

The Election Governance Drafting a Special Voter List of Elections in 2019 in Indragiri Hulu Regency

Tata Kelola Pemilu Penyusunan Daftar Pemilih Khusus Pemilu Tahun 2019 di Kabupaten Indragiri Hulu



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ARTICLE INFORMATION	
<p>Keywords <i>Special Voters List;</i> <i>Election;</i> <i>Indragiri Hulu Regency;</i></p>	<p>ABSTRACT The preparation of the electoral register is a problem in every election. One of the problems that often arises in the form of the number of eligible voters but not registered in the list of permanent voters. This is evident in the large number of voters of resident identity card users who are registered in the special voter list. This research aims to analyze the problem of special voter list of the 2019 election in Indragiri Hulu Regency, Riau Province. In this study, researchers used an election governance perspective consisting of three stages, namely the stages of rule making, rule implementation, and rule adjudication. This research uses a qualitative approach with case study methods. The results showed that based on the perspective of election governance, the contributing factor to the large number of special voter lists for the 2019 election in Indragiri Hulu regency was at three stages of election governance. At the rule-making stage, in the form of implications of several policies taken by actors involved in the drafting of the rules. At the stage of implementation of the rules, in the form of the implementation of voter list preparation activities in Indragiri Hulu Regency which is not good. While the stage of adjudication rules in the form of non-accommodating recommendations of the Indragiri Hulu District Election Supervisory Agency related to special voters. There are two factors that are at the root of the problem of the large number of special voters. The root of the problem related to special voters who have not been registered on the Permanent Voter List, due to the non-implementation of matching and re-research of voters at the stage of updating the voter list. While the root of the problem related to special voters who have been registered on the permanent voter list, due to the difference in the maximum number of voters per polling place in elections and elections, so it must be re-mapping polling stations.</p>
<p>Kata Kunci Daftar Pemilih Khusus; Kabupaten Indragiri Hulu; Pemilu.</p>	<p>Penyusunan daftar pemilih senantiasa menjadi permasalahan dalam setiap pelaksanaan pemilu. Salah satu permasalahan yang kerap muncul berupa banyaknya pemilih yang memenuhi syarat tetapi tidak terdaftar dalam daftar pemilih tetap. Hal itu tampak pada banyaknya pemilih pengguna kartu identitas kependudukan yang terdaftar dalam daftar pemilih khusus. Penelitian ini bertujuan untuk menganalisis permasalahan daftar pemilih khusus</p>

	<p>Pemilu Tahun 2019 di Kabupaten Indragiri Hulu, Provinsi Riau. Dalam penelitian ini, peneliti menggunakan perspektif tata kelola pemilu yang terdiri dari tiga tahapan, yaitu tahapan pembuatan aturan, implementasi aturan, dan adjudikasi aturan. Penelitian ini menggunakan pendekatan kualitatif dengan metode studi kasus. Hasil penelitian menunjukkan bahwa berdasarkan perspektif tata kelola pemilu, faktor penyebab besarnya jumlah daftar pemilih khusus Pemilu Tahun 2019 di Kabupaten Indragiri Hulu ada pada tiga tahapan tata kelola pemilu. Pada tahapan pembuatan aturan, berupa implikasi dari beberapa kebijakan yang diambil oleh aktor yang terlibat dalam penyusunan aturan. Pada tahapan implementasi aturan, berupa pelaksanaan kegiatan penyusunan daftar pemilih di Kabupaten Indragiri Hulu yang kurang baik. Sedangkan tahapan adjudikasi aturan berupa tidak terakomodirnya rekomendasi Bawaslu Kabupaten Indragiri Hulu terkait pemilih DPK. Terdapat dua faktor yang menjadi akar masalah besarnya jumlah pemilih DPK. Akar masalah terkait pemilih DPK yang belum terdaftar di DPT, akibat tidak dilaksanakannya cokolit ulang pemilih pada tahapan pemutakhiran daftar pemilih. Sedangkan akar masalah terkait pemilih DPK yang sudah terdaftar di DPT, akibat perbedaan jumlah maksimal pemilih per TPS di pemilu dan pilkada, sehingga harus dilaksanakan pemetaan ulang TPS.</p>
<p>Article History Send 7th July 2021 Review 9th December 2021 Accepted 6th January 2022</p>	<p>Copyright ©2022 Jurnal Aristo (Social, Politic, Humaniora) This is an open access article under the CC-BY-NC-SA license. Akses artikel terbuka dengan model CC-BY-NC-SA sebagai lisensinya.</p> 

Introduction

Protection against the use of political rights of Indonesian citizens has been regulated in the 1945 Constitution, especially the right of citizens to vote (right to vote). A number of provisions are referred to including, Article 27 paragraph (1) of the 1945 Constitution mentioned that all citizens simultaneously have their position in law and government, and are obliged to uphold the law and government with no exception. Then Article 28D paragraph (1) states that everyone is entitled to fair legal recognition, guarantee, protection and certainty and equal treatment before the law. Of course no less important is the provisions of Article 28D paragraph (3) which reads that every citizen is entitled to equal opportunities in government. Some provisions in the constitution are enough to show how the state actually guarantees and protects the constitutional rights of citizens, especially related to the political right to vote in every direct democratic exercise (Simamora, 2013).

