

Analysis of Regional Election Amidst

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Analysis of Regional Election Amidst Covid-19 Pandemic in Semarang City

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Abstract

This article provides an analysis on whether a Regional Election when there is only one pair of the candidate to select during pandemic Covid-19 is needed or not using a juridical empirical with analytical descriptive research specifications where the results of the data obtained in the regional election held in Semarang City using Netnography supported with relevant literature to then analyzed using triangulation data process where the result shows that even though the Regional Election shows that there is no significant increase in the patients, it should be raised as a concern on the need to not conduct the election in pandemic especially if there is only one pair to select as the government are supposed to hold people's safety over everything. Therefore the law number 7 of the year 2017 need to be reconstructed especially in Article 431 and 432 by adding a new clause in case of a pandemic or disaster, the regional election can be decided by the Regional People's Representative Council (DPRD).

Keywords: Regional Election, Pandemic Prevention, Law Reconstruction.

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1. Introduction

Covid-19 is one of the Corona Virus Variants found in Wuhan in 2019 and in 2020 it has spread throughout the world. Indonesia as a country that has a large population is also not exempted from this pandemic as by seeing the recorded number of Covid-19 cases that are reaching to nearly 1 million with the death toll reaching 23 thousand as of February 2021.

The high number of Covid-19 victims is a threat to political contestation which is always a big event held in a democratic country like Indonesia, namely the General Election or in this case the General Election which is held simultaneously based on KPU Regulation (PKPU) number 5 of 2020. Regarding the third amendment to PKPU number 13 2019 regarding the stages, programs, and schedule for the 2020 Regional Head Election which was held on December 9, 2020 (Umum, 2020).

Even though the government, represented by the General Election Commission (KPU), is quite optimistic in preparing for this contest such as providing Sanitizers, masks, and Face Shields, the implementation of this simultaneous post-conflict local election, according to the author, has the potential to increase the number of Covid-19 infections in Indonesia because the *Semarang City* is the capital of the province of Central Java and also city with a density of over 4.780 people per Square Kilometre (Semarang, 2020).

This shone a question as one of the duty of the nation is to protect its citizen, however, the current law that is the law No.7 of the year 2017 regarding general election, specifically, article 71 and 72 specifically states that in case if there is a disaster, then the election can be postponed. The Covid-19 Pandemic, as stated clearly in President's Decision (*Keppres*) No. 12 of The Year 2020 as a non-nature disaster. Meaning that the regional election which was scheduled to be held on 9th December 2020 can be postponed, however, this law has many holes as there is no specific clause that shows what kind of disaster that can be postponed and to how long will it be.

This matter is urgently needed to be studied further as people's safety is at risk of contracting the disease on the one hand, but on the other hand the election, which was planned years before need to be held to provide a sense of democratic enforcement for the people (Landman & Splendore, 2020). However, other problem that rise in relation to this problem is the fact that there is 25 region that held a regional head election in 2020 which presented only a single-pair. This case spark the attention of the researcher concerning whether a regional head election in pandemic where there is only one pair to choose should be held in fear of discarding the concept of regional head election may injure (James & Alihodzic, 2020) the democratic values upheld in a democratic Nation like Indonesia.

2. Materials and Methods

Based on the foregoing, the main issues to be examined in this study are to find out if it is necessary to conduct Regional election when there is only one pair of candidate to select during pandemic. The research method used in this research is juridical empirical with analytical descriptive research specifications where the results of the data obtained in the regional election held in Semarang City supported with relevant literature in order to obtain the expected result.

The focus of this research is in Semarang City, Central Java Province, Indonesia. The characteristic of this regency which has the largest local revenue in Central Java Province as this city is the central trade sector in central java. Data collection was carried out in documentation through writing, secondary data, and other supporting data. The analysis technique used is Netnography (Villegas, 2020) which is done online. Observations are also carried out online as part of the source and method of the triangulation process (Knoppen et al., 2006).

3. Result and Discussion

3.1. Regional Election in Pandemic

As an important agenda of a democratic country, elections must be carried out with a good management system. A good implementation system is itself an election administration that is able to have a positive impact on changes in the Indonesian State. Because, when an election has a good management system, the election will be close to the legitimacy of the people towards the government. The debate regarding the administration system is currently being discussed by the public. Many people think that the poor performance of the government today is the result of bad election administration. This is shown by the increasingly phenomenal tragedy of bureaucracy disease, such as corruption.

