

Sole Candidate in the Local Leader Election and Its Implications on the Supervision of the Democratic Process in Indonesia

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Abstract

The sole candidate in the local leader election has become a phenomenon in the world of democracy in Indonesia. The sole candidate in the local leader election in Indonesia, is considered a solution to the impasse of democracy since 2015. This phenomenon has become a solution as well as a polemic in the community, because it is full of monopoly power. This study examines the implementation of a sole candidate in the local leader election in Bone Regency and its implications on the democratic process. This research is classified as field research with qualitative methods, while the approach used is descriptive analytic. The data sources of this research are based on primary data and secondary data. Primary data were taken from the results of interviews and observations. The results of this study indicate that the practice of selecting a sole candidate (choosing an empty column) in Bone Regency is not in the same breath as democracy and reduces the interests of the people's sovereignty in electing a leader. Some of the implications that arise include: a monopoly on political parties, injuring the interests of local communities, sole candidate competition which results in harassment and complications of pressure on voters who campaign for empty columns. As a result, people feel that their rights are not taken into account in the local leader election. The implication of this finding is that in responding to the practice of selecting sole candidates as in Bone Regency, there are many problems, so the sole candidate competition must be ended immediately because it is not in tune with the philosophical meaning of democracy.

Calon tunggal dalam pemilihan kepala daerah menjadi warna dalam dunia demokrasi di Indonesia. Calon tunggal dalam pilkada di Indonesia, dianggap solusi terhadap kebuntuan demokrasi sejak Tahun 2015. Fenomena

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itu menjadi solusi sekaligus polemik di tengah masyarakat, karena sarat akan monopoli kekuasaan. Penelitian ini, menelaah implementasi calon tunggal dalam pemilihan kepala daerah di Kabupaten Bone dan implikasinya terhadap proses demokrasi. Penelitian ini tergolong penelitian lapangan dengan tipe kualitatif, sementara pendekatan yang digunakan berupa deskriptif analitik. Sumber data penelitian ini didasarkan pada data primer dan data sekunder. Data primer diambil dari hasil wawancara dan observasi. Hasil penelitian ini menunjukkan bahwa praktek pemilihan dengan calon tunggal (memilih kolom kosong) di Kabupaten Bone tidak senafas dengan demokrasi dan mengurangi kepentingan kedaulatan rakyat dalam memilih pemimpin. Beberapa implikasi yang muncul, di antaranya; terjadi monopoli terhadap partai politik, menciderai kepentingan masyarakat lokal, kompetisi calon tunggal berimbas pada pelecehan dan komplik tekanan terhadap pemilih yang yang mengkampanyekan kolom kosong. Imbasnya masyarakat merasa haknya tidak diperhitungkan dalam pemilihan kepala daerah. Implikasi dari temuan ini bahwa menyikapi praktek pemilihan dengan calon tunggal seperti di Kabupaten Bone menuai banyak permasalahan, maka kompetisi calon tunggal harus segera diakhiri karena tidak seirama dengan makna demokrasi secara filosofis.

Key words: *Sole candidate; the local leader election; supervision; democracy.*

Introduction

The implementation of the general election and the local leader election which is the embodiment of the understanding of people's sovereignty. Ideally, general election aims to carry out changes in government power in an orderly, peaceful manner in accordance with the mechanism guaranteed and determined by the constitution.¹ The 1945 Constitution of the Republic of Indonesia is affirmed in article 18 paragraph 4 that the election of the Governor, Regent, Mayor respectively as the head of the Provincial, Regency and City government is elected democratically. Understanding The phrase democratically elected in the article does not have to be interpreted as being elected directly by the people, but being elected indirectly can be interpreted as democratic, as long as the process is democratic.²

The sole candidate in the local leader election in Indonesia found a solution and ended the impasse of democracy since 2015 by the Decree of the

¹Mustafa Lutfi, *Hukum Sengketa Pemilukada di Indonesia, Gagasan Perluasan Kewenangan Mahkamah Konstitusi* (Yogyakarta: UII Press, 2010), p. 115.

