



Legal Challenges and Enforcement Strategies: Bawaslu’s Role in Addressing Election Violations in Indonesia’s 2024 Simultaneous Elections

History of Author	Abstract
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Introduction

The election is an important momentum for the people of Indonesia. This is because with the implementation of elections, people have the opportunity to legally elect state leaders. In addition, the community can determine the future of the Indonesian nation in the next five years. Therefore, in making the election a success is not only the responsibility of a few people, but it has become the responsibility of all Indonesian citizens.¹ This is because public involvement in elections is used as an important factor in the sustainability of democracy in Indonesia. Nyanyu in Setiawan said that differences in choices are made a natural thing in the dynamics of democracy.² Therefore, to avoid division, it is necessary to have an attitude of mutual respect for each other to create a peaceful and tolerant democracy so that it can create elections that uphold the value of unity and unity of the Indonesian nation.

In the implementation of elections, Bawaslu has an important role in overseeing the election process. This is because Bawaslu as an election supervisor must work professionally and transparently so that the public can trust what Bawaslu is doing. Jamrin said that in election contestation, Bawaslu in stages must be better and of quality both in terms of output and outcome. The quality of the election is determined by three things, namely the first is the organizer of Bawaslu and KPU, the

¹ Hilmi Setiawan, “Masa Tenang Pemilu 2024 Jadi Momentum Merenung Untuk Pastikan Pilihan,” *Jawapos.Com*, 2024, <https://www.jawapos.com/politik/014148492/masa-tenang-pemilu-2024-jadi-momentum-merenung-untuk-pastikan-pilihan>.

² Setiawan.

second is the election participants, and the third is the voters. If the three components can work in accordance with election principles, it will create quality and integrated elections.³

However, in reality, what happened in the 2024 election Bawaslu found many problems. Bawaslu found 19 problems, 13 of which were during voting and six problems with the implementation of calculations.⁴ One of them is the problem of mobilization or direction of voter choice carried out by the success team, election participants, and election organizers, the case was found in ten provinces, including Central Java, East Java, West Java, DKI Jakarta, Banten, North and South Sumatra, Lampung, Riau, and Yogyakarta. In this case, Bawaslu needs to act wisely in resolving the problem so that no one is harmed.

The problems that occur in the election are a big challenge, especially for Bawaslu because Bawaslu is an institution that oversees the election process. The challenges found in the election include the existence of identity politics, the existence of money politics, and the violation of the neutralization of the ASN, TNI/POLRI, and the emergence of many hoaxes' news. This is a big challenge for Bawaslu to prevent these problems from occurring so that elections are not held. In this case, Bawaslu has an important role in helping to enforce laws that are violated by the Indonesian people. With the role and efforts made by Bawaslu, it can enforce policies as fairly as possible to violators. This is because Bawaslu has the authority to resolve disputes and problems in the election. Therefore, in the implementation of supervision, Bawaslu needs to cooperate with stakeholders from all elements in order to create safe, peaceful, and prosperous elections so that they can produce leaders who are qualified, honest, fair, and leaders who are not only intellectually smart, but critical, and have solutions in solving problems, and have moral values so that they can advance the Indonesian state to a better and more advanced state.

This study is only focused on Bawaslu's challenges in law enforcement in the 2024 simultaneous elections. Thus, the purpose of this study is to find out Bawaslu in law enforcement in violation of the 2024 simultaneous elections.

The research relevant to this research was carried out by Yulianto in his research entitled Problems and Challenges in Dispute Resolution of the Election Process and the 2024 Election which was published in the Journal of Election Justice, Volume 2, Number 1.⁵ This study focuses on the problems and dispute resolution of the election process and the 2024 election. The results of this study show that the disharmony of regulations, the quantity and quality of resources of the election supervisors as well as the fulfillment of facilities and infrastructure in resolving disputes in the election or election process in practice still have obstacles and obstacles. Therefore, facing the 2024 Election or Election, an internal strategy is needed in the form of efforts to harmonize regulations, strengthen the quantity and quality of election supervisors, and fulfill the facilities and infrastructure for handling dispute resolution at Bawaslu. The external strategy is in the form of maximizing the function of regulatory socialization and building understanding between stakeholders to improve the quality of Indonesian democracy. The similarity of this research with the author is that they

³ Qadri, "Pentingnya Peran Bawaslu dalam Mengawal Proses Pemilu 2024," *Sulteng.Bawaslu.Go.Id*, 2022, <https://sulteng.bawaslu.go.id/pentingnya-peran-bawaslu-dalam-mengawal-proses-pemilu-2024/>.

⁴ Yefta Chrostopherus Asia Sanjaya and Ahmad Naufal Dzulfaroh, "Bawaslu Temukan 19 Masalah Dalam Pemilu 2024, Berikut Rinciannya," *Kompas.Com*, 2024, <https://www.kompas.com/tren/read/2024/02/19/100000065/bawaslu-temukan-19-masalah-dalam-pemilu-2024-berikut-rinciannya>.

⁵ Yulianto, "Problematisa Dan Tantangan Penyelesaian Sengketa Proses Pemilu Dan Pemilihan Tahun 2024," *Jurnal Keadian Pemilu*, no. 1 (2024): 75-90.

both discuss the challenges of the 2024 election. The difference between this study and the author is that this study focuses more on the problems and dispute resolution of the election process and the 2024 elections, while the author focuses more on the challenge of Bawaslu in enforcing penalties for violations of the 2024 simultaneous elections in Indonesia.

Other relevant research was also conducted by Devi & Tapa in their research entitled *Challenges and Risks Faced in the 2024 Election* published in *Bernas: Journal of Community Service*, Volume 5, Number 3.⁶ This research only focuses on the challenges and risks of the 2024 election. The results of this study show that there are the same problems in the implementation of elections, one of which is in logistics to ensure ballot boxes, ballots and all necessary data so that they are not constrained in distribution to each polling station, avoiding damage to ballots, shortage of ballots, and exchanged ballots. In addition, the purpose of this socialization is to introduce how in this election we are required to participate at the time of voting, and to ensure that students use their voting rights properly. The similarity of this research with the author is that they both discuss the challenges of the 2024 election. The difference between this research and the author is that in this study it is more about the challenges and risks in facing the 2024 elections, while the author is more about the challenges carried out by Bawaslu in enforcing punishment to people who violate. In this case, it shows that there is a blank space for research on Bawaslu's challenges in enforcing the law in the 2024 simultaneous elections. This makes researchers interested in researching more deeply.