In order to tackle this, the government in 2005 made a breakthrough in which regional heads and deputy regional heads who were previously elected by the Regional People's Representative Council (DPRD), since the enactment of Law Number 32 of 2004 concerning Regional Government, regional heads are directly elected by the people through Regional Head Elections and deputy Regional Head or abbreviated *Pilkada*. The first *Pilkada* was held in June 2005, held in Kutai, Kartanegara Regency, East Kalimantan. Since the enactment of Law Number 22 of 2007 concerning General Election Administrators, *Pilkada* has been included in the election regime, so that it is officially named the General Election of Regional Heads and Deputy Regional Heads or abbreviated as *Pilkada*. The first regional head election to be held based on this law is the Regional Election of DKI Jakarta 2007. In 2011, a new law on general election administrators was issued, namely Law Number 15 of 2011. In this law, the term used is Election of Governors, Regents, and Mayors. However, the election system for the regional head, which is directly elected by the people, still creates many conflicts regarding its effectiveness. The debate about this electoral system will not end until the government is able to boost its performance properly. This is because the community as voters will use the government's performance as a reference in the rationality of their choice. The large number of abstentions that occurred in the reform era further confirmed that the public was not yet fully optimistic about the performance of the next government.

Seeing this problem, the government On January 24, 2014, the Constitutional Court made a new decision, namely Decree No.14/PUU-XI/2013 regarding simultaneous elections. In this decision, the Constitutional Court granted the petitioner's petition reviewing the existence of several articles in the Law (UU) that were unconstitutional with the Basic Law (UUD). As a result, the Constitutional Court gave a decision in the form of holding general elections simultaneously starting in 2015, and in 2020, the post-conflict local election was held again even though currently Indonesia and even the world are being hit by the Covid-19 Pandemic.

One thing that differentiates Regional Elections in Indonesia from other countries is that regional elections in Indonesia are held simultaneously. Regional elections referred to here are regional head elections, in this case, the mayor and governor. This system is basically a manifestation of regional autonomy, a system that upholds the independence of certain powers granted by the central government to regional governments. This system has a little resemblance to a state in a federation state, a territorial unit that is in the form of a federation of government as adopted by the United States for example (Pempel, 2013), but the authority possessed by regional autonomy is more limited because the legal authority is in the hands of the central government while regional governments are only authorized to make regional regulations, alone that regulates local taxes and levies. Even though the implementation of regional elections was only held in 2016, the spirit of enforcement has existed for a long time in the foundation of the state as can be seen in Article 22E paragraph (1) of the 1945 Constitution which states, "General elections are carried out directly, publicly, freely, secretly, honestly and fairly. every five years." Then Article paragraph (2) further states that, "General elections are held to elect members of the People's Representative Council, Regional Representative Council, President, and Vice President and the Regional People's Representative Council."

The existence of regional elections is expected to help the government in reducing costs incurred in implementation. However, in the implementation of the 2020 regional elections, it is different from the previous year where Indonesia, together with various other countries around the world, was hit by the Covid-19 pandemic, one of the Corona Virus Variants that is found in Wuhan in 2019 and in 2020 it has spread throughout the world. Indonesia as a country that has a large population is also not exempted from this pandemic as by seeing the recorded number of Covid-19 cases that are reaching 1 million with the death toll reaching 31 thousand as of February 2021 (Recovery, 2021).

To combat this, the Indonesian government has implemented various policy such as the *Pembatasan Sosial Skala Besar* (Large Scale Social Distancing) or PSBB to limit people's activities (by urging companies to work

from home, limiting shopping center operational time and so on) and the government also put extra effort to prepare on 9th December 2020 where the regional election are held.

