



**IMPLEMENTATION OF BAWASLU POLICIES ON HEALTH PROTOCOLS  
DURING THE COVID-19 PANDEMIC IN  
BATAM MAYOR ELECTION 2020**

**HENGKI JUNANDA YOSA**  
**yosa.hengki@gmail.com**  
**042786825**

**ABSTRACT**

Batam City Bawaslu Policies and Services in the Election of Mayor and Deputy Mayor of Batam during the 2020 Covid 19 Pandemic. There is collaboration between Batam City Bawaslu and Riau Islands Province Bawaslu through the Batam City Bawaslu Policy in the Election of Batam Mayor and Deputy Mayor during the 2020 Covid 19 Pandemic. to realize the noble goal of fulfilling the needs of society accompanied by achievement .

The government is essentially a community service, because basically the government was formed to maintain a system of order, and that the government is responsible for providing services to the community, including services regarding the existence of the Batam City Bawaslu Policy in the Election of the Mayor and Deputy Mayor of Batam during the Covid 19 Pandemic. 2020.

A strong government is a government that has full support from its people. In this case the people play an important role in perpetuating government power. Therefore, as a form of gratitude for the people's support, it is appropriate for the government, through its bureaucratic apparatus, to provide the best possible service to the community/public. The policy that is realized is people-oriented services.

**Say Key : Policy, Bawaslu, KPU**

**A. Background of the problem**

The development of democracy in Indonesia refers to foreign countries whose democracy is increasingly developing rapidly. In this era of reform, the political elites



of government officials and supported by the people are improving little by little the system of electing public officials that is credible, clean and competent in accordance with the wishes of the people. Indonesia in general. This improvement certainly cannot be done easily, requiring a very difficult struggle and full support from all corners of Indonesian society from various levels. As a form of realization of people's sovereignty within a democratic framework, the holding of general elections (Pemilu) on a regular basis with the principles of being free, direct, public and secret.<sup>1</sup>

Elections are a mandate from the constitution which must be implemented by the government, in this case ensuring and protecting the implementation of people's sovereignty in channeling their political rights in elections. Elections as a practice of exercising power and government must be based on just legal principles and beneficial values. One of the basic principles of a democratic rule of law is that there is a just guarantee for the people to express their sovereignty and strengthen themselves as a democratic state.

The first election in 1955 was held in a situation where the Indonesian nation was defending its independence. In general assessment, the 1955 election was an ideal election because it was democratic. On the other hand, the elections held throughout the New Order era were merely ceremonial to maintain power, by manipulating legal regulations, systems, procedures and election results all at once. The current of reform has succeeded in correcting these undemocratic election practices. The first election in the reform era was held in 1999, not only aimed at building a democratic Indonesia, but it was also hoped that it would be able to lay the foundation for leadership that supports efforts to achieve prosperity and justice for the people. Every time an election is held, problems or election violations often arise.<sup>2</sup>

---

<sup>1</sup>Robert A Dahl, “*Procedural Democracy*” in P Laslett and J Fishkin (ed), *Philosophy, Politics and Society*, Fifth Series, New Haven: Yale University Press, 1979, pp 97-133, quoted in Didik Suprianto, *Maintaining the Independence of Election Organizers*, Jakarta: Needem, 2012, Page 6

<sup>2</sup>Alan Wall et al, *Electoral Management Design: The International IDEA Hand Book*. International IDEA, Stockholm, Sweden, p. 22-25, in Yulianto, Veri Junaidi, (at all.), " *Strengthening the Independence of Election Organizers (Recommendations for Revision of the Election Organizer Law)*", *Position Paper Result of Discussion and Analysis of the National Legal Reform Consortium (KRHN)*, Jakarta, 29 November 2010, Page 11



General elections (Pemilu) are a prerequisite for a democratic country. Its existence as a means of realizing popular sovereignty has a very broad impact on governance or subsequent regime changes. This concerns the policies that will be chosen by the leader who will come to power. Therefore, the idea of democracy which believes that good government is in accordance with the will of the people must be fought for with democratic elections. When elections, which are a means of obtaining legitimacy from the people, are held democratically, substantial democratic values such as prosperity, law enforcement and the fulfillment of basic rights of citizens can be realized. According to the provisions of article 22 E of the 1945 Constitution, elections are carried out directly, publicly, freely, secretly, honestly and fairly. However, it is an inevitability that in every election, various types of fraud and manipulation are carried out by all stakeholder components in the election. Namely election participants, candidate pairs, legislative candidate campaign teams, community members or even potential violations that can be committed by the election organizers themselves.<sup>3</sup>

The General Election Commission (KPU) and the Election Supervisory Body (Bawaslu) as two institutions that have broad authority in organizing elections are bound by a code of ethics for election organizers. The code of ethics is a guideline for mandatory, prohibited, appropriate or inappropriate behavior in every action and utterance as a unified norm, ethical and philosophical. The commitment to the code of ethics for election organizers begins from the time the oath/promise is taken until the end of the term of office. The importance of a code of ethics for election organizers cannot be separated from the large authority of the KPU and Bawaslu which has the potential to be misused. that having power will tend to corrupt or abuse power, while absolute power will definitely corrupt or abuse power. The need to enforce a code of ethics for election organizers stems from the importance of the electoral justice system (*The Electoral Justice System*) . In the concept of election justice, every party involved in the election, such as election participants, candidate pairs, campaign teams and community members, must not be harmed or treated unfairly by election organizers.