The right to vote is also listed in the International Covenant on Civil and Political Rights (ICCPR) which Indonesia has ratified through Law No. 12/2005 on the Ratification of the International Covenant on Civil and Political Rights. Article 25 of the ICCPR states that "Every citizen shall also have rights and freedoms, without any distinction as referred to in Article 2 and without unreasonable restrictions: (a) participate in the conduct of government affairs, either directly or through freely elected representatives; (b) vote and be elected at regular elections that are honest, and with universal and equal suffrage, and conducted by secret ballot to ensure freedom of speech in expressing the will of the electorate; (c) Gain access to public services in his country on the basis of equality"

Elections are a logical consequence of the principle of democracy in the life of the nation and state. The basic principle of democratic state life is that every citizen has the right to participate actively in the political process (Bisariyadi et al., 2012). Within the framework of the importance of the election, there are fundamental problems about the issue of political participation. This is considering that the political participation of the people in elections is an integral part of holding elections in accordance with its direct principles, so it is very substantial related to the importance of people's political participation in the process of holding elections (Rahmawati, 2018).

Every eligible citizen must be registered as a voter to participate in the election. Technically, the form of voter guarantee to be able to exercise their voting rights is the availability of an accurate voter list. This is considering the requirement for voters to be able to exercise the right to vote is listed on the voter list. In other words, if the voter has been registered on the electoral register, then on the day of the vote they are guaranteed to be able

to exercise their voting rights. Similarly, if voters are not registered on the electoral roll, then they potentially lose their voting rights (Asy'ari, 2012).

The list of senantiansa voters becomes a problem in every implementation of elections in Indonesia. The problem is in the form of eligible but unregistered voters, double voters, unqualified voters who are still registered, as well as anomalous data. The Report of the Civil and Political Rights Investigation Team in the 2009 Legislative Elections by the National Human Rights Commission showed that about 25-40% of voters were disenfranchised because they were not on the electoral roll (Surbakti et al., 2011). In the 2014 election, there were several delays in the establishment of a permanent voter list by the Electoral Commission. This is inseparable from the insistence of various parties, especially the Election Supervisory Agency and political parties of election participants, so that the Election Commission can solve various issues regarding the permanent voter list. (Umasangadji et al., 2015). Likewise, in the 2019 Election, there were several improvements and improvements to the permanent voter list that has been established, due to recommendations and pressures from various parties, especially the Election Supervisory Agency and election participants.

The problem of voter lists in Indonesia, one of the efforts to overcome, especially to accommodate the suffrage of voters who have not been registered on the permanent voter list is in the form of a special voter list. In election regulation in Indonesia, special voters are eligible voters but are not registered on the permanent voter list. Such special voters can exercise their right to vote by showing their identity cards to polling group officers on polling day at polling stations.

Although special voters can exercise their right to vote, under the Commission of Elections Regulation No. 3 of 2019, there are three restrictions for special voters to exercise their right to vote. The first such restriction of voting can only be done at a polling station located in RT / RW or other designations in accordance with the address stated in the electronic identity card or certificate, or the nearest polling place if in the appropriate RT / RW electronic identity card or certificate there is no polling place. Second, the use of voting rights is carried out an hour before voting at the polling station is completed. Third, voting can only be done if there are still ballots available. Based on these restrictions, in the implementation of elections in the future is not closed the possibility of special voters can not use their voting rights, if special voters remain with large numbers.

Law No. 7 of 2017 as well as Election Commission Regulation No. 3 of 2019, it has been regulated that the number of ballots printed and distributed to each polling place is only a certain number of permanent voter lists plus 2% (two percent) of the number of permanent

voter lists as a reserve. If at a polling station there is a special turnout of more than 2% of the number of permanent voters, and all voters remain at the polling station exercising their voting rights, then the ballots available at the polling station will not be sufficient for special voters. In Indragiri Hulu Regency, based on data received from the Indragiri Hulu District Election Commission, from 1,011 polling stations that contain special voters, 562 polling stations of which there are special voters whose number exceeds 2% of the number of permanent voter lists.

The implementation of updating and preparing voter lists carried out by the Election Commission, special voters from the holding of elections and newly implemented elections, becomes the material for the preparation of voter data and is set to be a permanent voter list for the next election or election. Thus, the number of special voters from the implementation of elections to the next election should decrease. If special voters still exist with large numbers, it certainly raises the question of how the Electoral Commission performs in updating and compiling voter lists. It can also give a negative stigma to the Electoral Commission, because with the still high number of special voters, it can be considered a form of failure of the Electoral Commission in updating and compiling voter lists.

The number of special voters for the 2019 election in Indragiri Hulu-Riau regency appears to be a problem. This can be seen in the following table:

Table 1. Recapitulation of Voters of Population Identity Users from the 2014 Election to the 2019 Election in Indragiri Hulu Regency

Election	Voter Turnout of population identity users		
	Male	Female	Total
Legislative Elections of 2014	6.141	5.795	11.936
Presidential and Vice Presidential Elections in 2014	3.686	3.268	6.954
Election of Regent and Deputy Regent of Indragiri Hulu in 2015	2.171	2.076	4.247
Election of Governor and Deputy Governor of Riau in 2018	918	810	1.728
General Election of 2019	5.794	6.005	11.799

data source: Indragiri Hulu District Election Commission 2021

From the data above, it can be seen that the number of special voters for the 2019 Election in Indragiri Hulu Regency is almost the same as the number of special voters in the 2014 election. In fact, the number of special voters experienced a very large increase from the implementation of the previous election in 2018.

The stage of preparing the 2019 Election voter list, starting from the update stage in March to the determination of the permanent voter list in August 2018. Although the permanent

voter list has been established, there are still three improvements and refinements to the permanent voter list until April 2019, just days ahead of the vote on April 17, 2019. Of course, with the length of the stages carried out until these improvements and refinements, the fixed voter list set can be comprehensive, accurate, and up-to-date. But in fact, on polling day in Indragiri Hulu Regency there are still many voters who use their voting rights as special voters.