This form of attention is as stated in the General Election Commission (PKPU) Regulation Number 6 of 2020 concerning the Implementation of Elections for Governors and Deputy Governors, Regents and Deputy Regents, and/or Mayors and Deputy Mayors Simultaneously Continuing in Non-Natural Disaster Conditions Coronavirus Disease 2019 (Covid-19) where the protocol for implementing regional elections during the pandemic is as follows:

1. Application of the principles of occupational safety and health
2. Periodically carry out rapid tests or Real-Time Polymerase Chain Reaction (RT-PCR) on members and the KPU Secretariat General, as well as members and secretariats of Provincial KPU, Regency / City KPU, PPK, and PPS and/or who have symptoms or contact history with a person confirmed as afflicted with Corona Virus Disease 2019 (COVID-19);
3. Use of personal protective equipment in the form of masks covering nose and mouth to the chin for members and the KPU Secretariat General, as well as members and secretariats of Provincial KPU, Regency / City KPU, PPK, and PPS who are currently on duty;
4. Use of personal protective equipment in the form of masks covering nose and mouth to the chin, disposable gloves and face shields for PPS who are carrying out factual verification of support for individual Candidate Pairs; PPDP which is currently implementing Coklit; KPPS which is conducting Voting and Counting of Votes at TPS;
5. Provision of adequate sanitation facilities at places and/or equipment used for an activity in the implementation of the Election stage, in the form of handwashing facilities with running water and soap, disinfectants, and/or alcohol-based antiseptic fluids (hand sanitizers);
6. Checking the condition of the body temperature of all parties involved before an activity in the stage of organizing the Election begins, by using a device that does not physically touch, provided that the maximum body temperature is 37.30 (thirty-seven point three degrees) Celsius;
7. Arrangements to maintain a distance for all parties involved in each stage of the Election at least 1 (one) meter;
8. Arrangements for the prohibition of crowding for each activity in the respective stages of organizing the Election;
9. Limitation on the number of participants and/or personnel assigned to each activity in the implementation of the Election stage which requires physical presence;
10. Regular cleaning and disinfection of frequently touched rooms and equipment;
11. Not sharing goods or equipment;
12. Health screening (screening) of people who will enter the activity room;
13. Socialization, education, health promotion, and use of information media to provide an understanding of the prevention and control of transmission of Corona Virus Disease 2019 (COVID-19)
14. Involving personnel from regional apparatuses who carry out health affairs or teams from the Task Force for the Acceleration of Handling Corona Virus Disease 2019 (COVID-19) in their respective regions.

Apart from the 14 things above, another regulation that deserves attention is the provision of using voice for patients who have contracted Covid. As stated in articles 71 and 72 of General Election Commission (PKPU) Regulation Number 6 of 2020, Regency / City KPU is assisted by PPK and/or PPS in collaboration with hospitals and the Task Force for the Acceleration of Handling Covid-19 to collect data on voters who will use their voting rights in hospitals where Regency / City KPU assigns PPK or PPS to prepare TPS that will serve voters by considering the number of voters who will use their voting rights and the availability of ballots. This means that even patients who are infected with Covid-19 are guaranteed to have the right to choose where the TPS in the quarantine area is in charge of doing this by visiting the patient directly using equipment and protocols.

The stipulation of this new rule, of course, requires a lot of funds, and this is a commitment from the government to continue to succeed in this regional election even in the midst of a pandemic by spending 15 trillion rupiah of funds for its implementation (Prakoso, 2020).

As for the regional head election held in Semarang City, there is only one pair of candidate and that is Hendrar Prihadi, as Town Mayor, and Hevearita Gunaryanti Rahayu as Vice Town Mayor, that the people of Semarang city chose on 9th december 2020. Both of them have been served before as Semarang's town mayor and vice town mayor on 2016-2021 term.

One thing that should be noted is not only who won as there is only one pair of candidate nor how much the government spend for holding the election, but also whether or not there is a spike in the covid-19's patient because of the election. In light of this, the author, based on data obtained from *siagacorona* of Semarang city government found that the amount of people that contract covid-19 in December, that is 13.096 rises to 14.441 which means that there is an increase of 1345 people or 9.3 % of increase as for the previous month (Semarang,

2021). Additionally, The Results of Operations for Health Protocol Violation in Semarang City found that there has been 2042 Protocol violation in Semarang which are relatively low compared to other cities in central java province like Cilacap which has 10.147 protocol violation(Tengah, 2021) though, the amount of people contracted covid-19 there are 7190 people among 1.9 million people there, compared to Semarang of 1.6 million.

3.2. Is it Necessary?

In order to understand the importance of regional head elections in democracy in Indonesia, it is necessary to look at it from a historical perspective first.

In its history, according to Saraswati (Saraswati, 2014), Indonesia has experienced 4 types of regional head appointment system prior to the existence of a direct voting system by the people.