This research is very important to carry out because research that discusses the 2024 election is still minimal. In addition, there has been no research on Bawaslu's challenges in enforcing the law against people who violate the 2024 elections. Thus, with this research, it fosters awareness to the public to jointly play an important role in maintaining democracy in Indonesia so that this research is important for the progress of elections in the future. The reason for the author to conduct this research is first, there is still a lack of public knowledge about the challenges experienced by Bawaslu in the election. Second, the lack of public awareness in the problems that arise in the election. Third, the lack of cooperation carried out by Bawaslu to stakeholders. Fourth, the lack of strict supervision in the election so that it triggers problems. Fifth, this research can help minimize problems in law enforcement in simultaneous elections so that this research can create upcoming elections so that there are minimal violations so that they can produce fair and honest leaders who bring change for Indonesia in a better direction.

The approach used in this study is a library research analysis where to analyze the challenges of Bawaslu in enforcing violations of the law in Indonesia in the 2024 simultaneous elections which are then analyzed qualitatively descriptive literature or bibliographic research because it relies on documentation in the form of articles, journals, books, and theories to be used as literature. This type of research is descriptive using a qualitative approach because the data produced is in the form of data descriptions. Qualitative research emphasizes more on meaning.⁷ The use of this method is expected to support researchers to obtain information accurately. The object used in this study is the 2024 simultaneous elections in Indonesia. The data sources used in this study are through articles,

⁶ Ni Komang Ayu Trisna Devi and I Gede Fery Surya Tapa, "Tantangan Dan Risiko Yang Dihadapi Dalam Pemilu Tahun 2024," *BERNAS: Jurnal Pengabdian Kepada Masyarakat* 5, no. 3 (2024): 2009–13.

⁷ Faridhatun Nikmah, "Tripot as an Effort to Support Sustainable Religious Tourism on the North Coast of Demak Regency," *Southeast Asian Language and Literature Studies (SALL) Journal* 1, no. 1 (2024): 1–20, <https://doi.org/10.1990/salls.v1i1.4125>.

journals, books, theses, dissertations, and so on that are relevant to this research, which includes Bawaslu's challenges in law enforcement regarding violations of the 2024 election.

The data collection technique used in this study is through note-taking and literature techniques. The record technique is used to record important information regarding Bawaslu's challenges in law enforcement for violations of the 2024 simultaneous elections in Indonesia. Literature techniques are carried out by associating data with theories relevant to the research to obtain maximum results.

The data analysis technique is carried out interactively and lasts continuously until the data is complete.⁸ Miles and Huberman in Nikmah divide the data analysis process into three main components which include data reduction, data presentation, and conclusion extraction or data verification.⁹ Data reduction is carried out by collecting data on Bawaslu's challenges in enforcing the law regarding violations of simultaneous elections in Indonesia in 2024. The presentation of data was carried out by presenting data on the challenges and role of Bawaslu in enforcing the law regarding violations of simultaneous elections in Indonesia in 2024. Furthermore, conclusions were drawn from the data, which were then supported by theories relevant to research regarding the challenges and roles, challenges and roles of Bawaslu in enforcing the law regarding violations of the 2024 election in order to obtain maximum research results.

Challenges of the 2024 Simultaneous Elections

The 2024 election presents various significant challenges that must be addressed to ensure a fair and democratic process. These challenges are critical as elections are the cornerstone of democracy, requiring collective effort to overcome obstacles effectively. The challenges can be broadly categorized into four main areas: political issues, money politics, the neutralization of state civil apparatus (ASN), the Indonesian National Armed Forces (TNI), and the Indonesian National Police (Polri), as well as the rampant spread of hoaxes and misinformation.

Political challenges involve maintaining stability and ensuring a level playing field for all parties, which is essential to prevent manipulation or undue influence. Money politics, on the other hand, poses a severe threat to the integrity of elections, as it undermines the principles of fairness and equality by allowing those with financial power to sway voter decisions. Furthermore, ensuring the neutrality of ASN, TNI, and Polri is vital to avoid misuse of state power that could compromise the election's credibility.

Lastly, the spread of hoax news is a pressing issue in the digital age, where misinformation can rapidly shape public opinion and disrupt social harmony. Tackling these challenges requires collaborative efforts from election commissions, government bodies, civil society, and voters to uphold the integrity of the democratic process. Addressing these issues will be instrumental in ensuring the success of the 2024 election and safeguarding the democratic principles it represents.

⁸ Faridhatun Nikmah, "Analisis Struktural Dan Relevansi Pembelajaran Bahasa Indonesia Pada Novel Emak Karya Daoed Joesoef," *Lingua* 16, no. 2 (2020): 161-72, <http://journal.unnes.ac.id/nju/index.php/lingua>.

⁹ Faridhatun Nikmah, "Analisis Makna Konotatif dalam Dakwah Ustaz Hanan Attaki (Kajian Semantik)," *Jurnal Bahasa Lingua Scientia* 11, NO. 2 (2019): 1-10.

Identity Politics

Identity politics is a political tool that is practiced for a specific purpose by groups. In the implementation of the 2024 elections, this issue is considered important to discuss. This is because because of looking for votes based on similarities, this politics becomes negative when used in an extreme way. Moreover, Indonesia is a country that adheres to democracy. The support that should be obtained from the assessment of each individual, is instead based on the same identity. Syafii in Prinada said that identity politics focuses on differences in body assumptions, ethnic politics, primordialism, differences in religion, language, and others.¹⁰ Lukmantoro in Sukamto said that identity politics is a politics that prioritizes the interests of group members who have personality alignment or characteristics in terms of race, ethnicity, gender, or religion.¹¹ Another opinion was also put forward by Dianti saying that identity politics is a political strategy that uses social identities, such as ethnicity, religion, and gender to obtain electoral support.¹²

In Indonesia, identity politics that has emerged a lot is the issue of religion, ethnicity, ideology, and society that are relevant through regional expansion. People in injustice use the news to make politics competitive. However, the purpose of society is considered to be the desire to lead a group of people to achieve economic and political goals which describes that decentralization plays an important role in giving rise to identity politics. This is because, the central government gave a lot of power to the regions during the reform era, the community had a strong position of authority in local political circles. Information about ethnicity, ethnicity, religion, and class is used as politics to gain power in the practice of decentralized politics.

