THE DYNAMICS OF LAW ENFORCEMENT IN REGIONAL HEAD ELECTIONS DURING COVID-19 PANDEMIC

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Abstract

The state is a social entity that consists of areas that have almost similar historical-cultural backgrounds. These areas have administrative divisions that are hierarchical in nature, where the division aims to accelerate the development and improvement of the area and the people in it. The research method used in this research is normative legal research method. The normative legal research method is a research method that looks for facts through the variables derived from the laws and regulations that are examined on their implementation and their effectiveness and shortcomings so that improvements and improvements can be made to these laws and regulations. Regional head elections are an inseparable part of a country that adheres to the principles of democracy and is even part of the characteristics of a democratic country.

Keywords : Covid-19 Pandemic; Election; Law Enforcement.

A. INTRODUCTION

The dynamics of the administration of local government in Indonesia are always changing in accordance with changes in the political law of the state administration which have changed several times, namely the old order, new order and the current reform order The election of a unitary state with a decentralized system which forms the basis for the establishment of autonomous regions has been an option since the beginning of the establishment of the State of Indonesia, this can be seen in the 1945 Constitution which was ratified on August 18, 1945, regulated in Article (1) the State of Indonesia is a unitary state in the form of a republic.¹

The state is a social entity consisting of areas that have almost the same historical-cultural background. These areas have a hierarchical administrative division, where the division aims to accelerate the development and improvement of the area and the people in it. Even though they have almost the same historical-cultural background, these areas still have characteristics and uniqueness that distinguish them from one another, this characteristic and uniqueness is known as local wisdom

¹ Sri Kusriyah, Politik Hukum Penyelenggaraan Otonomi Daerah Dalam Perspektif Negara Kesatuan Republik Indonesia, *Jurnal Pembaharuan Hukum*, Vol III No. 1 2016, page.1-11

which is an accumulation of collective learning in solving various problems and challenges in life. community in the region, which are compiled into unwritten norms and carried out by the people in the region obediently from generation to generation so that violations of these norms are considered as a taboo subject and can get sanctions, be it social sanctions as well as sanctions in the form of punishment.

The norms that are accumulated in the local wisdom actually come from the noble values that live and develop in the community which are then mutually agreed upon through customary deliberations so that these values become a binding norm for the people in the region. There are several things that affect the growth of noble values in society, including:

- 1. Religion;
- 2. Habits;
- 3. Geography;
- 4. Cultural assimilation;
- 5. Social welfare;

These things form local wisdom that characterizes a region, for example an area with strong adherence to a certain religious teaching, making religious values as guidelines in social life so that religious teachings become the main feature of wisdom in that region. Therefore, it is natural that each region has different local wisdom and culture.

With the various similarities and differences possessed by each region, through the spirit of unity to achieve mutual security and prosperity, these regions unite and form a state. One of the countries that was formed to achieve mutual security and prosperity is the Republic of Indonesia.

Historically, at first the territory of the Republic of Indonesia was known as the archipelago which consisted of small kingdoms that had governments; law; religion; culture; and different languages. The area, population and military strength of each of these kingdoms is different, this causes these kingdoms to be very vulnerable in facing invasions from foreign nations outside the archipelago. Therefore, to face the threat of foreign invasion, the unity of the kingdoms in the archipelago is something that must be done. At first the unity of the archipelago was started by Dapunta Hyang Sri Jayanasa who came from the Minanga Tamwan region, by leading 20,000 trained troops, Dapunta Hyang conquered the Palembang area and founded the Srivijaya Empire. The purpose of the establishment of the Srivijaya Empire was to control maritime trade routes in the archipelago and Southeast Asia and to face invasions from kingdoms in India. However, it is very unfortunate that the Srivijava Empire eventually collapsed due to the invasion of the Chola Kingdom from India. After the collapse of Srivijaya, the archipelago was again divided into small kingdoms so that the influence of the archipelago in the Southeast Asian region was weakened, this was used by other nations in the Southeast Asian region who had been vassals for independence as was done by the Khmer in Cambodia.

