *Politik Pemilu di Asia Tenggara dan Asia Timur*. Friedrich-Ebert-Stiftung (FES) Indonesia, Singapore, 2002.
- Dahl, Robert A, *Democracy and Its Critics*, New Haven and London, Yale University Press, 1989.
- Daniel S. Lev., *Islamic Courts in Indonesia: A Studi in the Political Bases of Legal Institution*. University of California Press, 1972
- Darnolf, S. Ellena, K. Lippolis, E. Shein, E & Vickery, C.(2015). *Election Audits: International Principles That Protect Election Integrity*. Washington: International Foundation for Electoral System (IFFS)
- David L. Sills., *Interntional Encyclopedia of Sosial Science Vol. 1 and 2*, 1972
- De Tocqueville, Alexis, *Revolusi Demokrasi dan Masyarakat*, Yayasan Obor Indonesia, Jakarta, 2005.
- Pemilihan Umum di Indonesia: Saksi Pasang Naik dan Surut Partai Politik*, Prisma, X/9, September, 1977.
- Diamond, Larry, *Developing Democracy, Toward Consolidation*, Jhon Hopkins University, 1999.

- Diamond, Larry; Juan J; Lipset; Saymor Martin, Democracy and Developing Countries, Asia Lynne Rienner Publisher inc., 1989.
- Douglas W. Rae (Eds), Electoral Law and Their Political Consequences, Aghaton Press, New York, 1986
- Eklit, J & Reynolds, A. Framework for the Systematic Study of Election Quality. Democratization, 2005
- Emerson, Donald K, Indonesia's Elite Political Culture and Cultural Politics, Ithaca and London, Cornell University Press, 1976.
- Feith, Herbert, Pemilihan Umum 1955 di Indonesia, Jakarta, Gramedia, 1999.
- Feith, Herbert and Costles, Lnce (ed), Indonesia Political Thinking 1945-1965, Ithaca and London, 1970.
- Finkle, Jason L., and Gable, Richard W, (ed), Political Development and Social Change, University of Michigan and University of California, 1966.
- Foundation, The Asia, Demokrasi di Indonesia; Sebuah Survey Pemilih Indonesia 2003, The Asia Foundation, Jakarta, 2003.
- Politik Indonesia, Transisi Menuju Demokrasi, Jakarta, Pustaka Pelajar, 1999.
- Ginsberg, Benyamin, the Consequence of Consent: Election, Citizen Control and Popular Acquiescence, Cornell University, Addison Wesley Publishing Company, 1982,
- Gregory, Ann, Recruitment and Factional Patterns of the Indonesian Political elite: Guided Democracy in The New Order, Columbia University, 1976.
- Goodlin, Robert E & Kligemann, Hans-Deiter, a New Handbook of Political Conflict: Theory and Research, New York, the Free Press, 1980.
- Haris, Syamsuddin, Pemilu Langsung di Tengah OLigarki Partai, Proses Nominasi dan Seleksi Calon Legislatif Pemilu 2004, PT Gramedia Pustaka Utama, Jakarta, 2005.
- Haynes, Jeff, Democracy and Civil Society in the Third World: Politics and New Political Movement s, USA, Polity Press & Blackwell Publisher Inc., 1977.
- Hirano, S. & Synder Jr. M, James. (2014). Primary Elections and the Quality of Elected Ocials. Paper. Columbia University & Harvard University.
- Hill, Michael, the Policy Process in the Modern State, England, Prentice Hall/Harvester Wheatsheaf, 1977.
- Huntington, Samuel P, Gelombang Demokrasi Ketiga, Jakarta, Grafiti, 1955.
- "Political Development and Political Decay", World Politics, 1965.
- Political Order in Changes Societies, New Haven, Yale University Press, 1968.
- Countries, Cambridge, Massachusetts and London, Harvard University Press, 1976.
- IDEA, (International Institute for Democracy and Electoral Assistance). "Electoral Management Design: The International Idea Handbook", 2006
- Jackson, Karl D, and Pye, Lucian W., (ed), Political Power and Communication in Indonesia, Berkeley, Los Angeles, London, University of California Press, 1978.
- Jim Schiller (ed), Jalan Terjal Reformasi Lokal: Dinamika Politik Indonesia, Program Pascasarjana Politik Lokal dan Otonomi Daerah Universitas Gadjah Mada Yogyakarta, 2003.
- Kevin Raymond Evans, Sejarah Pemilu dan Partai Politik di Indonesia, Jakarta, Arise Consultancies, 2003.
- Keman., Hans, Comparative Methodology, London: Sage Published, 1999

