

Bawaslu Supervision of Political Party Data Updating Through SIPOL and Legal Certainty

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Abstract

Continuous updating of political party data through the Political Party Information System (SIPOL) is an important part of election administration that directly impacts the legitimacy and readiness of future elections. Although carried out during the non-election period, this activity has legal and administrative consequences that require effective oversight and provide legal certainty. This study aims to analyze the effectiveness of the Election Supervisory Agency (Bawaslu) of Kuningan Regency in supervising the continuous updating of political party data through SIPOL during the non-election period, with an emphasis on legal certainty. The research method used is a normative-empirical legal approach, with normative analysis of laws and election policies, as well as empirical analysis through interviews and documentation studies in Kuningan Regency. The results of the study indicate that Bawaslu normatively has a basis for supervisory authority derived from Law Number 7 of 2017 concerning General Elections as well as technical and internal policies, including KPU Decree Number 658 of 2024 and Bawaslu Circular Letter Number 41 of 2025. However, the implementation of this authority has not been fully effective substantively due to Bawaslu's limited access to SIPOL, the dominance of a coordinative supervisory pattern, and the weak binding power and legal consequences for supervision outcomes. These conditions create legal uncertainty in the supervision of updating political party data during the non-election period. This study concludes that strengthening regulations, clarifying the division of authority between institutions, and establishing follow-up mechanisms with legal certainty are the main prerequisites for increasing the effectiveness of supervision and ensuring the integrity of election data governance.

Keywords: Bawaslu; Election Supervision; SIPOL; Political Party Data Updates; Legal Certainty

Abstrak

Pemutakhiran data partai politik secara berkelanjutan melalui Sistem Informasi Partai Politik (SIPOL) merupakan bagian penting dari administrasi pemilu yang berdampak langsung pada keabsahan dan kesiapan penyelenggaraan pemilu di masa mendatang. Meskipun dilakukan pada masa non-tahapan pemilu, aktivitas ini memiliki konsekuensi hukum dan administratif yang menuntut adanya pengawasan yang efektif dan memberikan kepastian hukum. Penelitian ini bertujuan untuk menganalisis efektivitas kewenangan Badan Pengawas Pemilu (Bawaslu)

Kabupaten Kuningan dalam pengawasan pemutakhiran data partai politik berkelanjutan melalui SIPOL pada masa non-tahapan pemilu, dengan menitikberatkan pada aspek kepastian hukum. Metode penelitian yang digunakan adalah pendekatan hukum normatif-empiris, dengan analisis normatif terhadap peraturan perundang-undangan dan kebijakan kepemiluan, serta analisis empiris melalui wawancara dan studi dokumentasi di Kabupaten Kuningan. Hasil penelitian menunjukkan bahwa secara normatif Bawaslu telah memiliki dasar kewenangan pengawasan yang bersumber dari Undang-Undang Nomor 7 Tahun 2017 tentang Pemilihan Umum serta kebijakan teknis dan internal, termasuk Keputusan KPU Nomor 658 Tahun 2024 dan Surat Edaran Bawaslu Nomor 41 Tahun 2025. Namun demikian, pelaksanaan kewenangan tersebut belum sepenuhnya efektif secara substantif karena keterbatasan akses Bawaslu terhadap SIPOL, dominannya pola pengawasan koordinatif, serta lemahnya daya ikat dan konsekuensi hukum atas hasil pengawasan. Kondisi tersebut menimbulkan ketidakpastian hukum dalam pengawasan pemutakhiran data partai politik pada masa non-tahapan pemilu. Penelitian ini menyimpulkan bahwa penguatan regulasi, kejelasan pembagian kewenangan antarlembaga, serta mekanisme tindak lanjut yang memiliki kepastian hukum merupakan prasyarat utama untuk meningkatkan efektivitas pengawasan dan menjamin integritas tata kelola data kepemiluan.

Kata Kunci: Bawaslu; Pengawasan Pemilu, SIPOL, Pemutakhiran Data Partai Politik, Kepastian Hukum

INTRODUCTION

General elections are the primary instrument in a constitutional democratic system, serving to realize popular sovereignty through legitimate and integrity-based mechanisms (Rahim & SH, 2025). The Constitution of the Republic of Indonesia stipulates that elections must be conducted directly, universally, freely, secretly, honestly, and fairly. These principles require elections to be oriented not only toward electoral results but also toward the quality of election administration, ensuring legal certainty, transparency, and accountability. One fundamental element of this governance is the management and updating of election data, including data on political parties as legal subjects and election participants (Heriyanto, 2025).