In the ethnic dimension, identity politics initially began as an effort to integrate tribal or customary qualities into regional settings. For example, there are demands that the cultural values and customary laws of certain tribes be accommodated in local regulations. Ethnic identity politics can also arise due to demands that separate one region with a certain ethnic majority into a new government administrative area. It can even continue until the demand for special autonomy, as demanded by GAM in Aceh or RMS in Maluku. In the end, ethnic identity politics can give rise to separatist movements. In other words, claiming half of the homeland and forming a new state based on one tribe or ethnicity on the grounds of different ethnic backgrounds.

In the political arena, politics based on ethnicity is usually used as a tool to gain power structurally. It is used to gain power through ethnic identity and is used to win in battle. Identity politics is a tool for political validity at the supra-village stage. Identity politics in supra-villages highlights how political societies are formed due to the relationship of political interests taken by assets such as economic, political, social, and cultural capabilities. A new mechanism for obtaining profits known as rent seekin has taken over the political power of the supra-village.

Meanwhile, in the context of religion, identity politics can be seen in the various efforts of certain religious groups to incorporate their religious values and views into the steps of formulating public policies at the local level. This effort, for example, is marked by the phenomenon of regional

¹⁰ Yuda Prinada, "Apa Itu Politik Identitas Dan Contohnya Di Indonesia?," *Tirto.Id*, 2022, <https://tirto.id/apa-itu-politik-identitas-dan-contohnya-di-indonesia-gAt4>.

¹¹ Sukamto, "Politik Identitas (Suatu Kajian Awal Dalam Kerangka Dan Interaksi Lokalitas Dan Globalisasi)," *Jurnal Sejarah Dan Budaya* 2, no. 2 (2010): 1–10.

¹² Yira Dianti, "Praktik Politik Identitas Menuju Pemilu 2024 Dan Pengaruhnya Terhadap Demokrasi," *Angewandte Chemie International Edition*, 6(11), 951–952. 4, no. 117 (2017): 5–24, <http://repo.iain-tulungagung.ac.id/5510/5/BAB 2.pdf>.

regulations with Islamic sharia nuances that have emerged in various regions in Indonesia. Conservative Islamic groups are calling for Islamic rules and laws to be incorporated into local regulations. In addition, religious identity politics is also characterized by efforts to create cities or regions that seem to be identical to only one religious identity. For example, by encouraging various symbols, values, and certain religious interests that dominate the public space in certain cities. This can potentially be discriminatory and disrespectful to the diversity and other religious minorities in the region.

These differences can be used in politics by a group. By using a reference or foundation of symbol similarity, they can easily gain public support. These goals are positive when the group lives in the middle world. However, Indonesia is a country that consists of various identities. Identity politics is an attempt to possess identity to draw a line of distinction between “us and not us” by using certain ethnicities, races, beliefs, and cultures.¹³ Identity politics is based on the equality of social identity including class, skin color, ethnicity, gender, and sexual orientation, while political identity includes nationality and citizenship.¹⁴ The use of identity politics in Indonesia’s electoral politics has grown since the 2014 presidential election with Joko Widodo using ethnic, religious, racial, and negative campaign material from Prabowo Subianto used to promote candidates. In addition, fake news and black campaigns with nuances of religious and ethnic identity have been used to overthrow opponents.

In a democracy, there are two types of bad campaigns that must be avoided so as not to cause negative impacts and hatred between groups. This is because identity politics is at odds with Pancasila which is the ideology and philosophy of the Indonesian nation. *Bhinneka Tunggal Ika* is a representation of Indonesian society that is multiethnic, multicultural, and multireligious due to the differences created by elements of society. In the current era of digitalization, the role of social media is very dominant used by certain individuals in campaigning for identity politics, causing increasingly massive social segregation. Therefore, all elements of society are expected to be smarter in utilizing and observing things related to digitalization.¹⁵

The state and the people are expected to avoid different identity conflicts to maintain unity and diversity. The people themselves have an obligation to internalize the ideals of Pancasila if the state wants to succeed in these efforts, then the community must think that it is not only the responsibility of state institutions, but the responsibility of all elements, such as community leaders, religious leaders, parents, teachers, and the mass media to synergize in organizing education as a preventive measure to prevent or minimize identity politics in the implementation of the 2024 elections.

As stated by Yahya Cholil Staquf as Chairman of the Executive Board of Nahdlatul Ulama (PBNU) said that he will reject any identity politics, both ethnic and religious. In addition, it emphasized that NU is prohibited from being a *firqoh* or identity group because it is forbidden in the Qur’an. Besides, the approach without identity is NU’s way of solving problems. He also reminded not to provoke hostility with any Muslim group, including Wahhabis who are called radical groups. According to

¹³ Dinar Astuti, Andi Agustang, and Idham Irwansyah Idrus, “Politik Identitas Dalam Kontroversi Isu Di Indonesia,” *Sibatik Journal: Jurnal Ilmiah Bidang Sosial, Ekonomi, Budaya, Teknologi, Dan Pendidikan* 2, no. 6 (2023): 1769–78, <https://doi.org/10.54443/sibatik.v2i6.888>.

¹⁴ Arie Sujito, “Pancasila Dan Politik Emansipasi: Problematisasi Politik Identitas Menuju Pemilu 2024,” *Jurnal Pancasila* 3, no. 2 (2024): 13–32.

¹⁵ Faridhatun Nikmah, “Digitalisasi Dan Tantangan Dakwah Di Era Milenial,” *Muasarah: Jurnal Kajian Islam Kontemporer* 2, no. 1 (2020): 45–52.

