



## Optimizing Democracy: The Political Law of Digitization Policy for the Prevention of Election Disputes in Indonesia

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**ABSTRACT:** General elections in Indonesia have undergone a significant transformation through the adoption of information technology and digitalization. This transformation not only accelerates the voting process, but also has a major impact on the legal regulations governing elections. In this context, the Political Law of Digitalization Policy plays an important role in shaping an effective regulatory framework, especially in dispute prevention. The application of technology in elections should not leave behind some people who are not familiar with digital devices. Therefore, regulations should detail measures to ensure that every citizen has a fair and equal opportunity to participate in the electoral process. Regulations should provide a clear framework for handling complaints, checking discrepancies, and ensuring that election results are acceptable to all parties. Through the adoption of information technology and digitization, it reinforces the political urgency of the policy law. This study aims to determine the contribution of the Election Digitalization Policy in reducing risks and handling potential disputes in general elections. The method used in this research is normative juridical. The results show that the Political Law of Digitalization Policy has a central role in shaping regulations that support modern, inclusive, and dispute-free elections in the digital era. Through this approach, it is expected that Indonesia can move towards more efficient and trustworthy elections. The implementation of election digitization has an impact on increasing transparency and public trust, efficiency and accuracy, accurate data recording, simplifying the electoral process, preventing fraud, and reducing the burden on the Constitutional Court.

**Keywords:** Political Law, Digital, Election



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## INTRODUCTION

Electoral digitization refers to the process of adopting information and communication technologies (ICTs) in all aspects of electoral administration. This includes the use of digital software, hardware and network infrastructure to improve efficiency, accuracy, transparency and participation in the overall electoral process. Digitization is the process of transferring media from printed, audio or video form to data or signal form

expressed in a series of digits 0 and 1 and usually represented by a physical quantity such as magnetic polarity or voltage. In another sense, it is an electronic technology that is capable of storing, generating and also processing various data contained in two conditions, namely positive and negative. This is also utilized today in the electoral process. While digitization in elections brings a number of significant benefits in the administration of the electoral process, it is important to pay attention to data security and privacy, as well as ensuring inclusivity so as not to leave out certain groups of people who may not have access to technology. Digitization in the electoral process aims to provide convenience in administration and increase efficiency in terms of time, reduce human errors and reduce or minimize the occurrence of fraud that causes disputes in elections.

Data security and data privacy are important aspects in the context of digitization in elections. Data security is the protection of data from external and internal threats, while data privacy is the governance of how personal and confidential data is collected, handled and processed. Ensuring data security and protecting voter privacy are important steps to prevent potential threats and maintain the integrity of the entire electoral process and should be a key focus in the planning and implementation of digital elections. Maximum efforts should be made to ensure that voter data is safe, secure and that voters have full confidence in the security of the electoral process.

In addition, the development of technological infrastructure is a crucial step in supporting the digitalization of elections. A reliable and integrated infrastructure will ensure the smooth implementation of digital elections.

Information Technology is a technology related to the processing of data into information and the process of distributing data and information within the boundaries of space and time, with the aim of providing convenience in sending data and information from one place to another through a computer network. The use of Information Technology (IT) in the context of election digitization brings various benefits to improve efficiency, transparency and participation, and can strengthen the integrity and transparency of the entire electoral process. However, it should be noted that data security and the protection of voter privacy should be the top priorities in the application of such technology.

General elections in Indonesia are a series of democratization in which people participate in determining the leaders and representatives of the people. As one of the crucial elements in Indonesia's governance system, general elections are the main basis for policy formation and political decision-making ([Media Badan Pengkajian MPR, 2019](#)). General elections can be referred to as a “democratic party” that involves the active participation of all citizens to elect representatives of the people as well as to occupy strategic positions in the government. Through elections, people have the opportunity to actively participate in determining the direction of policies and leaders who will represent their interests. The voting mechanism is the main means by which every citizen has the same right to express their political preferences ([Andrian, 2016](#)).

This process not only reflects the principles of democracy, but also affirms the principles of justice, equality and participation that underpin an inclusive system of governance. Elections create space for dissent and allow people to voice their aspirations in shaping representatives in accordance with the will of the majority ([Shofa, 2018](#)).

The importance of justice as a social condition is reflected in the emphasis on aspects of equity, the avoidance of discrimination, and the creation of a balance between rights and obligations for

all citizens of a nation. This principle is affirmed in the Law of the Republic of Indonesia No. 11 of 2009 on Social Welfare, which indicates that realizing community welfare, development, and empowerment of the nation's life are goals that must be strived for in the life of the nation ([Nuryadi & Tolib, 2017](#)).

