

ABSTRAK

Penelitian ini mengkaji tentang marginalisasi Panwaslu (Panitia Pengawas Pemilihan Umum) pada pemilu legislatif 2004 dan 2009 di Kabupaten Banyumas. Kehadiran Panwaslu sebenarnya diharapkan dapat mengawasi seluruh tahapan pemilu dan menangani setiap tindak pelanggaran pemilu. Panwaslu seharusnya diposisikan sebagai lembaga yang mempunyai peran strategis dalam penegakan hukum dan aturan main pemilu. Tegaknya hukum dan aturan main pemilu akan mendorong terwujudnya pemilu yang bersih dan berkualitas, yaitu pemilu yang bebas, jujur, adil dan demokratis, sehingga mendukung proses konsolidasi demokrasi Indonesia.

Penelitian ini menghasilkan beberapa temuan. *Pertama*, pada kenyataannya Panwaslu dalam posisi marginal, sehingga tidak dapat berperan optimal mengawasi pemilu dan menangani setiap tindak pelanggaran pemilu secara maksimal. *Kedua*, peran marginal Panwaslu tersebut merupakan wujud dari adanya aksi “politik eksternalisasi pengawasan pemilu” para politisi partai-partai politik berkuasa melepas tanggungjawab moral dan politik mengawal dan mengawasi pemilu, dan pemilu menjadi arena politik meraih (keuntungan politik) kekuasaan semata. *Ketiga*, politik eksternalisasi pengawasan pemilu tersebut terstruktur dalam *struktur* politik penyelenggaraan pemilu menempatkan Panwaslu dalam posisi marginal, tertuang dalam desain politik penyelenggaraan pemilu sebagai panduan hukum, aturan main pemilu (UU Pemilu dan UU Penyelenggara Pemilu). Marginalisasi Panwaslu itu dalam struktur kelembagaan, fungsi dan kewenangan, serta mekanisme pengawasan dan penanganan pelanggaran pemilu. *Keempat*, desain politik penyelenggaraan tersebut merupakan produk hukum, sekaligus produk politik yang disusun oleh para politisi partai-partai politik yang berkuasa di DPR. Kepentingan politik para politisi partai-partai politik berkuasa dibalik desain politik tersebut adalah mengambil “keuntungan politik” dari desain politik pemilu yang tidak menghadirkan adanya pengawasan pemilu yang optimal dan penegakan hukum, aturan main pemilu yang maksimal. Panwaslu dalam upaya penegakan hukum dan aturan main pemilu menghadapi konflik dan kriminalisasi dari peserta pemilu (para politisi partai-partai politik calon wakil rakyat). Panwaslu juga menghadapi konflik dengan petugas pemilu, KPU (Komisi Pemilihan Umum) Kabupaten Banyumas yang berselisih paham tentang suatu aturan main pemilu. Kewenangan Panwaslu dengan mudah diabaikan oleh peserta pemilu dan KPU. Akibatnya, tidak adanya penegakan hukum dan aturan main pemilu yang maksimal. Hal itu dapat menjadi langkah pembusukan demokrasi prosedural, sekaligus mengancam gagalnya proses konsolidasi demokrasi.

Kata kunci: *peran marginal Panwaslu, marginalisasi Panwaslu, politik eksternalisasi pengawasan pemilu, struktur dan desain politik penyelenggaraan pemilu.*

ABSTRACT

This research analyses the marginalization of Election Supervisory Commissions (*Panitia Pengawas Pemilihan Umum*, known as *Panwaslu*) for the 2004 and 2009 legislative general elections in Banyumas Regency. The existence of *Panwaslu* was expected to be able to control the whole general election processes and handle every general election violations. *Panwaslu* should be placed as an institution with strategic roles in enforcing law and general election rules and regulations. By enforcing law and general election rules and regulations, it will create a clean and qualified election that is a free, honest, fair and democratic general election which can support democracy consolidation in Indonesia.

This research discovers some important findings. *First*, the fact shows that *Panwaslu* is in marginal position so that they can't act optimally in monitoring the election and in responding each general elections violation maximally. *Second*, these minor roles of *Panwaslu* is a concrete act of "political externalization of general election supervisory" from the ruling political parties' politicians in throwing their moral and political responsibilities in guiding and supervising the elections, and thus the elections is merely becoming a political arena in gaining power. *Third*, the political externalization of general election supervisory is a structured action in political structure of general elections providence has put *Panwaslu* in minor position, as in the organization of general election political design, which is the legal guide that is the rules and regulations of general elections. *Panwaslu* marginalization are in the institutional structure, functions and authorities, and also in supervisory mechanism and in managing the elections violations. *Fourth*, the political design of elections management was a legal product and at the same time, the design was a political product that being composed by the politicians of the ruling parties in Legislative (DPR). These politicians' political interests were the actors behind the political design of elections management who took "the political benefits" from the general elections political design that designed to eliminate optimum elections supervisory and enforcing the law, and maximizing general elections rules and regulations. *Panwaslu* in the effort of law enforcements and general elections rules and regulations is facing conflicts and criminalization challenges from general elections contestants (the politicians from political parties, also as the candidate of the legislative members). *Panwaslu* was also café to face to have conflict with the general elections officers, among Banyumas General Elections Commission (*Komisi Pemilihan Umum*, known as KPU), they had clashed among themselves about general elections rules and regulations. *Panwaslu* authorities easily abandon by the general elections contestants and KPU. The consequences are that there is no law enforcement and maximum general elections rules and regulations. These



situations can be a step in decaying the procedural democracy and at the same time, it also threatening the democracy consolidation.

Keywords: *Panwaslu* marginal roles, *Panwaslu* marginalization, political externalization of general election supervisory, political structure and political design of general elections providence.