Gus Yahya, as long as they are willing to coexist and can accept the platform of the country, we live in together to coexist peacefully.

In addition, Joko Widodo in his state of the nation speech on August 16, 2022 alluded to the need for no more identity politics and politicization of religion in the upcoming elections because of Indonesia's democracy. Joko Widodo said in Taher that the election stages that are being prepared by the KPU must be fully supported. Don't let identity politics happen.¹⁶ There should be no more politicization of religion. There should be no more social polarization. Our democracy must be more mature. National consolidation must be strengthened. In this case, it shows that President Joko Widodo strictly prohibits identity politics. This aims to keep Indonesian democracy from being divided due to identity politics. As stated by saying that the 2024 General Election in Indonesia is important because the practice of identity politics can affect the outcome. Political parties use ethnic or religious identity to gain support from certain groups without considering important issues, such as public policy or government performance. The practice of identity politics has an impact on democracy. The existence of identity politics can threaten economic unity, welfare, and justice can be ignored. In addition, the practice of identity politics can trigger polarization and conflict between groups. As for maintaining democracy, voters must vote based on the substance of the policy and the quality of the candidate, not just identity. Political parties also need to change their approach by building agreements between groups so that an inclusive and sustainable democracy is created. Therefore, it needs to be dealt with immediately so that the practice of identity politics does not occur.

Efforts to handle identity politics in the 2024 election include conducting political education.¹⁷ Political parties have a role to provide political education to the community. In conclusion, the preparation for the 2024 election requires synergy in facing challenges and efforts to handle identity politics with political education carried out by political actors. In addition, efforts to handle identity politics in the 2024 election are the first to be handled not only by election organizers. However, also all parties related to the election, such as the government, the community, and political parties participating in the election. The strategy that can be carried out is through political education efforts that target all levels of society.

Second, political education was basically born due to the many problems and differences in the interpretation of politics by the Indonesian people. This condition is relevant because the implementation of elections that are direct and carried out by the community without representation. This forces political education for every individual to be important. Looking at political education and the problems that exist, there are several rights that underlie why there is a difference in the meaning of politics because on the one hand there are still people who do not feel any benefits. Third, political education is expected to reduce the impact of destructive identity politics practices that occur in the election and regional elections. This is supported through cognitive and affective values instilled in society in which there are aspects that are able to reduce the impact of destructive identity politics.

¹⁶ Andrian Pratama Taher, "Politik Identitas Di 2024 Bisa Dikikis Dengan 3 Paslon, Efektifkah?," *Tirto.Id*, September 2022, <https://tirto.id/politik-identitas-di-2024-bisa-dikikis-dengan-3-paslon-efektifkah-gv3e>.

¹⁷ Elsa Krisna Hutapea et al., "Tantangan Dan Upaya Penanganan Politik Identitas Pada Pemilu 2024," *Jurnal Kewarganegaraan* 7, no. 1 (2023): 424-34, <http://journal.upy.ac.id/index.php/pkn/article/view/4811>.

The values of political education that can be instilled in society related to destructive identity politics are tolerance, and pluralism. Fourth, political education is the guardian of democracy, of course, as previously explained, political education actors are a synergy between components of the nation, but specifically it is the responsibility of several parties such as political parties, KPU, civil society, and mass media. Therefore, cooperation between supervisory institutions, civil society and mass media is needed to support each other so that the 2024 election is carried out properly and smoothly for the sake of peace in Indonesia. It can be concluded that with efforts made well, the implementation of elections can run well.

Money Politics

The phenomenon of money politics in elections in Indonesia occurs in many forms and levels starting from the regional elections, to the presidential and vice-presidential elections. Currently, money politics is increasingly rampant every time there is a leader election event in Indonesia. The case was caused by several things, one of which was the lack of awareness from the Indonesian people that they did not choose leaders because of the money given, but chose leaders who were ready to pin Indonesia's progress. However, the reality is that what is happening in Indonesia is that most of the Indonesian people ignore this. Handitya said that to overcome this, it is necessary to have the threat of sanctions imposed on political parties that receive transaction money.¹⁸ The Election Law does not regulate criminal sanctions for acts of political dowry. The only administrative is in the form of a prohibition on submitting candidates in the next period. Unfortunately, the sanction only applies to political parties that receive political dowries (Article 228 paragraphs 2 and 4 of the Election Law). With the enforcement of these rules, it makes the candidates who distribute money and the people who receive money afraid of the threat of sanctions imposed. In addition, in Article 47 juncto Article 187B-187C of Law Number 10 of 2016 (Pilkada Law), which regulates the act of 'dowry' in the process of nominating regional heads is qualified as a criminal act in which the giver and recipient are threatened with criminal sanctions in the form of imprisonment and fines. There are differences in regulations in the Election Law and the Regional Election Law.

The setting of the threshold for presidential candidacy in Article 222 of Law Number 7 of 2017 (Election Law) makes political parties (Parpol) participating in the election who do not meet the requirements must join other political parties. This has the potential to give rise to the act of political dowry because from a combination of political parties can only carry one pair of presidential and vice-presidential candidates. Political dowry is actually prohibited in Article 228 of the Election Law, but it is not equipped with clear sanctions.

The General Election which was held directly was a concrete manifestation of the implementation of democracy in Indonesia. The jargon "from the people by the people and for the people" must be paid at a relatively high cost for a clean and correct political contest to produce the expected leaders. The amount of costs in terms of organizing is also followed by the high costs incurred by the candidates for the people's representatives as contestants.¹⁹ The factors that cause money politics

¹⁸ Binov Handitya, "Peran Sentra Penegakan Hukum Terpadu (Gakkumdu) Dalam Penegakkan Tindak Pidana Pemilu," in *Seminar Nasional Hukum Universitas Negeri Semarang*, 2018, 1–10.

