

Realizing Accountability of General Election With Quality and Integrity Thru Transformation of The General Election System

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Abstract. Democracy is one concepts of community managing that has been known for thousands years. From the perspective of liberalism, democracy is a form of liberalism that enters the world of politics. That makes democracy include the concept of freedom and equality. One of important event of democracy implementation is the general election. Due to general election is related with channeling people's aspirations then every part of the election requires proper handling to ensure that the transfer of support and legitimacy of the people as the owner of legitimacy takes place properly and ideally. Therefore this Paper aims to showing how the important of the quality and Integrity of an election should be doing in Indonesia recently democracy era to guarantee people legitimation properly.

Keywords: General Election, Accountability, Quality, Integrity, Transformation

1 Introduction

According to Aristotle (the Greek philosopher), the government of a country in the perspective of the Sovereignty theory can be classified into 3 (three) forms: (1) monocratic; one person rules many people like in Monarchy. In this type of government, the country is established based on "King Sovereignty". The King or Queen as the highest authority controller is not elected through an election, but governs from generation to generation depending on the family bloodline (dynasty); (2) autocratic, which means where a small number of people govern many other people. In this form, like the Theocracy, the power of State administration is built on the foundation of 'God's Sovereignty'. The highest spiritual leaders lead government and state appointed individuals who act as spiritual authorities (Deputy God on Earth / Caliph); (3) democracy means that many people rule lots of people. In this form as in the Democratic State, the power of State administration is established on the foundation of 'Citizen Sovereignty'. The head of state and head of government are elected by the people in a general election or body who are seen as the representative of the people.

From the perspective of liberalism, democracy is a form of liberalism which goes into the world of politics. As the result, it makes democracy involve the concept of freedom and the concept of equality. In both concepts, some particular requirements of citizen sovereignty include aspects of freedom of speech, freedom of association and freedom of government-ruled. Dealing with these three requirements, the democratic state has the characteristics of 4 (four) things: (1) press freedom as a channel for freedom of speech; (2) political participation which

functions as a channel for freedom in association; (3) general elections that are free, open, fair, honest, scale and competitive as a channel for freedom of government-ruled.; (4) a government which depends on an assembly (parliament) as a minimum requirement [1].

In many cases of the third world countries / developing countries, democracy can start growing and developing after going through a planned and sustainable political process in the form of democratization. Even though Indonesia from the beginning accepted the form of democratic government which was marked by an affirmation on the basis of the Republic of Indonesia as stipulated in the 1945 Constitution, the democracy was not immediately practiced. First president and first vice president, for instance, were not elected through general elections and neither earlier legislature members were. Thus, a new election was just carried out after the Soekarno government experienced a democratization process which was marked by local political upheaval in the form of rebellion such as between central government vs local government, Java vs outside Java, and civil vs military.

Democratization is a process of change towards a democratic form of government characterized by movements from authoritarian systems, structures and cultures to democratic systems, structures and cultures with the principles of transparency, accountability, credibility and participation. As a process, democratization must go through the stages of continuous transition and consolidation stages. At the stage of transition there will be a change in the non-democratic regime and the establishment of orderly elements of democracy. Furthermore, at the consolidation stage, democratic practices have become part of political culture [2].

2 Research Method

This paper is based on the results of analysis of conditions about implementation of democracy in Indonesia based on some secondary data that combine with some direct observation. The data analyze thru the democracy theory under the institutionalism. The perspective use to make sure some practices in election must be under the formal view based on the formal regulation.

3 Result and Discussion

3.1 General Election and Democratize of Election

General elections are the main characteristics of the democratic political system. Through elections, elite circulation takes place periodically. Elections provide an opportunity for the change of leadership and / or representatives of the people to happen peacefully and democratically.

The main principle of democracy, in essence, is sovereignty in the hands of the people. Thus, in a democratic system people occupy a very important position. This is related to the principle of liberty and equality. All people in a democratic system have equality regarding with their rights as citizens and this is guaranteed by the constitution. These rights also include the right to determine the leaders of the country. Respect for this is manifested in a process called elections. The implementation of elections must be able to protect and accommodate all the political rights of citizens and voters in accordance with the principles of equality, one person,

one vote, one value (OPOVOV) and the principles of political justice. However, these rights often collide each other with the rights and interests of others. Democracy, therefore, is needed.