Based on the above, researchers assess that research on the large number of special voters in the 2019 election is important to do. Because, with this research, it is expected to be able to find the root of the problem, so as to overcome the problem of updating the voter list, especially voters who are not registered on the permanent voter list so that they must be registered as special voters by using the identity of the population on polling day. The assumption of researchers, the factor causing the large number of special voters in Indragiri Hulu Regency in the 2019 Election was due to the lack of good election governance of the preparation of voter lists.

Electoral governance is interpreted as a set of rules and institutions that frame electoral contests, electoral governance has been overlooked as a variable in the study of democratic transition and consolidation, as most research focuses on normative issues such as government systems and election formulas. Electoral governance is broader than the activities that create and maintain the institutional framework within which electoral votes and competitions take place. Election governance consists of 3 levels, namely rule making, rule application, and rule adjudication (Mozaffar & Schedler, 2002).

The level of rule making in the preparation of voter lists involves the process of making rules, the actors involved, what is proposed, as well as what rules or policies are generated relating to the preparation of voter lists. The rules that are used as a review are the Election Act, as well as the Election Commission Regulations relating to it as derivative rules. Level rule application, including the implementation of regulations and management of elections, especially about the preparation of voter lists. How to implement each existing regulation, and whether the election organizer has carried out its duties as appropriate. Furthermore, the level of rule adjudication, which is the resolution of problems that occur in the process of preparing voter lists. The review that is seen and analyzed is the completion of complaints, reports, and recommendations related to the process of preparing voter list activities.

Reviewing previous research, there are several studies that discuss the issue of voter lists. From several studies on voter list updates that have been done, the researchers say that human resources and budgets are the most important factors in creating a list of qualified voters. (Rahim, 2013; Mahendra et al., 2018; Umasangadji et al., 2015; Golonggom et al., 2016; Muda,

2011; Subkhi, 2020). Another finding from previous research, that the problem of preparing voter lists is caused by the weak voter data application system of the Electoral Commission (Zairudin, 2021; Juliansyah, 2011). In addition, other research says that the problem of preparing voter lists related to the process of issuing electronic identity cards as a condition of voters (Ulum et al., 2018; Risdiana Izzaty, 2019; Ardilla & Asrinaldi, 2019; Putra, 2017; Mulyaningsih & Hertanto, 2020).

Based on the research above, it seems so complex the problem of preparing voter lists both elections and elections. However, researchers assess that the causative factors have not created a list of qualified voters, especially eligible voters not registered on the permanent voter list, not only limited to human resource factors, budgets and electronic identity card requirements only. Other factors are certainly also very influential, can even be a major factor. Factors that can affect, not only arise from the time span of the stages of preparing the voter list, but from the entire process related to it, such as rule making, the implementation of stages, and problems and disputes that arise in the process of preparing voter lists until the day of voting. For that, it is necessary to conduct research on the causes of the large number of special voters, as a benchmark against voters who are not registered on the permanent voter list.

Research on special voters has also been conducted. Research among them (Faridhi, 2019; Pasaribu & Sumadinata, 2018; Nurush Shobahah, 2020; and Hidayatulloh, 2018). The above research states that the use of resident identity (ID card and certificate) for voters who are not registered on the permanent voter list to vote at the polls, can result in fraud such as voter mobilization. Although it raises the theme of special voters, but to the knowledge of the authors of existing studies only limited to the implementation of election activities by special voters at polling stations on polling day, and has not reviewed specifically what factors cause the large number of special voter lists in the implementation of elections or elections. Therefore, it is interesting to be studied and examined more deeply related to the factors that cause the large number of special voter lists of 2019 elections in Indragiri Hulu Regency.

This article focuses on discussing the factors that cause the large number of special voter lists for the 2019 election with research locations in Indragiri Hulu Regency. The theory review used in this study is three levels of electoral governance, namely level rule making, rule application, and rule adjudication (Mozaffar & Schedler, 2002). In addition to aiming to overcome the problem of special voter lists in the next election, this study is also to fill the vacancy of a study on special voter lists that has not been done by many previous researchers.

Method

The approach used in this research is qualitative with case study methods. The type of case study used is an instrumental case study. The types of data used are primary data and secondary data. Data collection techniques are done in three ways, namely in-depth interviews, documentation, and archival recordings. The technique of selecting informants is carried out purposively, addressed to those who know and are directly involved in the process of updating and preparing voter lists, as well as the voting process. The research informant consists of election organizers, the Office of Population and Civil Registration, and special voters.

This research uses technical data analysis, namely: pattern-taking, explanatory creation, and time series analysis. Pattern dating is bringing together, or matching, or comparing ideas/ideas on findings in research with literature. The creation of explanations is looking for the relationship of phenomena with other phenomena. This relationship is then interpreted with the researcher's ideas derived from literature. The analysis of the time series is to find the fulfillment of the process of phenomena. This is based on the assumption that an event occurs in time (Robert K. Yin, 2015). The data validity test is done by triangulation. According to triangulation techniques, information must be collected or sought from different sources so as not to bias a group (Afrizal, 2014). The research location is Indragiri Hulu Regency, Riau Province.

