

## THE EFFECTIVENESS OF ELECTRONIC EVIDENCE IN PROVING THE 2024 GENERAL ELECTION RESULTS

**Solkhah Mufrikhah**

UIN Walisongo Semarang, Indonesia

Correspondence author email: [sholkhah.mufrikhah@walisongo.ac.id](mailto:sholkhah.mufrikhah@walisongo.ac.id)

**Deni Gunawan**

Mahasiswa S3 AUI, Malaysia

**Muhamad Risal Tawil**

Politeknik Baubau, Indonesia

**Muhammad Taufik Rusydi**

Universitas Surakarta, Indonesia

**Aleksander Sakalessy**

Universitas Pattimura Ambon, Indonesia

### **Abstract**

This research is a qualitative research with a descriptive approach. The data used in this article are secondary data that researchers obtain from Scientific Journals, Books, Theses, Dissertations, Theses, News, and other things that are commonly used in every research. The data is collected, then selected and concluded using the SWOT analysis technique collection, data selection, data reduction and drawing conclusions. The result in this article show the presence of electronic evidence can indeed make it easier to prove Fraud in the General Election effectively both in the Constitutional Court which adjudicates the dispute over the results of the Presidential and Vice Presidential Elections briefly, namely 14 days, reporting to BAWASLU, and others who have a very short time. Electronic evidence in accordance with its strength as the researcher explained above, is easy to access, easy to obtain, easy to back up, and so on. Moreover, this effectiveness can be further increased supported by the General Election system which is slowly adopting a digital ELECTION system.

**Keywords:** *Energy Self-Sufficiency, Sustainable Development, Energy*

### **INTRODUCTION**

Proof comes from the word "evidence" which means something (event and so on) that is sufficient to show the truth of something (the event). Proof is the act of proving. As examined from the meaning of the lexicon, "proof" is a process, method, act of proving, an effort to show the truth or guilt of the defendant in a court hearing. While examined from a legal perspective (SANTOSO 2021). Proof is also the central point

of criminal procedure law. This can be proven from the beginning of the investigation, investigation, pre-prosecution, additional examination, prosecution, examination in court, judge's decision and even to legal efforts, the problem of proof is the subject of discussion and review of all parties and officials concerned at all levels of examination in the trial process, especially for judges. The proof process is essentially more dominant in court hearings in order to find the material truth of the events that occurred and provide the fairest possible verdict (Rozi 2018).

The process of proof has four systems of proof, namely as follows (Havinanda 2021): a. Proof based on mere belief (conviction in time) The guilt or innocence of the defendant according to this theory of proof is solely determined by the judge's belief. This belief is taken and concluded by the judge based on the evidence provided in court or simply by listening to the defendant's statement. b. Proof according to the judge's belief based on logical reasons (conviction raisonee). Belief in this theory of proof plays an important role in determining the guilt or innocence of the defendant, but the judge's belief must be based on reasons that are acceptable to reason and logic. c. Proof according to the law positively (positief wettelijk) this theory of proof is guided by the principle of proof with evidence determined by law, which means it is to prove the defendant's guilt or innocence by looking at the valid evidence that has been determined by law. d. Negative proof according to law (negative wettelijk) The theory of negative proof according to law is a combination of the theory of positive proof according to law with the theory of proof by mere belief (Zenno 2017).

In contrast to the purpose of the proof above, the proof referred to in this article is proof when fraud occurs in PEIMLU. General Elections (Pemilu) are the basis of one of the instruments of democracy (Surbakti 2008). Through elections, people's sovereignty can be transformed into political power in parliament and the executive.<sup>1</sup> General Elections, hereinafter abbreviated as Pemilu according to Law Number 7 of 2017 concerning General Elections, are a means of implementing people's sovereignty which is held directly, generally, freely, secretly, honestly, and fairly in the Unitary State of the Republic of Indonesia based on Pancasila and the 1945 Constitution of the Republic of Indonesia. Elections are the main institution of democratic representative government, because in a democratic state, government authority is only obtained with the consent of those who are governed (RI 2017). The main mechanism for implementing the agreement as government authority is through the implementation of free, honest and fair elections, especially to elect the President/Regional Head (Jurdi 2018).

Based on the explanation above, the researcher has the initiative to analyze in descriptive form regarding the effectiveness of electronic evidence in revealing fraud in the General Election, especially in the 2024 Presidential and Vice Presidential Candidate Election.

## **METHODS**

In this article, the researcher has the initiative to analyze the effectiveness of electronic evidence in exposing fraud during the general election, especially the 2024 Presidential and Vice Presidential elections (Lexy J. Moleong 2014). This research is a qualitative research with a descriptive approach. The data used in this article are secondary data that researchers obtain from Scientific Journals, Books, Theses, Dissertations, Theses, News, and other things that are commonly used in every research (Manzilati 2017) & (Abdurahman 2016). The data is collected, then selected and concluded using the SWOT analysis technique.

## **RESULT AND DISCUSSION**

### **Evidence and General Elections**

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### SWOT Analysis

**Table 1**  
SWOT Analysis

<b>Strenght</b>	<b>Weakness</b>	<b>Oportunity</b>	<b>Threat</b>
Easy to present	Easy to hack	Can reveal fraud in elections according to the time available	Proof failed
Easy to collect			
Easy to access for everyone			
Easy to check validity			
Easy to backup			

Based on the above explanation, it can be concluded in depth that the presence of electronic evidence can indeed make it easier to prove Fraud in the General Election effectively both in the Constitutional Court which adjudicates the dispute over the results of the Presidential and Vice Presidential Elections briefly, namely 14 days, reporting to BAWASLU, and others who have a very short time. Electronic evidence in accordance with its strength as the researcher explained above, is easy to access, easy to obtain, easy to back up, and so on. Moreover, this effectiveness can be further increased supported by the General Election system which is slowly adopting a digital ELECTION system.

### CONCLUSION

Based on the above explanation, it can be concluded in depth that the presence of electronic evidence can indeed make it easier to prove Fraud in the General Election

effectively both in the Constitutional Court which adjudicates the dispute over the results of the Presidential and Vice Presidential Elections briefly, namely 14 days, reporting to BAWASLU, and others who have a very short time. Electronic evidence in accordance with its strength as the researcher explained above, is easy to access, easy to obtain, easy to back up, and so on. Moreover, this effectiveness can be further increased supported by the General Election system which is slowly adopting a digital ELECTION system.

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