The effort to unite the archipelago was again continued by the Singasari Kingdom, which at that time had controlled most of the island of Java, with the aim of protecting the nations in the archipelago from the

invasion of the Mongol troops led by Khublai Khan who wanted the kingdoms in the archipelago to submit as vassal states Mongolia (Yuan Dynasty). King Singasari Sri Kertanegara predicted that the Mongols would come through the Malay peninsula and then cross the Malacca Strait to conquer Sumatra and then move across the Sunda Strait to conquer Java. In an effort to prevent the Mongol invasion of the archipelago, King Kertanegara took a policy known as the "Pamalayu Expedition" which was to strengthen the defense of the Sumatran region by forging unity with the Malay kingdoms in Sumatra and sending troops in large numbers as defense forces in the face of the Mongol invasion. Many Singasari troops sent on the Pamalayu expedition resulted in the defense of the Singasari kingdom being weak, this was used by the Kediri kingdom, which at that time was a vassal of the Singasari kingdom.²

The prediction of the Singasari kingdom on the threat of a Mongol invasion to conquer the archipelago was proven through the invasion carried out by the Mongol troops in 1293 AD. However, the Mongol troops did not enter the archipelago through the island of Sumatra, but through the island of Java. 30,000 Mongol troops landed in Tuban and moved towards the capital of the Singasari kingdom, Tumapel, which had been controlled by the Kediri kingdom. Raden Wijaya who is the leader of Majapahit which is a village-level administrative area as well as the son-in-law of King Kertanegara used the invasion of the Mongol troops to rebel against the Kediri kingdom. Raden Wijaya made an alliance with the Mongols to attack the Kediri kingdom and a battle ensued which led to the collapse of the Kediri kingdom. After the battle was won, Raden Wijaya made a surprise attack on the Mongol troops so that the confused Mongol troops were unable to face Raden Wijaya's attack and were forced to retreat back to Mongolia. Then Raden Wijaya founded the Majapahit Empire which later became the Majapahit Empire. During the reign of Hayam Wuruk, Gajah Mada was appointed as Mahapatih Amangkubumi. Gajah Mada, who was aware of the weakness of the archipelago, which was divided into small kingdoms, vowed to unite the archipelago and would not feel or touch worldly pleasures if he had not been able to unite the entire archipelago. This oath is known as the "Palapa Oath" which became the forerunner of the territory of the Republic of Indonesia.³

The Republic of Indonesia, which was the successor of various kingdoms in the archipelago, before proclaiming its independence on August 17, 1945 had tasted the bitterness of being colonized by various foreign nations such as the Portuguese, Dutch, and Japanese. Due to this bitter experience, the ideals of the independence of the Indonesian people were poured into the "Preamble" of the 1945 Constitution (UUD 1945), namely to

² Diansasi Proborini, Analisis Aspek Diplomasi Kultural Dalam Ekspedisi Pamalayu, 1275-1294M, *Jurnal Analisis Hubungan Internasional*, Volume 6 no. 2 2017, page. 73.

³ Saafroedin Bahar, Sindrom Sumpah Palapa Versus Kebanggaan Etnik: Sebuah Eksplanasi Teoritikal Terhadap Kebijakan Penanggulangan Pemberontakan Daerah, *Jurnal Ketahanan Nasional*, Volume XIII no. 2 2008, page. 33.

protect all of Indonesia's bloodshed, educate the nation's life, promote public welfare, and maintain world peace.⁴

As an archipelagic country, Indonesia consists of various islands such as Sumatra Island, Java Island, Bali Island, Kalimantan Island, Sulawesi Island, Nusa Tenggara Island, Papua Island, and tens of thousands of other islands. To accelerate development and improve the welfare of the people in each region, local governments were formed in each of these areas, known as "Regional Governments". In Article 18 paragraph (1) of the 1945 Constitution of the Republic of Indonesia, it is stated that the Unitary State of the Republic of Indonesia is divided into provincial regions in which the provinces consist of smaller regions, namely regencies and regions. Each region, be it a province, district, or city, has a regional government.⁵ The main structures of local government in brief are as follows:

- 1. For provincial areas, it is led by an executive agency, namely the governor who is an extension of the president, assisted by the deputy governor, regional secretary and regional government agencies that carry out the administrative functions of the provincial government, and has a legislative body, namely the Provincial People's Representative Council;
- 2. For regency areas, it is led by an executive agency, namely the regent who is assisted by the deputy regent, regional secretary and regional government agencies that carry out the administrative functions of the regency government, and has a legislative body, namely the Regency Regional People's Representative Council;
- 3. For urban areas, it is led by an executive institution, namely the mayor who is assisted by a deputy mayor, regional secretary and regional government agencies that carry out city administration functions, and has a legislative body, namely the City Regional People's Representative Council.