In this context, it is important to detail the strategy for achieving these goals. Efforts in achieving community welfare and development must be accompanied by ways that ensure inclusivity, equality, and education that enlightens the life of the nation. Recognition of the factor of equality is also crucial in society, reducing the jealousy and disparities that can arise ([Tim Peneliti INFID & LIPI, 2014](#)).

Equal rights are a key pillar in ensuring that every citizen has the freedom to determine their attitudes, choices and beliefs, without any limiting views of class, status or race. Thus, the creation of an inclusive and equitable environment is expected to contribute significantly to the harmony and common progress of a nation.

In the concept of popular sovereignty, it actually means that the people as the largest shareholder in a country, where the life of the nation and state, has the right to determine the direction and purpose of the state, so that inevitably the community must have a strong desire and desire to participate in the administration of the state, including in the process of determining choices and goals through elections. As a consequence of the sovereignty of the people, the government is obliged to uphold the will of the people, which is commonly called democracy. In practical terms, democracy is a way of establishing authority in which the people choose their leaders, in this case through the electoral process ([Manan, 2019](#)).

As a consequence of popular sovereignty, the government has an obligation to understand and respect the will and aspirations of the people, which in this context is often referred to as democracy. Democracy is, in practical terms, a mechanism whereby authority is established by popular choice. The electoral process is the means by which people choose their leaders, and the government, as the executor of the people's will, must uphold democratic values ([Muktiono, 2019](#)).

Thus, the understanding and implementation of democracy is not only the responsibility of the government, but also a reflection of the active participation and awareness of the people of their crucial role in the formation and management of the state. Through this democratic process, it is hoped that a government order that is in accordance with the wishes and needs of the majority of the people can be realized.

As such, elections are not only a formal rite of passage, but also the foundation of a political system rooted in democratic values. The process provides legitimacy to elected governments, creates transparency in decision-making, and promotes accountability to the people. As an integral part of democratic principles, elections continue to play a central role in maintaining the balance of power and empowering citizens to participate in the country's development.

In a democratic system, elections reflect the mechanism through which citizens have the right to vote and play a role in the formation of government. Election results create legitimacy for elected leaders, while also reflecting the collective wishes and aspirations of the people.

Thus, elections are not only a means of determining leaders, but also a determinant of the direction of a country's democracy. The success of elections is not only measured by the final results, but

also by the extent to which the electoral process is fair, transparent, and able to reflect the plurality of voices in society. In other words, elections are not just a political event, but the main foundation in realizing the basic principles of democracy that prioritize active participation and equal rights of citizens.

In Indonesia, there are several types of elections that reflect the diversity of levels of government and representation. The following are some of the types of general elections that are held periodically ([Wikipedia, 2023](#)):

1. General Election of President and Vice President:
  - This election is held every five years by the people of Indonesia.
  - It aims to elect a president and vice president who will lead the country.
2. Election of Members of the House of Representatives (DPR):
  - Members of the DPR are elected by the people to represent specific electoral districts.
  - Elections for DPR members are held every five years.
3. Election of Members of the Regional Representative Council (DPD):
  - The DPD is a legislative body that represents the regions of Indonesia.
  - Its members are elected through voting.
4. Regional Head Election (Pilkada):
  - Involves the election of regional heads, such as governors, regents, and mayors.
  - It is conducted to elect leaders at the provincial, district and city levels.
  - Elections are held every five years.
5. Legislative General Election:
  - Indonesians also elect members of the DPR and DPD through legislative elections.
  - Legislative elections are an integral part of the democratic process that ensures representation of the people at the national and regional levels.

Each of these types of elections has its own role in ensuring fair representation and active participation of citizens in the various levels of government in Indonesia.

Through this framework, Indonesia adopts an inclusive democratic system, allowing the people to participate in various levels of government and elect their representatives in political decision-making. The electoral process in Indonesia is closely monitored by the General Election Commission (KPU). The KPU is responsible for the supervision, organization and conduct of elections with the principles of fairness and transparency. As a key institution in the democratic process, the KPU plays an important role in ensuring that elections take place with integrity and accountability ([Patricia & Yapi, 2019](#)).

In addition to the KPU, the Election Supervisory Agency (Bawaslu) also contributes as an independent supervisory institution. Bawaslu's main task is to ensure that the general election process runs in accordance with established rules and standards. With its supervisory function, Bawaslu plays a role in ensuring the integrity, honesty and credibility of elections, so that the results

obtained accurately reflect the will of the people ([BAWASLU RI, 2017](#)).

The presence of KPU and Bawaslu as two separate entities creates a balanced oversight mechanism, which together uphold the principles of democracy and ensure that the electoral process in Indonesia is carried out with integrity and provides confidence to the public regarding the results.