¹⁹ Zulkarnain Hamson, "Politik Uang Di Pemilu Indonesia : Sebuah Tinjauan," *Journal of Communication Sciences* 4, no. 1 (2022): 36–41, <https://doi.org/10.55638/jcos.v4i1.667>.

in the 2024 election include (a) economic factors, (b) human mentality factors, (c) law enforcement factors, (d) interaction factors and social roles, (e) factors of understanding religious values, and (f) factors of understanding democracy. The economic factor is caused by the economic inability of some voters considering that the poverty rate in Indonesia from year to year has increased so that with the dowry money given to vote it is a thing to do considering that public awareness is decreasing. As a result of the lack of awareness of the Indonesian people, elections are the most important vehicle for the enforcement of people's sovereignty.

Second, the mentality factor that makes politicians to participate in election contests, national and local, legislative, and executive, someone needs high integrity and capability so that when elected, they are able to make pro-people policies. Politicians must have intelligence and the ability to think and feel the hopes and interests of the people. Politicians must also have good mental capital. In addition, a politician must be mentally restrained not to justify all means to gain power because good and correct political morals must still be put forward.

Third, the factor of enforcing the wisdom that the money politics process occurs due to the low level of regular supervision and socialization from the Bawaslu so that the elites or successful teams of political parties are free to do generosity on the D-day or before the election is held.²⁰ Therefore, it is necessary to strengthen Bawaslu both at the Regency or City, Province, and even central levels to carry out prevention and enforcement with the authority to decide on disputes over the election process and administrative violations, and institutionally to carry out this authority is strengthened by the permanence of the Election Supervisor at the Regency or City level to become the Regency or City Bawaslu.

Fourth, interaction factors and social roles. In this case, it shows that money politics is not a new behavior for the democratic system in Indonesia because since the beginning of direct elections, the practice has been going on so this of course must be watched out for together. Be vigilant in the sense of not participating in practices that are clearly detrimental to the nation's democratic process. In addition, the existence of money politics can damage the image of Pancasila democracy. In addition, it gives rise to various kinds of prolonged conflicts that seriously disrupt national stability. Thus, various kinds of problems caused by money politics include the situation and political climate becoming unstable, eliminating the opportunity for the emergence of qualified regional leaders. Thus, the existence of money politics can affect people's political participation in regional head elections and general elections and damage democracy and harm society.

Fifth, the factor of understanding religious values. Giving to each other and if you get sustenance, you cannot be refused. That is the expression that seems to have been inherent in the Indonesian nation. Money and all forms of money politics from election participants are considered as sustenance for the community that should not be rejected and because they have been given automatically to the community, they must also give something to the election participants, namely by voting, becoming a successful team. They even participate in the success of money politics in order to win certain election participants with money politics. This is solely done as a form of gratitude and a sense of gratitude from the community to the candidate who gave money. In this case, it shows that religious teachings have been misinterpreted. It is even used for political purposes. This shows the

²⁰ Zulkarnain Hamson, "Studi Literatur: Politik Uang Dalam Pemilu Di Indonesia," *Researchgate.Net* 3, no. October (2020): 1-11, <https://doi.org/10.13140/RG.2.2.28092.26241>.

low level of knowledge, the practice of values, and religious teachings that cause good and right things to be misinterpreted by the public as accepting bribes from prospective leaders to buy their votes. Therefore, there needs to be public awareness not to use religion in the name of religion for the benefit of individuals or groups.

Sixth, the lack of democratic understanding factors that have a great chance of political corruption. Therefore, it is necessary for a government assisted by Bawaslu to create policies and laws that regulate political corruption crimes so that there is strength and fear that is feared by both the public and candidates who are registering as leaders. Based on the six factors that cause money politics and its prevention efforts, if these efforts are implemented, Indonesia's electoral system and democracy will be built.

As for becoming a candidate for legislative member, it is not enough to have only the capital of will and popularity, but strong capabilities are also needed as a basis for dedicating oneself to the interests of the people. In addition, Bawaslu also needs to invite the public, especially students, to dare to reject money politics offered by certain individuals who want to win votes in the election. Totok in Sumampo said that in the past, the tagline was to take the money, don't choose the person. Now don't take the money, don't choose the person, report it to Bawaslu.²¹ With the policy efforts carried out by Bawaslu, the implementation of the election will take place safely, peacefully, and be able to produce quality leaders for the progress of Indonesia in a better direction.

Neutralization of ASN/TNI/POLRI Prohibited from Campaigning

Neutralization is an activity carried out by a person to be neutral or impartial.²² The neutralization of the ASN/TNI/POLRI in the 2024 election has been regulated in Law Number 5 of 2014 concerning the Neutralization of ASN.²³ As stated by the Editorial Team, the neutralization of the Bhayangkara Corps in the election is a constitutional order stated in the MPR TAP Number VII/MPR/2000 concerning the role of the TNI and the National Police. In article 10 of the TAP MPR RI No.VII/MPR/2000, it is stated that the National Police is neutral in political life and is not involved in practical political activities, and does not use the matter of voting and being elected. In addition, the neutralization of the TNI in the election is used as a mandate in the implementation of the TNI's internal reform as stipulated in Law Number 34 of 2004 concerning the Indonesian National Army. In addition, the TNI also published the TNI Neutralization Pocket Book in Elections and Regional Elections applicable within the TNI. As for the pocket book, there are prohibitions for tantara during the process of holding elections, including 1) Giving comments, assessments, discussing any briefings related to election contestants to their families or the community, 2) Individually or facilities are in the arena where the election is held, 3) Storing and pasting documents, attributes, and other objects that describe the identity of election participants in agencies and equipment owned by the TNI, 4) Being in the arena of the Polling Station (TPS) when voting, 5) Individually, facility units or agencies involved in election activities in

²¹ Mario Christian Sumampow, "Empat Tantangan Yang Akan Muncul Di Pemilu 2024 Menurut Bawaslu RI," *Tribunnew.Com*, September 2023, <https://www.tribunnews.com/mata-lokal-memilih/2023/09/01/empat-tantangan-yang-akan-muncul-di-pemilu-2024-menurut-bawaslu-ri#:~:text=TRIBUNNEWS.COM%2C JAKARTA - Badan Pengawas Pemilu %28Bawaslu%29 RI,yang dilarang terlibat kampanye dan penyebaran berita ho.>

²² Willi Sumarlin, Reni Rentika, and Siska Andrianika, "Dinamika Netralisasi ASN Dalam Partisipasi Dan Dukungan Politik Menuju Pilkada Serentak 2024," *Electoral Governance: Jurnal Tata Kelola Pemilu Indonesia* 5, no. 2 (2024): 223–46.

