

Abstain Voter (Golput) On Implementation Simultaneous Regional Head Elections(Pilkada) In Surabaya During The Corona Pandemic

Andy Christanto Santoso, Woro Winandi

Faculty of Law, Narotama University Surabaya

E-mail: gila1981@gmail.com

ABSTRACT

The implementation of simultaneous regional head elections (Pilkada) during the Covid-19 Pandemic was faced by the people of Indonesia in 2020. The East Java government especially issued several regulations where all of these regulations have the same purpose, namely limiting social interactions or it can be called PSBB vol. 1, PSBB volume 2, PSBB volume 3. on December 9, 2020, Indonesia will carry out the Pilkada. From the past Pilkada experience, the number of people interested in casting their votes has decreased over time. Based on the spirit or mother of all laws in Indonesia. Does it reflect social justice for all Indonesian people? What innovations should the government make during this pandemic so that there is no clash between regulations issued during this pandemic?

Keywords : Pilkada Serentak, PSBB, Jawa Timur, Golput, Pandemic, Corona

1. INTRODUCTION

The Corona pandemic has hit all over the world, especially Indonesia. In 2020 the Indonesian state is conducting a democratic party by carrying out direct regional head elections or called *PILKADA*. There is a dilemma here, on the one hand, mass gathering is one of the triggers for the spread of covid, while the *PILKADA* is a party for the Indonesian people, where mass gathering occurs. How to overcome these two (2) things so that everything can be achieved with a win-win solution (Ulum, 2011).

When the Corona pandemic occurred in Indonesia, the government had issued several rules or laws aimed at preventing and reducing the spread of COVID-19. One of the efforts made by the government is to carry out PSBB, where in the law the public is required to obey and do 3M, namely: Menggunakan masker (Using masks), Mencuci tangan (washing hands), and Menjaga jarak (maintaining distance) (Mariska, 2022).

PILKADA in 2020 are a challenge for the government because Indonesia is currently being hit by a non-natural disaster, namely COVID-19. The government issued a PERPU on *PILKADA*. The government will continue to conduct the *PILKADA* on September 9, 2020 with the conditions described in the law (Prajoko, 2017).

PILKADA is one of the efforts made by the government to create a good democratic party. From the first *PILKADA* held in 2005 until before 2020 there were several obstacles or challenges

faced, some examples: (1) Dissemination of fake news by political opponents against opposing candidates; (2) Serangan Fajar by certain elements so that their potential partners are chosen by the community; (3) The public's interest in using their voting rights by coming to the TPU is very low or it can also be called as many who become Abstain Voter (*GOLPUT*) (Adia & Perdanab, n.d.).

During the Corona pandemic, collecting mass has actually violated the Covid regulations Law Number 6/2018 “concerning Health Quarantine”. In Chapter XIII of Law Number 6/2018 it is explained about Criminal Provisions, precisely in Article 93 it is regulated regarding criminal sanctions for people who do not comply with or hinder the implementation of health quarantine. *PILKADA* in East Java, especially Surabaya, on December 9 yesterday was a democratic party for the Indonesian people in making choices. Who is the right person to be the mayor?

By holding *PILKADA*, indirectly it also includes an effort to gather the masses to exercise or exercise their voting rights in *PILKADA*. However, the government provides a solution, which is to collect time for campaigning and must follow the covid protocol, in accordance with PKPU No. 6 of 2020 which was updated with PKPU No. 10/2020 which contains health protocol obligations in all stages of *PILKADA* (Chaniago, 2016).

Authors are interested in discussing the number of participation rates that have fluctuated and tend to decrease. In the 2015 *PILKADA*, the participation rate was only 70 percent, in 2017 it increased to 74.20 percent, and in the Simultaneous *PILKADA* in 2018, the participation rate again decreased to 73.24 percent (Anriani, 2018).

In order to maintain legitimacy, 3 things are needed, namely: (1) Power must be exercised according to the rules that have been made; (2) Rules must be justified by mutual belief between the government and the governed; (3) The governed party must show an expression of agreement with the ruling party.

