



Criminal Sanctions for the Crime of Inflating the Permanent Voters List (DPT) in Electoral Contests in Indonesia

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Abstract

The objective of this study is to examine the criminal sanctions associated with inflating the number of voters in the Permanent Voters List (DPT) during electoral contests in Indonesia and to analyze the underlying causes of such actions. The research employs a normative legal methodology. The findings reveal that several criminal provisions related to inflating voter numbers are stipulated in the laws governing regional administration, regional elections, and general elections. Broadly, two factors contribute to the inflation of the DPT in electoral contests in Indonesia: deliberate manipulation by design orchestrated by certain parties to serve specific interests in electoral competitions, and technical factors, including public apathy towards electoral processes and issues related to the competence and commitment of officials responsible for managing electoral contests.

Keyword: Criminal, Sanctions, Inflating the Permanent Voters, Electoral Contests

INTRODUCTION

Indonesia is a democratic country, as reflected in Article 1, Paragraph (2) of the 1945 Constitution of the Republic of Indonesia, which states, "Sovereignty is vested in the people and exercised in accordance with the Constitution."¹ This embodies the principle of being derived from the people, by the people, and for the people. Quoting Sjachran Basah, it is stated that public participation in governance is an essential characteristic of

¹ Pasal 1 ayat (2) Undang – Undang Dasar Tahun 1945

democracy, which also implies that the people play an active role in overseeing the government.²

Post-reformation, democracy in Indonesia has experienced rapid development, with an increase in public participation in the national and state life channeled through mechanisms that increasingly reflect the principles of transparency and equality for all citizens. One manifestation of this development is the implementation of elections for representatives and government officials, namely general elections for legislative members, the direct election of the president, and regional head elections.³

This is regulated in Article 22E, Paragraph (2) of the 1945 Constitution of the Republic of Indonesia, which states, "General elections shall be conducted to elect members of the People's Representative Council, the Regional Representative Council, the President and Vice President, and the Regional People's Representative Council."

Meanwhile, the general election for regional heads is regulated in Article 18, Paragraph (4) of the 1945 Constitution, which states, "The Governor, Regent, and Mayor, as the heads of the regional governments in provinces, districts, and cities, are elected democratically." Prior to 2005, regional heads and their deputies were elected by the Regional Representative Council (DPRD), but after the enactment of Law No. 32 of 2004, the people gained the right to directly elect regional heads.⁴ This is regulated in Article 56, Paragraph (1) of Law No. 32 of 2004 on Regional Government, which states, "The head of the region and the deputy head of the region shall be elected as a pair of candidates, conducted democratically based on the principles of direct, general, free, secret, honest, and fair elections."⁵

Although there is a normative distinction between general elections and regional head elections, substantively, there is no significant difference between the two. The Constitutional Court, in the legal considerations of Decision No. 85/PUU-XX/2022, stated the following:

² Sjachran Basah, *Ilmu Negara*, (Bandung: Alumni, 1989), 83.

³ Janedjri M. Gaffar, *Politik Hukum Pemilu*, (Jakarta: Konstitusi Press, 2012), 92.

⁴ Dina Lestari, "Permasalahan Daftar Pemilih Tetap Pada Pemilihan Bupati Dan Wakil Bupati Sampang Tahun 2018 dalam Perspektif Integritas Pemilu", *Electoral Governance Jurnal Tata Kelola Pemilu Indonesia* 1, No. 1 (2019): 24, <https://journal.kpu.go.id/index.php/TKP/article/view/16>

⁵ Pasal 56 ayat (1) Undang – Undang No. 32 Tahun 2004 Tentang Pemerintahan Daerah