Results and Discussion

Rule Making the Preparation of Electoral Voter Lists in 2019

At the level of rule making, that election governance also involves the design of institutions that determine the basic framework of democratic elections. Election competitions and election organization rules configure this framework (Mozaffar & Schedler, 2002). The basic framework for holding elections in 2019 is Law No. 7 of 2017 on General Elections. While the derivative rules governing the technical implementation of the preparation of the 2019 Election voter list are the Election Commission Regulation No. 11 of 2018 on the Preparation of Voter Lists in the Country in the Holding of General Elections, as well as the Regulation of the General Election Commission Number 3 of 2019 on Voting and Counting of Votes in General Elections, which regulates the registration of special voters.

The main actor in the drafting of Law 7 of 2017 is the Government together with the House of Representatives of the Republic of Indonesia. This is in accordance with Law No. 12 of 2011 concerning the Establishment of Laws and Regulations. The stage of drafting this Law starts from the planning stage through a national legislation program by the House of

Representatives and the Government. After the planning stage, continued with the stages of drafting, discussion and ratification of the Plan of Law, promulgation, and dissemination (Zuhri, 2019). Furthermore, the actor in the drafting of the rules of the Election Commission Regulation No. 11 of 2018 and Number 3 of 2019 is the Election Commission.

Related to rule making, researchers have interviewed members of the Indragiri Hulu District Election Commission Of Planning, Data, and Information Division. The results of the interview are as follows:

“One of the factors causing the number of eligible voters has not been registered on the permanent voter list so as to use their voting rights using the ID card as a special voter, namely the rules in the Election Commission Regulation No. 11 of 2018 which stipulates that for regions that carry out the 2018 Election, the 2018 Election Permanent Voter List is immediately set to become a provisional electoral register for the 2019 Election. This means that we do not do matching and research activities. While matching and research activities are data update activities based on real conditions in the field. In addition, additions to the recording process of ID cards and recording certificates in the population and civil registration office are likely to continue to grow” (Dwi Apriansyah Indra, 2020).

The same thing was also expressed by members of the Election Supervisory Board of Indragiri Hulu Division of Supervision and Inter-Agency Relations, as follows:

“The rules regarding the non-matching and research at the stage of preparing the 2019 Election voter list greatly affect the number of voters who are not registered on the permanent voter list. The effect on voters who are already 17 years old, we don't know if they're registered or not. In addition to 17-year-old voters, also voters who moved domicile and have taken care of new identities are also very influential. Voters who have not registered in the 2018 election are also still many. If done matching and research again of course this voter list is increasingly accurate and up-to-date” (Mulyanto, 2020).

In connection with the process of recording and issuing electronic identity cards and the issuance of recording certificates is the authority of the Office of Population and Civil Registration, an interview was conducted with the Head of Population Registration of the Population and Civil Registry Office of Indragiri Hulu Regency, with the following results:

“When there are elections or elections, the holiday time is open for the process of recording id cards until polling day. Our efforts, all residents who have recorded but have not been issued his ID immediately we print, so that on the day of the vote, maybe he is not registered on the permanent voter list, he can exercise his voting rights with a identity card and his rights are not lost. In fact, ahead of polling day if anyone does the recording and his ID card can not be issued, we issue a recording certificate, so that the person concerned does not lose his or her voting rights” (Amirzan, 2020).

Based on the data above, it can be seen that at the level of rule making there are two factors that cause the large number of special voter lists. These factors are related to the addition

of voter registration identity requirements, and the elimination of matching activities and voter data research.

Addition of Voter Identity Requirements

In Law 7 of 2017 that has been established, the requirement to be registered as a voter, in addition to being 17 years old or already / ever married, voters are also required to have an electronic identity card. That is, electronic identity cards become a single identity requirement for voters to be registered as voters and exercise their voting rights. The requirement of electronic identity card to be a single identity in electoral voter registration has been valid since the implementation of the 2014 election based on Law 8 of 2012. The rule does not undergo changes to the drafting until the passage of Bill 7 of 2017.

Although there has been no change, the rules have been retested by the Association for Elections and Democracy against Article 348 paragraph (9) of Law 7 of 2017 which regulates the requirements of population identity that can be used to exercise suffrage. Judicial review is conducted to certify identities other than electronic identity cards to be able to become a requirement for voter registration in elections. The judicial review results, in the Constitutional Court Decision No. 20/PUU-XVII/2019, it was decided that the phrase "electronic identity card" in Article 348 paragraph (9) of Law 7 of 2017 is contrary to the 1945 Constitution and has no conditional binding legal force as long as it is not interpreted "including the recording certificate of electronic identity card issued by the population service and civil records or other similar agencies that are not Have the authority for it".

The constitutional court's decision was published on March 28, 2019, after the stage of drafting the electoral register by the electoral commission, even just days before the April 17, 2019 vote. The impact, for residents who have recorded and have not issued an electronic identity card by the Office of Population and Civil Registration, can exercise their voting rights on the day of the vote by using the recording certificate as a special voter. The results of field research are known that for special voters who register on polling day, not only use an electronic identity card, but also with a recording certificate.

The problem of using certificates in lieu of ID cards has also been found in previous research. In the study it was stated that the use of certificates in lieu of ID cards was obtained a considerable amount during the Pekanbaru City Election in 2017, and the certificate used in lieu of identity cards was given not to attach photos as contained in the identity card that has the potential to cause fraud in the implementation of elections (Faridhi, 2019).

From the process of implementing the rule making stage of Law 7 of 2017, it appears that actors who play a role in making the rules for the preparation of voter lists in Bill 7 of 2017 are not only from the Government and the House of Representatives. Other actors who are also involved and play a role in the previously established rule changes are the Association for Elections and Democracy as a civil society, and the Constitutional Court as a Judicial Institution.