The first letter of each word, political parties hold a strategic position in a democratic system because they serve as a means of political recruitment, political education, and the articulation of public interests (Srilaksmi, 2022). Therefore, the legitimacy of political parties as election participants must be based on accurate, up-to-date, and legally accountable data. Law Number 7 of 2017 concerning General Elections requires political parties to fulfill administrative and factual requirements, as evidenced by official documents and data (Law Number 7 of 2017 concerning General Elections, 2017). Therefore, political party data cannot be understood solely as administrative information, but rather as a legal instrument that determines the status, rights, and obligations of political parties in the national election system.

Along with the development of information technology, election data management has undergone a digital transformation through the use of information systems. The General Elections Commission (KPU) developed the Political Party Information System (SIPOL) as the official platform for registering, verifying, and updating political party data. Under KPU Decree Number 658 of 2024, updating political party data is emphasized as a continuous process, not limited to election stages. This approach is intended to maintain the validity and consistency of political party data on an ongoing basis and prevent the accumulation of administrative problems leading up to the election stages (KPU Decree Number 658 of 2024, 2024).

However, the digitalization of election data management also presents new challenges, particularly regarding oversight and legal certainty. SIPOL, as an information system fully managed by the General Elections Commission (KPU), places technical authority for data management in a single institution, potentially creating an asymmetrical authority relationship if not balanced by an effective oversight mechanism. In this context, oversight of political party data updates is crucial, given that the quality of SIPOL data has direct implications for subsequent election stages, including the determination of election participants (Rahmawati & Negara, 2020).

Normatively, the function of supervising the implementation of elections is assigned to the Election Supervisory Agency (Bawaslu), a national, permanent, and independent state institution. Law Number 7 of 2017 mandates Bawaslu to prevent and take action against violations and supervise the entire election process. This supervision is not limited to the election stages; it also includes election activities outside those stages that have the potential to affect election integrity. To operationalize the supervision of continuous political party data updates, Bawaslu issued Circular Letter Number 41 of 2025 as a guideline for the administrative supervision of the implementation of data updates through SIPOL (Bawaslu Circular Letter Number 41 of 2025, 2025).

However, the existence of circulars as internal policy instruments raises legal issues related to the binding force and legal certainty of Bawaslu's oversight. Circulars are not included in the hierarchy of laws and regulations; thus, their binding power is limited. This situation raises fundamental questions about the extent to which Bawaslu's oversight of political party data updates through SIPOL has legally binding consequences for both the General Elections Commission (KPU) and political parties. This hierarchical misalignment between KPU Decrees, the primary technical guidelines, and Bawaslu Circulars, the operational basis for oversight, has the potential to create legal uncertainty and undermine oversight effectiveness (Matahari et al., 2025).

In election practice, these limitations are reflected in persistent problems with political party data administration during the non-stage period, such as delays in data updates, discrepancies between factual data and system data, and weak follow-up on oversight results. Bawaslu, particularly at the district/city level, is often limited because access to SIPOL and the authority to provide technical intervention falls entirely under the control of the KPU. As a result, oversight tends to be advisory and lacks a robust enforcement mechanism (Simbolon & Prakoso, 2025).

From the perspective of the theory of legal effectiveness, an authority is considered effective if it is not only regulated normatively but also can be implemented in practice and produces impacts consistent with its stated objectives (Azmy & Harahap, 2022). The effectiveness of Bawaslu's supervisory authority in continuously updating political party data is largely determined by a clear legal basis, access to information systems, and the certainty of the legal consequences resulting from oversight. When supervisory authority is not supported by regulations that provide adequate coercive power, supervision can be symbolic and unable to guarantee orderly election administration (Junindri et al., 2024).

The aspect of legal certainty is becoming increasingly relevant in the context of a state based on the rule of law, as stated in Article 1, paragraph (3) of the 1945 Constitution. Legal certainty demands clear norms, a clear division of authority between institutions, and consistent application of the law. In supervising the updating of political party data through SIPOL, legal certainty concerns not only the legal position of Bawaslu as a supervisory institution but also the legal protection of the KPU and political parties as interested legal subjects.

At the regional level, including Kuningan Regency, the implementation of continuous monitoring of political party data updates through SIPOL (Selection of Political Parties in Indonesia) exhibits unique dynamics. The Kuningan Regency Elections Supervisory Agency (Bawaslu) is required to conduct oversight during the non-election period, yet faces limitations in regulations, system access, and certainty of follow-up on oversight results. This situation demonstrates a gap between normative regulations and empirical reality, impacting on the effectiveness of oversight authority and legal certainty at the local level.