---

<sup>3</sup>Jimly Asshiddiqie, "Introduction to DKPP for Law Enforcement", Paper presented at the Republic of Indonesia Police Leadership Meeting Forum, Jakarta, February 2013, Page 6



Completion of any violations that occurred in the election different different. If an administrative violation occurs, the role of the election supervisor is not to resolve it but to receive the report, review it and then forward it to the KPU and regional KPU.<sup>4</sup>

The Political Map of Batam City in anticipation of the 2020 Simultaneous Regional Election in the midst of the Covid-19 pandemic is still dominated by incumbent candidates and also one of the competitors who in 2014 competed for the highest office in Batam City . The Incumbent Candidate is Mr. H. Muhammad Rudi who currently serves as Mayor of Batam as well as Head of BP Batam . The holding of the election this time is certainly different, because it will be held in the midst of the Covid-19 pandemic , in carrying out each stage of the regional elections to ensure that health protocols are adhered to. The implementation of the regional elections will be carried out by the KPU and Bawaslu, but according to him, in general, whether the elections are successful or not is the responsibility of the regional head.<sup>5</sup>

Even in the midst of the Covid-19 pandemic, he hopes that the simultaneous regional elections in Batam City can be successful. Therefore, as the current Mayor of Batam, he advised the organizing committee to carry out good outreach to the public so that they can exercise their right to vote. Health protocols must continue to be implemented, then socialization must also continue. Because it is possible that people would prefer to just stay at home rather than come to the polling station. Batam City community participation could be more than 70 percent. Because one indicator of the success of regional elections is the high level of public participation in exercising their right to vote. So whoever is elected will truly be the people's choice.

The issue of the essence of holding the Regional Election is indeed a key issue, where there are several points that must be realized, such as transparency, professionalism and responsibility. Logically, what is the government's ability to make this happen through electoral and supervisory institutions? This is a challenge to make it happen. The demands for holding regional elections in the midst of the Covid-19

<sup>4</sup>Suharizal Regional Election Regulations, Dynamics and Future Concepts. Depok 2012: PT Rajagrafindo Persada Hal. 136

<sup>5</sup><https://news.detik.com/berita/d-3964778/manuver-dpr-phase-pilkada-directly> downloaded on April 20 2023 at 20.00 WIB



pandemic are not only aimed at election organizers, but also at contestants and candidate supporters so that they can carry out democratic practices in an orderly manner by complying with health protocols that have been instructed by the Central Government so that they are truly safe and do not cause problems. after the regional head election. Of course, this must also pay attention to the local conditions of the area that will undergo regional elections regarding the spread of Covid-19 in that area so that it can be prepared well and optimally to reduce the risk.

Bawaslu as a supervisory institution for Simultaneous Regional Elections, there are several principles for implementing Regional Elections in the new normal era due to the Covid-19 pandemic, including

- a) Maximum protection of life and health security for all parties involved in the implementation of regional elections from upstream to downstream stages of the regional elections. Safety issues are non-negotiable. Don't let the organizers and the public become infected with Covid-19. Don't let there be clusters of organizers. Guarding Democracy in the Midst of a Pandemic, Measuring Readiness for the 2020 Simultaneous Regional Elections held by the Indopolling Network.
- b) Availability of a legal framework that is adaptive but remains accountable in the implementation of regional elections. This legal framework is pro-safety and health of all parties.
- c) Timely budget and logistical support at each polling station is provided with masks, gloves and hand sanitizer, so a budget is definitely needed. Logistics must be sufficient and distribution on time,
- d) The commitment of all parties to maintain the continuity of the honest, fair and democratic Pilkada stages even in the midst of a pandemic. We hope that there will be no discrimination between one candidate pair and another candidate pair. This must be ensured, lest during the pandemic, the other partner takes priority. Incumbents, for example, are given priority. The treatment must be the same. Must also ensure the upholding of integrity, credibility, transparency and accountability of regional election results.



Holding regional elections during a pandemic certainly has health standards that must be adopted to keep democracy and government running, while the security and safety of the people are protected. He explained that the KPU was currently designing a PKPU regarding the governance of information technology implementation. In the future, to face changing situations, adjustment steps must be taken in that direction. Apart from that, in order to adopt health protocols, the KPU is coordinating with the Ministry of Health and BNPB as well as other related parties to get input on what health standards will be in the governance of the implementation of the regional elections later. The KPU is also thinking about a step that hopes for cooperation in terms of how standards for handling health problems, so that the KPU as the organizer will focus on implementing the stages. Don't let the stages not be held well.

It is as if the KPU's steps are contrary to public logic. The issue of postponing or continuing to hold elections in the midst of a pandemic in various countries varies. As many as 30 countries will continue to hold elections according to schedule in 2020, for example Germany, France, South Korea. Some have postponed it to next year, including Paraguay, England, Canada. Some have shifted the implementation schedule but it remains in 2020 for most countries holding elections this year, for example South Africa, Austria, Poland. This means that Indonesia's decision to shift the implementation of the regional elections to this year has a reference. But of course that's not the only main argument. The main argument is of course about maintaining the continuity of democracy.