A society that places civil liberty as a most fundamental shared value seeing democracy in different ways. This community needs democracy to protect and guarantee the freedom and rights of its citizens. Tyranny and all forms of absolute political power are always seen as threats. Democracy is often identified with efforts to control and limit state power [3].

In this matter, the principle of citizenship becomes very important. According to this principle all forms of new political power are considered not arbitrary and legitimate if they get the approval of the community. The legitimacy can be achieved, for example, through general elections conducted regularly to determine figures and leaders who occupy public positions with great authority. Citizenship also requires participation. It means that the process of making joint authoritative policies must be opened for the involvement of all citizens and considering the preferences which develop in the community [3].

In the literature of modern political knowledge, it is mentioned that there are several basic features of a democratic political system, including: first, the existence of broad and autonomous political participation; democracy first requires the freedom of participation for anyone, both individuals and groups autonomously. Without the expansion of autonomous political participation, democracy will cease as mere political jargon. Therefore, the first element in a democratic political system is the existence of broad and autonomous political participation. Second, the realization of fair and healthy political competition. In the context of liberal democracy, all political forces (political parties) or social-community forces (interest groups and pressure groups) are recognized as their right to life and given the freedom to compete with each other fairly as a means of channeling people's aspirations, either in general elections or in other socio-political competitions. Third, the existence of periodic, managed, and well-maintained succession or circulation of power, especially through the electoral process. Fourth, effective monitoring, control, and supervision of power (executive, legislative, judiciary, bureaucracy and military); and the realization of check and balance mechanisms among state institutions. Fifth, the existence of manners, values, mutually agreed norms in society, state and nation is important as well [3].

There are number of general standards internationally, which become whether or not the democratic benchmarks of an on-going election process. This international standard appears to be a minimum requirement for the legal framework to guarantee democratic elections. Indicators of the standard include 15 aspects, namely the preparation of the legal framework, the determination of the electoral system, the determination of electoral districts, the right to vote and be elected, the Electoral Management Body (EMB), voter registration and voter list, ballot paper access for political parties and candidates, democratic election campaigns, access to mass media and freedom of expression, financing and expenditure of political parties, voting, vote counting and recapitulation, the role of party and candidate representatives, election monitoring, and election law enforcement. If there are one or several aspects which does not run well, other aspects will be affected significantly. Hence, overall it will have an impact on the quality of the election.

Election implementation can be categorized as taking place democratically if it has two simultaneous aspects; procedural aspects and substantive aspects. The procedural aspects consist of election regulations (Election Law), Election Management Body (General Election Commission and election supervisory body), Election Participants (Political Parties and / or Individual Candidates), and Voters (Permanent Voters List). This procedural aspect indicator is a very quantitative result which makes the election is famous for being called as the voting contest.

Democratic elections are intended to get leaders who obtain political legitimacy from the people. To achieve that, five principles are needed: First, the principle of free elections meaning that all citizens have voting rights, independently, without pressure and / or force to use their right to vote. Second, the open principle means that elections involve all parties, so that implementation is transparent, accountable, credible and participatory. Third, the fair principle by definition is that the voters and election participants get the same treatment. Fourth, the principle of honesty means that all parties involved in the election must act and behave by putting forward the values of truth. Finally, is the competitive principle meaning that elections are free from all forms of political mobilization neither with the lure of money, goods, services, positions, intimidation, pressure nor coercion that make certain election participants can certainly win before all stages of the election end [4].

To strengthen those principles it must direct, general and confidential principles should be ensured. The principle of direct means that the voter may not be represented by anyone and under any pretext in using his right to vote. General principle means that all eligible citizens can vote without distinguishing their social status (ethnicity, race, religion, class, gender, occupation and place of origin) while the principle of confidential means that no party can know and / or try to know someone's choice.

Considering that elections might cause political conflicts which can create social political instability, the independent and professional Election Management Board is something that cannot be bargained for. Independent Election Management Boards are very essential for democratic elections. They include thoughts, attitudes, actions and behaviors which cannot be affected negatively and/or dependent on any party. Independent Election Management Boards require professionals. Samuel P. Huntington [5] explains that a professional has 3 (three) characteristics, namely (1) having special knowledge in a particular field; (2) having expertise in the practice of his profession; (3) having awareness of its existence as a different group of common people.

