
IMPROVING THE IMAGE OF THE GENERAL ELECTION COMMISSION (KPU) AFTER ISSUING A REGULATION PROHIBITING LEGISLATIVE CANDIDATES CONVICTED OF CORRUPTION FROM CONTESTING THE 2019 ELECTIONS

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ABSTRACT

This research focuses on when the General Election Commission (KPU) issued KPU Regulation (PKPU) Number 20/2018 on the Nomination of Members of the House of Representatives, Provincial House of Representatives, and Regency/City Regional House of Representatives. This PKPU is the "PKPU on Candidates of Former Corruption Convicts." This regulation is controversial, causing polemics and dividing the community between the pros and cons. Various accusations were directed at the KPU, even accusations conveyed by the closest colleague, the Election Supervisory Agency (Bawaslu), which requested that the KPU obey higher regulations and ended in the Adjudication of Election Process Disputes. The peak of public distrust was the Judicial Review in the Supreme Court. Researchers use the Image Repair Theory to analyze an organization's response when its positive image and reputation are threatened. This research uses a postpositivist paradigm. Based on the research paradigm, the type and nature of this research are descriptive and qualitative. Data was collected using observation, interview, documentation, and literature study techniques. The results of the study showed that of the five crisis communication strategies, KPU used typologies, namely denial (simple denial, shift blame), evade responsibility (provocation, good intentions), and reduce offensiveness (bolstering, minimization, differentiation, transcendence, attack accuser). Four (4) typologies that are not used are defeasibility, accident, compensation, and mortification.

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1. INTRODUCTION

KPU Regulation (PKPU) Number 20/2018 on the Nomination of Members of the House of Representatives, Provincial House of Representatives, and Regency/City Regional House of Representatives was released by the General Elections Commission (KPU). According to Article 4 Paragraph (3) of the law, corruption, sexual offenses against minors, and formerly convicted drug traffickers are explicitly and democratically excluded from the candidate selection process. The "PKPU Caleg Former Corruption Convicts" regulation was adopted by the KPU on June 30, 2018, and it has been lawfully applied since the Ministry of Law and Human Rights issued it on July 5.

One of the reasons why the KPU issued this PKPU was due to the cases of DPR RI members who were caught in corruption. 23 members of the 2014-2019 DPR were caught in corruption cases [1]. Then, 41 out of 45 members of the Malang City DPRD were named as corruption suspects by the KPK, leaving only four members. This is not the first case of mass corruption involving many DPRD members. Thirty-eight members of the North Sumatra DPRD were named as corruption suspects by the KPK in April 2018. In addition, 44 West Papua Provincial DPRD members from 2009 to 2014 were also named as corruption suspects by the prosecutor's office [2].

Kudus Regent Muhammad Tamzil, who was jailed for embezzlement of the Kudus Regency education facilities and infrastructure support fund during the 2004 budget year, is one of the regional chiefs who also engages in corruption. After being granted parole in 2015, Tamzil ran for Kudus Regent in the 2018 Pilkada and was re-elected until he was once more implicated in a case involving purported bribery and satisfaction in connection with the appointment of regional apparatus to the Kudus Regency Government in 2019 [3].

This regulation is considered controversial and has drawn polemics from the public. The public is divided between those who are pro, especially anti-corruption activists (ICW), the Association for Elections and Democracy (Perludem), and the Corruption Eradication Commission (KPK), and those who are against, namely the Election Supervisory Body (Bawaslu), Commission II of the DPR, the Ministry of Home Affairs (Kemendagri), the Ministry of Law and Human Rights (Kemenkumham), and several political parties participating in the 2019 elections, including PAN, PPP, Golkar, PKS, PDIP, and Gerindra.

Various accusations were directed at the KPU; for example, the KPU was said not to be careful in making regulations because the regulations exceeded higher laws; the regulations were vulnerable to depriving someone of their political rights; only political parties could consider the impact of profit or loss on legislative candidates (candidates); former convicts could run as candidates if they admitted it; the KPU could not make regulations to eliminate the rights of the former prisoners; and procedurally, the KPU did not have the authority to ban. Even accusations were made by KPU's closest colleague, the Election Supervisory Agency (Bawaslu).

Bawaslu asked that the KPU follow more stringent guidelines. According to Bawaslu, Article 240 Paragraph 1 Letter G of Law No. 7/2017 on General Elections only requires legislative candidates to not have received a prison sentence for committing a crime that carries a five-year or more sentence, unless they frank and openly disclose to the public that they have been convicted of a crime in the past [4].