The Political Map of Batam City in anticipation of the 2020 Simultaneous Regional Elections in the midst of the Covid-19 pandemic is still dominated by incumbent candidates and also one of the competitors who in 2014 competed for the highest position in Batam City. The Incumbent Candidate is Mr. H. Muhammad Rudi who currently serves as Mayor of Batam as well as Head of BP Batam. The holding of the elections this time is certainly different, because it will be held in the midst of the Covid-19 pandemic, in carrying out each stage of the regional elections so as to comply with health protocols. The implementation of the regional elections will be carried out



by the KPU and Bawaslu, but according to him, in general, whether the elections are successful or not is the responsibility of the regional head.

Even in the midst of the Covid-19 pandemic, he hopes that the simultaneous regional elections in Batam City can be successful. Therefore, as the current Mayor of Batam, he advised the organizing committee to carry out good outreach to the public so that they can exercise their right to vote. Health protocols must continue to be implemented, then socialization must also continue. Because maybe people would prefer to just stay at home rather than come to the polling station. Batam City community participation could be more than 70 percent. Because one indicator of the success of regional elections is the high level of public participation in exercising their right to vote. So whoever is elected will truly be the people's choice.

This research discusses the Batam City Bawaslu Policy in the Election of Mayor and Deputy Mayor of Batam during the 2020 Covid 19 Pandemic. The General Election Supervisory Agency (Bawaslu), based on Law Number 7 of 2017, currently has great authority, not only as a supervisor, but also as an executor for judges deciding cases. Currently and in the future, a historical challenge lies ahead for Bawaslu to prove its strategic role and existence in overseeing elections with integrity for the nation's progress.

Based on the description above, the author wants to research this matter which is contrary to the aim of the law itself, the aim of the law is to achieve the aim of the law, namely to uphold an orderly social order and uphold order and balance. It is hoped that by establishing a social order, the interests of humanity will be protected. To achieve this goal, the law is responsible for dividing rights and obligations between individuals in society, sharing power, and standardizing methods for resolving legal problems and maintaining legal certainty. This research will explore the Batam City Bawaslu policy in the election of the Mayor and Deputy Mayor of Batam during the Covid 19 Pandemic in 2020, so the author took the text with the title: "**IMPLEMENTATION OF BAWASLU POLICIES TOWARD HEALTH PROTOCOLS DURING THE COVID-19 PANDEMIC IN THE MAYOR ELECTION BATAM IN 2020**"



## **B. Formulation of the problem**

Based on the description above, the problem formulation can be drawn as follows:

1. What is the form of Batam City Bawaslu Policy in the Election of Mayor and Deputy Mayor of Batam during the 2020 Covid 19 Pandemic?
2. What obstacles does Batam City Bawaslu face in the 2020 Batam Mayor and Deputy Mayor election?
3. What solutions can be taken in holding the 2020 Batam Mayor and Deputy Mayor Election during the Covid 19 Pandemic?

## **C. Research methods**

In carrying out this research, the researcher **used** a type of normative legal research. Normative legal research is conceptual legal research as contained in statutory regulations and conceptually existing in other legal rules that exist in society regarding a particular legal problem. In this research, researchers used a type of normative research, namely research carried out by reviewing statutory regulations or other regulations applied in resolving a particular legal problem. Normative research is often called doctrinal research where the object of study is are statutory regulatory documents and library materials which constitute basic data which in research science is classified as secondary data.<sup>6</sup> According to Soerjono Soekanto, legal research can be divided into:<sup>7</sup> Normative Legal Research, consisting of:

1. Research into legal principles
2. Research on legal systematics
3. Research on the level of legal synchronization
4. Legal history research
5. Comparative legal research

In accordance with the type of research, namely normative legal research (normative juridical), more than one approach can be used. In this research, a statutory approach and a concept approach are used . The legislative approach is carried out to

<sup>6</sup> Soerjono Soekanto, Normative Legal Research, (Jakarta, PT Raja Grafindo Persada, 2003) p.23

<sup>7</sup> *Ibid* pg 67



examine the statutory regulations that regulate. In the perspective of legal theory, justice is the main goal of the natural law school. Where the natural law school holds the view that law is universal and eternal.<sup>8</sup> In the Indonesian context, justice is in line with the values stated in Pancasila as the basis of the state. The fifth verse in Pancasila states that social justice is for all Indonesian people. Based on this verse it can be said that justice must be aimed at all citizens without exception as an embodiment of Indonesia's diversity. To realize social justice, development can be done that is oriented towards the welfare of all Indonesian people. In development, legal development is an aspect that cannot be separated. This is because the law functions as a means of development/renewal of society, as expressed by Mochtar Kusumaatmadja.

Mochtar Kusumaatmadja stated that law is a means of societal renewal.<sup>9</sup> This is based on the assumption that the existence of order or order in development and renewal efforts is something that is desired or even considered (absolutely) necessary.<sup>10</sup> Another assumption of law as a means of societal renewal is that it channels the direction of human activity in the direction desired by development or renewal. The purpose of writing this paper is to provide suggestions and opinions about what the best legal umbrella should be for Batam at this time in the face of economic growth which is experiencing a global decline, so that it can develop the wheel of economic growth rapidly in achieving Batam's lost glory to improve welfare and prosperity of the people of Batam .