1. National General Elections and Regional Head Elections, both *de jure* and *de facto*, are organized by the same institution. The only norm in the 1945 Constitution that refers to the organizer of general elections is Article 22E, Paragraph (5), which states, "General elections shall be organized by a general election commission that is national, permanent, and independent."
2. The 1945 Constitution mandates six principles for organizing democratic elections, namely direct, general, free, secret, honest, and fair principles as stated in Article 22E, Paragraph (1). In addition, because of the regular nature of election administration, Article 22E, Paragraph (1) also includes the principle of periodic or regular elections. This principle not only applies to national general elections (i.e., the election of the President and Vice President, members of the People's Representative Council (DPR), members of the Regional Representative Council (DPD), and members of the Regional People's Representative Council (DPRD)) but also forms the basis for regional head elections. Both types of elections are organized in accordance with universally applicable democratic principles.
3. The norm in the 1945 Constitution is further implemented in several laws that regulate election administration through the General Election Commission (KPU) and the Election Supervisory Body (Bawaslu), with behavioral oversight by the Honorary Board of Election Organizers (DKPP). These laws do not differentiate between the administration of national general elections and regional head elections. In practice, there is no such distinction. The only difference lies in that the administration of national elections is fully conducted by the KPU RI (or the central KPU), while regional head elections are conducted by the KPU at the regional level, which is essentially an extension of the KPU RI, thus forming a single entity with the KPU RI. Similarly, Bawaslu at the regional level, in overseeing regional head election administration, still acts as an extension of Bawaslu RI (central Bawaslu). This alignment is further supported by the practice of the DKPP examining and adjudicating all election

organizers at both the national and regional levels without distinguishing between their absolute jurisdiction.

4. The participants in general elections, both contestants (including candidates supported by political parties and independent candidates) and voters (those who hold voting rights), can understand and follow the concept of elections without differentiating between National General Elections and Regional Head Elections. In fact, according to the Constitutional Court, there is no longer a sufficient reason to distinguish between the two, either conceptually, theoretically, or sociologically.
5. From the perspective of resources and funding, the Court also found that merging both electoral systems into one is more efficient, as it allows the elections to be organized by the same institution, rather than requiring the establishment of two separate organizing bodies.

Still in the legal considerations of the same ruling, the Constitutional Court further emphasized, "Based on these legal considerations, by using the original intent of the amendment to the 1945 Constitution, the Court has affirmed that there is no longer a distinction between the electoral regimes." In general, the significance of elections lies in their role as the primary means of realizing democracy within a country, while the substance of elections involves the expression of the people's vote to form representative institutions and government bodies that serve as the organizers of the state.⁶

For the Indonesian nation, elections are a state agenda held every five years. The principles applied in elections are direct, general, free, secret, honest, and fair, which mean that voters cast their votes directly without being represented, are applicable to all citizens, conducted freely without coercion, and kept confidential. The principles of honesty and fairness are implemented on two levels: normative rules and the moral conduct of the election process.

The normative rules themselves consist of two types: preventive rules and repressive rules. Preventive rules outline actions that must or must not be taken throughout all stages of the election and provide mechanisms for resolving disputes that violate the principles of

⁶ Janedjri M. Gaffar, *Politik Hukum Pemilu*, (Jakarta: Konstitusi Press, 2012), 5.

honesty and fairness. Meanwhile, repressive rules impose penalties on those who commit violations that contradict these principles.⁷

In practice, however, the administration of elections still encounters various issues that tend to result in violations. One of the procedural issues that has emerged in Legislative Elections, Presidential Elections, and Regional Head Elections concerns the problem of the Permanent Voter List (DPT), which has been subject to criticism from various parties. These criticisms arise from weaknesses in the composition of the DPT, such as the registration of citizens more than once, which may lead to violations through voter list manipulation. On the other hand, many eligible voters are not registered in the DPT, which affects voter participation and ultimately undermines the legitimacy of the election results.⁸

In fact, high political participation indicates that the people are engaged with and understand political issues and are eager to involve themselves in political activities. Therefore, political participation serves as a manifestation of legitimate political power.⁹

Considering the background outlined above, the author intends to examine the issues that arise in the implementation of electoral contests in Indonesia, specifically concerning violations related to the inflation of the Permanent Voters List (DPT).