Elimination of Matching Activities and Voter Data Research

In Article 57 paragraph (1) and (2) of the Election Commission Regulation No. 11 of 2018 compiled by the Election Commission, it is explained that for the district / city Election Commission that carries out the 2018 Election, the matching activities and voter research are eliminated. For the update of voter data, it is set that the 2018 Election permanent voter list is immediately set to be a provisional voter list of the 2019 Election. Related to that, the results of an interview with Viryan Azis, Commissioner of the Electoral Commission, Chairman of the Data and Information Division as follows:

“The consideration of the Election Commission takes the policy, because if matching and research is carried out, then the 2018 Simultaneous Election permanent voter list must be re-mapping, while the matching and research stages of the 2019 Election have passed. If matching and research is carried out, it is considered inefficiencies and inefficiencies, because the new elections are carried out, and the stages intersect”(Aziz, 2020).

Indragiri Hulu Regency Election Commission is one of the District Election Commissions that conducted the Riau Governor Election in 2018. Based on the Regulation of the Election Commission No. 2 of 2018, the matching and research stages of the 2018 Election voters were held from January 20 to February 18, 2018. Meanwhile, based on election commission regulation No. 7 of 2017, the matching and election research stages were held from April 17 to May 16, 2018. Because there is no matching and election research, the electoral register remains directly designated as a provisional voter list of the 2019 election on June 17, 2018, and there is a period of four months from the implementation of matching and election research. The impact of the policy, based on the results of interviews with the Commissioner of the Indragiri Hulu District Election Commission and Members of the Election Supervisory Board of Indragiri Hulu Regency, it is known that the non-implementation of matching and research for the 2019 Election in Indragiri Hulu Regency greatly affects the large number of voters who are not registered on the permanent voter list.

The election process has many phases: including the process of designing and designing election legislation, recruiting and training staff, planning, voter registration, political party registration, party and candidate candidacy, campaign period, voting, vote counting, tabulating of counting results, drafting election results, resolving disputes, making reports, audits, and archiving. Once one election process is complete, it would be ideal for organizers to immediately work on preparing for the next election process (Wall et al., 2016). To achieve quality elections, of course, all phases must be carried out properly. If one phase is not implemented properly or not implemented, it will interfere or affect the process of implementing the next phase, even to the results of elections.

The stages of preparing the voter list, also consist of several phases, including initial data reception, data synchronization, matching and research and updating, drafting and assigning temporary voter lists, announcements, improvements, to the determination of permanent voter lists. With the lack of good or not doing one phase of the above activities, it has an impact on the results of the set voter list. The results of previous research also stated that updating voter data still has problems caused by the Electoral Commission has not been effective in conducting matching and research data (matching and research) factually, thus impacting the loss of constitutional rights of the community, the difficulty of calculating the cost budget and the availability of ballots (Nasution, 2020).

Based on the description above, it can be concluded that the factors that cause the large number of special voter lists for the 2019 Election in Indragiri Hulu Regency are at the level of rule making. This factor is the addition of certificates as voter requirements, as well as the absence of matching and re-research of voters for the 2019 Election.

Rule Application drafting the 2019 election voter list

The rule application for the preparation of the 2019 Election voter list in Indragiri Hulu Regency consists of two indicators. The indicator is the implementation of the stages of the selection and determination activities (provisional voter list, provisional voter list of improvement results, and permanent voter list), as well as special voter registration after the determination of the permanent voter list until the day of the vote.

Stages of Drafting and Determining Voter Lists

The stage of preparing a voter list is carried out to register unregistered voters, remove ineligible voters, and correct anomalous data. The stages start from the preparation of a provisional voter list, temporary voter list of improvement results, and permanent voter list. In

each implementation of these activities, based on data received from the Indragiri Hulu District Election Commission, it appears that the results of the findings of unregistered voters are not so significant when compared to the large number of special voters on polling day, which reflects voters have not been registered on the permanent voter list.

Based on data obtained from the Indragiri Hulu District Election Commission related to the findings of new voters on the activities of preparing voter lists, that at the stage of the provisional voter list there were no new voters found due to the absence of matching activities and voter research. The findings of new voters in the implementation of the stages of preparing voter lists ranging from provisional voter list results improvement to the determination of the permanent voter list only amounted to 4,089 voters, consisting of 1,906 voters at the stage of the provisional voter list of the results of improvement, and 4,089 at the stage of the permanent voter list. While on the day of the vote, the number of special voters was known as many as 11,799 voters.

The implementation of the stages of drafting and establishing a provisional voter list until the determination of the permanent voter list, there are several activities carried out by the Indragiri Hulu District Election Commission and its ranks. These activities are in the form of printing and announcing voter lists, processing voter data, and determining voter lists. In this activity, there are several problems that cause a large number of special voters in Indragiri Hulu Regency.

The first problem occurs at the stage of input and community response. This stage of activity was carried out after the District Election Commission established and weakened the constitution of the provisional voter list, provisional voter list of improvement results, and the voter list remained in a strategic place in the area of the polling station, and the local village / village office. The announcement aims to get active voters to provide input and responses if he or his family has not been registered on the electoral roll. On the subject, researchers have interviewed several special voter informants as follows:

“I don't know why my name and my son have not been registered on the permanent voter list since the 2018 election. When the election we chose to use the ID card. I did not report to the officer, because I know I can use a ID card also in the 2019 election” (Nurleli, 2020).