²Ni'matul Huda, *Dinamika Ketatanegaraan Indonesia dalam Putusan Mahkamah Konstitusi* (Yogyakarta: FH UII Press, 2011), p. 189-190

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Constitutional Court No. 100/PUU-XII/2015 dated September 29, 2015³ which allowed the local leader election to continue even though it was only a sole candidate, which was later adopted in Article 54C of Law Number 10 of 2016 concerning The local leader election which states that The sole candidate pair can be implemented if after the postponement and extension of registration there is still one pair of prospective candidates who register. From 2015 to 2018 the sole candidate pairs in the local leader election experienced a very significant increase. The Constitutional Court's decision to allow regions with only sole candidates for the local leader election reaped pros and cons. Fahri Hamzah said the Constitutional Court's decision regarding the sole candidate would have an impact on the term of office of the regional head. The Constitutional Court's decision became the most practical way to gain political legitimacy from the community.⁴

The phenomenon of sole candidate in the local leader election is strongly influenced by the existence of a monopoly of power in the region, including the monopoly on the support of political parties participating in the election which is a prerequisite for candidate pairs who will advance as local leader candidates. Thus, it will certainly reduce public trust in political parties that are unable to produce candidate leaders from the regeneration of their respective political parties so that the battle of interests related to recommendations for support to candidate pairs is only based on power, money capital and the interests of Local Strongman, not based on political party regeneration. This sole candidate can also be born because the political party machine that functions to provide political education for cadres is not functioning properly.⁵ So political participation must be alive, so the awareness to get involved through active participation.⁶

This can be proven from the results of The local leader election of the Regent and Deputy Regent of Bone Regency in 2018, there were 11 Political Parties in Bone Regency that were only able to carry one candidate pair, namely Dr. H. Andi Fahsar Mahdin Padjalangi, M.Si and Drs. H. Ambo Dalle, MM who is also

³Muhammad Yasin Al-Arif. "Politik Hukum Calon Tunggal Dalam Putusan Mahkamah Konstitusi dan Implikasinya Terhadap Sistem Pilkada Serentak." *Jurnal Yuridis* 3.2 (2017): p. 101.

⁴Riko Syahrudin, Mexsasai Indra, and Junaidi Junaidi, *Analisis Yuridis Calon Tunggal dalam Pemilihan Kepala Daerah di Indonesia (Studi Putusan Mahkamah Konstitusi Nomor 100/PUU-XIII/2015 Tentang Pengujian Undang-Undang Nomor 8 Tahun 2015 Tentang Perubahan Atas Undang-Undang Nomor 1 Tahun 2015 Tentang Penetapan Peraturan Pemerintah Pengganti Undang-Undang Nomor 1 Tahun 2014 Tentang Pemilihan Gubernur, Bupati, dan Walikota Menjadi Undang-Undang)*. Diss. Riau University, 2016), p. 5.

⁵Iza Rumesten RS. "Fenomena Calon Tunggal dalam Pesta Demokrasi." *Jurnal Konstitusi* 13.1 (2016): p. 80.

⁶Rukoyah dan Marno Wance. "Calon Tunggal Pada Pemilihan Kepala Desa di Kecamatan Kemiri Kabupaten Purworejo." *Jurnal Inovasi Penelitian* 1.9 (2021), p. 1947.

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the incumbent candidate.⁷ The sole candidate in the local leader election in Bone Regency strengthened when the Decision of the Regional General Election Commission (KPUD) of Bone Regency No. 41/PL.03.2-Kpt/7308/KPU-Kab/II/2018, which states that the total number of support for the candidate candidates is one Regent and Deputy Regent Dr. H. Rizalul Umar, Sp.B and Drs. H. Andi Mappamadeng Dewang, M.Si did not meet the minimum number of support requirements for individual channels which was strengthened by the General Election Supervisory Agency (Bawaslu) decision which had rejected the applicant's application with register number 002/PS/PWSN.Bone.27.04/II/2018.