The different perspectives between these two organizing institutions have caused problems between institutions that are one unit of the function of organizing elections. The problem between KPU and Bawaslu became even sharper when these two institutions threw conflicting statements in the media, denied each other, insisted on their respective arguments, and showed mutual disagreement.

The material test submitted by a citizen named Jumanto against the KPU regulations to the Supreme Court (MA) shows the people's mistrust of KPU. The Supreme Court issued Decision No. 46 P/HUM/2018 after several hearings and public meetings. According to the decision, Article 4 paragraph (3), Article 11 paragraph (1) letter d, and Appendix Model B3 of the Integrity Pact Regulations of the General Election Commission No. 20 Year 2018 concerning the nomination of Members of the DPR, the Provincial DPRD, and the Municipal DPRD related to former corruption perpetrators have no binding legal force and are not generally applicable because they are contrary to the hierarchy of rules of the laws in force. The Supreme Court's decision is final [5].

According to researchers, the occurrence of polemics due to the issuance of these regulations is to what Robert P. Powell said in his book *Crisis: A Leadership Opportunity* (2005): that a crisis is an unexpected, dramatically affected, sometimes unprecedented event that pushes an organization into *chaos* and can destroy it without real action [6].

Jonathan Bernstein (2013) provides additional clarification on this need, stating that a crisis is defined as any circumstance that poses a threat to or endangers persons or property, seriously disrupts business, seriously damages reputation, and has a negative impact on earnings (Bernstein 2013). People get outraged and angry as a result of the crisis, which upsets some stakeholders' expectations and jeopardizes the organization's connection with its stakeholders. Because of this, crises are regarded as incidents that gravely impair an organization's ongoing operations and negatively impact its reputation with the public [7].

Crises have no boundaries, meaning crises can occur anytime, anywhere, in every institution, be it private corporations, non-profit organizations, ministries, or institutions, including Elections Management Bodies. Every situation has the power to affect the institution's image, especially if the crisis grows into a polemic that affects not only the image and reputation of the institution but also the public. Bill Canton, as quoted by researchers in [8], explains:

"Image is the impression, the feeling, the conception that the public has of a company; a consciously created impression of an object, person, or organization."

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An image is a public perception, emotion, or mental image of a business or organization that is purposefully formed from an item, person, or entity. Positive public opinion or good public opinion is another phrase for the image. [9].

As described above, the accusations or assessments of the community or stakeholders show a crisis in the KPU institution, which, in this context, is crisis communication. The allegation of the KPU institution's reputation is a serious problem considering that reputation contributes to KPU's vision to become an independent, professional, and integrity election organizer for the realization of direct, general, free, secret, honest, and fair elections.

The word 'reputation' in the Big Indonesian Dictionary defines a noun as an action that causes a good name. According to Muwafik Saleh, reputation is a value given to an individual, institution, or country. This assessment requires a long time, possibly years, because it is based on the consistency of words and deeds. Reputation can also be said to be the result of images of various types [10].

An institution is subject to public censure and criticism if its reputation is damaged. Since an organization's image or reputation is valuable, it is unlikely that it will ignore a threat to it. Reputation generally refers to how stakeholders view the organization. It is well acknowledged that an organization's reputation is an important intangible asset that should be safeguarded (Coombs, 2007b:136).

Of course, KPU never thought that the regulations issued could affect its reputation, image, and credibility as an institution that is trusted to organize elections. Moreover, KPU is a service institution that serves voters and election participants. Kathleen Fearn-Banks explained that the impact caused by the crisis on the organization is mainly the organization's good name; it will also affect the public's assessment of the products and services produced by the organization [11].

As stated by Castells, crisis communication is the focused attempt made by an organization facing a crisis to speak, to connect strongly with the public, stakeholders, and employees, to exchange and share with them in a meaningful way. This research will examine the efforts made by the KPU in communicating to face a crisis. Convincing evidence to mitigate the unanticipated event's detrimental effects on the organization's reputation as much as possible. As we accept that crisis is a perception (Coombs, 2007b:136). When we talk about crisis management, we talk about narrative, dialog, strategy, persuasiveness, meaning, consistency, perception, and control. We discuss what, how, and when to communicate in a crisis [12].

The degradation of image or reputation is the starting point for the need for analysis using Image Repair Theory. In this case, the accusations against KPU for the regulations issued have caused reputational damage due to the offensive accusations above and the extent to which KPU as an institution is considered responsible. KPU must eliminate the damage caused by this negative reputation. Therefore, there needs to be a strategy designed to change the perception of stakeholders and the wider community. When reputation is threatened, does KPU offer an explanation, defense, justification, rationalization, apology, or reason for the regulation issuance?