As a result of interviews with members of the Voting Committee as follows:

“The voting committee of voter registration time does not take to the field, its nature awaits. At that time we did not do matching and research. So our hope is certainly with the community's response. That's why we're announcing the electoral roll. We only observe if anyone dies, doubles, or moves it we remove. But if the voters are not

registered, from the community report. But few people saw the announcement. Who reports only a little. He only reports on polling day at the polling station” (Muzdalifah, 2020)

Likewise with the results of interviews with informants of members of the General Election Commission of Indragiri Hulu Regency as follows:

“When we accept the constitution of the electoral register, the voter list we do a public test by accepting all input and responses from the public. There is a time span in the Election Commission regulations for voting committees to weaken the constitution of the voter list and receive input and responses. One factor is the attitude of public apathy towards the announcement of the electoral register itself. While what we expect is the pro-active community if he is not registered” (Dwi Apriansyah Indra, 2020)

Based on the results of interviews with several informants consisting of special voters, the Voting Committee and the Indragiri Hulu District Election Commission, it is known that voters are reluctant to actively see voter list announcements as well as provide reports or responses to organizers. Voters only expect active officers to go directly to voters (matching and research). Since there is no matching and research, they prefer to be special voters on polling day, rather than actively providing responses, to improvements in voter lists.

The main election organizing agency was formed to provide services to the voters. Not only the voters who can already vote, but also to the prospective voters. Given the many tasks that must be done by the election organizing agency to the voters, the election organizing institution must continue to provide information about their activities and programs to the voters (Wall et al., 2016).

The most responsible election organizing agency in the implementation of the stages of election activities is the Election Commission. One of the responsibilities of the Electoral Commission in this case is to register residents who have qualified as voters on the electoral roll. The public apathy related to the announcement of the voter list conducted by the Indragiri Hulu District Election Commission, reflects the lack of socialization carried out by the Indragiri Hulu District Election Commission to the community. If at the stage of preparing the voter list after the matching and research stages, the organizer is passive (just waiting for community responses and complaints), the Indragiri Hulu Election Commission and its ranks as organizers should be more active in providing massive socialization to the community. The socialization provided one of them is related to the importance of the community registered as voters in the permanent voter list, and invites the public to actively control the voter list.

Other problems in the stage of preparing the voter list, also occur in the process of processing the voter list. The problem is in the form of high levels of population migration in

Indragiri Hulu Regency. In election regulations in Indonesia, voters can only be registered as voters in accordance with the address listed on their resident identity (electronic identity card). This means that the principle used in the preparation of the electoral register is *de jure*. Thus, the level of mobilization or migration of the population in a region is very influential on the process of updating the voter list in the area. The results of interviews with informants from special voters as follows:

“Election Time 2018 I was registered on the permanent voter list Pematang Reba. In early November 2018 I moved my duties to Kuantan Singingi Regency. I thought that I was still registered on the REBA permanent voter list because my ID was still an address there, and could not register at Kuantan Singingi. On polling day, I returned to Pematang Reba with my family to exercise my right to vote. It turned out that after checking, our name was no longer on the permanent voter list. After reporting to the officer at the polling station, it is directed to choose using the ID card” (Erla Noval, 2020).

The results of interviews with voting committee members are as follows:

“In addition to being a voting committee, I am also an operator in the village and the holder of the village profile. So every month the whole RT has to have reports of residents coming in and out. Against the report of voters out, based on the certificate of moving from the village, then the voter list is also in the provisional voter list or temporary voter list the results of improvement are immediately crossed out with the description of the move domicile. Except when the permanent voter list is established” (Sudirman, 2020).

To further convince researchers of the problem of population mobilization, an interview was conducted with the Population and Civil Registration Office, with the following results:

“In the population rules, every resident who moves comes, must report themselves to us as the administrative administration agency of the population. From the report, we issued a moving certificate. The letter is the basis of the identity change in the ID card by the population and civil registration service of the destination. The number of voters who have moved but domicile in id cards is still the old domicile address, because indeed many residents who do not report related to moving activities, both reporting in the area of origin, or in the destination area. And that is indeed our problem in updating population data” (Amirzan, 2020).

Based on the results of interviews with research informants consisting of special voters, election organizers, as well as the Population and Civil Registration Office of Indragiri Hulu Regency, it is known that during the implementation of the 2019 Election, in Indragiri Hulu Regency there are still many residents who move and immigrants who do not or have not taken care of the renewal of their population identity. When preparing the voter list, the resident cannot be registered in the new area, while in the home area has been removed from the voter list, because it is considered to have moved domicile. As a result, on polling day, many

residents have moved their domicile back to their home regions to cast their votes as special voters. In addition, for those who have taken care of the latest identity address, many do not report to the election organizers to be registered with the permanent voter list, so to exercise their voting rights must be a special voter.

The process of population movement makes the principle *de jure* and *de facto* in the preparation of voter lists often a matter of voters and the voting committee as the officer who compiles the voter list. Problems arise against voters who come out (move domicile or work outside the area) from the voting committee's duty area, and have not /have not made a change of identity address on the electronic identity card. Related to that, the voting committee in the home region conducted a deletion on the voter list, while the voter concerned could not register in the new area, because the domicile address on the electronic identity card was still in the old area. This is also in accordance with the results of research that states that one of the obstacles in the validation of the electoral permanent voter list, namely the existence of people living in a place of domicile has been for many years but they still do not take care of their identity according to their domicile now (Sari et al., 2019).