²³ Rizki Montheza and Ahsani Taqwim, "Netralisasi Aparatur Sipil Negera (ASN) Pada Kontestasi Pemilu 2024 : Studi Kasus Instagram @ Abdimuda _ Id," *Electoral Governance: Jurnal Tata Kelola Pemilu Indonesia*, 2024, 247–66.

the form of campaigning for the success of certain candidates, including providing assistance in any form outside the duties and functions of the TNI, 6) Taking actions or issuing statements that affect the decisions of the General Election Commission (KPU), Provincial KPU, Regency/City KPU, and the Election Supervisory Committee (Panwaslu) and the Election Supervisory Committee (Panwaslih), 7) Individually, unit, facility, or agency welcoming and escorting contestants, 8) Becoming members of the KPU, Panwaslu, Voter Committee, Voter Registration Committee, participants or campaigners, 9) Participating in determining election participants, either individuals or party groups, and 10) Mobilizing social, religious and economic organizations for the benefit of certain political parties or candidates.

In addition, the TNI and Polri, ASN or civil servants are part of the community so they have the same rights and obligations in voting during elections. ASN is part of public services that must provide good services to the community fairly. Therefore, ASN is required to have a neutral attitude to keep away from service discrimination and gaps within the scope of ASN. The neutralization of ASN in elections has been regulated in Article 2 of Law Number 5 of 2014 concerning the State Civil Apparatus.

In the law, it is stated that one of the implementations of ASN policies and management refers to the principle of neutralization, while in Government Regulation (PP) Number 53 of 2020 concerning civil servant discipline, it is stated that civil servants are prohibited from providing support to presidential or vice-presidential candidates, candidates for members of the DPR, DPD, DPRD, as well as candidates for regional heads or deputy regional heads. In addition, ASN is also prohibited from using facilities related to positions, making decisions or actions that benefit or harm candidates and holding activities that lead to siding with candidates both before, during and after the campaign period. The reason why ASN must be neutral is because of his status as a very binding government employee. This means that ASN is appointed in order to be able to carry out their responsibilities to the public, not for the benefit of certain groups or political parties.

Herlambang said that from 2015 to 2018, KASN received reports of a fairly high violation of ASN neutrality that occurred, especially before and during the implementation of the regional head election.²⁴ KASN also conducts data and information searches on its own initiative against alleged violations of ASN neutrality through the Monitoring and Evaluation Division, the Complaints and Investigation Division, and the Mediation and Protection Division.²⁵ The high number of complaints of ASN neutrality violations in 3 years proves that there is a lack of awareness of ASN to maintain neutrality. Complaints are not in all provinces, but these reports or complaints are found in more than half of the provinces in Indonesia. In fact, the law has regulated the neutralization of ASN. However, in reality, it is violated by some ASN who ignore neutrality and professionalism to be able to help smooth out efforts from defence to achieve personal goals by supporting certain candidate pairs in the hope that if elected, the ASN will get a certain position or position according to what has been agreed. Therefore, with this case, it is necessary to have strict policies, regulations, and supervision by the legislature, the public and the press against officials in power to avoid abuse of power. Public officials, whether political or independent, should not place ASN as a tool to maintain

²⁴ R. Herlambang Perdana Wiratraman, "Konstitusionalisme Dan Hak-Hak Asasi Manusia," *Jurnal Ilmu Hukum YURIDIKA* 20, no. 1 (2005): 1-17.

²⁵ Wiratraman.

their power, because ASN works for the state.²⁶ The former of legal products must actually be able to firmly separate the elements of formulating and determining policies from policy implementers so that there is a clear realm and professional implementation.

KASN was formed in order to maintain the quality of ASN and ensure that all ASN have applied in accordance with the provisions of laws and regulations. In addition, KASN is expected to be able to maintain the quality of the implementation of the system that has been determined so that ASN does not need to worry when there is political intervention from any party that threatens the sustainability of ASN's career in the future. Thus, ASN in carrying out its duties and functions will always prioritize neutrality and professionalism in order to optimize services to the community for the benefit of the state. This is in accordance with Article 2 of ASN Law Number 5 of 2014 concerning the provision that one of the principles in ASN policy and management is neutralization. Quoting the Policy Brief entitled "ASN Neutrality in the Midst of Political Intervention" published by the State Civil Apparatus Commission or KASN (2017), ASN neutrality is important because the quality of the bureaucratic apparatus must not change in providing public services even though the leadership changes because there is an election mechanism. In addition, a neutral attitude is also mandatory for ASN because they are in charge of providing public services directly to the community.²⁷ Neutrality is important so that ASN does not mobilize citizens or state assets to support certain political groups that clearly have an impact on the country's losses.

In this case, it shows that the existence of KASN is expected to be a fortress for ASN who have been upholding the spirit of ASN neutrality over bureaucratic politicization that is detrimental to the state. On the other hand, if an ASN carries out political practices or is loyal to parties that harm the state, KASN can recommend sanctions to personnel coaching officials and authorized officials for follow-up. This is as regulated by Article 32 paragraph (3) of the ASN Law. In supervision, KASN is authorized to decide on violations of the code of ethics and code of conduct against ASN employees. The results of the supervision are submitted to the personnel coaching officials and authorized officials for follow-up. For personnel supervisory officials who do not follow up on the results of KASN's supervisory decisions, KASN recommends to the President to impose sanctions on personnel supervisory officials and authorized officials who violate the principles of the merit system and the provisions of laws and regulations.

The results of the research in the Field of Assessment and Development of the KASN System on a number of regional elections in 2015-2017 show that the most violations of ASN neutrality are 1) Using the local government budget for covert campaigns, 2) Being directly or indirectly involved in candidate campaigns, 3) Being involved in facilitating certain candidates; 4) Putting up billboards or banners for the benefit of certain candidates; and so on.