METHOD

According to H.J. van Eikema Hommes, it is stated that each field of knowledge has its own method.¹⁰ What Van Eikema Hommes asserts indicates that standardizing methods for all fields of knowledge is not possible.¹¹ Legal research is the process of discovering coherence in law, which involves examining whether legal rules align with legal norms, whether norms in the form of commands or prohibitions are consistent with legal principles, and whether an individual's actions are in accordance with legal norms (not only in accordance with legal rules) or legal principles.¹²

⁷ Janedjri M. Gaffar, *Politik Hukum Pemilu*, (Jakarta: Konstitusi Press, 2012), 47.

⁸ Janedjri M. Gaffar, *Politik Hukum Pemilu*, (Jakarta: Konstitusi Press, 2012), 6.

⁹ Amin Rais, *Demokrasi dan Proses Politik*, (Jakarta: LP3ES, 1986), 116.

¹⁰ Peter Mahmud Marzuki, *Penelitian Hukum*, (Jakarta: Kencana, 2014), 19.

¹¹ Peter Mahmud Marzuki, *Penelitian Hukum*, (Jakarta: Kencana, 2014), 19.

¹² Peter Mahmud Marzuki, *Penelitian Hukum*, (Jakarta: Kencana, 2014), 47.

The type of research used in the writing of this article is normative legal research, which is focused on examining the application of legal principles or norms within positive law.¹³ The approach used in this research is the statute approach, which involves examining all laws and regulations related to the legal issue being addressed, and the conceptual approach, which is based on the views and doctrines developed in legal science that are relevant to the legal issue at hand.

RESULTS AND DISCUSSION

A. Criminal Sanctions for the Inflation of the Permanent Voters List (DPT) in Electoral Contests in Indonesia

Indonesia is a rule of law country,¹⁴ A state of law refers to a country that upholds the supremacy of law to enforce truth and justice, where no power is unaccountable,¹⁵ Consequently, violations in the implementation of electoral contests will be subject to legal sanctions. In imposing legal sanctions, it must be based on the provisions of the law, in line with the principle of legality. Positive law in Indonesia recognizes the principle of legality in the Criminal Code (KUHP) Article 1, paragraph (1), which states that any act classified as a criminal offense must be formulated in a law that is enacted beforehand, clearly stipulating the acts in question.¹⁶ This principle regulates, among other things, what actions or deeds can be categorized as criminal offenses and based on what reasoning. The introduction of the principle of legality in legal theory initially functioned normatively to establish a standard for an individual's behavior, determining whether it could be classified as a criminal offense (delict) or not.¹⁷

¹³ Herowati Poesoko, *Modul Mata Kuliah Metode Penelitian Hukum*, (Jember: Program Pascasarjana Fakultas Hukum Universitas Jember, 2013), 28.

¹⁴ Pasal 1 ayat (3) UUD 1945

¹⁵ Sunarjo, "Peradilan Sebagai Pilar Negara Hukum Dalam Perspektif Pancasila", *Jurnal Cakrawala Hukum* 19, No.1 (2014): 72, <https://jurnal.unmer.ac.id/index.php/jch/article/viewFile/1132/786>

¹⁶ Moh Khasan, "Prinsip-Prinsip Keadilan Hukum Dalam Asas Legalitas Hukum Pidana Islam (Justice Principles in The Principle of Legality of Islamic Criminal Law)", *Jurnal Rechtsvinding* 6, Nomor 1 (2017): 22, <https://rechtsvinding.bphn.go.id/ejournal/index.php/jrv/article/view/133/133>

¹⁷ Moh Khasan, "Prinsip-Prinsip Keadilan Hukum Dalam Asas Legalitas Hukum Pidana Islam (Justice Principles in The Principle of Legality of Islamic Criminal Law)", *Jurnal Rechtsvinding* 6, Nomor 1 (2017): 22, <https://rechtsvinding.bphn.go.id/ejournal/index.php/jrv/article/view/133/133>

In addition to being based on the principle of legality, before a criminal sanction can be imposed on an individual, it must be determined whether there is fault on the part of that individual. This aligns with the principle of *Geen Straf Zonder Schuld* ("No punishment without fault"), which means that in order to impose a penalty on someone who has committed a criminal offense, there must be an element of fault attributed to the individual.