#### **D. Research Results and Discussion**

##### **1. What is the form of Batam City Bawaslu's policy in the Election of Mayor and Deputy Mayor of Batam during the 2020 Covid 19 Pandemic?**

The discussion focused on the Batam City Bawaslu Policy in the Election of Mayor and Deputy Mayor of Batam during the 2020 Covid 19 Pandemic. To analyze each section, primary data was used using the results of observations, interviews and

<sup>8</sup> Lili Rasjidi, *Basics of Philosophy and Legal Theory* , PT. Citra Aditya Bakti, Bandung, 2011, p. 47.

<sup>9</sup> Otje Salman and Eddy Damian (ed), *Legal Concepts in the Development of a Collection of Prof.'s Writings. Dr. Mochtar Kusumaatmadja, SH, LL.M. , PT . Alumni*, Bandung, p. 83.

<sup>10</sup> *Ibid* , p. 88.



documentation. To strengthen and sharpen the analysis, primary data and secondary data are used using data that has been realized in the Batam City Bawaslu.

Batam City Bawaslu Policy in the Election of Mayor and Deputy Mayor of Batam during the 2020 Covid 19 Pandemic. There is collaboration between Batam City Bawaslu and Riau Islands Province Bawaslu through the Batam City Bawaslu Policy in the Election of Batam Mayor and Deputy Mayor during the 2020 Covid 19 Pandemic to realize The noble goal of fulfilling the needs of the community which is accompanied by the achievement of the Government is essentially community service, because basically the government was formed to maintain a system of order, and that the government is responsible for providing services to the community, including services regarding the existence of the Batam City Bawaslu Policy in the Mayor Election and Deputy Mayor of Batam during the 2020 Covid 19 Pandemic

One of the main tasks of the Batam City Bawaslu is to provide public services to the community. Therefore, government organizations are often called public servants. Services carried out by bureaucratic officials can be said to be public services. Because government officials are responsible for providing the best service to the community, in order to create a simultaneous regional head election in Batam City and the people of Batam City.

Regarding Batam City Bawaslu Policy, in accordance with applicable law. Meanwhile, public policy is all service activities carried out by public service providers as an effort to fulfill public needs and implement statutory provisions. In terms of public policy, roles greatly influence its implementation. In research, there are several indicators that influence both the implementation of research and the implementation of interviews. Roles are also a form of real behavior. Therefore, the study of indicators that influence behavior. Thus, the role is influenced by the indicator, namely Knowledge. Measuring what one knows about the Batam City Bawaslu Policy in the Election of Mayor and Deputy Mayor of Batam during the 2020 Covid 19 Pandemic in the form of oral or written answer evidence, evidence or writing. Behavioral Attitudes carried out by Batam City Bawaslu employees in the Election of Mayor and Deputy



Mayor of Batam during the 2020 Covid 19 Pandemic in carrying out their duties. Experience is defined as something that has been experienced (lived, felt, borne).

Experience can also be interpreted as episodic memory, namely memory that receives and stores events that occur or are experienced by an individual at a certain time and place, which functions as an autobiographical reference. Trust is built before certain parties get to know each other through interactions or transactions. Social is an incomplete part of a human relationship so it requires understanding of things that are fragile in it. Culture is a complex whole that includes knowledge, belief, art, morality, law, customs, as well as other abilities and habits that humans learn as members of society.

The 2020 Simultaneous Regional Head Elections can run well. This commitment is often marred by certain ambitions and desires to be able to leverage political bargaining power to obtain certain positions as part of the reward for winning certain candidates and parties. There are five reasons why elections may not go according to expectations, namely: First, the developing political culture of society. The open political practices that have been practiced so far build perceptions and strengthen pragmatism because the system that has been built leads to transactional politics. So that public perception regarding existing political dynamics leads to the strengthening of a political culture that is not based on comprehensive political awareness.

The democratic transition that has so far tended to be stalled and interrupted by the interests of a handful of political elites. Corrupt practices and abuse of authority are part of the reasons why the democratic transition is slow and hampered. After fifteen years of democratic transition, the steps to complete the democratic transition to move to a better level really depend on the results of the 2020 Simultaneous Regional Head Election. Referring to the past, the neutrality of security actors and the government and the practice of halting all means to win are part of the reference to the same practice in the upcoming 2020 Simultaneous Regional Head Elections. The existence of security actors and deviant practices tend to take sides when the internal security institutions tend to be directed towards pragmatic and personal interests. As happened in the last three elections.



The biggest threat to holding the 2020 Simultaneous Regional Head Elections is the neutrality of security actors. Ensuring that security actors remain neutral is part of the effort to ensure that the implementation of the 2020 Simultaneous Regional Head Elections can run well and ensure that it will produce good political leadership and bring Indonesia to a higher level than its current conditions. Transactional political issues in the form of mutual benefits ensure that the ongoing political process makes the 2020 Simultaneous Regional Head Elections a momentum that must be guarded and secured so that it is not swept away by the flow of negative transactional interests. So far, democratic parties will always produce figures who take advantage of political practices so far. Like economic law, the existence of political transactions will only make the five-year democratic party lose its meaning and purpose.

The 2020 Simultaneous Regional Head Elections can run well. This commitment is often marred by certain ambitions and desires to be able to leverage political bargaining power to obtain certain positions as part of the reward for winning certain candidates and parties. There are five reasons why elections may not go according to expectations, namely: First, the developing political culture of society. The open political practices that have been practiced so far build perceptions and strengthen pragmatism because the system that has been built leads to transactional politics. So that public perception regarding existing political dynamics leads to the strengthening of a political culture that is not based on comprehensive political awareness.