The thing that is very worrying and also supports the existence of a sole candidate in the local leader election is how difficult it is for independent candidates to collect votes first. The initiation of this research certainly departs from the curiosity of the author who sees that there is no space for contestation in the local leader election with a sole candidate and the declining level of public trust to all stakeholders involved in the implementation of the election to the point that the conflict of interest plunged the public into a prolonged chaos until the completion of the stage of the local leader election. Realizing public awareness through local leader general election can be done optimally if the space for election to sole candidate is narrowed through new regulations by suppressing the difficulty of passing independent candidates as participants of local leader general election.

This research on the supervision of the local leader general election process and the implications of the presence of the sole candidate on democracy is considered very urgent because it can contribute to policy makers to formulate regulations that provide more guarantees for the freedom of contestation of the local leader election, It is also intended to be able to close the space for oligarchs that can monopolize power and realize the role of political parties that consistently give birth to regeneration by creating superior human resources who are ready to become leaders in their respective regions, so that the quality of leaders born from the local leader election is certainly more competitive and can give birth to the local leader election that is more democratic and accountable.

Methodology

This research is a qualitative research with analytical descriptive approach. The focus of the research is the process of implementing the local leader election in Bone Regency with a sole candidate. Bawaslu of Bone Regency with parties with an interest in the implementation of the local leader election in Bone Regency was the

⁷The General Election Supervisory Agency (Bawaslu) of Bone Regency Supervision Report of 2018

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target of the data source in this study. The data collected in this study is based on primary data and secondary data. Primary data were taken from the results of interviews and observations with Bawaslu of Bone Regency directly, both to institutions and individuals. The data that was collected, codified and described was sourced from the answers of the informants to the questions posed in the interviews. Secondary data were obtained from literature studies on laws and regulations as official documents and other literatures, which relate to the issues discussed in this research, such as: the 1945 Constitution, Law Number 7 of 2017 concerning General Election, Law Number 10 of 2016 concerning the Election of Governor and Deputy Governor, Regent and Deputy Regent and Mayor and Deputy Mayor, Decisions of the Constitutional Court and other laws and regulations related to the discussion in research.

Discussion**Sole Candidate in the Local Leader Election in Bone Regency**

At the momentum of the local leader election in 2018, it gave a new nuance, especially for Bawaslu of Bone Regency because it was held simultaneously between the election of the Regent and Deputy Regent of Bone Regency and the Election of the Governor and Deputy Governor of South Sulawesi Province. Due to the election of Regent and Deputy Regent candidates of Bone Regency, there was only sole candidate who competed, so that Bawaslu of Bone Regency in carrying out supervision faced various challenges and problems, including the limitations of authority in existing regulations, lack of human resources, with very limited budget management, the position of Bawaslu of Bone Regency is still in the status of an ad hoc in the form of a committee or called Election Supervisory Committee. Another challenge related to the supervisory partners of the sole candidate, from mass organizations, NGOs, the press, political parties, local governments, and other stakeholders, has been very slow.⁸

Regarding regulations, Law Number 10 of 2016 only provides 5 working days for handling violations and is non-adjudicative so that the district/city supervisory committee can only issue recommendations from the results of the examination of alleged violations, The limited time and authority certainly makes it difficult for Bawaslu to realize the results of an adequate study in an effort to create direct election justice because the nature of its authority is only limited to providing

⁸Alwi, SE (Coordinator of Supervision Division of Bawaslu of Bone Regency), Interview on May 25, 2020.