Based on the above description, this study aims to analyze the effectiveness of Bawaslu's authority in supervising the continuous updating of political party data through SIPOL during the non-stage period in Kuningan Regency, with an emphasis on legal certainty. This research is important not only to fill a gap in studies on election supervision during the non-stage period, but also to make academic contributions to the development of election law, particularly by

strengthening the design of supervision and legal certainty in election data governance in the digital era.

METHODS

This study uses a normative-empirical legal approach (normative with empirical data support) to analyze the effectiveness of the Election Supervisory Agency (Bawaslu)'s authority in overseeing the continuous updating of political party data through the Political Party Information System (SIPOL) during the non-election period. The normative approach examines the legal framework governing Bawaslu's supervisory authority, while the empirical approach examines its implementation in the practice of organizing elections at the regional level (Arifuddin et al., 2025). The normative analysis was conducted by reviewing relevant laws and regulations, including Law Number 7 of 2017 concerning General Elections, General Elections Commission Decree Number 658 of 2024 concerning the continuous updating of political party data, and Bawaslu regulations and policies governing the supervision of election implementation, particularly during the non-stage period. This normative study aims to assess the clarity of the norms, the consistency of the regulations, and the legal certainty of Bawaslu's authority in overseeing the updating of political party data through SIPOL.

An empirical approach was conducted through field data collection in Kuningan Regency, the research location. Empirical data were obtained through semi-structured interviews with key informants, including officials or members of the Kuningan Regency Election Supervisory Agency (Bawaslu) and the Kuningan Regency General Elections Commission (KPU) who are directly involved in the supervision and management of SIPOL. The interviews were conducted to gain an understanding of the oversight mechanisms in place, the effectiveness of oversight authority, and the obstacles and institutional dynamics encountered in implementing continuous political party data updates during the non-election period.

In addition to interviews, this research also utilized documentary studies of supervisory reports, recommendation letters, minutes of coordination meetings, and other technical documents related to the supervision of political party data updates through SIPOL. This documentary data was used to verify and strengthen the interview findings and provide a factual overview of the implementation of supervisory authority.

Data analysis was conducted qualitatively by integrating the results of normative and empirical analyses (Syahputra, 2024). The data obtained were analyzed by comparing applicable legal provisions with supervisory practices in the field to identify any congruence or gaps between written law (law on the books) and its implementation (law in action) (Rizkia & Fardiansyah, 2023).

The effectiveness of Bawaslu's authority was analyzed based on indicators of clarity of authority, supervisory access to SIPOL (Political and Political Information System), inter-agency coordination mechanisms, and certainty of follow-up to supervisory results. The results of this analysis were used to draw conclusions regarding the effectiveness of Bawaslu's authority and its implications for legal certainty in the supervision of ongoing political party data updates.

RESULT AND DISCUSSION

Effectiveness of Bawaslu's Implementation of Authority in Supervising the Continuous Updating of Political Party Data

The research results indicate that the Kuningan Regency Election Supervisory Agency (Bawaslu) has normatively exercised its supervisory authority over the continuous updating of political party data through the Political Party Information System (SIPOL) during the non-election period. This supervision is carried out in accordance with Law Number 7 of 2017 concerning General Elections, KPU Decree Number 658 of 2024, and Bawaslu's internal policies outlined in Bawaslu Circular Letter Number 41 of 2025.

In practice, supervision is carried out through institutional coordination mechanisms with the Kuningan Regency KPU, utilizing SIPOL access (viewer), administrative monitoring of data on management, membership, women's representation, and political party office domiciles, and the preparation of supervisory reports. However, empirical findings indicate that this authority's effectiveness remains procedural rather than fully substantive. Bawaslu's access to SIPOL is limited and serves primarily as a means of administrative monitoring rather than an instrument for direct control over data input, changes, and validation processes. The technical management of SIPOL is entirely under the authority of the KPU, so Bawaslu's supervision during the non-stage period tends to be indirect (oversight) and highly dependent on the KPU's openness and cooperation.



Figure 1. Bawaslu's Sipol Viewer Account in Kuningan Regency

From the perspective of legal effectiveness theory, this situation indicates that Bawaslu's supervisory authority has been formally implemented but has not yet produced an optimal impact

on improving the quality and timeliness of political party data (Wathoni & Mufidah, 2024). Authority that lacks adequate access and coercive power can render oversight symbolic. This reinforces the finding that Bawaslu's authority effectiveness in Kuningan Regency is categorized as quite effective procedurally, but not yet substantively effective.