Elections in Indonesia have undergone significant evolution in line with the times and the evolving needs of society. These changes include aspects such as regulation, technology and public involvement in the democratic process. Elections are the main means for people to express their political will and elect leaders who are considered capable of representing their aspirations and interests. Active participation from the public is the key to success in running elections effectively. With increased political awareness and access to information, the public has a growing role in shaping the dynamics of elections. This involvement not only includes the voting process but also involves participation in discussions, monitoring, and understanding of relevant political issues ([Rushananto, 2014](#)). It is important to remember that the information above is a snapshot up to September 2021, and further developments are possible after that. Therefore, to gain a more accurate and up-to-date understanding of Indonesia's elections, it is advisable to refer to trusted news sources and relevant official agencies that provide the latest and verified information.

Elections are prone to disputes, and these disputes can arise from a variety of causes. Some common reasons that trigger disputes in elections include: ([Surbakti et al., 2011](#))

- Differences in Political Views, disputes can arise due to differences in political views between various community groups or political parties.
- Violations of Election Regulations, if there are alleged violations of election regulations, this can be a source of dispute between the election participants and those overseeing their implementation.
- Allegations of fraud, allegations of fraud, such as manipulation of results or voter intimidation, can be a trigger for serious disputes.
- Sensitive Issues Related to Elections, sensitive issues such as ethnicity, religion, race and intergroup (SARA) or issues related to human rights can trigger tensions and disputes in elections.
- Intense Competition Between Candidates or Political Parties, intense competition between candidates or political parties can generate tensions and disputes, especially if there is a close difference in results.

The handling of electoral disputes is critical to ensuring fairness and integrity in the democratic process. In Indonesia, the Election Supervisory Body (Bawaslu) has a key role in responding to and resolving electoral disputes. A transparent and accountable process for handling disputes is critical to maintaining public trust in democratic institutions and election results.

For this reason, it is necessary to examine the efforts of the KPU as a strategy in minimizing events that cause disputes in the implementation of general elections, among others, the KPU must do several things that are efforts in minimizing disputes, including First, conducting socialization regarding technical matters in the implementation and process of elections, so that the people who participate in the elections know and understand the process in general elections. Second, in



addition to transparency in the process starting from registration, determining permanent voter candidates, places and methods of election and filling and voting to vote counting. Transparency is needed so that the community truly becomes part of the electoral process and is not exclusive to the election committee. If this can be done, at least things that allow fraud to occur and voters can directly oversee the election process. Third, the KPU can be a bridge if there are disputes or differences of opinion or certain claims originating from the election process.

As for what is related to digitization policies to avoid or reduce risks and potential handling is related to the selection of media that can possibly be used in the procedures and processes of elections can be known, understood and understood by all levels of society as voters, both in terms of age, status and others. This is useful to avoid or minimize parties who can harm other people/voters and ensure the openness and ease of access to the technology (in this case digitization) used. It also becomes transparent as the public can also access and witness the vote counting process, so that there are no more claims to the results of the vote counting for example.

KPU's efforts/strategies and the selection of media used in the election process can minimize the potential for disputes in the general election, also causing the voting public to be able to openly accept the results of the general election.

Several other factors commonly lead to disputes in elections. Some of these factors include: ([Surbakti et al., 2011](#))

- Fierce competition between candidates or political parties can lead to tension and disappointment on the part of losers, which can then potentially trigger disputes.
- Alleged Violations of Election Rules, alleged violations such as illegal campaigning, money politics, or manipulation of voter data can trigger disputes because they involve non-compliance with the rules governing the electoral process.
- Distrust in the Integrity of the Electoral System Distrust in the fairness and integrity of the electoral system, both by electoral participants and voters, can create tensions and increase the likelihood of disputes.
- Lack of Transparency, a lack of transparency in the electoral process can raise concerns of unfairness and trigger disputes. Poor understanding of how decisions are made and votes counted can create dissatisfaction.
- Injustice, the perception of injustice, such as unequal distribution of resources or access, can be a trigger for disputes as aggrieved parties tend to seek resolution through legal mechanisms.

Understanding and addressing these factors is an important step in building a stable and reliable electoral system. Fair law enforcement, high transparency and active public participation can help reduce the risk of disputes and strengthen the foundations of democracy ([Savitri, 2019](#)).

The proposed application of digitization technology and policies in Indonesian elections, particularly in relation to ballots and voting, can bring a number of benefits and play an important role. Through the proper use of technology and digitization policies, general elections in Indonesia can become more efficient, transparent and trustworthy. However, it is also vital to consider data security and privacy so that the deployment of these technologies may give maximum advantages while avoiding unintended consequences ([Santoso, 2006](#))

The use of technology in elections also presents issues and concerns that must be addressed. Some critical aspects that need special attention in the implementation of digitalization policies in elections in Indonesia involve: ([BRIN, 2022](#))

1. Voter Data Security:

Keeping voter data secure is a top priority. The system must be equipped with high-level security measures to protect voters' personal information and privacy rights.