The number of voter participation using their right to vote is one of the parameters for the success of an election, both in the *PEMILU* and *PILKADA*. The candidates for regional heads who are candidates for election in the regional head elections must try to get approval for their power from the community (Rudianto & Roesli, 2019). higher the level of public recognition seen from the number of participation in the political process, the more legitimate the process and results of *PILKADA* and *PEMILU*. The impact of the high level of legitimacy of *PEMILU* or *PILKADA* will automatically have an impact on the effectiveness of the government. From the explanation of the research background, the researcher took the following problem formulation:

1. What are the reasons for the citizens of Surabaya to become abstentions (*GOLPUT*) on *PILKADA* in Surabaya during the corona pandemic?
2. Does the government is the represent of the Constitution 1945?

2. RESEARCH METHODS

In this study, the researcher uses socio legal research methods that focus on facts or data that have occurred in the community (Ashshofa, 2007). By using the Sociological Juridical Approach, which aims to obtain legal knowledge empirically by going directly to the subject. Therefore, apart from secondary data, namely the applicable laws and regulations, researchers also rely heavily on data obtained from interviews and observations, as well as documents and even memories of certain people who are related to a particular event.

Requirements to be included in the voter list:

In the Regulation of KPU No. 11/2019 concerning the Second Amendment to the Regulation of the KPU Republic of Indonesia No. 11/2018, concerning the Preparation of Domestic Election Lists in the Implementation of General Elections. Explain that the voting requirements are: (1) Even 17 (seventeen) years of age or more on the voting day, are married, or have been married before; (2) Not having mental/memory disturbances; (3) Not being revoked the right to vote based on a court decision that has permanent legal force; (4) Domiciled in the administrative area of the Voters as evidenced by an e-KTP; (5) Voters who do not yet have an e-KTP, Voters can use a Certificate of e-KTP recording issued by the population and civil registry office or other similar agencies that have the authority to do so; and (7) Not currently a member of the Indonesian National Armed Forces, or the Indonesian National Police.

Citing the contents of KPU Regulation (PKPU) Number 18/2020, there are several types of voter lists, namely: (1) Permanent Voters List (DPT); (2) Additional Voters List (DPTb); (3) Transfer Voters List (DPPH);

Abstain Voter (GOLPUT)

The scope of *Golput* is very broad because it can be seen from several factors according to Eep Saifullah Fatah dividing *golput* into 4 types, namely: (1) Technical *Golput* is becoming abstainer for certain reasons such as being sick, and not being able to vote; (2) Political technical abstentions caused by mistakes made by the KPU or themselves, such as the unavailability of voting papers, are not registered as voters; (3) Political abstentions are caused because they do not believe or do not have the right candidate to change for the better; (4) Idiological abstentions are those who do not believe in democratic mechanisms and fundamental reasons such as religion or other political ideologies, distinguishes the typology of political participation into three, namely: (1) active participation, participating in proposing proposals or alternatives regarding policies made by the government; (2) passive participation, following and implementing every government implementation; (3) the *GOLPUT*, a group that does not care about the existing political system and even deviates by not voting (Kassim, 2021).

The researcher uses the theory of participation in identifying what are the factors for the occurrence of abstentions in Surabaya City in the 2020 Pilkada.

The reason for making PKPU No 10/2020

From the results of the evaluation of PKPU No. 6/2020, where the PKPU was made under normal conditions or not during the corona pandemic period, the PKPU must be revised following conditions that occur in Indonesia.

As a result of the evaluation, changes were made in several articles which are described in detail in PKPU No. 10/2020 for the protocol for the implementation of the simultaneous regional elections.

3. RESULTS AND DISCUSSION

KPU confirmed that the total participation of the people of East Java in the 2020 *PILKADA* was 52%. In addition to an explanation of the number of people participating in the *PILKADA* that has been carried out, he also said that the reason for the people who reached 48% to become abstainers is still unknown, and further research needs to be done. According to (Setiawan, 2019), the abstention was caused by several things, namely: (1) Absence as a form of distrust of the political system, (2) Absence as a reaction to people's dislike of the ruling regime. (3) Distrust of political parties and candidates. (4) Socio-economic status background factors, socio-economic status variables that can be measured are occupation, education, and income level (Utami, 2021).

The results obtained in the field by the authors are, they prefer to make money by selling rather than coming to the TPU to exercise their voting rights, because they feel that during this corona pandemic, many rules have been issued by the government to cope with the spread of this corona virus and the impact of the corona virus. The rules issued are expected to reduce the intensity of the community to group together. This causes traders to experience a very significant decrease in income.