Historically, General elections in Indonesia have been held 11 times, namely in 1955, 1971, 1977, 1982, 1987, 1992, 1997, 1999, 2004, 2009, 2014, and 2019.

Since the founding of the state of Indonesia, Mr. Hatta has thought of holding an immediate election according to the announcement X dated November 3, 1945. The first election was not carried out in January 1946 as mandated by the Declaration of November 3, 1945, at least because of 2 (two) things(Aspinall, 2005):

1. The new government is not ready, including in the preparation of the Election Law instruments;
2. Unstable state security conditions due to internal conflicts between political forces at that time, especially at the same time external interference was still threatening. In other words, the leaders are more preoccupied with consolidation.

The first elections in Indonesia are often referred to as the most democratic elections even though they were held when the country's situation was not yet conducive. This is the first milestone for Indonesian people to learn about democracy. At that time, the Republic of Indonesia was only 10 years old. A new Indonesia, which is very young, is struggling in preparing for elections. The unfavorable security situation, a cabinet full of friction, and the failure of the new government to prepare the Election Law, meant that voting could only be held 10 years after independence. No less than 80 political parties, mass organizations and dozens of individuals took part in running. In the 1955 General Election, the people elected members of the DPR and the Constituent Assembly which were held in two terms.

1. First on 29 September 1955 to elect members of the DPR. This stage was held on 29 September 1955, and was attended by 29 political parties and individuals,
2. Second on 15 December 1955 to elect members of the Constituent Assembly. This stage was held on December 15, 1955.

The top five in this election are the Indonesian National Party, Masyumi, Nahdlatul Ulama, the Indonesian Communist Party, and the Indonesian Islamic Syarikat Party. The 1955 elections were held when state security was still not conducive; several areas plagued by chaos by DI / TII (*Darul Islam* / Indonesian Islamic Army), especially the leadership of Kartosuwiryo. In these circumstances, members of the armed forces and police also participate. Those who served in areas prone to being rotated came to the polling stations. The election was finally safe.

From its implementation, the first election can be said to be successful and peaceful. Where the level of citizen participation is so high. Valid votes during the General Election reached 88 percent of the 43 million voters. Meanwhile, voters whose votes were invalid or did not come (Golput) were only 12.34 percent. This election aims to elect members of the DPR and the Constituent Assembly (the constituent is a state institution assigned to form a new constitution to replace the provisional 1950 constitution). The number of seats in the DPR contested was 260, while the Constituent seats were 520 (twice the DPR seats) plus 14 representatives from minority groups appointed by the government.

The 1955 election chose 257 DPR members and 514 constituent members (supposed to be 520 members, but Irian Barat had 6 seats, did not vote) with 29 political parties and individuals participating. This election was held during the government of prime minister Burhanuddin Harahap, after replacing Prime Minister Ali Sastromidjojo who resigned. The results of the 1955 elections determined the Indonesian National Party to be the winner with 23.97% of the votes and the party was entitled to 119 seats in the constitution.

Furthermore, Indonesia's political conditions after the 1955 Election were laden with various conflicts. As a result, the next election scheduled for 1960 could not take place. President Soekarno issued a Decree on July 5, 1959 which dissolved the DPR and the Constituent Assembly of the 1955 election results and declared a return to the 1945 Constitution. Soekarno unilaterally formed the DPR-Gotong Royong (DPR-GR) and the Provisional MPR (MPRS), all of whose members were appointed by the president.

After General Soeharto was appointed by the MPRS to become president replacing Bung Karno in 1967, he determined that a new election would be held in 1971. This election was attended by 10 parties, namely; Golkar, NU, Parmusi, PNI, PSII, Parkindo, Catholic, Perti, IPKI and Murba. The number of voters in this election was 54,669,509 votes, where the winning party Golkar won 62.82% of the votes and was entitled to 236 seats.

The second election was held on July 5, 1971. What is new in this year's Election is the provision that

requires all state officials to be neutral. This is different from the 1955 General Election, where state officials from the party participated as party candidates formally. However, in practice, state officials sided with one of the election participants, namely *Golongan Karya*. The new order "political engineering" that lasted until 1998 began this year where the rich parties were always elected with a victory rate of up to 90 percent per election (McRae & Robet, 2020). During the New Order era, the concept of simultaneous elections, namely (wholesale elections), was to elect members of the DPR at the same time, to elect members of the DPRD Level I (province), and to elect DPRD Level II (regencies and municipalities) in one election period. At that time, the simultaneous election was given the title "Democratic Party". Because it is held simultaneously, it also requires a large fee.