With the existence of regional autonomy and the magnitude of the power of regional heads after regional autonomy, regional heads are analogized as little kings. Therefore, the progress or lagging of a region is largely due to the role of the regional head. A regional head is given the mandate and responsibility to lead and promote prosperity in his area, this is implemented through a series of public policies taken by the regional head in running the regional government bureaucracy. Therefore, choosing a regional head who is honest, fair, trustworthy, wise, and visionary through the Regional Head General Election (*Pemilukada*), is a key factor in the development and improvement of community welfare in the region.

At the beginning of Indonesia's independence, the old order era, the new order era and at the beginning of the reform era, regional heads were not directly elected by the people through regional head elections. In the early period of independence until the middle of the New Order period, regional heads were appointed by the central government, the appointment of regional heads by the central government was considered undemocratic

⁵ Article 18 Constitution of the Republic of Indonesia 1945.



⁴ Opening of the Constitution of the Republic of Indonesia 1945.

and tended to potentially lead to collusion and nepotism practices. Then in the late New Order period until the early reformation period, regional head elections were held by the Regional People's Representative Council, this form of regional head election was also still considered to have the potential to cause collusion and nepotism practices.

In order to support the spirit of democracy and people's sovereignty, as well as to eradicate practices of corruption, collusion and nepotism, in 2005 the first General Election of the Head was held in which the people in the regions were given the right to directly determine their regional leader for a term of office for 5 years.

Since then the general election for regional heads has become a people's party, not only because the people directly elect regional heads and deputy regional heads, but also because of the benefits that people get from candidates for regional heads and deputy regional heads or election participants during the campaign period.⁶ The practice of campaigning for candidates for regional heads and deputy regional heads becomes a people's party in the true sense, the campaign is held in the form of a music festival by inviting artists from the capital. Election participants also distribute food packages along with cash, calendars, clothes, wall clocks, and other things to the community, so that people tend to choose election participants based on what is given, not because of the work program, reputation, and vision and mission from the electorate.⁷

In addition, due to the large campaign costs⁸, Election participants who are elected as regional heads and deputy regional heads tend to want to get back the political costs and campaign costs that have been spent, and there are even election participants who are in debt because of the campaign costs they incur.⁹ Therefore, many regional heads or deputy regional heads who were democratically elected through regional head elections, committed corruption crimes and were arrested by the corruption eradication commission (KPK). This is very detrimental to democracy, based on these considerations the idea arose about limiting campaign activities and prohibiting the provision of basic necessities and money given by voting participants or teams of voting participants including their supporting parties. These restrictions and prohibitions are realized through Act No. 10 of 2016 concerning Regional Elections.

In addition to the prohibition on the provision of basic necessities and cash, during the current Covid-19 pandemic, it is an obligation to implement health protocols and a clean lifestyle. Violations and prohibitions on activities

⁶ Didik Supriyanto (editor) et all., *Dana Kampanye Pilkada: Pengaturan Teknis Tentang Sumbangan, Pengeluaran, dan Pelaporan Berdasarkan UU No 1/2015 Juncto UU No 8/2015*, Yayasan Perludem, Jakarta Selatan, 2015, page. 1.

⁷ La Ode Suprianto et all., Persepsi Masyarakat Terhadap Politik Uang Pada Pilkada Serentak (Studi Di Desa Ronta Kecamatan Bonegunu Kabupaten Buton Utara), *Jurnal Neo Societal*, Vol 2 no. 1 2017, page. 2.

⁸ Aditya Perdana et all, *Pembiayaan Pemilu Di Indonesia*, Bawaslu Republik Indonesia, Jakarta Pusat, 2018, page. 4.