In Indonesia, elections which are often judged by observers are classified as democratic elections other than the 1955 elections are elections after the May 1998 Movement, such as the 2004, 2009 and 2014 elections. The 2004 elections were considered the most complex but democratic elections compared to the elections in the old order and all elections in the New Order. The 2004 elections for the first time were carried out to fill the membership of the Regency / City DPRD, Provincial DPRD, DPR, DPD, as well as direct election of the President and Vice President. The 2004 elections were considered democratic not only because the KPU as the election organizer could be called *Mandiri*, but also because the Election Oversight function was effective even though at that time it was still ad hoc and participatory. Likewise, the supervision of the 2009 elections, which since the first time the election supervisory institutions were permanent, national, permanent and independent based on Law 15 of 2011 concerning Election Management Body. Meanwhile, 2014 election supervision was considered successful by taking into account five indicators, those indicators are; (1) Strengthening institutions and capacity of election supervisory resources up to the Village / Village and Overseas Election Supervisory (PPLN) level; (2) Refusing all forms of cooperation with any party, especially foreign parties that have the potential to tarnish the election results; (3) Placing the Army and Police institutions as supported when its strength is still significant to intervene; (4) Effectiveness of law enforcement on electoral criminal violations through the synergy of three institutions namely Election Supervisor, Police and Prosecutors through SENTRAGAKUMDU. (5) Promoting voluntary autonomous community participation through the Movement of Million Election Supervisory Volunteers (GSRPP).

The open list proportional system with the most votes mechanism of which is still adhered to in the 2014 election, creates broad implications and high dynamics because not only political parties fight over the people's votes, but also candidates from each party from the same electoral district. The efforts of candidates to get the most votes cause high competition and political intrigue. Political party candidates in the same electoral district compete with each other for the votes of their constituents in various ways, including by buying votes from voters. Therefore, the electoral system that has been in effect since 2009 based on the Constitutional Court's decision also has an impact on the increasingly intense and massive money politics carried out by the legislative candidates in order to gain the maximum support in the 2014 legislative election.

3.2 The Election Accountability by Electional Supervision

As a process that is very important and organized by formal institutions, the implementation of elections should be carried out by prioritizing the principles of accountability in which transparent and participatory aspects are included. According to Miriam Budiardjo, accountability is the responsibility of parties who are mandated to govern those who give mandates [6]. Thus, accountability actually has the meaning of accountability by creating supervision through the distribution of power. This is important to reduce the accumulation of power in a particular institution while at the same time creating a check and balances situation. These conditions will provide a huge opportunity for the implementation of an ideal election. To ensure this, the implementation of elections should be carried out by prioritizing the principle of accountability.

The principle requires two things, namely answerability and consequences. Answerability is related to the demand for implementing officials to provide periodic answers to various questions related to the use of their authority in carrying out their duties and how they use that authority in relation to the use of resources and the results achieved. Thus, all election administrators must be able to account for the implementation of their authority.

Guy Peter [7] mentions three types of accountability, namely: (1) financial accountability, (2) administrative accountability, and (3) public policy accountability. Based on these three things, it can be said that the principle of accountability, including the implementation of elections, is closely related to these aspects. This is very closely related to accountability efforts to the public.

Furthermore, the important thing related to accountability is the aspect of transparency. Transparency is a principle that guarantees access or freedom for everyone to obtain information about the implementation of an activity carried out by a state institution or other formal institution. Existing information is related to the policy, the process of making and implementing it, and the results achieved. Thus, the aspect of transparency in the principle of accountability will be strongly related to the supervision of all processes that occur. In other words, transparency will provide information disclosure to the public.

Through information disclosure, it is hoped that it will open a space for healthier and more tolerant political dynamics and policies based on public preferences. The principle of transparency is related to two aspects, namely the existence of public communication from the organizing institution and the guarantee of the community's right to access information. Both of these things require seriousness from the organizing institution to be able to carry out their duties and responsibilities properly. In short, it can be said that transparency means the availability of sufficient, accurate and timely information about public policy, and its formation process. To

guarantee this think, it needs a guarantor institution. One important institution related to this purpose is the *Badan Pengawas Pemilu (Bawaslu)* or the Election Supervisory Body.