The development of political and constitutional law in Indonesia ran rapidly after the amendment of the 1945 Constitution by the Indonesian People's Consultative Assembly in the 1999-2002 period. One of the dimensions of development as referred to is marked by the strengthening of participatory democracy by the people in the arena of national leadership succession through the means of holding the General Election of the President and Vice President which is held directly. As mandated by the 1945 Constitution of the Republic of Indonesia, especially Article 1 paragraph 2, states that, "Sovereignty is in the hands of the people and is exercised according to the Constitution". Furthermore, the provisions of Article 6A Paragraph (1) also guarantee that, "The President and Vice President are directly elected as a pair by the people".

Since the 1998 reformation which had implications for the amendment of the 1945 Constitution and the holding of an accelerated election in 1999, the life of democratic law and politics in Indonesia has grown rapidly. General elections have become the center of attention for political parties and elites in all elements of the nation, even including citizens. Constitutional reform not only mandates the people to determine members of the representative institutions in the legislative but also gives full sovereignty to citizens to elect the President and Vice President directly, but the general election which is constitutionally designed in the 1945 Constitution, especially in the third amendment, did not work as it should. This is because the technical implementation of the General Election is stipulated by law that is decided by the DPR and the President.

The general elections that have been held have left many problems, especially because the aspiration to live in a democratic rule of law has not been clearly realized. The general election that is held is also considered by many to be inconsistent with the spirit adopted by the 1945 Constitution. In fact, the law regulating general elections, especially the Presidential and Vice-Presidential Election Number 42 of 2008, has been requested for testing at least 5 (five) times in period 2008-2013, as the cases decided under Number 51 / PUU-VI / 2008, 52 / PUU-VI / 2008, 59 / PUU-VI / 2008, 14 / PUU-XI / 2013 and 108 / PUU- XI / 2013. Legal efforts against doubts over the implementation of the General Election cannot be separated from the development of the dynamics of legal and political thinking among experts, academics, politicians, and stakeholders in the General Election. In the context of law, these efforts are a series for the purity of implementing the 1945 Constitution appropriately and consistently.

The last review of Law No.42 / 2008 is the judicial review submitted by Effendi Ghazali from the Civil Society Coalition for Concurrent Elections with Number 14 / PUU-XI / 2013 and submitted by Yusril Ihza Mahendra with Number 108 / PUU-XI / 2013. Even so, the author only describes the Constitutional Court's decision relating to the judicial review of the constitutionality of Law 42/2008 number 14 / PUU-XI / 2013. This section describes the mapping of opinions or arguments on the controversy over general elections simultaneously with general elections in stages as well as a review of the verdicts passed by the Constitutional Court. The argumentative debate has been going on for quite a long time and with various momentum. This difference is clearly visible both in the academic world, in the preparation of material on the Law, in the mass and electronic media as well as in the realm of constitutional courts. This condition has an important meaning for the advancement of thought and understanding of the ins and outs of the General Election, the Constitution and the 1945 Constitution.

Pilkada is not an Election regime, but more of a Regional Government regime, however, such assessment will be at a deadlock as some question regarding the DPRD elections that is also a part of the Regional Government regime make its legibility questionable. This is because the election for DPRD is also regulated in the chapter related to Regional Government. If the *Pilkada* and the General Election for DPRD members are both included in the Regional Government regime, the reason why the two electoral systems being put in different legal regimes are because The placement of both of them in one legal regime is precisely and acceptable according to the standards of the constitutional norms contained in Article 18 of the 1945 Constitution. Where, both the *Pilkada* and the General Election for DPRD members are included in the Election regime as well as being part of the regional government regime.

According to the Constitutional Court, up to the post-legislative presidential election, the constitutional practice has not been able to become a means of transforming social change in the desired direction nor has it strengthened the presidential system to be built based on the constitution. The mechanisms for monitoring and balancing each other (checks and balances), especially between the DPR and the President, are not going well. The Constitutional Court stated that all stages and technical preparations for the implementation of the 2014

General Election have been and are currently approaching implementation. Likewise, all provisions regarding the procedures for the implementation of general elections, both the Presidential and Legislative Elections, have been prepared and implemented in such a way that although the Constitutional Court ruled in Article 3 paragraph (5), Article 12 paragraph (1) and paragraph (2), Article 14 paragraph (2), and Article 112 of the Presidential Election Law, according to the Constitutional Court the implementation of the 2009 and 2014 Presidential Elections and Legislative Election held simultaneously with all the consequences of the law must remain valid and constitutional.

