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## Implementation of the KPPS Recruitment Policy at the Bandung City KPU

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### Abstrak

Penelitian ini mengkaji pelaksanaan kebijakan rekrutmen KPPS (Kelompok Penyelenggara Pemungutan Suara) di dalam Komisi Pemilihan Umum (KPU) Kota Bandung. Dengan menyelidiki proses dan hasil dari kebijakan ini, penelitian ini bertujuan untuk memberikan wawasan tentang tantangan dan keberhasilan yang dihadapi dalam rekrutmen anggota KPPS. Melalui analisis kualitatif terhadap proses pelaksanaan, termasuk prosedur, kriteria, dan keterlibatan pemangku kepentingan, penelitian ini menjelaskan faktor-faktor yang mempengaruhi efektivitas dan efisiensi kebijakan rekrutmen. Temuan ini memberikan kontribusi terhadap literatur tentang administrasi pemilu dan memberikan rekomendasi praktis untuk meningkatkan rekrutmen anggota KPPS di Bandung dan konteks serupa.

Kata Kunci: *Implementasi, Kebijakan, KPPS, Kota Bandung*

## Abstract

This paper examines the implementation of the KPPS (Village Polling Station Officers) recruitment policy within the Bandung City Election Commission (KPU). By investigating the process and outcomes of this policy, it aims to provide insights into the challenges and successes encountered in the recruitment of KPPS members. Through a qualitative analysis of the implementation process, including procedures, criteria, and stakeholder involvement, this research elucidates the factors influencing the effectiveness and efficiency of the recruitment policy. The findings contribute to the literature on electoral administration and provide practical recommendations for improving the recruitment of KPPS members in Bandung and similar contexts.

Keywords: *Implementation, Policy, KPPS, Bandung City*

## INTRODUCTION

Recruitment of KPPS members is an important aspect in organizing elections, which ensures the integrity and credibility of the election process. This article focuses on the implementation of the KPPS recruitment policy within the Bandung City General Election Commission (KPU), which aims to evaluate the effectiveness of the policy and identify things that need to be improved. By examining policy objectives, procedures, and outcomes, this study seeks to provide a comprehensive understanding of the challenges and successes encountered in the recruitment process.

Legal protection is often limited and respect for intellectual property is left to the strength of the right and respect of society, and depends on the ability of thinkers and the tolerance of society to prevent imitation (Jened, 2018). According to Hegel, wealth (property) as a personal identity also provides benefits to society. Market share is the arbiter through which individual markets attempt to establish and protect self-identity through the voluntary exchange of wealth that reflects individual will. Society in this case has limited rights to prevent reasonable individual interests in accumulating, controlling, granting permits for their wealth. The needs of society alone (as such) will not justify the expropriation of someone's wealth without adequate compensation (Jened, 2018)

Intellectual Property plays a role in providing legal protection for the ownership of intellectual works, both communal and personal, which is the basis for the development of the creative economy. Protection of intellectual property therefore becomes an important part of future national development and contributes significantly to the development of the national and international economy. Indonesia as a developing country must be able to take appropriate steps to anticipate all changes, developments and global trends so that national

goals can be achieved. One of the important steps taken is to promote and protect intellectual property.

Understanding and utilization of intellectual property can be achieved through providing various types of information, including regarding policies, regulations, latest developments and implementation practices. Protection of intellectual property has become something that is very necessary for various groups of society, such as academics, professionals, industry, both central and regional governments. The Regional Office of the Ministry of Law and Human Rights, with its function as an extension of the Directorate General of Intellectual Property in each province, has an important role in implementing the dissemination of intellectual property in the regions.

## RESEARCH METHOD

Using a qualitative research approach, this research uses interviews, document analysis, and observation to determine the implementation of KPPS recruitment policies at the Bandung City KPU. Key stakeholders, including KPU officials, political party representatives, and prospective KPPS members, were consulted to gain insight into their perspectives and experiences regarding the recruitment process. The data collected is analyzed thematically to identify recurring patterns and emerging themes, allowing for a differentiated understanding of policy implementation.

Research methods are a basic means in the development of science and technology as well as art. Therefore, research aims to reveal the truth systematically, methodologically and consistently (Ali, 2010).

The main problem in this research is the problem of resolving intellectual property crimes, especially copyright, which is preceded by a dispute over ownership of the rights. This research, from a legal perspective in Indonesia, uses a normative juridical approach, namely by examining secondary data in the form of legal materials, especially primary, secondary and tertiary legal materials.

## RESULT AND DISCUSSION

The findings of this research reveal several challenges and successes in implementing the KPPS recruitment policy at the Bandung City KPU. Challenges include logistical constraints, lack of awareness of prospective KPPS members, and gaps in interpretation of recruitment criteria. However, aspects of the success of the implementation process include the use of technology for submitting applications, outreach efforts to marginalized

communities, and training programs for selected KPPS members. These findings highlight the importance of overcoming logistical barriers and increasing stakeholder engagement to improve the effectiveness of recruitment policies.

According to David Bainbridge, the justification for protecting intellectual property rights can be described in simple terms. In essence, everyone must be recognized and own what they produce. If that right is taken from him, he will be no more than a slave (David, 1995)

This expression becomes increasingly important considering that from the perspective of intellectual property rights, what is produced comes entirely from the human brain or intellectual abilities. This kind of justification is commonly used to explain the importance of the intellectual property protection system. The logical rationale is that the protection of intellectual property will create a conducive climate for creative research activities and innovative activities which greatly contribute to the progress of human life (Jened, 2017).