Initially, the principle of *Geen Straf Zonder Schuld* was an unwritten rule in law, but over time, it can also be found in positive law. For instance, Article 6(2) of Law No. 48 of 2009 concerning Judicial Authority states: "No one may be punished, except where the court, based on valid legal evidence, is convinced that the individual responsible for the alleged act has committed the offense."

The principle is implicitly manifested in the Indonesian Criminal Procedure Code (KUHAP), as seen in Article 183, which states: "A judge shall not impose a penalty on someone except where, with at least two valid pieces of evidence, the judge is convinced that a crime has occurred and that the defendant is guilty of committing it." Conversely, Article 191(1) of the KUHAP provides: "If the court is of the opinion that, based on the trial examination, the defendant's guilt for the alleged act has not been proven by valid and convincing evidence, the defendant shall be acquitted."

This provision, in its negative form, can be interpreted to mean that if the defendant's guilt is proven by valid and convincing evidence, then the defendant is not acquitted and can be sentenced. The same reasoning is evident in Article 193(1) of the KUHAP, which states: "If the court is of the opinion that the defendant is guilty of the criminal act as charged, then the court shall impose a penalty." This, in its negative form, implies that if the court believes the defendant is not guilty of the offense, then no penalty will be imposed.¹⁸

In relation to the legal consequences of violations concerning the inflation of the Permanent Voter List (DPT) that occur during electoral contests, the following violations represent forms of fraud related to the inflation of the DPT, along with their criminal penalties as outlined in the law:

¹⁸ Aditya Wiguna Sanjaya, *Ajaran Kesalahan Dalam Hukum Pidana*, (Depok: Rajagrafindo Persada, 2023), 4.

1. Law Number 32 of 2004 on Regional Government**Article 115, paragraph (1)**

Anyone who intentionally provides false information about themselves or others regarding something required for the compilation of the voter list shall be sentenced to imprisonment for at least 15 (fifteen) days and a maximum of 3 (three) months, and/or a fine of at least IDR 100,000 (one hundred thousand rupiahs) and at most IDR 1,000,000 (one million rupiahs).

Article 115, paragraph (3)

Anyone who intentionally falsifies a document, required by this law to carry out an act, with the intent to use it personally or by others as if it were valid or not falsified, shall be sentenced to imprisonment for at least 3 (three) months and a maximum of 18 (eighteen) months, and/or a fine of at least IDR 600,000 (six hundred thousand rupiahs) and at most IDR 6,000,000 (six million rupiahs).

Article 115, paragraph (4)

Anyone who intentionally and knowingly uses a document, as referred to in paragraph (3), that they know is invalid or forged, or instructs others to use it as a valid document, shall be sentenced to imprisonment for at least 3 (three) months and a maximum of 18 (eighteen) months, and/or a fine of at least IDR 600,000 (six hundred thousand rupiahs) and at most IDR 6,000,000 (six million rupiahs).

Article 117, paragraph (3)

Anyone who, at the time of voting, intentionally impersonates another person to use their voting rights, shall be sentenced to imprisonment for at least 15 (fifteen) days and a maximum of 60 (sixty) days, and/or a fine of at least IDR 100,000 (one hundred thousand rupiahs) and at most IDR 1,000,000 (one million rupiahs).