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recommendations, not adjudication. In article 1 number 7 which states the phrase Regency/City supervisory committee whose powers are of course still very limited.⁹

With regard to Human Resources (HR) within Bawaslu, especially Bone Regency in 2018, it was very limited, as at the district level there were only 3 commissioners, 1 chairperson and 2 members by coordinating their respective duties including: Hj. Jumria, S.Pd as chairwoman by coordinating the Organization and HR fields, Alwi, SE as coordinating member for Supervision and Inter-Agency Relations, M. Ridwan Huzaefah as coordinating member for Law and Violation Handling.¹⁰

At the district level because Bone Regency has 27 districts including: Tellu Limpoe District, Lamuru District, Lappariaja District, Bengo District, Ulaweng District, Amali District, Palakka District, Ajangale District, Dua Boccoe District, Awangpone District, Cenrana District, Tellu Siattinge District, Tanete Riattang Barat District, Tanete Riattang Timur District, Tanete Riattang District, Ponre District, Sibulue District, Barebbo District, China District, Mare District, Kajuara District, Salomekko District, Libureng District, Bontocani District, Kahu District, Patimpeng District, and Tonra District. Of the 27 districts, there are only 3 commissioners each who coordinate the fields of Organization and Human Resources, Supervision and Inter-Agency Relations and Law and Violation Enforcement.

Meanwhile, at the village level, there is only 1 Village Supervisor (PPKD) spread over 372 villages with a total of 1523 voting places (TPS) that must be supervised, of which each TPS also only has 1 TPS Supervisor. Of that number, of course, very few if the percentage of the number of voters who reached 539,395 to be monitored.¹¹

Furthermore, it is related to the budget that in the implementation of the local leader election, more socialization activities should be carried out in order to encourage participatory elections, because the interest of voters to come to voting place can only be encouraged if participatory socialization involving community leaders, youth or women is intensely promoted, because it will reduce the public's assumption of an empty column which if they win then they have no leader, it's useless to come to vote because the sole candidate will definitely win and other

⁹M. Ridwan Huzaefah SH (Coordinator of Violation Handling Division of Bawaslu of Bone Regency), Interview on May 26, 2020.

¹⁰Hj. Jumria, S.Pd.I.,M.Pd.I (Coordinator of the Organizational and HR Division of Bawaslu of Bone Regency) Interview on May 26, 2020.

¹¹The General Election Supervisory Agency (Bawaslu) of Bone Regency Supervision Report of 2018

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assumptions are developing in the community, but the post budget is only implemented 4 times in 2018.

The election for Regent and Deputy Regent as sole candidate in Bone Regency began with the stipulation of the Candidate Pair for Regent and Deputy Regent, Dr. H. Andi Fahsar Mahdin Padjalangi, M.Si and Drs. H. Ambo Dalle, MM through KPU Official Report Number: 34/PL.03.2-Kpt/7308/KPU-Kab/II/2018 concerning the Determination of Candidate Pairs for Regent and Deputy Regent as Participants in the 2018 Election for Regent and Deputy Regent of Bone. The candidates for Regent and Deputy Regent have the support of 11 political parties with a total of 45 seats. Thus, closing the nomination space for Regent and Deputy Regent from other candidates through the conditions of support from political parties or a combination of political parties, resulting in dr. H. Rizalul Umar, Sp.B.MARS and Dr. H. Mappamadeng Dewang, M.Si advanced as independent candidates.

In the submission of the independent candidate, the Bone Regency Bawaslu found several findings in the nomination, including: (1) For administrative verification findings, the General Election Commission (KPU) of Bone Regency did not provide a receipt for submission of support files, and did not perform calculations because the General Election Commission (KPU) is more focused on form errors made by pairs of candidates that cause pairs of candidates to lose time to correct or add to the lack of support; (2) For factual verification findings through Video Call media but the person/supporter is no longer a resident in the district.¹²

The findings were then recommended by Bawaslu to KPU and followed up. So that there is a lack of support requirements that must be met by independent candidates, namely in stage 1, the number of supports (B1.KWK) is 45,568, the number that meets the requirements (MS) is 21,801, the number that must be fulfilled is $41,980 - 21,801 = 20,179$, the number of which must be fulfilled in the second stage is twice the total deficiency of $= 20,179 \times 2 = 40,358$.