⁹ Alim Syaiful Fuad dan Ade Palupi, Institusionalisasi Pelaporan Dana Kampanye Pemilu Kepala Daerah *Jurnal Riset Dan Aplikasi: Akuntansi Dan Manajemen*, Vol 3 no. 1 2018, page. 8.

that should not be carried out during the campaign period are also adjusted to the health protocol. Although there are strict rules that come from laws and regulations as well as warnings from the General Election Commission (KPU) and the Election Supervisory Body (*Bawaslu*), however, at the time of the implementation of the Regional Head General Election which was held simultaneously on December 9, 2020, it was still there are violations, both against prohibited acts and also violations of health protocols carried out by election participants or teams participating in elections or parties carrying election participants.

The purpose of this paper is to find out and analyze the application of the rules and obligations of the post-conflict local election participants held during the Covid-19 pandemic in order to create a competent democratic system and minimize violations of the local election system which not only injures democracy, but also endangers the general public because it has the potential to create new clusters the spread of the Covid-19 pandemic.

B. RESEARCH METHODS

The research method used in this study is a normative legal research method. The normative legal research method is a research method that seeks facts through the variables derived from the laws and regulations that are reviewed for their implementation as well as their effectiveness and shortcomings so that improvements and improvements can be made to these laws and regulations.¹⁰ The regulations or statutory regulations used in this research are laws related to the General Election of Regional Heads along with other regulations that are derivatives. The nature of this research is analytical descriptive, which describes the variables found in the legislation related to the General Election of Regional Heads and analyzes its implementation and effectiveness qualitatively.¹¹

C. RESULT AND DISCUSSION

1. Implementation of Election in Indonesia

Regional head elections are an inseparable part of a country that adheres to democratic principles and even becomes part of the characteristics of a democratic country. The concept of directly electing a leader is actually not a new thing in Indonesia, since the ancient times the village head or kuwu was generally chosen through recommendations from the village community. Thus, it can be interpreted that the general election for regional heads is a form of refinement and preservation of the wisdom of the ancestors of the Indonesian nation.¹²

Another reason that makes regional head elections something that cannot be denied in Indonesia is because of the spirit of eradicating collusion and nepotism practices that often occur during the New Order. During the

¹⁰ Johny Ibrahim, *Teori Dan Metodologi Penelitian Hukum Normatif*, Bayumedia, Surabaya, 2008, page.294

¹¹ Peter Mahmud Marzuki, Penelitian Hukum, Prenada Media Group, Jakarta, 2009, page.97

¹² Neneng Yani Yuningsih, Demokrasi Dalam Pemilihan Kepala Desa? Studi Kasus Desa Dengan Tipologi Tradisional, Transisional Dan Modren Di Provinsi Jawa Barat Tahun 2008-2013, *Jurnal Politik*, Volume 1 no. 2 (2016), page. 238.

New Order, the practice of collusion and nepotism often occurred in the appointment of regional heads. People who are close to the authorities or who have certain institutional backgrounds can easily occupy positions as governors, regents and or mayors.

The Indonesian people do not want damage to the government bureaucracy just because people who are not worthy to occupy the position of regional head, are appointed as heads only because of their closeness, kinship, or are colleagues of the authorities. In the course of the election mechanism underwent a change from indirect elections to direct elections. This dynamic is motivated by various reasons such as the 'affair' of the people's representatives (DPRD) with the candidates for Regent/Mayor/Governor which has an impact on political corruption and opaque accountability because the conspiracy of the political elite negates transparency but instead enriches money politics. This is possible because it is the DPRD that elects regional heads. This reason became the peak of dissatisfaction with the implementation of indirect elections. Thus there is a change from Act No. 22 of 1999 was replaced by Act No. 32 of 2004 which regulates local elections directly.¹³

In addition, the implementation of regional head elections is the implementation of the mandate of Article 18 of the 1945 Constitution which divides the Unitary State of the Republic of Indonesia into regional areas. As previously explained, each province is divided into districts and cities. Provinces and districts/cities have their own regional governments. The division of the country's territory into regions is regulated by a regional government according to the principles of autonomy and assistance tasks. Regional governments exercise the widest possible autonomy except for government affairs which are determined by law to be the affairs of the central government. However, although this autonomy can be analogized as regional independence in governing and shaping policies in developing and managing finances, this autonomy remains at a limit that does not exceed the authority of the central government which delegates affairs to the regions. Due to the great authority of the regional head who becomes the leader of an autonomous region, the contestation of the regional head election is in demand by many candidates for election. Therefore, the central government through the House of Representatives stipulates the conditions that control the number of participants in the regional head election into the regional head election law. These conditions include:

- a. For election contestants promoted by political parties or coalitions of political parties, the political parties or coalitions of political parties must have 20 percent of the votes in the DPRD or 25% of the accumulated valid votes during the legislative elections;
- b. Candidates for election participants who come from independent channels must get support from the community as evidenced by the submission of photocopies of supporting ID cards with varying amounts depending on the number of permanent voter lists (DPT) in the area.