No matter how the mechanism of collecting voter data is done, the most important thing that must be fulfilled is the principle of accuracy and credibility (Wall et al., 2016). In providing voter lists, the Electoral Commission works guided by comprehensive/inclusive, accurate, and up-to-date principles. The comprehensive principle is that the voter list is expected to contain all citizens of the Republic of Indonesia, both domestically and abroad, who have fulfilled the requirements as voters in order to be included in the voter list (Asy'ari, 2012).

One of the rule changes in Law 7 of 2017 on preliminary data used for updating voter data, which previously used the list of potential voters to be the last election permanent voter list to be updated on an ongoing basis, makes the Electoral Commission the provider agency and most responsible for the updating of the initial data used for the process of compiling electoral voter lists. list of potential voters who were originally the initial data, now only as comparison data or password data. Therefore, in carrying out updates on an ongoing basis, the Election Commission must establish intensive coordination with the Population and Civil Registration Office related to population migration data, as well as optimize Sidalih's role as a centralized and integrated application owned by the Election Commission.

Special Voter Registration Stages

Special voter registration stages are carried out in two activities. Firstly, the moment after the determination of the permanent voter list ahead of the vote by the Indragiri Hulu District Election Commission, the district election committee, and the voting committee, and secondly on the day of the vote to the voting organizing group officers of the polling station. The main requirement for voters to register as special voters, is if the person in question is not registered on the permanent voter list.

Based on the results of field research, it is known that voters registered on the special voter list are not all not registered on the permanent voter list. It is known from the process of matching the data of the permanent voter list with a special voter list obtained from the Indragiri Hulu District Election Commission. The results of the comparison of the special voter list data, it is known that of the 4,756 special voter lists, 539 voters turned out to have been registered on the permanent voter list. It was also recognized by an informant from the voter data operator of indragiri hulu district election commission, who stated that many special voter list data was already registered on the permanent voter list. Generally they are registered at a polling station that is different from its permanent voter list.

The results of the interview with Commissioner of the Electoral Commission, Chairman of the Data and Information Division as a triangulator are as follows:

“One of the root causes of the number of special voters in the 2019 election is the number of voters per different polling station. the electoral register remains a maximum of 300 per polling place, while the election is 800 per polling station. Based on this, it was re-mapping the 2018 election permanent voters who were the same number, to more polling stations in the 2019 election. The process of re-mapping is not as simple as we imagined. That's one of the root causes of why that particular voter list is on the rise, because polling stations aren't permanent, and voters aren't well informed to get an idea of where they're voting at polling stations” (Aziz, 2020).

The Electoral Commission, in the special voter registration stage, has provided a *lindungihakpilihmu.kpu.go.id* portal link that serves to control voters who register as special voters, whether they are registered or not on the permanent voter list. Simply by registering the voter's Population Master Number, it will appear the address of the polling place where he is registered, if it is already registered on the permanent voter list. Thus, the officer in the field can reject the voter if it is already registered on the permanent voter list, and direct to the polling place where he or she is registered. However, from the results of interviews with informants consisting of special voters, the Voting Committee, and the Voting Committee, on the day of the vote, the portal was inaccessible. As a result, polling group officers can exercise voter registration controls using a copy of the permanent voter list at their respective polling stations,

so as not to know if any permanent voters from other polling stations register as special voters at their polling stations.

Based on the above, it can be known that at the level of rule application, the factor causing the large number of special voter lists for the 2019 Election in Indragiri Hulu Regency is not only a result of voters who have not been registered on the permanent voter list. Another factor is also due to an error related to special voter registration that turned out to have been registered on the permanent voter list.

The presence of special voters who come from voters who have been registered on the permanent voter list, even using identities not in accordance with the rules that have been set, is a form of election violation. The occurrence of this, is a form of failure of election organizers in the process of anticipation and prevention. The existence of *lindungihakpilihmu.kpu.go.id* portal problems that cannot be accessed on polling day in Indragiri Hulu Regency, shows that the management information system built by the Election Commission to anticipate election violations in voter registration, has not been able to overcome the emergence of election violations, especially on polling day in Indragiri Hulu Regency.

The results of this study are different from previous studies. In a previous study, it was stated that voters of population identity users due to not being registered on the permanent voter list (Pasaribu & Sumadinata, 2018). While in this study, in addition to the consequences of not being registered on the permanent voter list, the number of voters of population identity users is also caused by election violations, in the form of voters who have registered on the voter list still register as special voters.

The regulatory framework of elections and elections in Indonesia, both the Law and the Regulation of the Electoral Commission, takes a different approach to the number of voters per polling place. This resulted in a change in the stages of preparing the voter list from election to election, must be carried out mapping polling stations again. The process of mapping polling stations from election to election or vice versa, should not need to be implemented, if in election regulations and elections, the maximum number of voters per polling station is the same. Thus, the polling place that was formed can be permanent with voters in it.

According to Mozaffar and Schedler, the challenge of electoral governance is precisely at the level of the application rule that electoral governance is most vulnerable to errors, not only because of the magnitude and complexity of the tasks that must be achieved but also because of the large number of people involved and completing its tasks (Mozaffar & Schedler, 2002). Electoral governance as a rule application consists of innumerable technical activities that organize efficiently and execution determines the credibility of elections.

Rule Adjudication Drafting the Electoral Register in 2019

In electoral governance, in addition to the level of rule making and rule application, there is one more level that is also no less important, namely the rule of adjudication. At this level, it can be seen how the efforts made by the Indragiri Hulu District Election Commission in resolving problems related to the process of preparing voter lists.