The conditions for the support of the independent candidate pair are not met, so on January 20, 2018 the individual candidates will submit 41,903 repair support as a fulfillment of the conditions required by KPU, which is 2 times the total lack of support as much as 40,158, at that time, the Regional General Election Commission (KPUD) of Bone did not directly calculate on the grounds that there are still BB.1 KWK and BB.2 KWK forms that are not appropriate, while that day is the last day of submission and at the same time repairing support. So that on January 21, 2018, the Regional General Election Commission (KPUD) verified the

¹²The General Election Supervisory Agency (Bawaslu) of Bone Regency Supervision Report of 2018

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number of supports and duplicates of which the number of supports that met the requirements were 37,263, because they did not meet the number of shortfalls that had to be fulfilled as many as 40,358, so that KPUD of Bone stated that they did not meet the requirements to proceed to the Factual Verification stage.

As a result of the issuance of the Minutes, the Prospective Pairs of Candidates from the individual path of Br. dr. H. Rizalul Umar, Sp.B MARS and Br. Dr. H. Andi Mappamadeng Dewang, M.Sc. submit a dispute to the General Election Supervisory Committee (Panwaslu) of Bone Regency dated January 24, 2018 which is recorded in the Election dispute settlement case register Number: 001/PS/PWSL.Bone.27.04/I/2018.

The results of the monitoring of Bawaslu of Bone Regency that on January 20, 2018, at 15.30 (CIT) to 24.00 (CIT), the Regional General Election Commission (KPUD) of Bone did not calculate the support files submitted by individual candidates. Furthermore, KPUD of Bone focused too much on Forms BB.1 KWK and BB.2 KWK which were not appropriate, causing the potential pairs of candidates to lose the opportunity to add support if at the time of the calculation it was estimated that they were still lacking. So that from the results of the supervision and other evidence that strengthens Bawaslu of Bone Regency, the applicant's application is granted in its entirety and provides the opportunity for prospective pairs of candidates to correct and or complete the support file.

After the decision of the Bone Regency election supervisory committee, after corrections were made by the prospective pair, KPUD of Bone followed up by carrying out factual verification. After verification of the corrective support for individual candidate pairs, only 2,985 of the 24,786 qualified candidates, so KPUD of Bone issued a decision dated February 20, 2018, with the number: 41/PL.03.2-Kpt/7308/KPU-Kab/II/2018, which stated that the total amount of support for the individual candidate pairs, Br. dr. H. Rizalul Umar, Sp.B MARS and Br. Dr. H. Andi Mappamadeng Dewang, M.Sc. with a total of 24,786 supports and does not meet the minimum number of support requirements for individual paths of 41,980.

As a result of the issuance of the Regional General Election Commission (KPUD) of Bone's decision Number: 41/PL.03.2-Kpt/7308/KPU-Kab/II/2018, the candidate pair Dr. H. Rizalul Umar, Sp.B MARS and Drs. H. Andi Mappamadeng Dewang, M.Si, again submitted a dispute to the Bone Regency Supervisory Committee on February 21, 2018, with the election dispute resolution case register Number: 002/PS/PWSN.BONE.27.04/II/2018.

Based on the results of the supervision of Bawaslu/Supervisory Committee of Bone Regency, during the factual verification, the winning team for individual

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candidate pairs withdrew all LOs (liaisons) in all sub-districts and did not continue the factual process until the Factual deadline due to intimidation. So that on this basis and other evidence resulted in Bawaslu/Election Supervisory Committee of Bone Regency giving a decision to reject the applicant's application in its entirety.

A description of the dispute decided by Bawaslu and confirming the cancellation of individual nominations in the 2018 Regent and Bone Regent candidates so that the sole candidate competition requires it to be held. In the process of implementing the campaign during the campaign period, Bawaslu/Election Supervisory Committee of Bone Regency found several findings from the monitoring results and recommended decisions such as: (1) The Village Head is subjected to a process of handling violations and sentenced based on a court decision of 1 month probationary period; (2) three state civil servants (ASN) people are recommended to the ASN Commission and sanctioned by the ASN Commission (low disciplinary sanctions) by making a statement in public.