According to D I (initials of the respondent's name) who is a street vendor in East Surabaya, he is:

"I'd rather open my shop bro, instead of choosing, if I don't open a shop, what will I eat at home, PSBB this is more quiet bro, the streets are quiet, there are a lot of people who buy. Besides, I also don't know who will be elected or the candidate bro."

From the narrative, it has described several reasons why someone chooses to become abstention according to Asfar.

The results of the researcher's interview with respondents who exercised their voting rights regarding the implementation of PKPU No. 10/2020 regarding health protocols during the

elections that were implemented at the TPU, Setiawan, one of the oil company employees in Indonesia who exercised his right to vote, said:

“Actually, *PILKADA* are the right of every Indonesian citizen. So in this democratic party, every citizen must participate in the implementation of the democratic party, even though when the *PILKADA* in East Java coincided with the covid-19 period, the KPU officials carried out health protocols very well. So there is no reason for the people to choose not to use their voting rights in this election.”

From the explanation of the results of the interview, it can be concluded that the government is very concerned about the safety of Indonesian citizens in the implementation of the *PILKADA*. This is a representation of the 1945 Constitution.

4. CONCLUSION

The researcher concludes that the research results obtained from the interviews are the reason for the people of surabaya to become abstentions is, Socio-economic factors both in terms of work, education, and income greatly influence a person to participate in the *PILKADA*. So this is what the government needs to pay close attention to in the future so that fewer people choose to become abstainers.

The government is the represent of the Constitution 1945, because the government facilitates all TPU and implements health protocols very well. This is a representation of the 1945 Constitution, namely: Protecting the entire Indonesian nation and all of Indonesia's bloodshed.

Suggestion

1. Provide education to the public in stages about the importance of exercising their right to vote in *PILKADA*.
2. The KPU and the covid group are also expected to participate in providing knowledge to the public about the procedures for participating in the elections.
3. It is hoped that the government will try innovative new solutions in the implementation of the *Pilkada* by going directly to the community either directly (accidentally) or coming to their homes and directly asking the community to exercise their right to vote right away.

REFERENCES

Adia, A. D., & Perdanab, A. R. (n.d.). *The Obstacles in Obtaining Sustainable Democracy: Failure in Indonesia's Current Political Party System*.

Anriani, S. (2018). *Intelijen dan pilkada*. Gramedia Pustaka Utama.

Ashshofa, B. (2007). *Metode penelitian hukum*.

- Chaniago, P. S. (2016). Evaluasi Pilkada Pelaksanaan Pilkada Serentak Tahun 2015. *Politik Indonesia: Indonesian Political Science Review*, 1(2), 196–211.
- Kassim, Y. R. (2021). *Rsis Commentary: The Series-Jokowi's Second Term: Emerging Issues*. World Scientific.
- Mariska, M. A. (2022). Golput and Its Implications. In *RSIS COMMENTARY: The Series: Jokowi's Second Term: Emerging Issues* (pp. 45–48). World Scientific.
- Prajoko, R. (2017). General Election Commission and Non-Voting Behavior (GOLPUT): An Analysis from Political Communication Perspective. *Asian Journal of Applied Science and Technology (AJAST)*, 1(9), 14–23.
- Rudianto, E., & Roesli, M. (2019). Civil Law Review Non-performing Loan Settlement Loans Revolving Funds National Program for Community Empowerment in Urban. *YURISDIKSI: Jurnal Wacana Hukum Dan Sains*, 14(1), 58–73.
- Setiawan, A. (2019). *Buku Pintar Hidroponik*. Laksana.
- Ulum, B. (2011). Fatwa of the Council of Indonesian Ulama on Golput (Vote Abstention): A Study of Contemporary Islamic Legal Thought in Indonesia, 2009. *MIQOT: Jurnal Ilmu-Ilmu Keislaman*, 35(2).
- Utami, D. K. S. (2021). Penyelenggaraan Pemilihan Kepala Daerah Serentak Tahun 2020 di Tengah Pandemi COVID-19 Berdasarkan Undang-undang Nomor 6 Tahun 2020. *Awasia: Jurnal Pemilu Dan Demokrasi*, 1(1), 13–26.