Second, the democratic transition that has been underway tends to be stalled and interrupted by the interests of a handful of political elites. Corrupt practices and abuse of authority are part of the reasons why the democratic transition is slow and hampered. After fifteen years of democratic transition, the steps to complete the democratic transition to move to a better level really depend on the results of the 2020 Simultaneous Regional Head Election.

Third, referring to the past, the neutrality of security and government actors and the practice of halting all means to win are part of the same practice references in the upcoming 2020 Simultaneous Regional Head Elections. The existence of security actors and deviant practices tend to take sides when the internal security institutions



tend to be directed towards pragmatic and personal interests. As happened in the last three elections.

Fourth, the biggest threat from holding the 2020 Simultaneous Regional Head Elections is the neutrality of security actors. Ensuring that security actors remain neutral is part of the effort to ensure that the implementation of the 2020 Simultaneous Regional Head Elections can run well and ensure that it will produce good political leadership and bring Indonesia to a higher level than its current conditions.

Fifth, transactional political issues in the form of mutual benefits ensure that the ongoing political process makes the 2020 Simultaneous Regional Head Election a momentum that must be guarded and secured so that it is not swept away by the flow of negative transactional interests. So far, democratic parties will always produce figures who take advantage of political practices so far. Like economic law, the existence of political transactions will only make the five-year democratic party lose its meaning and purpose.

Furthermore, the knowledge indicator is a person's ability to re-express what he knows in the form of evidence of oral or written answers. This evidence or writing is a reaction to stimulation in the form of questions, either verbal or written.

The following is an interview with Mr. Syailendra Reza Irwansyah Rezeki as Chair of the Batam City Bawaslu, "How is the management of supervision carried out by the Batam City Bawaslu so that it can be used as knowledge: "We Batam City Bawaslu have tried our best to carry out this mandate from the community by supervising the running of democracy "This is through the election of the Regional Head of Batam City, even though in a pandemic atmosphere we are still implementing health protocols so that supervision can run well, and this can be used as knowledge for academics both at schools and universities"

Next, an interview with Mr. Nofialdi as Commissioner or Member of Batam City Bawaslu: "In carrying out authority for election organizers during the Covid-19 pandemic, health and safety principles for implementation that are guided by the Covid-19 prevention health protocol are our main priority for Batam City Bawaslu . This was marked by the issuance of KPU circular No. 20 of 2020 concerning the implementation



of simultaneous elections for Deputy Governor and Deputy Governor, Regent and Deputy Regent, Mayor and Deputy Mayor in 2020 in conditions of non-natural disasters, the 2019 Corona Virus Disease (Covid 19). ”

Results of an interview with Mr. Bosar Hasibuan as Commissioner or member of the Batam City Bawaslu Legal Division: "Because I am in the legal department, I will convey how knowledge of regulations and rules regarding direct face-to-face activities is also strictly regulated by the use of personal protective equipment (PPE), such as , wearing masks, providing disinfectant, providing hand sanitizer, not making physical contact such as shaking hands, checking body temperature, providing alcohol-based antiseptic, washing hands using soap, there are also arrangements to limit the number of participants by considering room capacity and distance provisions between participants No That's all, the provision of health facilities in anticipation of emergencies in the form of medicines and medical equipment is also regulated in the SE. "Based on the interview above, how important this knowledge indicator is in influencing the implementation and supervision of the Simultaneous Regional Elections in Batam City, where supervision is carried out by Bawaslu of Batam City , where all procedures regulate the use of personal protective equipment. The use of PPE is not only emphasized by the ranks of the KPU and BAWASLU of Batam City but the parties involved such as voters, supporters of candidate pairs, political party administrators as well as other related parties. Further Attitudes regarding the Attitude Indicators shown by staff and the Batam City Bawaslu Panwascam are very professional in that the success of this regional head election is not only determined by the awareness of the organizers, but voters also have a big role in breaking the chain of spread of the corona virus. Taking care of each other, being alert to each other, protecting each other must be a common principle for the safety of the nation in general, especially the implementation of regional head elections in the midst of the corona pandemic.

The following are the results of an interview with Mr. Samsudin as the Galang Panwascam in carrying out his duties in the 2020 Simultaneous Regional Elections: "In carrying out supervision, we, the Galang District Panwascam as election supervisors, are obliged to pay attention to supervision procedures, such as avoiding crowds and



direct physical contact during supervision, wearing protective equipment yourself while carrying out your supervisory duties, check your body temperature before and after carrying out your supervisory tasks, ensure you maintain a distance of at least one meter when carrying out supervision and coordinate with the parties, wash your hands with soap in running water for 20 minutes before and after carrying out supervision, bring antiseptic alcohol-based during supervision."

Furthermore, an interview with Mr. Dadan Rahmat as Panwascam Bulang in carrying out supervision in Bulang District: "Panwascam, in carrying out its duties, whose authority is always inherent and directly involved in the process at every stage of the election, also issued circular letter No. 0351 concerning the implementation of supervision of regional head elections during the Covid 19 pandemic. "Guaranteed health and safety for the ranks of election supervisory institutions is also a priority for Bawaslu in carrying out supervisory duties."

Furthermore, an interview with the people of Batam City, sister Ratna Novita, was as follows: "We, the people of Batam City, must not let the crowd disperse on December 9 2020. "Therefore, detection with all existing devices, both physical and visual, using technology is expected to help reduce the occurrence of crowds and preventive measures will be taken before they occur."

