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*Global Health Security:
COVID-19 & Its Impacts*

Indonesia's Regional Elections: Entering Uncharted Waters?

By Dedi Dinarto and Titi Anggraini

SYNOPSIS

The COVID-19 pandemic has forced the Indonesian government to recalibrate the conduct of regional leadership elections, due to be held in September 2020. The Jokowi administration recently rescheduled the election day. That sparked public controversy while not resolving some major problems relating to the conduct of elections.

COMMENTARY

ON 23 SEPTEMBER 2020, the Indonesian government is expected to organise another simultaneous regional elections (*Pilkada Serentak*) – electing regional leaders such as governors, mayors and regents across the country in nine provinces, 224 regencies, and 37 municipalities. The COVID-19 pandemic has forced the Indonesian government to rethink its plan to organise such an important electoral event.

With the Large-Scale Social Restriction (PSBB) policy still in place to limit mass movements and gatherings, the General Election Commission (KPU) as the sole organiser and a handful of civil society groups have expressed doubts whether the regional leadership elections can be held on the designated date. Scholars and pundits also teamed up to urge the Indonesian government to reschedule the election day.

Government Regulation in Lieu of Law

This pressure has resulted in Minister of Home Affairs Tito Karnavian's proposition to the Presidential Palace to issue a Government Regulation in lieu of law (*Peraturan Pemerintah Pengganti Undang-Undang* or Perppu) No 2/2020 in early May 2020. This led to the rescheduling of the regional elections to 9 December 2020.

Notwithstanding the proposal, the Perppu has apparently sparked public controversy for leaving unaddressed the major problems that needed to be resolved, such as budgetary issues, resource allocation, health protocol, and even the daunting prospect of a return of indirect elections at the regional or local levels.

The recently issued government regulation reveals two major shortcomings: it was too generic and simplistic. It only covers three main changes, namely the postponement of the regional elections due to the COVID-19 situation; the rescheduling of the election to December 2020; and the potential for further rescheduling if the election cannot be held in December 2020.

This limited outcome is unsurprising since the decision-making process was conducted in a hurry and relied heavily on a virtual meeting platform. The virtual meeting, which aimed to produce a preliminary decision for the government regulation, took place in the middle of April 2020. It involved the home affairs minister, members of the House of Representatives (DPR), KPU, and civil society groups.

The live stream of the virtual meeting revealed that communication established among the stakeholders was dislocated and inefficient as evidenced by a vexed parliamentary member who retorted during the consultation: "Hurry up! It is five o'clock in the evening and we have to adjourn the meeting."

How Did the Public Respond?

Civil society groups and academics have criticised the regulation in lieu of law as it signals uncertainty and causes further disruption at the election's management level. Rather than opting for a more flexible timeframe, for instance postponing the election to June or September 2021, the Jokowi government instead proposed a rescheduling formula based on tripartite agreements between KPU, Government and DPR.

Another issue is that the regulation in lieu of law lacks a detailed explanation on how the Pilkada – the simultaneous regional elections – should be operationalised under stringent health protocols and whether budgetary allocations by a cash-strapped government in a COVID-19 era would be available.

Even though the KPU is able to come up with the health protocol – the provision of masks, hand sanitisers, thermometers, disinfectants, and personal protective equipment – nothing can be implemented without financial support from the government. Despite the claim that the fund has been secured by local governments, the possibility of those funding to be reallocated for curbing the COVID-19 remains wide open.

The combination of cost overruns and uncertainties caused by government procrastination creates further complications.

In addition, the narrow window of opportunity between the month of September and December creates more technical problems for the KPU to fast-track the election stages from factual verifications for independent candidates, voter's data registration, candidate's registration, all the way up to the recapitulation or vote counting process.

Entering Murky Waters?

The implementation of regional leadership elections is entering murky waters because wide-ranging problems remain unaddressed. Should the election be held in December 2020, budgetary problems would affect KPU's execution of the Pilkada.

A reduced budget implies a lack of capacity to hire supplementary administrative field staff to assist on the ground as well as provide facilities and infrastructure. Not to mention that the absence of health facilities on voting day would increase the prospect of COVID-19 infections.

If the election cannot be held in December 2020, there are two potential scenarios. First, the government could expect to embark on another rescheduled election subject to the COVID-19 situation per June 2020. The home affairs minister has stated that if the pandemic does not subside in June 2020, a rescheduling can be expected.

If the rescheduled election is set beyond February 2021, this would leave more than 200 regional executive positions vacant and subsequently filled with ad interim figures (*penjabat sementara*). The appointment of active military and police officers to fill these positions would be inevitable.

The other extreme scenario would be a move towards an indirect election system. Considering that direct elections involve mass gatherings at polling stations, the return of the indirect election system where the Regional House of Representatives (DPRD) are given the authority to elect a regional or local leader could be a plausible option for the government.

If this turns out to be the outcome, then the principle that common people hold political power and can rule either directly or through elected representatives is gravely at risk. Having a decisive and more detailed regulatory framework would provide clarity for the organisation of Pilkada.

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