The Decision of the Constitutional Court Number 14 / PUU-XI / 2013 is a new vehicle for political struggle in Indonesia that relatively "counteracts" previous Indonesian constitutional practices in terms of holding the Presidential and Vice-Presidential Elections and the Legislative Election. On the one hand, the people can see more of this new vehicle as a "perfume" for the victory of democracy. In 2019, a new history will begin in the General Election, along with the Constitutional Court's decision which states that the Election for Members of the DPR RI, DPD and DPRD (Legislative Election), and the Presidential and Vice-Presidential Election (*Pilpres*) must be simultaneous, not separate as was practiced during This is while the regional head elections (Governor and Vice Mayor / Regent) will only be held simultaneously in 2020.

It is common knowledge that politics is synonymous with dirty games. This has a major impact on the level of public participation in the general election, and not to mention the Regional Election where the Candidates are often play underhanded tactics to attract voter (Fionna & Hutchinson, 2019) because unlike before 2005, they can be selected by the people of the following region.

Next, historically speaking, as mentioned above that the system of electing the Regional Head, that is the Mayor and Governor directly through vote is still new to Indonesia, before 2005, the Indonesian only knows that the election are done through the Regional People's Representative Council (DPRD) but before that there are several type of this appointment that is, First, the system of appointment or appointment by the central government. This system has been used since the Dutch East Indies Colonial Government, Japanese occupation, and after independence. After independence, the government used this system based on Law 1/1945, Law 22/1948, and Law 1/1957. Second, the appointment system. This system is used based on Presidential Decree 6/1959 in conjunction with Presidential Decree 5/1960, Law 6/1956, and Law 18/1956, otherwise known as the era of Presidential Decree. Apart from that, this system was also implemented based on Presidential Decree 6/1959 in conjunction with Presidential Decree 5/1960 (Sukma, 2009). Third, the representative electoral system. This system is the embodiment of Law 5/1974. With this system, regional head elections are carried out by the DPRD institution. Furthermore, the president will determine the elected regional head candidate. Fourth, the representative electoral system (pure). This system bases its implementation on Law 18/1965 and Law 22/1999. With this system, regional heads are purely elected by DPRD institutions without central government intervention.

After electing thru the DPRD, various ideas emerged such as to hold a regional head elections in order to realize a higher democracy for the whole society of Indonesia. This ideas, of course spark attention to the people of Indonesia, and world as holding a election aside from the general election, of course, may increase the budget for election imposed to nation's economy. As of 2020, the Indonesian people are asked to choose 7 pairs of candidates or legislative candidate, consisting of the President and vice president, DPR, DPRD I (Province), DPRD II (City / Regency), DPD, Governors and Deputy Governors, and Mayors and Deputy Mayors or the Regent and Deputy Regent. The number of pairs of candidates and candidates selected is quite large and ineffective and prone to corruption (Abuza, 2020), as seen in the result of research by the Indonesian Budget Center that in the 2004-2009 period there were quite a lot of election funds that were prone to corruption, especially related to the auction of ballot boxes, ballot papers, logistics distribution systems, and ink to mark the voter's hand (Talitha et al., 2020) and this condition, based on previous research (Fortin-Rittberger et al., 2017) shows that voters' perception of electoral fairness has an impact on their attitudes and behaviors meaning that the risk of voter not using their right is higher. This condition is further exacerbated in the 2020's regional elections where the number of procurement that must be prepared by the KPU increases, in this case, to procure protocol to prevent the spread of Covid-19 during the election process which consists of Face Shield, Hand Sanitizer and PPE for officers who record Covid-19 patients as stated by Fealy (Fealy, 2020), that the total amount of fund released by the government to hold the election reached 20,9 trillion rupiahs, way higher than the former draft budget of 15,23 trillion rupiahs as the government need to provide covid-19 measurement tool and not to mention the cost needed by the Regional head election supervisory commission during the candidate's campaign.