Based on the interview above, how do attitude indicators influence the difference between the current simultaneous regional elections and the previous simultaneous regional elections only in disaster conditions. In previous regional elections, during normal times there were no disasters, but currently during the COVID-19 pandemic, as stated in article 120 paragraph (1) of Perppu Number 2 of 2020, it is considered a non-natural disaster. In substance, the implementation and implementation of duties, powers and obligations, as per the statutory mandate, nothing has changed and remains the same. The law used remains the same, namely Law Number 10 of 2016 concerning Regional Elections.

Supervision of the election stages carried out follows the implementation stages determined by the KPU. The implementation of the prevention and supervision function is of course by modifying and innovating at each stage of the regional



elections and implementing them according to current conditions. Among the steps that Bawaslu can take are: First, re-mapping of vulnerabilities (Update IKP). Bawaslu previously released the Election Vulnerability Index (IKP) on February 25 2020, the results of which showed that out of a total of 261 regencies/cities holding regional elections, there were 15 areas with a high level of vulnerability. Manokwari Regency, Mamuju Regency and Makassar City are respectively the most vulnerable areas with the highest IKP scores and levels. Of course, with the COVID-19 pandemic occurring and the postponement of the 2020 regional elections on September 23, it is appropriate for Bawaslu to release or update the IKP again so that it can display a more up-to-date vulnerability map that is in line with existing conditions.

Second, map the Hot Potential for Current Violations. Hot mapping of potential violations during the COVID-19 pandemic is an absolute must to anticipate and carry out more detailed and tactical prevention efforts in order to strengthen the effectiveness of monitoring the implementation of this Pilkada. Bawaslu itself has published in several discussion forums and directions to Bawaslu ranks throughout Indonesia, namely: potential malpractice regarding voter lists, potential abuse of power by incumbents, potential vote buying, potential violations during the campaign and provision and distribution of equipment (logistics), and potential violation of election organizer ethics regarding election integrity.

Based on one of the previous indicators, the potential for abuse of power by incumbents was an important concern for supervision. Based on data, of the 270 regions that will carry out regional elections, there are at least 224 regions with incumbent candidates who will run again. In the COVID-19 pandemic situation, many things are happening in the field and it is difficult to differentiate between purely humanitarian activities or campaign activities which happen to originate from incumbents and/or misuse of social assistance sourced from the APBD, either from incumbent Regional Head candidates or individuals from regional government ranks. who supports the incumbent regional candidate.

Based on the results of an interview with the Chairman of the Batam City KPU, Mr. Herrigen Agusti, regarding the comparison of the implementation of the 2015 and



2020 Simultaneous Regional Elections, "The comparison of vote buying poses challenges in the economic condition of the community which has deteriorated due to the occurrence of COVID-19. This condition influences people's behavior to think easily and practically. Potential ethical violations by election organizers regarding election integrity relate to professionalism and independence. This violation ignores procedures and changes the results of electoral votes, whether intentionally or unintentionally, legally or illegally. "However, it could develop to involve or be carried out by candidates if the election procedure uses an online or IT system."

From the results of interviews with the Chairman of the Batam City KPU, Mr. Herrigen Agusti, it can be seen that there are experience indicators that influence the comparison before and after the implementation of the Simultaneous Regional Elections where in 2015 there was no Covid 19 while in 2020 there was Covid 19 Law Number 10 of 2016, which which in Perppu Number 2 of 2020 does not regulate specific measures and prohibitive sanctions during the Covid 19 pandemic. This means that it does not affect whether there is a disaster or no disaster. In anticipating this condition, steps can be taken by the Batam City Bawaslu, namely in 2020. This function of prevention and supervision is the main thing that must be implemented well and effectively, especially in areas where the operational budget for supervision is minimal or limited or cannot be re-distributed by the Government. The area has been diverted to prevent and control the Covid 19 outbreak.

Batam City Bawaslu requires the support of all parties or stakeholders and a participatory supervisory role in participating in prevention and supervision efforts. No less important is support from mass media, both print and electronic. To carry out the function of enforcement and resolving norm disputes which are carried out as regulated in Law Number 10 of 2016, which in Perppu Number 2 of 2020 does not regulate specific matters of enforcement and prohibitive sanctions during the COVID-19 pandemic. This means that it does not matter whether there is a disaster or not.

Furthermore, according to the results of an interview with Mrs. Jernih Millyati Siregar as Commissioner or Member of the Batam City KPU, she said: "We, the Batam City KPU, in collaboration with the Batam City Bawaslu and staff, have detected and



attempted to prevent election violations in the form of social assistance wrapped/labeled with pictures of the Regional Head, or the incumbent candidate should be suspected of being a form of social assistance politics during COVID-19, the social assistance is wrapped/labeled with political symbols supporting the regional head candidate, the provision of social assistance is not in the name of the government, but in the personal name of the regional head candidate or the incumbent candidate."

From the results of the interview, it can be seen that the experience of the Batam City KPU with the Batam City BAWASLU in holding Simultaneous Regional Elections. If election violations occur, Bawaslu must be ready to take action as stated in existing norms, the articles that can be imposed on the politicization of social assistance in the Regional Elections as stated in Article 71 paragraph (1), Article 71 paragraph (3), Article 73 paragraph (1) and Article 188 of the Regional Election Law, where these articles contain administrative sanctions and criminal sanctions.