The various types of violations above are not only detrimental to the state and society because they lead to acts of corruption in the budget and authority, but can also damage the quality of democracy in Indonesia. Basically, the neutrality of ASN is difficult to fully realize because they still have the right to vote. However, ASN must also be aware that their support for a particular candidate

²⁶ Gema Perdana, "Menjaga Netralitas ASN Dari Politisasi Birokrasi (Protecting The ASN Neutrality From Bureaucracy Politicization)," *Jurnal Negara Hukum* 10, no. 1 (2019): 109-38, <https://doi.org/10.22212/jnh.v10i1.1177>.

²⁷ Yonanda Nancy, "Aturan ASN Harus Netral Dalam Pemilu Dan Alasan Pemberlakuannya," *Tirto.id*, 2023, <https://tirto.id/aturan-asn-harus-netral-dalam-pemilu-dan-penjelassannya-gRpB>.

or political party can only be shown in the polling booths. Therefore, to crack down on violations of ASN neutralization, Bawaslu cannot work alone. Must coordinate with relevant stakeholders to help supervise the neutralization of ASN, Polri, and TNI can be well guaranteed.

Initially, bureaucratic neutralization for the state includes nine types, namely 1) neutralization of members of the House of Representatives of the Republic of Indonesia/DPRD, members of the DPD, and members of the People's Consultative Assembly of the Republic of Indonesia to executive and judicial duties in the government. Neutrality means not imposing the will in the form of the interests of political parties and groups, 2) Neutrality of judges and prosecutors towards executive, legislative and judicial duties in government. Neutrality means not bringing the interests of political parties and only acting on the basis of professionalism, 3) Neutrality of TNI and POLRI members towards executive and judicial duties in government. Neutrality means not bringing the interests of political parties and only acting on the basis of professionalism, 4) Neutrality of the President, Vice President, and Ministers towards executive duties in government. Neutrality means not bringing the interests of political parties and only acting on the basis of professionalism, 5) Neutrality of the Governor towards executive duties in government. Neutrality means not bringing the interests of political parties and only acting on the basis of professionalism, 6) Neutrality of the Regent/Mayor towards executive duties in the government. Neutrality means not bringing the interests of political parties and only acting on the basis of professionalism, 7) Neutrality of civil servants towards executive duties in the government. Neutrality means not bringing the interests of political parties and only acting on the basis of professionalism, 8) Neutrality of employees and commission members towards executive duties in government. Neutrality means not bringing the interests of political parties and only acting on the basis of professionalism, 9) Neutrality of other employees who receive fixed/regular salaries from the state through the State Budget/APBD towards executive duties in the government. Neutrality means not bringing the interests of political parties and only acting on the basis of professionalism.

Of the nine types of bureaucratic neutrality, the government and the council only need to draft laws and regulations so that all of them can be implemented optimally. And as is known, several types of laws and regulations have been made to accommodate several types of neutrality, such as the neutrality of the TNI/POLRI and civil servants (although there is a need for improvement). As for the others, it is necessary to formulate as soon as possible so that bureaucratic neutrality in this country that is developing democratization can be realized properly.

Spreading Hoax News

Hoax news is information that is engineered to cover up real information.²⁸ The spread of hoax news is an activity carried out by someone to spread fake news or news that is not necessarily true to the general public.²⁹ The purpose of spreading this hoax news is to create public opinion, lead public opinion, form perceptions as well as for huffing fun that tests the intelligence and meticulousness of internet users on social media to help the agenda that is being planned. The spread of hoax news can be carried out by individuals, groups, corporations, state institutions, political parties, and so on. The main factor in the spread of hoax news is to divide the unity and unity of Indonesia. In overcoming

²⁸ Nurul Hidayat et al., "Pengaruh Media Sosial Terhadap Penyebaran Hoax Oleh Digital Native," *Jurnal Riset Publikasi* 1, no. 1 (2016): 140-57.

²⁹ Christiany Juditha, "Interaksi Komunikasi Hoax Di Media Sosial Serta Antisipasinya," *Jurnal Pekommas* 3, no. 1 (2018): 31-43.

this, it is necessary to pay attention to the government and the public to minimize the spread of hoaxes by filtering information from reliable sources.³⁰

In the 2024 election era, there are many issues of hoax news that have increased tenfold. As stated by Kominfo in Press Release No.422/HM/KOMINFO/10/2023 on Friday, October 27 in saying that ahead of the election.³¹ The Ministry of Communication and Information Technology has identified around 101 hoax issues circulating regarding the election from January to October 2023. The data shows the high rate of spreading hoax news spread on social media. The records from Kominfo show that the spread of hoax news is the most widely found on the Facebook platform and currently Kominfo has taken down 454 contents to parties who have spread fake news.

Minister Budi Arie in a Press Release conducted by Kominfo mentioned several examples of hoax news related to the election that are circulating, namely the information that Prabowo failed to run for President after the Constitutional Court granted the age limit. In addition, there is information from the KPU that rejected the registration of Ganjar Pranowo as a presidential candidate because he wanted to trap Anies Baswedan. In this case, it shows the many hoaxes news that is spread both before the election and after the election. If the public is not careful in obtaining information, then what happens is that the public will get false and poor-quality news. Therefore, people need to be smart in choosing and sorting information. In addition, the public needs to filter before sharing.