The presence of this institution is as an important instrument to ensure the legitimacy of the results of general elections should continue to be pursued by developing the following strategies:

1. Preventive supervision

A number of electoral violation managements, by far, have been emphasized at the phase when a violation has occurred and caused implications to the complexity of resolving these violations. Election supervision that needs to be continuously developed is preventive supervision.

2. Participatory Supervision

Election supervisory body has certain limitations, both resources and facilitates the implementation of optimal supervision. It is, therefore, necessary to invite and involve the community simultaneously and synergized for elections. The community needs to be awakened for its awareness of the responsibility in supervising elections not only on the shoulders of election supervisory body but also as a joint responsibility for the realization of quality and legitimate elections.

3. Development and Expansion of networks and synergy with Election stakeholders

Some colleagues who can support the realization of vision and mission from election supervisory body include: first is the government. As a party that has bureaucratic devices, resources, facilities, infrastructure, and authority to manage the state budget and finances as well as other operational support, the election supervisory body certainly needs those supports to realize the mission and the implementation of its duties / authorities and obligations optimally, proportionally and professionally based on the current regulation. Secondly is the House of Representatives the House of Representatives and election supervisory body actually have the same mission and are in line to oversee the implementation of political processes in this country, especially the General Elections. The election supervisory body certainly needs political support from the people's representatives, especially to guard the principles and characters of the independence, empowerment and firmness of election supervisory body through a set of laws that strengthen these principles and characters. Thirdly includes Higher Education. The election supervisory body always needs critical and objective academic studies on electoral affairs, especially the supervisory function, to sharpen and strengthen the reliability / professionalism of election supervision. Furthermore, it is important and strategic to involve students as election supervisor partners so that they have theoretical and practical knowledge about elections.

Fourthly is Non-Governmental Organizations. The election supervisory body also needs the support of NGOs and other Election Institutions who care to work together to supervise the implementation of elections and other electoral stakeholders. Fifth, Political Parties. Requires the realization of an honest, fair, credible and responsible election which certainly not only covers the domain and responsibility of the general election commission and election supervisory body, but also election participants (political parties) especially when inviting, educating and directing cadres and sympathizers on political behavior in a mature, polite, and responsible way. Sixth is Media. General election commissioner's media support especially in publishing and inviting the public to play an active role in overseeing elections. Through the media also, election supervisory body will get many sources of information, data and facts that can be processed and used as a force in carrying out the task of overseeing elections.

The right strategy to avoid negative intervention from other parties includes: First, strengthening determination and confidence that the firm commitment to solid integrity is a "dead price" that must continue to be upheld. In my opinion, the commitment factor of integrity is the first and foremost factor in determining the ability of an election supervisor to avoid

negative intervention from any party. Without being based on a person's good values in the decision-making process, the placement of the terms "independence or neutrality" as a mediator will not be built properly.

Second, maintaining solidity, solidarity and internal consistency among the election supervisors. After each election supervisor has built the character of individuals with integrity, the next step is to synergize the strengths of individual integrity into a solid task force. Third, developing reliable supervisory abilities, skills and techniques at all levels of election supervision. This is important to provide provisions for the election supervision apparatus to be observant and careful in "recognizing" every person and / or group who wants to intervene in the election supervisory body and its ranks. Fourth, designing regulations for electoral supervision that are more comprehensive, detailed and systematic including regulating clearer and more explicit sanctions in order to minimize gaps that can be exploited by those who want to intervene negatively in the process and results of the election.

4 Conclusion

Elections with integrity are important to maintain the realization of substantial democracy. Each element in the electoral process is required to be able to carry out its role substantially to realize the election with that authority. Without this, the democratic process will cause problems and distrust of the people which will ultimately affect the legitimacy of the existing political system. Therefore, the accountability should be the important aspect involved within all the election process. It means, it needs willingness to keep this under the democratic value.

Thru some election regulations and present of the Election Supervisory Body, the process could be guided consistently. It will make the process still follow the spirit of "people want" thru the principle of democracy. At the end, all of steps and process to keep the election transparent could be proclaimed as the effort to guarantee of democracy especially people voice.

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