The many problems in the implementation of the 2020 regional head election did not make the implementation postponed because this delay was deemed to have harmed democratic values. Etymologically, democracy is a form of government in which all citizens have equal rights in making decisions that can change their lives (Munck, 2016). Democracy allows citizens to participate — either directly or through representation — in the formulation, development, and making of laws. This form of participation in the democratic system in Indonesia is manifested in the form of participating in elections, for example. The pros and cons of regional head

elections in Indonesia have existed since this concept was first introduced in 2005 with the aim of upholding democracy (Susila et al., 2020), however, the main purpose of this is to uphold the concept of regional autonomy, a concept in which regions have the authority to regulate their regions. itself based on the funds obtained from the APBD. This concept is certainly different from the concept of a federated state adopted by the United States because it is different from a federated state, regional autonomy has limited authority, regarding the collection of taxes, levies, and revenues as well as regional expenditures and other authorities that do not conflict with the laws issued by the central government.

The concept of regional government is a unique concept because this concept is basically unknown in a unitary state like Indonesia, so it can be said that the Indonesian state is not fully a unitary state. By seeing the problem of post-conflict local elections in relation to the pandemic, the implementation can basically be postponed. as stated clearly in President's Decision (Keppres) No. 12 of The Year 2020 as a non-nature disaster which are further explained by BNPB that non-nature disaster is a disaster caused by an event or series of non-natural events, which include, among other things, technological failure, modernization failure, epidemic, and disease outbreaks. However, it is not yet stated on what "level" or in this case, how much disaster that can be categorized as able to postpone the election. This means that the danger level is subjective. This subjectivity can be seen not only in the implementation of regional election, it also can be seen in the implementation of *Pembatasan Sosial Skala Besar* (Large Scale Social Distancing) or PSBB to limit people's activities (by urging companies to work from home, limiting shopping center operational time and so on) as it varies from region to region.

On of the concern of the implementation of regional election is the campaign where, according to the KPU, they had prohibited pairs or candidates from holding general meetings, social activities such as blood donations, bazaars, sports activities, birthday celebrations, all of which have the potential to cause crowds. So far, this activity has become an icon of campaign implementation, marking the implementation of the campaign. This means that the public and election participants can feel the arrival of the campaign period when there is the mobilization of voters through activities that involve large numbers of people.

As a comparison, as stated in the results of Jaka & Torneo's research in 2019 (Jaka & Torneo, 2021) which explained the low Overseas Voting (OV) participation in Filipino urban migrant community groups, using Participation Theory in observing community participation in elections concluded that urban communities have a low level of participation. This research reflects the condition of voters in the city of Semarang, which is also an urban community, many of whom, come from outside the city of Semarang. Voters tend not to tie themselves to a particular party ideology, the existence of voters in Semarang City is more on an effort to prioritize the economic side, namely earning a living. It is at this site that the infrastructure of the people of Semarang is very prominent. As the main driving force for the economy in Central Java, the people tend not to be involved in practical political activities. This phenomenon should, of course, results in low community involvement in becoming members of political parties so that the regeneration process of various political parties cannot run properly.

Nevertheless, the results of the research conducted by the author actually show the opposite results, in the implementation of the 2020 regional head elections in Semarang, the level of community participation is quite high, namely 68% compared to 2015 which was 65%, 2010 was 60% and 2005 was 66% from 1.6 million citizen of Semarang city (Gultom, 2020).

One thing that is quite unique from the regional head elections in Semarang is that only one candidate is submitted. this condition, same with the other 24 regions in Indonesia, arises from various reasons. For example, the internal condition of the party, which tends to re-elect the incumbent, whose leadership has been tested in the previous five years. The services provided to the community have increased the trust, satisfaction, and loyalty of the community as stated in Widiatmika & Subawa's research in 2017 (Widiatmika & Subawa, 2017). This condition causes a single pair of candidates in the 2020 Semarang *Pilkada* which, Quoting Tambe (Tambe, 2017), is influenced by political and sociological factors in a democracy such as age, social networks, political affiliation and parties, factors religiosity, as well as trust and satisfaction with the democratic process. Regarding the 2020 Election in Semarang City where various factors such as satisfaction with the incumbent's performance, political factors, changes in campaign methods, finally became a reference for the uniqueness of the Semarang *Pilkada* which only had one pair of candidates.