Article 117, paragraph (4)

Anyone who, at the time of voting, intentionally casts more than one vote in one or more polling stations (TPS), shall be sentenced to imprisonment for at least 1 (one) month and a maximum of 4 (four) months, and/or a fine of at least IDR 200,000 (two hundred thousand rupiahs) and at most IDR 2,000,000 (two million rupiahs).

2. Law Number 1 of 2015 on the Stipulation of Government Regulation in Lieu of Law Number 1 of 2014 on the Election of Governors, Regents, and Mayors into Law, as amended by Law Number 10 of 2016 on the Second Amendment to Law Number 1 of 2015 on the Stipulation of Government Regulation in Lieu of Law Number 1 of 2014 on the Election of Governors, Regents, and Mayors into Law

Article 177

Anyone who intentionally provides false information about themselves or others regarding any matter required for the completion of the voter list shall be punished with imprisonment for at least 3 (three) months and at most 12 (twelve) months, and a fine of at least IDR 3,000,000 (three million rupiahs) and at most IDR 12,000,000 (twelve million rupiahs).

Article 177A, paragraph (1)

Anyone who intentionally commits an unlawful act by falsifying data and the voter list as referred to in Article 58 shall be punished with imprisonment for at least 12 (twelve) months and at most 72 (seventy-two) months, and a fine of at least IDR 12,000,000 (twelve million rupiahs) and at most IDR 72,000,000 (seventy-two million rupiahs).

Article 177B

Members of the PPS (Voter Registration Committee), members of the PPK (District Election Committee), members of the KPU (General Elections Commission) at the District/City or Provincial level who intentionally commit an unlawful act by failing to verify and compile data and voter lists as referred to in Article 58 shall be punished with imprisonment for at least 24 (twenty-four) months and at most 72 (seventy-two) months, and a fine of at least IDR 24,000,000 (twenty-four million rupiahs) and at most IDR 72,000,000 (seventy-two million rupiahs).

Article 178A

Anyone who, during the voting process, intentionally commits an unlawful act by impersonating another person to exercise their voting rights, shall be punished with imprisonment for at least 24 (twenty-four) months and at most 72 (seventy-two) months, and a fine of at least IDR 24,000,000 (twenty-four million rupiahs) and at most IDR 72,000,000 (seventy-two million rupiahs).

Article 178B

Anyone who, during the voting process, intentionally commits an unlawful act by casting more than one vote in one or more polling stations (TPS), shall be punished with imprisonment for at least 36 (thirty-six) months and at most 108 (one hundred eight) months, and a fine of at least IDR 36,000,000 (thirty-six million rupiahs) and at most IDR 108,000,000 (one hundred eight million rupiahs).

Article 178C

- (1) Anyone who, not entitled to vote, intentionally casts their vote once or more in one or more polling stations (TPS) shall be punished with imprisonment for at least 36 (thirty-six) months and at most 72 (seventy-two) months, and a fine of at least IDR 36,000,000 (thirty-six million rupiahs) and at most IDR 72,000,000 (seventy-two million rupiahs).
- (2) Anyone who intentionally instructs an ineligible person to cast their vote once or more in one or more polling stations (TPS) shall be punished with imprisonment for at least 36 (thirty-six) months and at most 144 (one hundred forty-four) months, and a fine of at least IDR 36,000,000 (thirty-six million rupiahs) and at most IDR 144,000,000 (one hundred forty-four million rupiahs).
- (3) In the case that the criminal offense referred to in paragraph (2) is committed by an election organizer, they shall be sentenced to the same punishment as in paragraph (1), increased by one-third of the maximum penalty.

3. Law Number 7 of 2017 on General Elections**Article 488**

Anyone who intentionally provides false information about themselves or others regarding any matter necessary for the completion of the voter list as referred to in Article 203 shall be sentenced to a maximum imprisonment of 1 (one) year and a fine of up to IDR 2,000,000 (two million rupiahs).