First, take action against violations. The details are: a. Preparing adequate IT facilities and infrastructure for tracking evidence and collecting evidence in cyberspace or online; b. Online administrative violation hearings; c. The study and analysis of election violations is further developed and administrative sanctions are provided, along with the prosecution of criminal election violations; d. Implementing health standards when conducting examinations, collecting evidence and evidence; e. Coordination and meetings of sentragakkumdu according to COVID-19 Protocol, online or virtual; and f. Developing the implementation of other statutory provisions, such as the Law on KASN and Regional Government

## **2. What obstacles does the Batam City Bawaslu face in the 2020 Batam Mayor and Deputy Mayor election?**

Regarding the declaration of December 2020 as the time for holding regional elections in 2020, we need to know that this is not something that is impossible to do. This is because in reality, there are 8 countries that are holding elections in the midst of corona. One of them is South Korea (South Korea) which held DPR elections on April 15 2020. With more than 10 thousand people positive for Covid-19, South Korea actually managed to score the best election participation since 1992. The participation



rate was 66% or an increase of 8.1% from the previous year. The key to the success of the 2020 General Election is to incorporate health protocols for handling Covid-19 during the General Election in South Korea. Seeing this, by learning from South Korea, the implementation of the 2020 Simultaneous Regional Elections in Indonesia will achieve the same success as long as the implementation complies with the Health protocols for handling Covid-19. Learning from the experience of other countries that succeeded in holding elections during the Covid-19 pandemic, the main keyword is adaptation. Humans should always be able to adapt to all existing changes because humans are social creatures who have been equipped with the mind to deal with various things. existing situation.

The following is an interview with the people of Batam City, namely Mrs. Melinda Sari as follows: *"The culture of holding the 2020 Simultaneous Regional Elections is very important because it is a mandate contained in Law no. 10 of 2016 Article 201 Paragraph 6. The existence of Simultaneous Regional Elections is a consequence of the democratic system adopted, namely a means for regenerating leadership fairly, wisely, and in accordance with the provisions contained in the constitution. Many of the leadership periods of regional heads will expire, while the role and position of regional heads is very much needed to synergize and collaborate with the central government to speed up the handling of COVID-19 and accelerate the post-COVID-19 recovery process, it seems that the Simultaneous Pilkada will still be held in 2020. In fact, this process could be replaced by the appointment of an Acting Officer (PJ), but it is considered less effective because the authority possessed by the PJ is very limited, so it will slow down performance."*

The results of the interview above show how important the function of culture is to be able to. On the other hand, the spread of the COVID-19 pandemic is also increasing and there are no signs of it subsiding. In fact, over time the number of positive patients exposed to COVID-19 tends to increase. This must also be calculated and taken into account as carefully as possible by the government and election organizers. The new normal policy or adaptation to new habits rolled out by the government does not mean that the outbreak has disappeared (finished). However, new



normal is community activity with adaptation (adjustment) in the midst of an outbreak. Forms of these adjustments include wearing a mask, using hand sanitizer, washing your hands diligently, maintaining a safe distance (physical distancing), avoiding crowds, and so on to prevent the spread of the virus.

For this reason, don't let the excuse of upholding democratic values become a risk to people's safety. Regional election plans must not ignore public health and safety, which is much more important. It is impossible to risk public health and safety in the name of democracy. Democracy itself is actually for the good and welfare of society. Democracy means government of the people, by the people, and for the people. This means that every policy is for the good and benefit of society. The implementation of democracy is important, but public health and security are also important.

Apart from that, in the past there was no separation between cultural conditions. From the various considerations above, we can understand that what we hope for is that both aspects of democracy and public health can both be achieved and nothing is at stake. We hope that the democratic party (pilkada) will run smoothly, the level of community participation will remain high, while the community will also remain safe from COVID-19. For this reason, crisis management is needed, namely managing the crisis so that it turns the crisis into an opportunity and momentum to achieve progress.

### **3. What solutions can be taken in holding the 2020 Batam Mayor and Deputy Mayor Election during the Covid 19 Pandemic?**

Furthermore, regarding solutions during voting for the election of Mayor and Deputy Mayor of Batam with all types of equipment, work equipment, both physical and non-physical, which function as main/auxiliary tools in carrying out activities or work and also in the context of interests related to the organization. In holding regional elections, we can learn from countries that have successfully held elections in the midst of a pandemic. From 21 February 2020 to 7 May 2020, nine countries have held elections, including Singapore, Germany, France, Mongolia and South Korea (International Institute for Democracy and Electoral Assistance, 2020). Each country has its own mechanisms and procedures that are implemented during the pandemic.



There are those who carry out elections with strict COVID-19 health protocols, elections via post offices or electronically, there are also those who use technology, including during vote recapitulation. There are even countries that have created special polling stations for the vulnerable age group 60 years and over. Meanwhile, Indonesia chose to use health protocols.