1. Availability of Technology Infrastructure:

It is important to ensure that the necessary technological infrastructure is equally available across the region. This inequality can create inequality of access and potential exclusion for some groups of people.

2. Resilience to Cyber Attacks:

The threat of cyberattacks against electoral systems can have a serious impact on integrity and public trust. Implementing measures to increase resilience to cyberattacks is crucial.

3. Education and Community Engagement:

The public needs to be given an adequate understanding of the use of technology in elections. Voter education and understanding of technology can help overcome any distrust or anxiety that may arise.

4. Stakeholder Cooperation and Consultation:

Close cooperation and consultation between the government, EMBs, information technology experts and civil society is required to design and implement effective and secure digitization policies.

5. Continuous Testing and Evaluation:

Conducting regular trials and evaluations of the digitization system is a critical step to identify and address potential issues or risks before it is widely implemented.

6. Transparency and Accountability:

Increase transparency and accountability in the development, implementation, and maintenance of digitalization systems to build public trust.

Based on this brief description and explanation, the author formulates the problem, how can the Political Law of Digitalization Policy ensure inclusiveness and accessibility in the electoral process?

## **METHOD**

This research is a normative juridical legal research with a statutory approach and focuses on analyzing the application of rules or norms contained in positive law. This qualitative research uses descriptive analytical data analysis method, in which the data is explained by detailing aspects such as legal principles, legal systematics, level of legal synchronization, legal comparison, and legal history. This approach helps describe the legal framework relating to the issues studied in this research and with the main data source used is secondary data. Secondary data includes primary

legal materials, secondary legal materials, and tertiary legal materials, namely: such as Article 22E paragraph (1) and paragraph (6) of the 1945 Constitution of the Republic of Indonesia, which mandates that general elections be carried out directly, generally, freely, secretly, honestly, and fairly, this is a constitution that guarantees the legitimacy of the will of the people. Law No. 10/2016 on the Second Amendment to Law No. 1/2015 on the Stipulation of Government Regulation in Lieu of Law No. 1/2014 on the Election of Governors, Regents and Mayors into Law, namely: Article 85 paragraph (1) that the voting process in the election can be done in two ways, namely: a. marking once on the ballot paper; or b. voting through electronic voting equipment and paragraph (2a) that the implementation of e-voting must pay attention to the readiness of local governments in terms of infrastructure and community readiness. Article 349 of Law Number 7 Year 2017 on General Elections and Article 1 on the election of members of the House of Representatives (DPR), members of the Regional Representatives Council (DPD), President, and Vice President.

## **RESULT AND DISCUSSION**

Democracy comes from the Greek words demos and kratos. Demos means people and kratos means government. So democracy means people's government, namely a government in which the people play a very important and determining role. Democracy is a cultural, social and political work at the same time. It is not only about building political institutions such as representative councils or elections. Democracy is also a matter of building a mental attitude and spirit, which are the core values of democracy itself, such as tolerance, equality and freedom. Therefore, it is present at the same time as a cultural, social and political need ([Denny J.A., 2006](#)).

According to Hans Kelsen, the concept of democracy emerged because humans have the desire to pursue freedom. Kelsen argued that the freedom that humans desire, both in the context of general society and in every country, does not always mean freedom from all attachments, but can only be freedom from a certain type of attachment ([Kansil & Christine S.T. Kansil, 2001](#)).

Miriam Budiardjo (2008) asserts that general elections serve as both a symbol and a benchmark of democracy. The outcomes of elections conducted with elements such as freedom of speech, direct participation, general inclusivity, secrecy, integrity, and fairness are regarded as a reliable measure of public engagement in political processes ([Miriam Budiardjo, 2008](#)).

So elections are one of the elements in democracy, where there is involvement or participation of the people in the process of determining the direction and policies and goals of a government. Along with the development and influence of globalization, the transformation of technology and information can be utilized by the community, including in the electoral process, namely by using technology to support efficiency and transparency, including easy access for the public to the election process, including minimizing fraud that causes disputes in elections. With a record of media selection and ease of access can be obtained by the community.

The purpose of digitization in the electoral process is to provide convenience in administration, increase time efficiency, reduce human error, and reduce or minimize the potential for fraud that can cause disputes in elections.

Digitalization in elections is an interaction between society and technology, in other words, it is a



collection of efforts to implement democracy without being limited by space, time, and physical conditions.