The implementation of post-conflict local elections is basically necessary. This commitment has also been shown by the KPU by issuing guidelines for implementing regional elections in the COVID-19 pandemic as can be seen in KPU regulation number 6 of 2020 concerning General Election Commission Regulations concerning the Implementation of Elections for Governors and Deputy Governors, Regents, and Deputy Regents, and/ or Mayors And the Deputy Mayor Simultaneously Continues in the Non-Nature Disaster of Corona Virus Disease 2019 (Covid-19).

The regulation has indeed regulated in sufficient detail the implementation protocol, but one thing that is also worth examining is that the regional head election may not be abolished if there is only 1 pair of candidates.

When viewed from a legal perspective, in the *Pilkada* Law, a single candidate can win if he can get more than 50 percent of the votes. If it is less or less than the empty box, the *Pilkada* is postponed to the next *Pilkada* and the regional head is filled with an official appointed by the Ministry of Home Affairs. The following are the provisions in Article 54D of the Election Law:

1. Provincial KPU or Regency/ Municipal KPU shall determine the elected candidate pair in the election of one pair of candidates, if, more than 50% of the votes are valid.
2. If the votes acquired by the candidate pair are lacking, the candidate pair who lost the election may run again in the next election.
3. The next election as referred to in paragraph (2), shall be repeated in the following year or carried out in accordance with the schedule contained in the legislation.
4. In the event that no pair of candidates have been elected regarding the results of the election as referred to in paragraph (2) and paragraph (3), the Government shall assign the acting Governor, the acting Regent, or the acting Mayor.
5. Further provisions regarding the procedure for the Election of 1 (one) pair of candidates are regulated by KPU Regulations.

According to the research team, these provisions are "compelling" in the sense of elections, in this case, regional head elections must be carried out even though it is different from an election with 2 or more candidate pairs that can lead to disputes if there are errors in implementation, elections with a single candidate are of course, minimal disputes because there is only 1 pair so that with the elimination of regional head elections and directly inaugurating the single candidate not only can save the state budget but also for the elected candidate can save budget for carrying out campaigns so that the potential for corruption to return expenses during the campaign can be reduced.

General elections are basically needed as a form of commitment to guarantee democratic values, but when the country is hit by a disaster, in this case, the Covid-19 pandemic, for example, it is necessary to make legal breakthroughs to be able to adapt where one of them can be achieved by eliminating head elections. regions, especially in regions with only one candidate. This consideration is needed because with only one candidate, if the candidate is directly selected and appointed, there will be no disputes arising, especially from the losing party, other than that if there is a dissent from the public against the elected candidate, the candidate when he is in the office can be dismissed (impeachment). The results of the research conducted by the research team in the city of Semarang did show that there was no significant increase in positive covid-19 in the city of Semarang after the implementation of the regional head elections, but that is not why this problem is left alone because the Covid-19 pandemic has not ended so it needs to be used as material. a study so that when the regional head elections are held in the future, therefore one option that can be considered is to leave the election to the Regional People's Representative Council once again like before 2005 and whether it is related to injuring democracy or not, although according to the research team's view that this representative democracy system where the people can only indirectly choose will certainly injure democracy, however according to the concept of good governance this can be put aside because good governance is a government that is able to protect all its citizens at any cost.

4. Conclusion

General elections are basically needed as a form of commitment to guarantee democratic values, but when the country is hit by a disaster, in this case, the Covid-19 pandemic, for example, it is necessary to make legal breakthroughs to be able to adapt where one of them can be achieved by eliminating head elections. regions, especially in regions with only one candidate. This consideration is needed because with only one candidate, if the candidate is directly selected and appointed, there will be no disputes arising, especially from the losing party, other than that if there is a dissent from the public against the elected candidate, the candidate when he is in the office can be dismissed (impeachment). The results of the research conducted by the research team in the city of Semarang did show that there was no significant increase in positive covid-19 in the city of Semarang after the implementation of the regional head elections, but that is not why this problem is left alone because the Covid-19 pandemic has not ended so it needs to be used as material. a study so that when the regional head elections are held in the future, the election can be held by vote from the Regional People's Representative Council once again like before 2005 and whether it is related to injuring democracy or not, although according to the research team's view that this representative democracy system where the people can only indirectly choose will certainly injure democracy, however according to the concept of good governance this can be put aside because good governance is a government that is able to protect all its citizens at any cost.

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