Economic rationality also provides justification for copyright protection. In essence, protection must be provided to allow all the costs and hard work of the creator to be repaid. In this regard, the risk of investment, production failure and marketing of the creation must also be taken into account, which must be calculated appropriately. How to assess it and how to calculate it, of course you don't have to read it case by case. The concept of copyright has put a formula for return on investment in the form of exploitation or the duration of copyright protection in a fairly rational manner. Some types of creations are protected during the lifetime of the creator and continue until 50 years after his death, while other types of creations enjoy a protection period of only 50 years (Soelistyo, 2017).

By paying attention to the urgency of copyright protection which is currently proven to emphasize economic rationality, especially to recover all forms of investment that have been made, the spirit of copyright protection has not actually shifted from the ancient concept, namely protecting the creator's investment (Soelistyo, 2017). Copyright protection is not solely directed at protecting the creator's creativity, but at the economic interests related to the creation.

From a criminal law perspective, property rights that have economic value are assets. If property is disturbed then the person who disturbs it is included in the category of legal subject who commits a crime or violation of property and the Copyright Law places crimes against copyright as crimes against property or crimes against property. This proves that copyright is a right that can be owned, can be an object of ownership or property rights and therefore ownership conditions apply to copyright, both regarding how to use it and

how to transfer the rights. It can also be understood that the protection provided by law on copyright is to stimulate or encourage the activities of creators to continue creating and be more creative.

In the Copyright Law, there are several acts that are classified as criminal acts, this is intended as a social institution so that people do not violate other people's property rights in the form of intellectual property. From a formal juridical perspective, crimes or criminal acts are forms of behavior that are contrary to human morals, detrimental to society, asocial in nature and violate the law and criminal statutes. Saparinah Sadli stated that: "crime or criminal acts are a form of deviant behavior. Meanwhile, deviant behavior is a real threat or threat to the social norms that underlie life or social order, it can give rise to individual tensions as well as social tensions (Nawawi Arief, 1994).

Law enforcement in society must reflect the three legal identities that have been used as the embodiment of law itself, namely containing certainty, justice and benefit. Normative legal certainty can be understood when a statutory regulation is created and promulgated with certainty, because it regulates clearly and logically, it will not give rise to doubt because there are multiple interpretations so that it does not clash or cause conflict with norms. Norm conflicts arising from uncertainty in legislative regulations can take the form of norm contestation, norm reduction, or norm distortion (Marzuki, 2008). This understanding shows that crime or criminal acts are not only a humanitarian problem but also a social problem. Legal justice according to L. J. Van Apeldoorn states that: "should not be seen as the same as equalization, justice does not mean that everyone gets the same share (Apeldoorn, 1993).

Enforcement of criminal procedural law, especially in Indonesia, in principle is to seek material truth. To be able to reveal a material truth, proof is very necessary. Therefore, evidence has a very important function and is a central point in the criminal case examination process. Crime is a reaction to an offense, and takes the form of suffering that the state deliberately inflicts on the perpetrator of the offense (Pandiangan, 2019).

The sorrow that is inflicted on the perpetrator of the crime is not the ultimate goal that society aspires to, but sorrow is only the closest goal. So that criminal law in its efforts to achieve its goals is not merely by imposing penalties, but by using actions. So that action can be seen as a sanction, but it is not retaliatory in nature, and is aimed solely at specific prevention, and the action is intended to maintain public security against the threat of danger (Saleh, 1983).

Regarding this offense, there are several substantive changes in the Copyright Law, where in the previous Copyright Law the legal process for an act of copyright infringement

used ordinary offenses, where the police could immediately proceed when a copyright violation occurred without having to wait for a complaint from the injured party. . The legal process will also continue even if the aggrieved party does not file a complaint or the parties have made peace. The change from ordinary offenses to complaint offenses in the Copyright Law is currently considered to make it difficult for law enforcement to eradicate increasingly rampant violations, because according to several expert opinions, they have to wait for complaints first.

However, on the other hand, there are also several views that state that the implementation of the complaint offense is very helpful for law enforcement officials in overcoming various obstacles in the law enforcement process such as a lack of evidence, not knowing who the creator of the copyrighted work is infringed, and the creator's reluctance to attend the trial. The thing that is questionable regarding the criminal provisions in the 2014 Copyright Law, namely the change in the position of a copyright crime to a complaint offense, which has been amended several times in the law in the field of copyright, has always maintained that a copyright crime is an ordinary offense (Nainggolan, 2011). Legal theory classifies copyright as a private right that is fully owned by the creator, so that normatively the offense of complaint which gives the creator the freedom to defend the creation or not is more appropriate to enforce.

Apart from copyright violations in the form of piracy, resolving copyright infringement disputes requires criminal action as a final measure which can be taken by first requiring the parties, both perpetrators and victims, to carry out an alternative dispute resolution process through a mediation process as regulated in Article 95 paragraph (4) Copyright Law. In this context, the author is interested in explaining further regarding the resolution of copyright infringement disputes where in the practical field there are many differences of opinion, especially regarding criminal law as the ultimum remedium, so that the criminal prosecution process for copyright infringement should be set aside before there is legal certainty. related to copyright holder disputes in other judicial environments, in this case the Commercial Court.

## CONCLUSION

In conclusion, this paper underlines the importance of effective policy implementation in ensuring the integrity and credibility of the electoral process. By examining the implementation of KPPS recruitment policies at the Bandung City KPU, this research provides valuable insight into the challenges and successes faced in the

recruitment process. This requires continuous evaluation and improvement of recruitment procedures to increase the quality and inclusiveness of KPPS members, thereby strengthening the democratic process in Bandung and its surroundings.

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