The 1945 Constitution of the Republic of Indonesia, as a constitution, is the foundation that guarantees legitimacy to the will of the people. The constitution acts as a rule that must be followed and must not contradict the will of the people. Democratic electoral processes, whether in the form of general elections or local elections, are designed to provide free elections, with the belief that the process is transparent and fair to all citizens. The conduct of elections may vary, but the basic principles remain the same for any democratic society. This means that all eligible citizens have access to the right to vote, and each individual is protected from unwanted outside influences when casting their vote. In addition, the vote counting process is conducted honestly and transparently to produce fair results.

General election or election is a mechanism for the implementation of popular sovereignty held directly, generally, freely, secretly, honestly and fairly in the Unitary State of the Republic of Indonesia, referring to the principles of Pancasila and the 1945 Constitution of the Republic of Indonesia.

According to Article 1 of Law (UU) of the Republic of Indonesia Number 7 of 2017 concerning General Elections, General Elections or Elections are a tool or means of popular sovereignty to elect members of the People's Representative Council (DPR), members of the Regional Representative Council (DPD), President, and Vice President. This election was held directly, publicly, freely, confidentially, honestly and fairly within the territory of the Unitary State of the Republic of Indonesia, based on the values of Pancasila and the 1945 Constitution of the Republic of Indonesia ([Presiden Republik Indonesia, 2017](#)).

Digitizing refers to the process of changing media from printed, audio, or video form to digital form. This digitization process is carried out with the aim of creating document archives in digital format, facilitating digital photocopying functions, and forming digital library collections.

In Indonesia Digital transformation includes a shift from the use of Resident Identity Cards (KTP) to Electronic KTP or better known as e-KTP. KTP acts as an official identity card that is required to be owned by Indonesian citizens (WNI) who have reached the age of 17 years or who are married. Since 2011, Indonesia has implemented changes in terms of population data management by implementing Electronic KTP. The requirement to have an e-KTP is in line with the requirements to be a voter in general elections, as regulated by Law Number 7 of 2017. According to this law, a person can become a voter in the General Election (election) if they are an Indonesian citizen (WNI) who are 17 years of age or older on voting day, are married, or have previously been married. Therefore, all Indonesian citizens who have the right to vote should already have an e-KTP. With the e-KTP, it is hoped that the Population Identification Number (NIK) data contained on the KTP can become the sole data used as the basis for the voter list in the implementation of elections ([Koagouw et al., 2021](#)).

Regulations regarding e-voting have been regulated in Law Number 10 of 2016 concerning the Second Amendment to Law Number 1 of 2015 concerning Stipulation of Government Regulations in Lieu of Law Number 1 of 2014 concerning the Election of Governors, Regents and Mayors who have become Constitution ([Willia Saputra & Johan Nasution, 2021](#)).

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In Article 85 paragraph (1), it is explained that the process of voting in an election can be done in two ways, namely: a. mark once on the ballot paper; or b. vote through electronic voting equipment.

However, Paragraph (2a) states that the implementation of e-voting must take into account the readiness of local governments in terms of infrastructure and community readiness, taking into account the principles of efficiency and convenience. In other words, the implementation of electronic elections must take into account the level of infrastructure readiness in each region.

In its implementation, elections in Indonesia stipulated in Article 22 E paragraph (1) of the 1945 Constitution, namely "General Elections carried out directly, publicly, freely, confidentially, honestly and fairly".

### **Election Result Disputes in Indonesia**

Elections are conducted in compliance with the principles justice and equal rights so that the results are considered valid and representative of the will of the majority of the people. These two principles form the basis for an inclusive and fair political and electoral system.

The principle of justice should give priority to the most disadvantaged in society. The central idea is to create the most favorable conditions for the weakest in society ([Nasution, 2014](#)). This principle aims to reduce inequalities in the opportunities and benefits among individuals or groups in a society.

In the context of elections, fairness can be defined as ensuring that all voters have equal access to information, resources and political rights ([Ilham, 2023](#)).

Whereas equal rights refer to the principle that every individual has equal rights without discrimination based on characteristics such as gender, race, religion, or socio-economic background ([Rohmah & Afifah, 2023](#)). It aims to create an environment where every individual has opportunities and fair treatment indiscriminately.

In the context of elections, equal rights means that every voter has the same right to participate in the democratic process without any barriers or discrimination ([Pasaribu et al., 2018](#)).