The stage of preparing the 2019 Election voter list, there are three improvements and improvements to the permanent voter list that has been established. These improvements and improvements are based on recommendations and requests from the Election Supervisory Agency, election participants and other stake holders. In the period of improvement, the Indragiri Hulu District Election Commission carried out several activities for the improvement of the fixed voter list that has been previously established, namely as follows:

Open the Movement Services Protecting Suffrage

The Movement to Protect Suffrage is a service organized by the Electoral Commission, in order to carry out improvements and improvements to the permanent voter list. The activity was carried out in the form of the opening of voter service posts in each office of the Voting Committee, The District Election Committee, and the District Election Commission. From the implementation of this activity, based on the results of interviews with the Commissioner of the General Election Commission of Indragiri Hulu Regency, in Indragiri Hulu Regency found 1,508 new voters who were not previously registered on the permanent voter list.

Verify data from the Ministry of Home Affairs

This activity is carried out based on the results of the comparison and discernment together with the list of potential voters and the permanent voter list, between the Election Commission and the Ministry of Home Affairs. The results of the comparison are in the form of the discovery of data on the list of potential voters of permanent voter lists, and are lowered to each district / city Election Commission for vaktual verification. Based on the results of an interview with the Commissioner of the General Election Commission of Indragiri Hulu Regency, in this activity the Indragiri Hulu District Election Commission received 49,734 data on the list of potential voters of permanent voter lists. The results of factual verification with the District Election Committee and the voting committee, of the 49,734 data, 13,445 of which were found and qualified as voters but have not registered as voters, so they were put on the permanent voter list as new voters.

Follow up on the Recommendations of the Election Supervisory Agency Related to Special Voters

During the third improvement of the permanent voter list, the Indragiri Hulu District Election Commission received a recommendation from the Indragiri Hulu District Election Supervisory Agency, to include special voters who had registered in the permanent voter list. Based on the results of an interview with the Commissioner of the Indragiri Hulu District Election Commission, related to the recommendation, during the plenary meeting on the third improvement of the permanent voter list, the Indragiri Hulu District Election Commission included as many as 1,253 special voters in the permanent voter list. The next plenary meeting was held tiered to the level of the Provincial Election Commission and the General Election Commission.

Plenary meeting of the third improvement of the permanent voter list at the Electoral Commission, the Electoral Commission decided that the special voter list data that has been included in the permanent voter list conducted in some regions, must again be issued and changed its status to special voters. This is due to the no longer possible provision of logistics, especially ballots for new voters, given the approaching polling day. Next for regions that have entered special voters on the permanent voter list, in order to recapitulate the improvements. As a result, the Indragiri Hulu District Election Commission had to restore the status of 1,253 new voters to the special voter list, so as not to reduce the number of special voters on polling day.

Adjudication of rules clearly involves authoritative resolution of disputes arising from ambiguities in complex election rules and operational issues in their implementation (Mozaffar & Schedler, 2002). At the level of rule adjudication, there appears to be the implementation of different rules related to the obligations of the Election Commission in following up on the recommendations of the Election Supervisory Agency, with election logistics procurement rules. In its implementation, follow-up to the recommendations could not be accommodated, due to the limitations of the Election Commission's ability in the provision of election logistics. Based on this, then at the level of rule adjudication, the factor causing the large number of special voters of the 2019 Election in Indragiri Hulu Regency in the form of non-accommodating recommendations of the Election Supervisory Agency related to special voters.

Conclusion

The results of this study showed that the implementation of the voting phase in Indragiri Hulu Regency well, has implications for the number of voters who are not registered on the permanent voter list, thus using their voting rights as special voters. The three points that became the researchers' initial assumptions about the factors causing the large number of special voters proved correct. Thus, based on the theory of electoral governance, the results or findings of this study that the factors that cause the large number of special voter lists of elections in 2019 in Indragiri Hulu regency are at three levels of election governance, namely level rule making, rule application, and rule adjudication.

At the level of rule making in the form of the rule of adding recording certificates as a condition of voter identity, and not doing matching and voter research. At the level of rule application, in the form of passiveness of the community in providing input and responses to voter data, voter migration issues, and the findings of permanent voters who register as special voters. While at the level of rule adjudication in the form of non-accommodating recommendations of the Indragiri Hulu District Election Supervisory Agency related to the change of special voter status to a permanent voter list. Thus, the initial assumption of the researchers proved, that the big problem of the special voter list was due to poor election governance.

Although the cause of the large number of special voters is the result of several factors according to the results of the study above, but researchers assess that there are two factors that are at the root of the problem of the large number of special voters. The root of the problem related to special voters who have not been registered on the permanent voter list, due to the non-implementation of matching and re-research of voters at the stage of updating the voter list. While the root of the problem related to special voters who have been registered on the permanent voter list, due to differences in the maximum number of voters per polling place in elections and elections, so that it must be re-mapping polling stations.

Related to that, so that this problem is not repeated, for the implementation of elections and elections in the future, the governance of elections in the preparation of voter lists must be carried out properly. In addition, in the voter list update, it is necessary to update the voter list continuously, provided that the maximum number of voters at the polling station and the election must be the same, so that permanent polling stations can be formed. To that end, the Electoral Commission must dare to take a breakthrough in the submission of changes to the rule framework in election regulation and elections related to the maximum number of voters at the polling station.

In this study, apart from the three levels of electoral governance, special voter problems were also found from the form of electoral malpractice. In this regard, for the development of future studies, especially related to the theme of special voter lists, it is necessary to conduct studies using electoral malpractice theory.

Acknowledgement

Thanks and awards are conveyed to the Master of Political Science of Andalas University and the Election Commission of the Republic of Indonesia, for the implementation of the Post-graduate Scholarship Program in Election Governance.

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