This is what then encouraged researchers to examine the crisis communication of the General Election Commission (KPU) in the 2019 election related to Regulation No. 20/2018 concerning the nomination of members of the DPR, Provincial DPRD, and Regency/City DPRD using Image Repair Theory, William L. Benoit. Image Repair Theory can be used in the context of individuals, groups, or organizations, and it discusses the response of individuals or organizations when their positive image and reputation are threatened [13].

According to William L. Benoit in his book *Accounts, Excuses, and Apologies: Image Repair Theory and Research* [14], this theory can be used in an organization's efforts to overcome threats that can make its image in the eyes of the public negative and bring down its reputation. One essential condition that becomes the focus of Image Repair Theory analysis is when KPU is dealing with a crisis that threatens its reputation, such as a judicial review effort. The researcher will conduct a study based on Benoit's five communication typologies: denial, evading responsibility, reducing offensiveness, corrective action, and mortification.

In reality, in the 2024 elections, the KPU is again to blame because there are still 15 former corruptors who are running for office and are included in the Temporary Candidate List (DCS) as legislative candidates in the 2024 elections, both at the DPR RI and DPD RI levels, as published on August 19, 2023, through the KPU's Candidacy Information System (SILON). ICW accused the KPU of covering up and not immediately announcing the legal status of 15 former corruptors whose names were included in the DCS [15].

2. RESEARCH METHOD

Researchers will employ case study methodology and qualitative research approaches to analyze KPU's image enhancement. Qualitative research methods hold the view that every symptom, phenomenon, or subject under study can be observed and some cannot be observed, such as feelings; research is more exploratory and measures the

relationship between symptoms being reciprocal (reciprocal relationships are not causal); research results are not value-free and are subjective; and the symptoms studied are holistic (as a whole, one another cannot be separated [16].

The type of case study in this research is a single case design with a single unit of analysis, highlighting essential issues related to KPU's crisis communication due to the issuance of KPU regulations. Using a postpositivist paradigm, the research focuses on image repair using Image Repair Theory as the analytical knife. This research is expected to solve the crisis, especially image repair, especially in the election organizing body, KPU.

This research's kind and character are descriptive, in accordance with the research paradigm. In the framework of this research, KPU image repair, the researcher aims to characterize or identify the issue under investigation. Through a data collection approach that enables researchers to characterize the situation more fully than is feasible without employing this method, descriptive research tries to highlight present difficulties or concerns. [17].

Information regarding the circumstances and state of the research background is provided by research informants [18]. Informants are people who know the problems to be studied. Informants are considered to know best about what researchers expect, making it easier for researchers to explore the objects or situations to be studied [19]. In this study, there are two informants, namely key informants and ordinary informants. For this reason, in the research on improving the image of the KPU, informants were selected based on the criteria:

1. Key informants, namely people who understand the problems studied, are the Chairman and Members of the KPU, who totaled four people for the 2017-2022 period, and the Chairman and Members of Bawaslu, who totaled 4 people for the 2017-2022 period.
2. Ordinary informants are people who are considered to know the issues under study, consisting of the Ministry of Law and Human Rights, Members of Commission II of the House of Representatives for the 2014-2019 Period, Network for Democracy and Electoral Integrity (NETGRIT), Indonesia Corruption Watch (ICW), and The Association for Elections and Democracy (Perludem).

3. RESULTS AND ANALYSIS

This research focuses on image repair using Image Repair. It is expected to find a solution to the crisis, especially image repair in the general election commission, KPU.

Image Repair Theory is a communication theory by William L. Benoit [20]. This theory focuses on how individuals or organizations respond to crises that damage their reputations.

Image Repair Theory describes a number of communication techniques that can be applied to lessen the negative effects of an incident or accusation and restore a damaged image. The notion is predicated on the idea that when a person or organization's reputation or image is in jeopardy, they will try to restore it via a variety of communication techniques.

Benoit identifies five main categories of image repair strategies:

1. Denial: Ignoring the existence of the problem or allegation. Simple Denial & Shifting Blame
2. Evasion of Responsibility—through Provocation, Defeasibility, Good Intention, and Accident strategies. Acknowledges the problem but avoids direct responsibility
3. Reducing offensiveness is used to reduce the negative impact or level of objection to an act that damages the image through the strategies of Strengthening, Minimization, Differentiation, Transcendence, Attack Accuser, and Compensation.
4. Corrective Action: Taking steps to improve the situation and prevent similar occurrences in the future.
5. Mortification: admitting the mistake and apologizing publicly.