Electoral disputes are therefore one of the obstacles to the democratic process in Indonesia. Although elections are an important process for determining the leaders and representatives of the people, disputes, conflicts and tensions can arise as a result of controversial election results ([Silalahi, 2019](#)). This article will discuss some of the elements that contribute to election conflicts in Indonesia, as well as offer an outline of initiatives that may be implemented to address these issues. Intense political competition is one of the leading causes of electoral disputes in Indonesia. Elections frequently create the setting for intense competition among candidates and political parties. As competition heats up, losing parties are more likely to feel unsatisfied with election results, which can lead to conflicts. This unhappiness might be due to charges of fraud, differing political viewpoints, or claimed manipulation of voter data.

Acts of violating electoral requirements might also spark issues. Although the electoral process is carried out in line with established norms and procedures, sometimes claims of infractions emerge, such as unlawful campaigns, money politics tactics, or the presence of ineligible voters ([Andiraharja, 2020](#)). Such infractions have the potential to undermine democratic integrity and

spark disagreements between election participants and the electoral supervision body. Distrust of the voting system can also result in conflict. Some parties may dispute the electoral system's integrity and impartiality, particularly if prior elections have been unfavorable. This type of distrust may undermine the credibility of election outcomes and exacerbate political tensions.

The steps to resolve electoral disputes in Indonesia can be formulated as follows: ([Erick & Ikhwan, 2022](#))

a) Strong Leadership and Openness:

Improving leadership within electoral institutions and enforcing a strong rule of law are critical components of managing electoral disputes. To ensure fairness and integrity, all stages of the election, including vote monitoring and counting, must be made more transparent.

b) Consistent Law Enforcement:

Law enforcement measures involving breaches of electoral rules must be consistent and fair. Strictly applied legal certainty can have a preventative impact, lowering the likelihood of future infractions.

c) Public Engagement and Political Learning:

Encouraging active public engagement in the political process and election monitoring is a critical step. Adequate political education is also required to promote knowledge about the value of elections and the role of communities in conflict resolution.

d) Technology Infrastructure Quality Improvement:

Increased use of technology in elections must be tempered with improvements to Indonesia's technological infrastructure. This seeks to improve voting safety and efficiency.

e) Strengthening Democracy:

Strengthening democratic institutions and solidifying democracy at all levels will assist to lessen political tensions and the possibility of electoral disputes. This entails enhancing the integrity and quality of democracy as a critical basis for conflict resolution.

Elections in Indonesia are an issue that must be handled in order to sustain and improve the quality of democracy. To reduce the risk of disputes and strengthen the electoral process to be more fair, transparent and democratic, the following steps are needed: ([Khoirunnisa, 2023](#))

1. Strengthening Electoral Institutions:

Strengthen electoral institutions including improved policies, procedures and capacities. Strong electoral institutions will be better able to manage and conduct elections effectively.

2. Consistent Law Enforcement:

Ensure consistent enforcement of violations of electoral rules. Strict and fair punishment of violations can have a deterrent effect and strengthen electoral integrity.

3. Active Community Participation:

Encourage active community participation in all stages of elections, from voter registration to monitoring the voting process. Public participation can be an important pillar in maintaining the integrity and transparency of elections.

4. Using Technology Wisely:

Implement technology wisely, including in the use of electronic voting systems and other technology enablers. Technology selection and development should ensure security, integrity and equitable accessibility across regions.

5. Political Education:

Provide adequate political education to the public to improve their understanding of the importance of elections, their rights and obligations as voters, and the democratic process in general.

6. Stakeholder Dialogue and Consultation:

Conduct open dialog and consultation with various relevant parties, including political parties, civil society organizations, and other relevant parties. The involvement of all stakeholders can help create a more comprehensive solution.

By taking these steps, it is hoped that elections in Indonesia can become more stable, fair, and strengthen the country's democratic foundation. The issue of ballot-related electoral conflicts has become a major focus in Indonesia's electoral process. Ballots, as one of the most essential tools in elections, are frequently the source of potential disputes for a variety of reasons. To overcome this issue, legal measures that ensure correct use of technology in the electoral process are necessary. The following are some difficulties with ballots and remedies that may be applied through technology renewal policies: ([Cahyaningsih et al., 2019](#))

a) Physical Ballot Challenge:

Large and hefty heaps of physical ballot papers make it harder to distribute and count votes. The danger of ballot damage or loss grows during the voting, counting, and tallying procedure. As a result, technological optimization is required, including the use of electronic ballots or electronic voting systems (e-voting) as an alternative. Electronic ballots, which may be viewed online via a secure network, can increase vote counting efficiency and accuracy.

b) Ballot validity issues:

Physical votes may be mismarked or destroyed, raising questions about their legitimacy. Without voter eligibility verification, ballots can be misused and duplicated. Biometric technology or electronic identity verification systems may be used to check voter eligibility, decrease the possibility of duplicate votes, and provide each voter with a unique identification, such as fingerprints.

c) Ballot Violations and Manipulation:

There is a possibility of physical ballot manipulation, such as duplicate voting, vote coercion, or ballot falsification. Injustice may result if voters are intimidated. Using blockchain technology allows for the transparent recording of every vote, making it harder to manipulate, and providing legitimate documentation of the election process, eliminating potential voting disputes.

d) Late Counting and Announcement of Results:

Physical counting takes a long time, and the results are often revealed after the election. The

utilization of dispersed computing technology and contemporary data processing can accelerate vote counting and provide reliable results. These technologies help to simplify and streamline the entire voting process.