This finding is more or less a note in the local leader election with sole candidate especially the Incumbent that the potential for election violations departs from the use of government structures, intervention on the support of candidate pairs carried out by government officials who have broad authority, of course this can result in a decrease in the realization of democratic elections that are effective as the principle of freedom without intervention enshrined in the law.

Implications of Sole Candidate in the Local Leader Election on the Indonesian Democratic System

The notion of democracy is interpreted as a form of handover of power by the government from the people which is manifested in the form of guaranteeing the rights and freedoms regulated in the constitution. The representation of the guarantee of rights is manifested in the form of sovereignty which is regulated in the 1945 Constitution article 1 paragraph 2 that "Sovereignty is in the hands of the people and is carried out according to the constitution.

The affirmation of people's sovereignty can also be seen in the opening of the fourth paragraph of the 1945 Constitution, "then the independence of the Indonesian nation was drawn up in a Constitution of the State of Indonesia which is sovereign by the people based on ...". This can be obtained from the guarantee of freedom of expression in writing, verbally or in other forms in Article 28 of the 1945 Constitution, which can be a means of community control to the government if their will is not in accordance with government policy.

In addition, people's sovereignty in the principle of democracy can also be realized in the form of election of candidate leaders through elections including the

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local leader election as stated in Article 18 paragraph 4 of the 1945 Constitution "Governor, Regent, and Mayor respectively as heads of provincial, regency and city local governments are democratically elected. Then, it is regulated more specifically in Law Number 10 of 2016 concerning the second amendment to Law 1 of 2015 concerning the stipulation of Government Regulation in Lieu of Law (Perpu) Number 1 of 2014 concerning the election of Governors, Regents, and Mayors, with democracy of the people, by the people and for the people being main condition.¹³

The principle of popular sovereignty which is the principle of democracy is carried out in two stages, namely the stage of direct implementation by the people and then followed by the second stage, namely the indirect stage carried out by representative institutions.¹⁴ The decision of the Constitutional Court above gives a signal that the sovereignty of the people must be realized through a general election which uses the system of determining the elected candidate based on the majority vote.¹⁵ People's sovereignty describes a system in a country that requires the highest power to be held by the people.¹⁶ Thus, the concept of popular sovereignty is matched with the concept of democracy which essentially places power in the hands of the people.¹⁷

In its journey, the local leader election system in Indonesia has gone through an indirect election model during the New Order era and has undergone a shift in the early reformation period which made the local leader election carried out directly instead of through representation. At that time the shell of democracy was wide open and the right to directly elect local governments was handed over to the people. This is expected to be able to realize people's sovereignty as the principle that supports the growth of democracy in Indonesia.

The affirmation of the implementation of direct local leader election by the people is explained in the general section on the explanation of Law Number 1 of 2015 concerning the stipulation of Perpu Number 1 of 2014 concerning the

¹³Dessy Agustina Harahap, "Tinjauan Yuridis terhadap Pelaksana Pengawasan Pilkada Berdasarkan Undang-undang Nomor 8 Tahun 2015 dalam Mewujudkan Demokrasi di Daerah." *JURNAL MERCATORIA* 10.1 (2017), p. 14

¹⁴Harjono, *Transformasi Demokrasi, Sekretariat Jenderal dan Kepaniteraan Mahkamah Konstitusi* (Jakarta: 2009), p. 5.

¹⁵Khairul Fahmi, "Prinsip Kedaulatan Rakyat dalam Penentuan Sistem Pemilihan Umum Anggota Legislatif." *Jurnal Konstitusi* 7.3 (2016), p. 123

¹⁶Fahri Bachmid, "Eksistensi Kedaulatan Rakyat dan Implementasi Parliamentary Threshold dalam Sistem Pemilihan Umum di Indonesia." *SIGn Journal of Law (SIGn Jurnal Hukum)* 2.2 (2021): 87-103.87

¹⁷Mexsasai Indra. "Konsepsi Kedaulatan Rakyat dalam Cita Hukum Pancasila." *Jurnal Selat* 1.2 (2014), p. 120.