Article 489

Any member of the PPS (Voter Registration Committee) or PPLN (Indonesian Overseas Election Committee) who intentionally fails to announce and/or correct the temporary voter list after receiving input from the public and/or Election Participants as referred to in Articles 206, 207, and 213 shall be sentenced to a maximum imprisonment of 6 (six) months and a fine of up to IDR 6,000,000 (six million rupiahs).

Thus, it can be seen that several provisions regulate the issue of the inflation of the Permanent Voter List (DPT) in electoral contests, all of which include criminal sanctions.

B. The Factors Contributing to the Inflation of the Permanent Voter List (DPT) in Electoral Contests

An election organized by the state can be considered successful and democratic if it can demonstrate, through the democratic system, the continuity of elections, candidates, and institutions capable of organizing them, being accountable and adhering to all existing regulations, and must meet several criteria, including:¹⁹

1. The establishment of a clear and easily understandable legal framework for elections;
2. The electoral system;
3. The determination of electoral districts;
4. The right to vote and be voted for;
5. The election management bodies;
6. Voter registration and voter lists;
7. Access to ballots for candidates and political parties;
8. Democratic election campaigns;
9. Access to media and freedom of expression;
10. Financing and expenditures;
11. Voting procedures;
12. Vote counting and tabulation;
13. The role of party representatives and candidates;
14. Election oversight; and
15. Compliance with the law and the enforcement of electoral regulations.

¹⁹ Annisa Nur Azzahra, dkk, "Implikasi Konflik Penggelembungan Suara Sirekap Terhadap Demokrasi yang Jurdil dalam Pemilu 2024 Perspektif Siyasa Dusturiyah", *Unes Law Review* 6, No. 4 (2024): 11825, <https://review-unes.com/index.php/law/article/view/2193>

When these criteria are not met, the election can be considered less democratic. This can be detected from five criteria, including:²⁰

1. Limited access to public information;
2. Discriminatory government regulations;
3. Disregard for public interests and aspirations;
4. Lack of public participation in the electoral process;
5. Bias of election organizers.

As a result, the election outcomes will always be questioned, doubted, and contested. This includes the objectivity and impartiality of the election organizers, which will constantly be scrutinized. To achieve democratic results, elections must be conducted regularly and transparently, ensuring that the democracy upheld aligns with general principles and reflects the nation's cultural identity and character.²¹ Therefore, to ensure the success of elections and the integrity of a democratic state, all forms of electoral fraud need to be addressed by developing measures to overcome them.

In relation to the topic discussed in this paper, ahead of the 2024 democratic elections, President Joko Widodo has warned the General Election Supervisory Agency (Bawaslu) to work diligently in overseeing the process of compiling the Permanent Voter List (DPT). The issue of DPT has been a recurring controversy in the administration of elections. According to him, in every election, the DPT always becomes a point of accusation against election participants for committing fraud.²²

In line with this, to determine the appropriate measures to anticipate and address the occurrence of violations related to the inflation of the Permanent Voter List (DPT) in electoral contests, it is essential to first identify the factors that contribute to this phenomenon.

²⁰ Annisa Nur Azzahra, dkk, "Implikasi Konflik Penggelembungan Suara Sirekap Terhadap Demokrasi yang Jurdil dalam Pemilu 2024 Perspektif Siyasah Dusturiyah", *Unes Law Review* 6, No. 4 (2024): 11825, <https://review-unes.com/index.php/law/article/view/2193>

²¹ Annisa Nur Azzahra, dkk, "Implikasi Konflik Penggelembungan Suara Sirekap Terhadap Demokrasi yang Jurdil dalam Pemilu 2024 Perspektif Siyasah Dusturiyah", *Unes Law Review* 6, No. 4 (2024): 11825, <https://review-unes.com/index.php/law/article/view/2193>

²² Ghita Intan, "Jokowi: Masalah Daftar Pemilih Tetap Selalu Berulang Setiap Pemilu" Desember 17, 2022, <https://www.voaindonesia.com/a/jokowi-masalah-daftar-pemilih-selalu-berulang-setiap-pemilu-/6880646.html>