¹³ Suyatno, Pemilihan Kepala Daerah (Pilkada) dan Tantangan Demokrasi Lokal di Indonesia, *Politik Indonesia Indonesian Political Science Review*, Vol.1 No 2 2016, page.212-230

Starting from 10 percent of the total DPT (Total DPT 0-2 million); 8.5 percent of the total DPT (Total DPT 2-6 million); 7.5 percent of the total DPT (Total DPT 6-12 million); and 6.5 percent of the total DPT (the number of DPT is more than 12 million).

The determination of the threshold for prospective voters is a form of control carried out by the central government so that the post-conflict local election participants are not too excessive so that it can cause widespread potential for riots.

2. Forms Of Abuse Conducted By The Regional Head General Election Participants During Covid-19 Pandemic

The implementation of direct Regional Head Elections (*Pilkada*) has become part of the Indonesian people. This election is the fruit of reform. The community can determine their own regional head according to their aspirations. The mechanism for selecting regional heads has pros and cons between direct and indirect. This is considering the positive and negative impacts of the mechanism.¹⁴

The main value to be achieved from direct local elections is the realization of democracy which places the highest power in the hands of the people. Affan Gaffar said that normatively, democracy is something that is ideally to be carried out or implemented by a country, while empirically democracy is in the realization of practical political life.¹⁵

The implementation of the *Pilkada* is a manifestation of the dynamics of democracy that gave rise to polemics when it was held in the midst of Covid-19, this became a separate problem that needed a special space. Because there will be many points of view from various layers of society who agree by continuing to conduct general elections or also those who disagree. Sarjan in his research argues that responding to the postponement of several stages of regional elections during the Covid-19 pandemic can cause various impacts in its implementation, both positive and negative. The positive impact, for example, is that this postponement provides space for independent candidates to prepare support requirements as individual candidates. Political parties can also relatively relax in carrying out the process of recruiting regional head candidates. The problem is, the positive impact is not too significant considering the grace period for changing the implementation schedule is only shifted by three months, from September 23 to December 9 2020. This schedule change is considered forced considering the increase in the number of Covid-19 positive cases have not been sloping and over.¹⁶

In the midst of the Covid-19 pandemic situation, it is still relevant to build an indirect election option. Apart from being both democratic in

¹⁴ Teten jamaludin, Pilkada Langsung: Kisah Sukses dan Problematika, *JPW Jurnal Politik Walisongo*, Vol 1, No 1 2019, page.29-48

¹⁵ Afan Gaffar, *Politik Indonesia, Transisi Menuju Demokrasi*, Pustaka Pelajar, Yogyakarta, 2000, page.79

¹⁶ Sarjan, Kemal AL Kindi Mulya, Siti Chadijah, Problematika dan Teknis Penyelengaraan Pemilihan Kepala Daerah Pada Masa Pandemi Covid-19, *Rechtsregel Jurnal Ilmu Hukum*, Vol 3, No. 1 August 2020, page.59-76

accordance with the 1945 Constitution and encouraging the development of regional autonomy, this system has several advantages. This system is considered more effective and efficient, because the method of selection is simple. Although simple, the process carried out is quite strict, one of which is a public testing mechanism by experts/experts as well as regional figures. This is all done to ensure and realize regional heads with high quality and integrity. Then, this system tends to be more cost-effective because it does not need to print a lot of paper ballots and high logistics and operational costs. The high costs that were originally for direct elections, can be allocated for regional development and can be used to suppress the spread of Covid-19.¹⁷