Legal Certainty in Oversight of Political Party Data Updates During the Non-Election Period

From a legal perspective, this study identified unclear norms that affect oversight effectiveness. Law Number 7 of 2017 does not explicitly regulate the mechanism for continuous oversight of political party data updates during the non-election period. While the General Elections Commission (KPU) Decree Number 658 of 2024 affirms the obligation to maintain continuous data updates, it does not specifically regulate the oversight mechanism of the Election Supervisory Agency (Bawaslu). Meanwhile, Bawaslu Circular Letter Number 41 of 2025 serves as an internal operational guideline but has limited binding force because it is not included in the hierarchy of laws and regulations.

This misalignment in the regulatory hierarchy creates legal uncertainty, particularly regarding the legal validity of Bawaslu's oversight results. Research findings indicate that oversight results are generally presented in the form of reports and recommendations to the Kuningan Regency General Elections Commission (KPU), but these recommendations lack a clear sanction mechanism or legal consequences for failure to act. As a result, oversight is more preventative and persuasive than corrective and repressive (Firdaus, 2025).

From the perspective of the legal certainty theory proposed by Gustav Radbruch and Hans Kelsen, legal certainty requires clear norms, consistent regulations, and certain legal consequences (Ismoyo et al., 2025). When the results of supervision lack clear legal consequences, legal certainty is weakened and becomes difficult for legal subjects to predict. This situation has the potential to raise doubts among election organizers and political parties regarding the position and legal authority of Bawaslu (Elections Supervisory Agency) during the non-stage period.

Factors Influencing the Effectiveness of Supervisory Authority

This study identifies several key factors influencing the effectiveness of Bawaslu's authority in overseeing the ongoing updating of political party data. First, regulatory factors, namely, the lack of comprehensive and explicit regulations regarding oversight during the non-election period. The lack of synchronization among the Election Law, KPU Decrees, and Bawaslu's internal policies creates room for diverse interpretations of authority and undermines legal certainty (Kuntag et al., 2023).

Second, institutional and technical factors, including Bawaslu's limited access to SIPOL (Sypol), dependence on coordination mechanisms with the General Elections Commission (KPU), and limited human resources with technical competency in information systems (Ningrum et al., 2024). These factors tend to make supervision administrative and reactive, thereby limiting its ability to address the substantive aspects of election data management. Third, the behavioral factors of legal subjects, particularly political parties. Empirical findings indicate varying levels of political party compliance with ongoing data updates. Some political parties actively update their data, while others are passive and await encouragement from the KPU or Bawaslu. Low compliance without strict sanctions indicates a weak legal binding force for data updating obligations (Alaydrus et al., 2023; Simbolon & Prakoso, 2025).

Overall, the results and discussion of this study confirm that Bawaslu's authority in overseeing the ongoing updating of political party data through SIPOL is a crucial prerequisite for achieving legal certainty in election governance. Without strengthened regulations, access to oversight, and clear legal consequences, oversight during the non-stage period risks losing its effectiveness and failing to guarantee the ongoing integrity of election data.

CONCLUSION

This study concludes that the authority of the Kuningan Regency Election Supervisory Agency to supervise the continuous updating of political party data through the Political Party Information System (SIPOL) during the non-election period has been implemented normatively and procedurally but has not been fully substantively effective in ensuring legal certainty. Legally, Bawaslu has a basis for supervisory authority derived from Law Number 7 of 2017 concerning General Elections and is supported by technical and internal policies, including KPU Decree Number 658 of 2024 and Bawaslu Circular Letter Number 41 of 2025. However, the study's results indicate that limited direct access to SIPOL, the dominance of a coordinative supervisory pattern, and weak binding power and legal consequences for supervision outcomes tend to make the supervisory function administrative and preventive rather than corrective and repressive. The lack of clarity in the regulation of supervision during the non-election period also creates legal uncertainty for Bawaslu, as the supervisory institution, and for the KPU and political parties, as subjects of election law. Thus, the effectiveness of Bawaslu's supervisory authority during the non-stage period is highly dependent on strengthening the regulatory framework, clarity in the division of authority between institutions, and the existence of a follow-up mechanism that has legal certainty, so that continuous supervision of political party data updates can truly guarantee the integrity and accountability of election administration in the future.

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