According to Felix Wisnu Handoyo, the emergence of problematic DPT is influenced by several factors, namely:²³

1. The existence of unhealthy politics among political parties participating in the election, where they exploit the flaws in the population data collection process. Such misconduct aims to increase the vote count for certain political parties.
2. The involvement of individuals in inflating the number of permanent voters. If we observe closely, the only parties capable of modifying the DPT are the authorized officials. Therefore, the inflation of the DPT is inseparable from the role of certain government individuals in manipulating the process to favor certain political parties.
3. The lack of seriousness on the part of the General Election Commission (KPU) in organizing the upcoming elections. As the election organizer, the KPU should have already addressed all relevant aspects of the process.

Referring to the research conducted by Dina Lestari in the 2018 election for the regent and vice regent of Sampang, there are several factors contributing to voter data issues, including the presence of duplicate data in the Permanent Voter List (DPT). One of the causes of duplicate data in the DPT is that the PPDP (Voter Data Update Committee) does not fully understand the applicable regulations.

The PPDP continues to register some new voters based on *de facto* data, rather than *de jure* data, as required by the relevant regulations. Additionally, the involvement of local figures, such as village heads (*kelbun*) and political brokers (*blater*), plays a role. Moreover, there is insufficient public participation in voter registration, despite efforts by the Sampang Regency Election Commission (KPU) to socialize the process through mass media and social media.²⁴

²³ Felix Wisnu Handoyo, “Geliat Pemilu Yang Mencengangkan” Maret 31, 2009, <https://fwh89.blogspot.com/search?q=DPT>

²⁴ Dina Lestari, “Permasalahan Daftar Pemilih Tetap Pada Pemilihan Bupati Dan Wakil Bupati Sampang Tahun 2018 dalam Perspektif Integritas Pemilu”, *Electoral Governance Jurnal Tata Kelola Pemilu Indonesia* 1, No. 1(2019): 32, <https://journal.kpu.go.id/index.php/TKP/article/view/16>



Based on the references mentioned above, the author can categorize the factors contributing to the inflation of the Permanent Voter List (DPT) in electoral contests as follows:

1. The deliberate actions taken by certain parties, by design, to achieve specific interests in the electoral contest.
2. Technical factors arising from the public's lack of concern regarding the electoral contest, as well as issues related to the competence and commitment of the authorized officials responsible for organizing the electoral process.

CONCLUSION

There are several criminal provisions related to the inflation of the Permanent Voter List (DPT) which are regulated in Law No. 32 of 2004, the Regional Election Law, Law No. 1 of 2015 concerning the Stipulation of Government Regulation in Lieu of Law No. 1 of 2014 on the Election of Governors, Regents, and Mayors into Law, as amended by Law No. 10 of 2016 on the Second Amendment of Law No. 1 of 2015 regarding the Stipulation of Government Regulation in Lieu of Law No. 1 of 2014 on the Election of Governors, Regents, and Mayors into Law, as well as Law No. 7 of 2017 on General Elections.

Broadly speaking, there are two main factors contributing to the inflation of the Permanent Voter List in electoral contests in Indonesia, namely the deliberate actions taken by certain parties by design to achieve specific interests in the electoral contest, and technical factors stemming from the public's lack of concern regarding the electoral process, as well as issues related to the competence and commitment of the authorized officials responsible for organizing the electoral contest.

The government should seriously address the organization of electoral contests in Indonesia, particularly in relation to the preparation of the Permanent Voter List, by involving the Heads of Neighborhood and Community Units (RT/RW), as these local officials are more familiar with the population data of their constituents.

The government should conduct thorough analysis and evaluation of each electoral contest. If it is found that fraud continues to occur, the government should propose amendments to the relevant laws regulating this issue, increasing the severity of penalties



to serve as a deterrent for anyone intending to commit legal violations in the course of electoral contests.

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