Based on the urgent situation for the realization of a stable democracy, the President of the Republic of Indonesia officially issued Government Regulation in Lieu of Law (Perpu) Number 2 of 2020 concerning the Third Amendment to Act No. 1 of 2015 concerning Stipulation of Government Regulation in Lieu of Act No. 1 of 2014 concerning the Election of Governors, Regents, and Mayors into Law signed on May 4, 20204. This Perpu automatically becomes the legal umbrella for the implementation of simultaneous regional elections. Several stages that had been postponed will be able to be re-implemented with a derivative regulation, namely the KPU regulation. This means that the Pilkada will continue to run in the midst of the new normal era, side by side with the Covid-19 outbreak.¹⁸ The Indonesian Government's decision to continue to carry out the simultaneous Regional Head Election (Pilkada) process in the midst of the Covid-19 Pandemic has resulted in a lot of contra attitudes from various groups along with stipulating the obligations of election participants related to regional head election rules.

The following are the obligations for election participants, political parties and election participants related to the rules for the regional head election during the covid-19 pandemic as stated in Article 58 of the General Election Commission Regulation Number 13 of 2020:

- Political Parties or Coalition of Political Parties, Candidates Couple, Campaign Team, and / or other parties put Campaigns method unlimited meetings and face to face meetings and dialogue as referred to in Article 57 letters a and b is done through Social Media and Online Media;
- b. In the case of restricted meetings and face to face meetings and dialogue as referred to in paragraph (1) shall be made through Social Media and Online Media, unlimited meetings and face to face meetings and dialogues conducted under the following conditions:
 - 1) carried out in a room or building;
 - 2) Limit the total number of participants present to a maximum of 50 (fifty) people and take into account maintaining a distance of at least

¹⁷ Richard Kennedy, Bonaventura, Pradana Suhendarto, Diskursus Hukum: Alternatif Pola Pengisian Jabatan Kepala Daerah di Masa Pandemi Covid-19, *Jurnal Pembangunan Hukum Indonesia*, Vol 2 No. 2 2020, page.188-204

¹⁸ Sri Husnulwati, Tinjauan Hukum Terkait Kampanye Pilkada Ditengah Pandemi Covid-19, *Solusi*, Vol19 No1 2021, page.67-76

1 (one) meter between Campaign participants as referred to in Article 6 and Article 9, and Campaign participants can participate through Social Media and Online Media;

- 3) Must use personal protective equipment at least in the form of a mask that covers the nose and mouth to the chin;
- 4) Provide adequate sanitation facilities at the place where activities are carried out at least in the form of hand washing facilities with running water and soap, and/or alcohol-based antiseptic liquid (handsanitizer); and
- 5) Shall comply with the provisions on the status of the handling of Corona Virus Disease 2019 (Covid-19) in the area of Advanced Unison local Elections are set by local governments and / or Task Forces to Accelerate Handling Corona Virus Disease 2019 (Covid-19).

Violations committed by election participants during the Covid-19 pandemic are generally a form of disobedience or violation of health protocols and obligations regulated in Article 58 of the General Election Commission Regulation Number 13 of 2020. Generally, violations that occur are caused by crowds who do not keep their distance. , imperfect use of masks and lack of facilities for washing hands.

In addition, classic problems related to election violations that occurred at the simultaneous regional elections in 2020 were money politics and black campaign issues. However, it is very unfortunate that until now it is still quite difficult to impose sanctions on election participants, this is because election participants have reasons for self-defense, if there are individuals suspected of being a team of election participants who commit violations such as money politics and blackmail. campaign, election participants will deny it (in general the perpetrators caught carrying out money politics and black campaigns are parties who are not registered in the winning team or political parties so that even though the perpetrators distribute money or basic necessities, which in the basic food items or money envelopes are pictures of voters or the serial number of the election participants, it is very difficult to prove that the activities carried out by the perpetrators were activities that were indeed carried out by the perpetrators on orders from the election participants).

Regarding the violation of health protocols, if there is a crowd that does not keep their distance and is crowded, election participants and the election participant team and the supporting party will argue that they have socialized and reminded campaign participants not to crowd and keep their distance. This causes *Bawaslu* to only give written sanctions to election participants who commit violations in the post-conflict local election.