It is envisaged that by implementing a technology renewal program in elections, many balloting and voting process issues would be addressed more efficiently. Smart and proper use of technology will have a big impact on improving the integrity, transparency, and dependability of Indonesian elections while lowering possible conflicts. It is critical to remember that the use of technology must be consistent with voter data protection and good cybersecurity to ensure the integrity of the whole election process.

### Urgency of Election Digitalization Policy and Prevention of Election Disputes in Indonesia

General elections are a fundamental component of Indonesia's democratic system. However, elections are subject to a variety of issues and disagreements that might jeopardize the democratic process's integrity and stability ([KPU RI, 2022](#)). Digitalization rules play an important role in preventing future election disputes and increasing implementation efficiency.

The digitization process has been regulated in General Election Commission Regulation (PKPU) Number 3 of 2019, specifically Article 52 paragraphs 7 and 8, as well as in PKPU Number 4 of 2019, Article 22 paragraphs 11 and 12. According to these regulations, election participants are given the opportunity to document the recapitulation results through photos and videos.

However, to strengthen the regulation, ideally the photos and videos produced from the documentation can be legally recognized in the recapitulation process at each level. Thus, electronic file materials produced from photos and videos can be used as a form of legal legality. This will make it easier for witnesses and supervisors at each stage of the recapitulation, where they only need to bring electronic files that are already on their respective smartphones.

This article aims to examine the legal aspects of digitalization policies in the administration of general elections in Indonesia, with the objective of mitigating conflicts ([BRIN, 2022](#)). Election digitalization strategy comprises using modern information and communication technology to improve openness, accuracy, and public involvement throughout the election cycle. One important aspect of this approach is the replacement of traditional voting methods with electronic voting systems (e-voting) ([Andari, 2023](#)). Implementing e-voting technology is anticipated to diminish the probability of conflicts arising from tangible ballots, such as counterfeits, absent votes, or complications during the vote tabulation procedure. E-voting streamlines the electronic documentation and authentication of every vote, enhancing the precision and credibility of the electoral procedure. The digitalization initiative further requires the implementation of biometric technologies to authenticate voter IDs, enhance security protocols, and ensure the legitimacy of each voter as a genuine human being. Biometric techniques, like as fingerprint or facial recognition, can be employed to guarantee that each voter is limited to a single vote, hence minimizing the risk of duplicate votes or fraudulent voters. By using this biometric technology, the legitimacy of voters may be improved, lowering the possibility of manipulation and limiting possible disputes that may develop ([Andari, 2023](#)).

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Blockchain technology is also used as part of the election digitalization policy. Blockchain is a technology that enables data storage in a transparent and secure manner without the need for a central authority (Soebroto, 2023). Blockchain technology may be utilized in the electoral process to securely and permanently document each vote, ensuring transparency and immutability. By storing election results on the blockchain, the data becomes readily available to the public, hence enhancing transparency and fostering public confidence in the election process as a whole. Blockchain technology possesses the capacity to address conflicts by furnishing genuine proof pertaining to election outcomes, so facilitating the resolution of disputes and bolstering the credibility of the democratic system (Soebroto, 2023).

Another challenge is voter data protection and cybersecurity. In the process of digitizing elections, strong measures are needed to protect the integrity and confidentiality of voter data. Cybersecurity should be a key focus so that the system is not vulnerable to attacks or manipulations that could jeopardize the integrity of the election (Alfian Kusnaldi et al., 2022). In order to overcome these challenges, it is crucial for the government, election officials, and information technology security experts to work together and develop effective and reliable solutions. The Indonesian elections provide significant potential for settling election disputes and enhancing the integrity of the democratic process. Utilizing e-voting, biometrics, and blockchain technologies can enhance transparency, precision, and public engagement. Optimal outcomes necessitate the harmonization of several stakeholders and stringent safeguards for data privacy in the enforcement of these policies. Indonesia can enhance the electoral process and uphold the integrity of democracy in its elections by effectively implementing digitalization policies (Alfian Kusnaldi et al., 2022).