3.1. Denial

Even though the KPU is aware that there are stricter laws, specifically Law 7/2017 regarding elections, it nevertheless issues the PKPU. a straightforward denial that the organization uses its power to approve a rule under Constitutional Court Decision Number 92/PUU-XIV/2016. Shift blame, for instance, is used to argue that the Ministry of Law and Human Rights has not been consistent in enforcing PKPU regulations; it is the Ministry's responsibility to determine whether or not KPU regulations are promulgated, but it is not its place to decide whether or not the rules are valid.

3.2. Evasion of Responsibility

The KPU **provoked** by asking why PKPU 14 of 2018 was ratified by the Ministry of Law and Human Rights and why PKPU 20 of 2018 was not ratified, even though it is clear that the government's enthusiasm regarding eradicating corruption must be supported.

The KPU did not carry out **defeasibility** because before issuing regulations, it had carried out a series of activities starting from FGDs, public hearings, public tests, and harmonization. This means that the KPU has adequate information.

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The accident is not used because it was not caused by an accident. Good intentions The KPU is trying to present legislative candidates free from legal problems to be chosen by the public. Philosophically, the KPU has the mandate to prepare candidates, especially in selecting and recruiting candidates by political parties, so that those who the KPU will nominate are qualified, clean, and free of corruption.

3.3. Reducing Offensiveness

This strategy emphasizes good qualities and reduces the degree of discomfort felt by stakeholders. Bolstering reduces negative impacts by strengthening positive things, including convincing stakeholders that the KPU consists of quality people who organize elections, can always overcome crises, and contribute to democracy in Indonesia.

Minimization by minimizing the negative influence related to offensive actions through a statement that the Constitutional Court's decision is a solution to clear up the debate about whether former corruption convicts should be allowed to be nominated again or not.

Differentiation PKPU, which prohibits former convicts from contesting in the 2019 elections, was issued to maintain the image of political parties. Through track records, political parties track so that when information is obtained that a legislative candidate is a former corruption convict, the political party will automatically cancel him.

Transcendence was carried out through a statement that the 2019 election could be a stepping stone for future elections without any former corruption convicts participating in the contest. (Report of State Officials' Assets). The attacking accuser asked the Ministry of Law and Human Rights to immediately promulgate KPU Regulations so as not to disrupt the 2019 election stages, assessing that Bawaslu's decision in the dispute hearing was inappropriate because, once again, elections are not just a routine implementation of people's sovereignty but must have a higher goal.

Compensation, providing compensation not in the form of material compensation. If the KPU did not pass the 40 former corruption convict legislative candidates for the DPR and DPRD, then the compensation given by the KPU was by changing the status of the former corruption convict legislative candidates who previously had the status of Ineligible (TMS) to Eligible (MS) according to the results of the dispute adjudication hearing process. Regency/city provincial Bawaslu elections won legislative candidates who were former corruption convicts.

3.4. Corrective Action

Correction is the KPU's commitment to the rule of law because PKPU was canceled by an institution with authority, in this case, the Supreme Court. The KPU was willing to face a judicial review submitted to the Supreme Court. When the Supreme Court later canceled the norm, the KPU respected and implemented the Supreme Court's decision.

3.5. Mortification

The KPU did not apologize for issuing a PKPU, which caused pros and cons in society. The KPU's apology was aimed at the public because the KPU could not realize the public's hopes for legislative candidates who were free of corruption.

4. CONCLUSION

The KPU almost exclusively employs their categorization of the five crisis communication strategies: dodging responsibility (provocation, good intentions), lowering offensiveness (bolstering, reduction, distinction, transcendence, attack accuser), and denial (basic denial, shift blame). The four (4) typologies that are not used are defeasibility, accident, compensation, and mortification. Institutional credibility is significant because credibility does not lie within the institution but in the minds of stakeholders and the public. Their perception of an institution's reputation reflects its capabilities, trustworthiness, and, ultimately, its reputation.

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This research aims to provide a reference in resolving several problems related to improving the KPU's image in the future because elections are a routine cycle held every five years in democratic countries. Moreover, Indonesia is unique as the only country in the world with three election organizing institutions for a single function of organizing elections, per the provisions of Law Number 7 of 2017 concerning general elections. As a result, the researcher would like to express gratitude to all of the participants in this study, particularly the KPU, Bawaslu, ICW, Netgrit, and Perludem sources. With any luck, this research will help ensure that elections are conducted honestly, fairly, and with integrity.

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