D. CONCLUSION

The contestation of the regional head general election is in demand by many candidates for election. Therefore, the central government through the House of Representatives stipulates the conditions that control the number of participants in the regional head election into the regional head election law. The determination of the threshold for prospective voter participants is a form of control carried out by the central government so that the post-conflict local election participants are not too excessive so that it can cause widespread potential for unrest and maintain the honor of a dignified post-conflict local election. It is very difficult for *Bawaslu* to prove and impose sanctions for election participants who violate the regional head elections because the regional head election campaign activities involve a massive number of people, making it difficult to list people who do have relationships with election participants or work on orders from the electorate

BLIBIOGRAPHY

Books :

- Aditya Perdana et all, 2018, *Pembiayaan Pemilu Di Indonesia, Bawaslu* Republik Indonesia, Jakarta Pusat;
- Afan Gaffar, 2000, *Politik Indonesia, Transisi Menuju Demokrasi*, Pustaka Pelajar, Yogyakarta;
- Didik Supriyanto et all., 2015, *Dana Kampanye Pilkada: Pengaturan Teknis Tentang Sumbangan, Pengeluaran, dan Pelaporan Berdasarkan UU No 1/2015 Juncto UU No 8/2015*, Yayasan Perludem, Jakarta Selatan;
- Johny Ibrahim, 2008, *Teori Dan Metodologi Penelitian Hukum Normatif*, Bayumedia, Surabaya;
- Peter Mahmud Marzuki, 2009, *Penelitian Hukum*, Prenada Media Group, Jakarta.

Journals :

- Alim Syaiful Fuad dan Ade Palupi, Institusionalisasi Pelaporan Dana Kampanye *Pemilu* Kepala Daerah *Jurnal Riset Dan Aplikasi: Akuntansi Dan Manajemen*, Vol 3 no. 1 2018;
- Diansasi Proborini, Analisis Aspek Diplomasi Kultural Dalam Ekspedisi Pamalayu, 1275-1294 M, *Jurnal Analisis Hubungan Internasional*, Volume 6 no. 2 2017;
- La Ode Suprianto et all., Persepsi Masyarakat Terhadap Politik Uang Pada Pilkada Serentak (Studi Di Desa Ronta Kecamatan Bonegunu Kabupaten Buton Utara), *Jurnal Neo Societal*, Vol 2 no. 1 2017;
- Neneng Yani Yuningsih, Demokrasi Dalam Pemilihan Kepala Desa? Studi Kasus Desa Dengan Tipologi Tradisional, Transisional Dan Modren Di Provinsi Jawa Barat Tahun 2008-2013, *Jurnal Politik*, Vol 1 no. 2 2016;
- Richard Kennedy, Bonaventura, Pradana Suhendarto, Diskursus Hukum: Alternatif Pola Pengisian Jabatan Kepala Daerah di Masa Pandemi Covid-19, *Jurnal Pembangunan Hukum Indonesia*, Vol 2 No. 2 2020;

- Saafroedin Bahar, Sindrom Sumpah Palapa Versus Kebanggaan Etnik: Sebuah Eksplanasi Teoritikal Terhadap Kebijakan Penanggulangan Pemberontakan Daerah, *Jurnal Ketahanan Nasional*, Volume XIII no. 2 2008;
- Sarjan, Kemal AL Kindi Mulya, Siti Chadijah, Problematika dan Teknis Penyelengaraan Pemilihan Kepala Daerah Pada Masa Pandemi Covid-19, *Rechtsregel Jurnal Ilmu Hukum*, Vol 3, No. 1 August 2020;
- Sri Husnulwati, Tinjauan Hukum Terkait Kampanye *Pilkada* Ditengah Pandemi Covid-19, *Solusi*, Vol.19 No1 2021;
- Sri Kusriyah, Politik Hukum Penyelenggaraan Otonomi Daerah Dalam Perspektif Negara Kesatuan Republik Indonesia, *Jurnal Pembaharuan Hukum*, Vol III No. 1 2016;
- Suyatno, Pemilihan Kepala Daerah (*Pilkada*) dan Tantangan Demokrasi Lokal di Indonesia, *Politik Indonesia Indonesian Political Science Review*, Vol.1 No 2 2016;
- Teten jamaludin, *Pilkada* Langsung: Kisah Sukses dan Problematika, *JPW Jurnal Politik Walisongo*, Vol 1, No 1 2019;