Cases of hoax news about the election in March 2024 reached 3,235, but finally Kominfo managed to take down around 1,971 news.³² Arie in Achmad and Setuning mentioned that around 92 percent of the noise on social media is done by buzzers. In addition, it also claims that the social media situation after the 2024 election is much better than in 2019. The spread of hoax news is not only carried out ahead of the election, but also occurs from the results of the 2024 election.

explained that there is various hoax news about riots related to the rejection of the 2024 election results circulating on social media. First, there was hoax news that contained an old video of the riots near the KPU and Bawaslu Jakarta Buildings on May 2, 2019. Second, hoax news that says that the Bawaslu Building was burned. Third, hoax news that states that the TNI deployed combat vehicles to secure the Bawaslu Building from protesters. Fourth, hoax news of mass organizations to protect the KPU and the Presidential Palace from demonstrations against the 2024 election results. Upon further investigation, it turned out that the video showed Hercules and GRIB Jaya members attending the grand campaign of Paslon number 2, Prabowo and Gibran which was held at the Gelora Karno Stadium, Jakarta on February 10, 2024. The data above shows the high number of cases of spreading hoax news. Therefore, the government by working with stakeholders needs to carry out serious policies and prevention to prevent the spread of hoax news that is increasingly widespread. In addition, there needs to be a strict implementation because the spread of hoax news has been regulated in Law Number 7 of 2017 concerning General Elections Article 280 states that it is not allowed to spread fake news. In addition, ITE Law Number 11 of 2008 and its amendments. In addition,

³⁰ Muhammad Fathurrohman, *Model-Model Pembelajaran Inovatif Alternatif Desain Pembelajaran Yang Menyenangkan* (Jogjakarta: Ar-Ruzz Media, 2016).

³¹ Kominfo, "Menkominfo: Isu Hoaks Pemilu Meningkatkan Hampir 10 Kali Lipat," *Kominfo.Go.Id*, 2023, https://www.kominfo.go.id/content/detail/52570/siaran-pers-no-422hmkominfo102023-tentang-menkominfo-isu-hoaks-pemilu-meningkat-hampir-10-kali-lipat/0/siaran_pers.

³² Nirmala Maulana Achmad and Novianti Setuningsih, "Kemenkominfo 'Take Down' 1.971 Berita Hoaks Terkait Pemilu 2024," *Nasional.Kompas.Com*, 2024, <https://nasional.kompas.com/read/2024/03/19/15355831/kemenkominfo-take-down-1971-berita-hoaks-terkait-pemilu-2024>.

ITE Law Number 11 of 2008 and amendment Number 19 of 2016 states that it is not allowed to spread hoax news that harms the public. With the strict implementation of the law, it can minimize the number of spread of hoax news.

Haqqoh said that to minimize the spread of hoax news, the public needs to be more careful in reading information, verifying the truth of the news, and actively participating in providing accurate news sources on the turnbackhoax.id portal so that more internet users can verify the truth of a news. Haqqoh said that to minimize the spread of hoax news, the public needs to be more careful in reading information, verifying the truth of the news, and actively participating in providing accurate news sources on the turnbackhoax.id portal so that more Internet users can verify the truth of a news.³³ In addition, DJPPI also helps the public to always be vigilant and strive to anticipate various information or content that cannot be accounted for so that the DJPI provides solutions to the public to verify news sources, check the truth of news through official websites, check the truth of news in other sources, review facts with reliable sources, check if there is bias in the news, use fact verification tools, such as Snopes, FactCheck.org, or Google Fact Check.³⁴

Use this tool to check claims in the news and see if there are facts that support or deny the claim, and be wary of clickbait headlines that attract attention and are too drastic because they aim to attract attention without paying attention to the truth. In this case, it shows that the DJPPI is also trying to provide education to the public to prevent the spread of fake news ahead of the 2024 elections, and be more careful in using social media. In addition, Delmana said that in handling the spread of hoax news, Election Organizers and all stakeholders can take part in handling hoaxes at every stage of the election by carrying out socialization, voter education as well as continuous supervision and evaluation.³⁵ If these efforts are made, it will minimize the spread of hoax news in Indonesia.

Conclusion

Based on the discussion above, it can be concluded that the 2024 election is an important momentum for the people to determine the leader of the Indonesian nation in the next five years. Public involvement in elections is an important factor in the sustainability of democracy. In the implementation of the 2024 elections, many violations were found. This is a challenge for Bawaslu in enforcing the law in Indonesia. The challenges found by Bawaslu in law enforcement in simultaneous elections include challenges regarding identity politics, money politics, neutralization of ASN, TNI, and Polri in election campaigns, and the spread of hoax news. These challenges need to be overcome by Bawaslu by collaborating with relevant stakeholders to help supervise and solve existing problems. This is because Bawaslu has an important role in receiving and following up on reports related to alleged violations of laws and regulations governing elections. In addition, Bawaslu has an important

³³ Arinal Haqqo and Siti Ansoriyah, "Turnbackhoax.Id: Upaya Pemutusan Disinformasi Berita-Berita Pemilu 2024," *Indonesian Journal of Applied Linguistics Review* 4, no. 1 (2023): 9–18, <https://doi.org/10.21009/ijalr.41.02>.

³⁴ Haronas Kutanto, "Waspada Hoax Jelang Pemilu 2024," *DJPPI.Kominfo*, 2024, <https://djppi.kominfo.go.id/news/peran-djppi-kominfo-dalam-mencegah-hoax-pemilu-2024>.

³⁵ Lati Praja Delmana, "Strategi Penanganan Hoaks Pemilu Melalui Penerapan Smart Contract Logic Serta Sistem Deteksi Hoaks Otomatis," *Electoral Governance: Jurnal Tata Kelola Pemilu Indonesia* 4, no. 2 (2023): 188–211, <https://journal.kpu.go.id/index.php/TKP/article/view/825>.

role in providing solutions to problems that occur so that they can create honest and fair leaders. Thus, it can create a democratic and just country for the community.

With this research, it can contribute to providing input, insights, and views to the public regarding Bawaslu's challenges in enforcing the law on election violations in 2024. This is because there is still a lack of public knowledge about Bawaslu's challenges in law enforcement. In addition, this research can foster public awareness that election supervision is not only the task of Bawaslu, but the duty of all elements of society to help supervise things that violate elections so that in the future future elections can be better.

With this research, it can add to the scientific treasures in the field of politics, especially Bawaslu so that it can be used as knowledge and handling in the enforcement of election law. In addition, the author suggests that Bawaslu needs to cooperate with all elements from small to large elements to help supervise the upcoming elections so that democracy in Indonesia can be well maintained. The researcher hopes that there will be further research that discusses more deeply the handling of Bawaslu in upholding justice in the 2024 election in Indonesia because considering the many problems of violations found in the 2024 election.

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