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Election of Governors, Regents, and Mayors¹⁸ with the condition that registration is regulated in Article 1 paragraph 4 of Perpu Number 1 of 2014 which reads: Candidates for Regent and Candidate for Mayor are election participants proposed by political parties, coalitions of political parties, or individuals who register or are registered at the Regency/City General Election Commission. The hope to realize people's sovereignty through the local leader election whose nomination process is carried out by political parties, coalitions of political parties or individual experiences dynamics in its implementation which is certainly a factor inhibiting the pace of democracy in Indonesia.

It can be seen from the number of local leaders, especially the incumbents, who have monopolized political parties to provide support which in the end closed the competition space for the local leader election which injures the interests of the local community to determine the choices of the contestants in the local leader election. Likewise, the space to nominate for elements of society who are considered to have the competence to become local leaders is very limited, so that the alternative of individual candidates is the only way that can be taken, even though the requirements and procedures are difficult to realize.

The decision of the Constitutional Court Number 68/PUU-XIII/2015 which eased the requirements for independent candidates in the local leader election so that political parties did not become the only vehicle to nominate local leaders.¹⁹ The decision is in line with its function in upholding constitutional justice in the community.²⁰ However, in practice it is still not able to accommodate individual candidates in several areas such as in Bone Regency, which is due to the inability to meet the support requirements when registering as a candidate pair.

Therefore, the reference for carrying out the local leader election is of course the Constitutional Court Decision Number 100/PUU-XII/2015 dated September 29, 2015 which allows the implementation of the local leader election to be held even though it is only a sole candidate. In Article 54C of Law Number 10 of 2016 concerning Local Leader Election which states that a sole candidate pair can be held if after the postponement and extension of registration there is still one pair of prospective candidates who register.

¹⁸Achmadudin Rajab, "Tinjauan Hukum Eksistensi Dari Undang-Undang Nomor 8 Tahun 2015 Setelah 25 Kali Pengujian Undang-Undang Di Mahkamah Konstitusi Pada Tahun 2015." *Jurnal Hukum dan Pembangunan* 46.03 (2016), p. 347.

¹⁹Mohammad Syafei, *Tinjauan Atas Putusan Mahkamah Konstitusi No: 100/puu-xiii/2015 Tentang Calon Tunggal Dalam Pemilihan Kepala Daerah Dan Wakil Kepala Daerah*. Diss. Tadulako University, p. 7.

²⁰Faiz Rahman and Dian Agung Wicaksono. "Eksistensi dan Karakteristik Putusan Bersyarat Mahkamah Konstitusi." *Jurnal Konstitusi* 13.2 (2016), p. 394

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The decision of the Constitutional Court resulted in an increase in the number of sole candidates in the local leader election, which is of course very worrying for the wheels of leadership in the region if in the election the winner of the election is an empty column that will be hampered, because the position of the local leader will be taken over by the executor whose authority is different and very limited, ultimately has implications on the development of democratization of government at the local level. Vice versa if the sole candidate who becomes the winner in the local leader election contestation as happened in the local leader election in Bone Regency, gives a monopoly of power because it is supported by all existing political parties, so that control of the Regional People's Representative Assembly (DPRD) over power will be difficult to realize.

The local leader election with sole candidate in 2018 in Bone Regency also proved that political parties were unable to produce leaders who could be promoted as local leaders. In fact, political parties should be the patrons of democracy because in it there is regeneration which is ultimately prepared to become leaders in the regions. Obstacles to creating leaders can be seen when the election momentum will be held because those who are promoted as candidates are mostly from outside political parties, both from the government/civil servants who have retired, businessmen, and other elements who of course must have a lot of money in order to accommodate the interests of winning, starting from the preparation stage, campaign until the election is over.