The primary considerations in adopting this policy are the protection of voters' personal data and cybersecurity. The reason for this is that including sensitive voter data into the digitalization process necessitates stringent procedures to safeguard the privacy of personal information and mitigate any cybersecurity risks.

Overall, it is possible to conclude that using the legal politics of digitalization policies to conduct elections in Indonesia has a high potential for avoiding electoral conflicts and improving the democratic process's integrity (Asia, 2023). By employing e-voting, biometrics, and blockchain technology, it is possible to enhance transparency, accuracy, and public engagement. Nevertheless, to get the best outcomes, the successful execution of these rules necessitates collaboration across many sectors and meticulous safeguarding of data. By effectively implementing digitalization policies, Indonesia can enhance the election process and uphold the integrity of democracy in the nation.

The process of shifting the digitalization of elections from traditional to contemporary is critical in order to establish honest, fair, and efficient democracy without involving the court. Some of the reasons why the digital transformation of elections is required include: (BRIN, 2022)

- a. **Transparency and Public Trust:** Digitization can promote transparency throughout the election process. The use of current technology, such as electronic voting systems (e-voting) and blockchain, enables the open and irreversible recording of all votes. The information generated by these technologies is made available to the public, which boosts public faith in the integrity and validity of elections.



- b. **Efficiency and Accuracy:** Digitalization enables elections to be run more efficiently and accurately. Replacing physical ballots with e- voting, for example, can speed up and improve the accuracy of the voting and counting process. This helps to reduce the risk of human error and potential conflict due to improper calculations.
- c. **Accurate Data Recording:** The use of technology in elections guarantees reliable and consistent data recording. Voter data, as well as election outcomes, may be carefully recorded, allowing for easier analysis and monitoring.
- d. **Fraud Prevention:** Digitization can help to lower the possibility of election fraud. Biometric technology and computerized identification verification can verify voter authenticity, decreasing the chance of numerous or fraudulent voters.
- e. **Simplification of the Election Process:** Digitization allows for a more simple and accessible election process for all voters. Voters can cast their ballots without physically visiting a polling location by using technology such as smartphones or computers.
- f. **Reducing the burden on the Constitutional Court:** A fairer and more accurate voting procedure has the potential to minimize the frequency of electoral disputes before the Constitutional Court. This can assist minimize the institution's burden and keep its attention on more urgent matters.

However, it is critical to recognize that digitizing elections has some challenges and risks. The protection of voters' personal data, cybersecurity, and the availability of evenly dispersed technological infrastructure throughout the area are some of the issues that must be carefully considered and addressed throughout the digitization shift. Finally, the digitization of traditional to modern electoral procedures is critical for achieving an honest, fair, and efficient democracy. By maximizing the use of technology, openness and public engagement may be promoted, disagreements can be avoided, and faith in the voting system can be increased. However, it should be noted that the adoption of digitalization policies must be done with care and caution in order to assure their success and implementation.

## **CONCLUSION**

Based on the analysis and discussion, it can be concluded this strategy is meant to boost public trust in the voting system by using current technology, enhancing transparency, public engagement, and preventing disagreements. Despite the hurdles and hazards, carefully adopting a digitalization policy can improve the quality of Indonesia's democracy. Legal Politics Digitization policies must ensure that all levels of society can easily participate in the electoral process. Regulations must take into account the needs of citizens who may not be familiar with digital technology, so that no group is left out of active participation.

The application of digitalization policies in general elections in Indonesia is crucial in order to avert electoral disputes. The adoption of information and communication technology in transitioning from a traditional system to a contemporary one is anticipated to yield several advantages in the pursuit of a transparent, equitable, and effective democracy. Political Legal Policy Digitalization

can make a positive contribution to political stability. By creating a fair, transparent, and inclusive electoral environment, the risk of disputes can be minimized, and election results will be more accepted by the public.

The digitalization transformation of elections is very important to be implemented immediately because:

1. Digitalization allows the election process to be more efficient and precise. By replacing the use of physical ballots with e-voting, the voting and counting process can be faster and more accurate. This helps avoid human error and reduces the risk of disputes caused by incorrect calculations.
2. The application of technology in elections ensures accurate and consistent data recording. Voter data, vote data and election results can be recorded precisely, facilitating analysis and monitoring.
3. Digitalization transformation can reduce the risk of electoral fraud. Biometric systems and electronic identity verification can guarantee the authenticity of voters, reducing the potential for multiple voters or fictitious voters.
4. Through digitization, the electoral process can become simpler and more accessible to all voters. Voters can use technology, such as smartphones or computers, to vote without having to be physically present at the polling station.
5. With a fairer and more accurate electoral process, there may be fewer electoral disputes for the Constitutional Court to decide. This can help reduce the institution's workload and ensure focus on more pressing issues.

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