- La Palambora, Joseph and Weiner, Myron (ed), Political Parties and Political Development, Princeton, New Jersey Press, 1966.
- Lati Praja Delmana, Aidinil Zetra dan Alfian Miko, Kontruksi Indikator dan Formula Penilaian Kualitas Pemilihan Umum di Indonesia, JPPUMA: Jurnal Ilmu Pemerintahan dan Sosial Politik UMA (Journal of Governance and Political Social UMA), 7 (1) 2019
- Lawrence Le Duc, (eds) "Introduction" bagi Comparing Democracies: Election and Voting Global Perspective, Thousand Oaks, Sage Publication, 1996.
- Liddle, R. William, Pemilu-pemilu Orde Baru, Pasang Surut Kekuasaan Politik, Jakarta, LP3ES, 1992.
- Lipton, Leisley, the Democratic Civilization, New York, Fefer and Simons Inc., 1996.
- Mar'iyah, Chusnul, Urban Political Conflict in Australia: The Redevelopment of Inner Sidney, Disertasi Ph.D, Department of Government the University of Sidney.
- Norris, P. Frank, and R. Martinez, F. (2013). "Assessing the Quality of Election". Journal of Democracy. 24 (4):124-135
- Norris P, Frank, R.W & Martinez, Measuring Electoral Integrity around the World: A New Data Set, Political Science and Politics
- National Conference of State Legislatures (2019). Post-Election Audit. Diunduh di <http://www.ncsl.org/research/elections-and-campaigns/post-election-audits635926066.aspx> tanggal 05 Januari 2019
- Nur Hidayat, Dedy, Metode Penelitian Kalitatif dan Kuantitatif (Kumpulan bahan Kuliah), Jakarta, PPs UI, 2003.
- Peter Bacrach dan Morton S. Baratz., Two Pace of Power., American Political Science Riview 56, 1962
- Rauf, Maswadi, "Teori Demokrasi dan Demokratisasi", Pidato Pengukuhan Guru Besar tetap pada Fakultas Ilmu Sosial dan Ilmu Politik Universitas Indonesia, Jakarta, 1 November 1997.
- Rexha, B. Murturi, I. Shabani, I. & Rexhepi, A. (2016). Improving Quality of Election Process Using Crowdsourcing Techniques. International Journal of Applied Mathematics, Electronics and Computers. 4(4):107-112
- Ramadhanil, dkk. (2015). "Desain Partisipasi Masyarakat Dalam Pemantauan Pemilu".Handbook. Kemitraan Pembaharuan Tata Pemerintahan di Indonesia, "Sistem Pemilihan Umum di Indonesia", Sebuah Laporan Penelitian, Tim Peneliti Sistem Pemilu, Jakarta, Sinar Harapan & LIPI, 1998.
- Nasution, S., Metode Penelitian Naturalistik Kualitatif, bandung, TARSINDO, 1988.
- Reilly, Ben dan Reynold, Andrew. Sistem Pemilu (terjemahan), Tim IFES Indonesia, 2011
- Robert A. Dahl., the Concept of Power. Department of Political Science, Yale University, 1957
- Robert E. Goodin., the Theory of Institutional Design, Cambridge University Press, 1996
- Neuman, W. Lawrence, Social Research Method: Qualitative and Quantitative Approach, Boston, Allyn&Bacon, 1997.
- Neuman, Sigmund, Modern Political Parties, dalam Haryy Eckstein and David E. Apter (ed), Comparative Politics: A Reader, New York, Free Press, 1963.
- Nohlen Dieter, Election and Electoral Systems, New Delhi, Macmillan India Limited, 1996.
- O'Donell, Guilermo, and Philipe Scmitter dan L. Whitehead, Transition from Authorian Rule: Prospects for Democracy, Vol. 3, Baltimore, Jhon Hopkins Press, 1986.

Rauf, Maswadi, *Konsensus dan Konflik Politik, Sebuah Penjagaan Teoritis*, Jakarta, Direktorat Jenderal Pendidikan Tinggi Departemen Pendidikan Nasional, 2001.

“Demokrasi dan Demokratisasi: Penjagaan Teoritis Untuk Indonesia” dalam seri penerbitan studi politik, Bandung: kerjasama LIP FISIP UI dengan Mizan, 1998.