The implication of the sole candidate competition in Bone Regency also affects the election organizers, namely the General Election Commission (KPU) and individual candidate pairs who are considered to be harassing each other due to the candidate's lack of trust in the election organizers.²¹ On the other hand, candidate pairs of individual candidates in Bone Regency took the initiative to sue Regional General Election Commission (KPUD) of Bone to DKPP because they were considered wrong in making a decision. Bawaslu/Election Supervisory Committee was also in the spotlight because it was deemed not to have responded to the report submitted to Bawaslu/Election Supervisory Committee by the sole candidate pair against KPU's decision.²² In principle, the problems between the election organizers and the candidates for election contestants hinder the

²¹Fajar.co.id. *Dilapor KPU Bone ke Polisi, Paslon Perseorangan Tak Takut*, See: <https://fajar.co.id/2018/01/30/dilapor-kpu-bone-ke-polisi-paslon-perseorangan-tak-takut/>, accessed on May 30, 2020, at 02.31 PM.

²²Sindonews.com, *Lapor ke DKPP, Umar-Madeng Sebut KPU Bone Langgar Aturan Pilkada*, See: <https://makassar.sindonews.com/berita/7109/1/lapor-ke-dkpp-umar-madeng-sebut-kpu-bone-langgar-aturan-pilkada>, accessed on May 30, 2020, at 02.39 PM.

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democratic process because there is so much room for turbulence between the two of them and hinder the work of the election organizers.

Another thing emerged when the blank column voting campaign was promoted,²³ of course, the dilemmatic condition for people who do not want the leadership of the sole candidate pair is a serious concern because there is no space provided by the regulations to accommodate the interests of the voters, especially if they have to deal with law enforcers such as the police. So, the alternative for most of them is to choose an empty column or not come at all to give a choice to the voting places. Of course, this reduces the quality of elections which are directly held to elect people, not empty columns. Even the distribution of their right to vote is hampered because of their dissatisfaction if the bureaucracy is led by someone who has no integrity in their opinion.

Not to mention the issue of grassroots conflicts between voters that occurred when supporters of the sole candidate put pressure on other voters who campaigned for an empty column. Finally, the hope of realizing peace in society is filled with hatred because the channeling of aspirations for those who do not want to give a choice to the sole candidate is not accommodated by existing regulations, in the end some people feel that their rights are no longer important to be used as a condition for realizing sovereignty on the local leader election. This is evidenced by the decline in the community participation rate to provide local leader choices in Bone Regency with a very significant sole candidate from the 2018 results of 72.4%, while in the 2013 election it was 78%, this also proves that the realization of democratization at the local level is very significant. It is a concern if the competition in the local leader election has only sole candidates.

Conclusion

Responding to the practice of election with sole candidates such as in Bone Regency with its various problems, voting for an empty column is no longer in harmony with democracy and reduces the interests of the people's sovereignty to determine the leader. There is a monopoly on political parties in providing support, closing the competition space for the local leader election and harming the interests of the local community to determine the choices of the contestants in the local leader election. The space to nominate themselves for elements of society who are considered to have the competence to become local leaders is very limited, so that the alternative of individual candidates is the only way to be taken, even though the

²³Rakyatku, "Diduga Edarkan Brosur Kotak Kosong, Pemuda di Bone Diamankan" <http://pilkada.rakyatku.com/read/107264/2018/06/26/diduga-edarkan-brosur-kotak-kosong-pemuda-di-bone-diamankan>, accessed on May 29, 2020, at 02.00 PM.

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requirements and procedures are difficult to realize. The implication of the sole candidate competition in Bone Regency also has an impact on harassment, due to the lack of trust of candidates in the election organizers. The implication on election organizers is to hinder the democratic process because there is so much room for turbulence between the two of them and hinder the work of election organizers. In addition, the complication of pressure on voters who campaign in empty columns or who do not want to give a choice to the sole candidate is not accommodated by the regulation. People feel that their rights are no longer important to be used as a condition for realizing sovereignty in the local leader election.

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