One example of a solution from a country that successfully held elections in the midst of a pandemic is South Korea. South Korea even managed to score the best election participation since 1992. The participation rate reached 66% or an increase of 8.1% from the previous year. South Korea's success in holding elections cannot be separated from three main factors, namely a good election system, fast and appropriate handling of COVID-19, and public trust in the organizers (katadata.co.id, 2020). A good election system in South Korea builds regulations and mechanisms for holding elections in emergency conditions, namely carrying out early voting by mail and before voting day, and arranged long before the outbreak. Voters can attend the polling station two days before the implementation day to avoid crowds at the polling station. Meanwhile, voting by mail means filling in a blank ballot form from home which is sent via the post office to the address of the election organizer. These two mechanisms have proven successful in preventing mass crowds. South Korea's election budget is also very adequate to support the running of this system, such as providing Personal Protective Equipment (PPE), hand sanitizer, body temperature checks and other equipment that can prevent the transmission of COVID-19. South Korea did not implement a lockdown (regional quarantine) to prevent the spread of the virus, but they used a number of other steps that have proven effective. These steps include carrying out massive testing and contact tracing (tracing) of COVID-19 patients and free COVID-19 testing in every public area. This method is considered effective in line with the use of closed-circuit television (CCTV) and non-cash transactions in South Korea. In addition, South Korea implemented a 14-day quarantine sanction for violators, fines for native residents, and deportation for foreign nationals. These steps have proven to be effective.



#### **E. Conclusion**

1. Based on the results of research regarding the Batam City BAWASLU Policy in the Election of Mayor and Deputy Mayor of Batam during the 2020 Covid 19 Pandemic, referring to the results of interviews with existing correspondents. What is the Batam City BAWASLU Policy in the Election of the Mayor and Deputy Mayor of Batam during the 2020 Covid 19 Pandemic? There is collaboration between BAWASLU Batam City and BAWASLU Riau Islands Province through the Batam City BAWASLU Policy in the Election of Mayor and Deputy Mayor of Batam during the 2020 Covid 19 Pandemic to realize the noble goal of fulfilling community needs which is accompanied by the Government's achievement which is essentially community service, because in Basically, the government was formed to maintain a system of order, and that the government is responsible for providing services to the community, including services regarding the existence of the Batam City BAWASLU Policy in the Election of Mayor and Deputy Mayor of Batam during the 2020 Covid 19 Pandemic.
2. Regarding the obstacles faced in implementing the Batam City BAWASLU policy, based on the results of interviews, it is in accordance with applicable laws, but there are still many obstacles faced, including because the regional elections were held in the atmosphere of the Covid 19 pandemic, indirectly there are still many people who have not complied with the Health Protocol.
3. The solution is that Batam City Bawaslu should implement better public policies with all service activities carried out by public service providers as an effort to fulfill public needs and implement statutory provisions, in this case Batam City BAWASLU is still trying to make policies that are easy to understand by society. In terms of public policy, roles greatly influence its implementation. In research, there are several indicators that influence both the implementation of research and the implementation of interviews. Roles are also a form of real behavior.

#### **F. Suggestion**



**Law Journal Borobudur International  
Vol 1 No 1, July 2024**

**ISSN: 2809-9664**

1. Research on services carried out by bureaucratic officials can be said to be a public service. Because government officials are responsible for providing the best service to the community, in order to create a simultaneous regional head election in Batam City and the people of Batam City. Regarding Batam City BAWASLU Policy.
2. Limitations in finding literature related to the title of this research.

LAW JOURNAL BOROBUDUR INTERNATIONAL



## **BIBLIOGRAPHY**

### **BOOK**

Alan Wall et al, *Electoral Management Design: The International IDEA Hand Book*. International IDEA, Stockholm, Sweden, p. 22-25, in Yulianto, Veri Junaidi, (at all.), " *Strengthening the Independence of Election Organizers (Recommendations for Revision of the Election Organizer Law)*", *Position Paper Result of Discussion and Analysis of the National Legal Reform Consortium (KRHN)*, Jakarta, 29 November 2010

Ahmad Ali, *Revealing Legal Theory and Judicial Prudence including Interpretation of Laws (Legisprudence)* , (Jakarta: Kencana Prenada Media Group, 2009)

Bagja Waluya, *Sociology: Exploring Social Phenomena in Society for Class*

Department of Education and Culture, *Big Indonesian Dictionary* , Third Edition, Balai Pustaka, Jakarta, 2001.

Jimly Ashiddiqie, *Development and Consolidation of Post-Reformation State Institutions*, Jakarta: Secretariat General and Registrar of the Constitutional Court of the Republic of Indonesia, 2006

-----, "Introduction to DKPP for Law Enforcement", Paper presented at the Republic of Indonesia Police Leadership Meeting Forum, Jakarta, February 2013,

-----, *Enforcing the Ethics of Election Organizers*, Jakarta: PT Raja Grafindo Persada, 2013

M. Syamsudin, *Operationalization of Legal Research* (Jakarta: PT Raja Grafindo Persada, 2007)

Rachmad Baro, *Non-Doctrinal Legal Research Trends in the Use of Social Research Methods and Techniques in the Legal Sector* Yogyakarta: Deepublish, 2016

Robert A Dahl, " *Procedural Democracy* " in P Laslett and J Fishkin (ed), *Philosophy, Politics and Society*, Fifth Series, New Haven: Yale University Press, 2009.



**Law Journal Borobudur International**  
**Vol 1 No 1, July 2024**

**ISSN: 2809-9664**

## **CONSTITUTION**

The 1945 Constitution of the Republic of Indonesia.

Law Number 7 of 2017 concerning General Elections

LAW JOURNAL BOROBUDUR INTERNATIONAL