Roosmalawati, *Seminar Metodologi Kualitatif, Bahan Kuliah Research Design PPS UI*, Jakarta, 2002.

Salim, Agus, *Teori dan Paradigma Penelitian Sosial*, Yogyakarta, Tiara Wacana, 2006.

Sanit, Arbi, *Sistem Politik Indonesia: Kestabilan, Peta Kekuasaan Politik dan Pembangunan*, Jakarta, Rajawali, 1984.

Sanit, Arbi, *Partai, Pemilu, dan Demokrasi*, Yogyakarta, Pustaka Pelajar, 1997.

Sehat, C.M. (2015). *Observing (And Assessing) the Good Election New Approaches to Electoral Obligations and Integrity from the Carter Center*. The carter center. Electoral Risk Management Conference. The carter center

Sorensen, G., *Demokrasi dan Demokratisasi*, Yogyakarta, Pustaka Pelajar.

Surbakti, R. Supriyanto, D. Santoso, T. (2008). “Perekayasaan Sistem Pemilihan Umum Untuk Pembangunan Tata Politik Demokratis”. Jakarta: Kemitraan bagi Pembaharuan Tata Pemerintahan di Indonesia

Saleh, T. (2006). *Surplus atau defisit demokrasi? Pilkada dibanyak daerah*”Opini Jawa Pos. 8 Juni 2006

Sjamsuddin, Nazaruddin, *Dinamika Sistem Politik Indonesia*, Jakarta, Gramedia, 1993.

Surbakti, Ramlan, *Memahami Ilmu Politik*, Jakarta, Gramedia, 1998.

Steven Lukes., *Power: Radical View*. London Macmillan, 1974

The Carter Center. (2014). *Election Obligations and Standards a Carter Center Assessment Manual*. Handbook. Atlanta: One Copenhill

The Ace Electoral Knowledge Network. (2014). *Measuring the Quality of Election*. Diunduh di <http://aceproject.org/ace-en/focus/measuring-electoral-quality>. tanggal 7 Oktober 2018.

Utari, I.S. (2016). *Pencegahan Politik Uang dan Penyelenggaraan Pilkada yang berkualitas: Sebuah Revitalisasi Ideologi*. Seminar Nasional Hukum. 2 (1):451-474

Viendenberg, *Metode dan Teknik Penelitian Masyarakat*, Jakarta, Gramedia, 1977.

Varma, S, P, *Teori Politik Modern*, Jakarta, Rajawali Press, 1990.

Zein, K. (2014). *Laporan Evaluasi Pemilu 2014*. Jakarta: Lembaga Penelitian Pendidikan Penerangan Ekonomi Sosial (LP3ES).

Zuckerman, Alan S, *Doing Political Science: An Introduction to Political Analysis*, Westview Press, Oxford, 1991.

Interviews:

Titi Anggraini (Diktur Perludem) pada tanggal 19 Maret 2021, pukul 11.06 – selesai melalui telepon.

Nur Hidayat Sardini (Ketua Bawaslu 2008-2011) pada tanggal 22 April 2021, pukul 13.19 – selesai melalui telepon.

Hasyim Asy’ari (Anggota KPU) pada tanggal 5 Maret 2021, pukul 13.0 – selesai, di Kantor KPU Jl. Imam Bonjol No. 29 Jakarta Pusat

Laws:

Undang-Undang Nomor 12 Tahun 2003 tentang Pemilihan Umum Anggota Dewan Perwakilan Rakyat, Dewan Perwakilan Daerah Perwakilan Rakyat Daerah.

Undang-Undang No. 22 Tahun 2007 Tentang Penyelenggara Pemilu

Undang-Undang No. 15 Tahun 2011 tentang Penyelenggara Pemilu

Undang-Undang No. 8 tahun 2015 tentang Perubahan atas Undang-Undang No. 1 Tahun 2015 tentang Penetapan Peraturan Pemerintah Pengganti Undang-Undang Nomor 1 Tahun 2014 tentang pemilihan Gubernur, Bupati dan Walikota menjadi Undang-Undang. Undang-undang

Undang-Undang Republik Indonesia Nomor 7 Tahun 2017 Tentang Penyelenggaraan Pemilu, Kementerian Hukum dan Hak Asasi Manusia, 2017

News:

Koran Tempo, 16 Februari 2010, dalam lipi. go.id/berita/lipi-usul-bubarkan-bawaslu/5451

Rumahpemilu.org. Rezim Penegakkan Hukum Pemilu Makin Kuat, Posted on Oktober 2, 2017