

REFLECTION AND LEARNING FROM THE 2019 GENERAL ELECTION AND THE 2020 REGIONAL ELECTION: AN ANALYSIS OF THE ELECTION IMPLEMENTATION EXPERIENCE IN INDONESIA

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ABSTRACT

This study aims to examine various aspects of elections in Indonesia, encompassing electoral design, the application of information technology, budget allocation, and various issues in the 2019 General Election and the 2020 Election, with the objective of reflecting and evaluating the implementation of the 2024 General Election. The research was conducted using a qualitative approach and descriptive analysis, where primary data were collected through in-depth interviews with stakeholders involved in the general elections and regional elections, as well as through observations and documentation studies. The results indicate that a lack of focus on law enforcement aspects during the legislative process is the primary cause of these issues. Furthermore, several norms were identified as being less practical when applied in the field. These findings underscore the need for clarification and harmonization in Indonesia's election legislation.

Keywords: *general election, regional election, electoral design*

INTRODUCTION

The General Election and the Regional Head Election are two crucial instruments in the Indonesian democratic system that provide the people with an opportunity to choose their leaders (Habibi & Nurmandi, 2021). The 2019 General Election and the 2020 Regional Election, in particular, marked critical moments in Indonesia's democratic history, with various challenges and lessons to be drawn from both events. The 2019 General Election, which synchronized legislative and presidential elections, and the 2020 Regional Election held across various regions in Indonesia, offer insights into political dynamics, public participation, and the effectiveness of the electoral system in Indonesia (Edward & Ward, 2019; Habibi & Kusuma, 2022; Qodari, 2010).

In the context of theory and regulations, elections in Indonesia are governed by various laws and regulations aimed at ensuring integrity, transparency, and accountability in the electoral process (Akbar et al., 2021; Budiman & Habibi, 2023; Reynolds et al., 2005). However, in practice, there are often challenges and obstacles affecting the quality of elections, such as electoral integrity issues, violations by organizers, and budget constraints (Aspinall & Mietzner, 2019; Habibi & Suswanta, 2019; Perdana, 2019; Sirait et al., 2022; Taylor, 2018). The relevance of this research to the title is to delve deeper into reflections and learnings from the 2019 General Election and the 2020 Regional Election, providing a fresh perspective on how elections in Indonesia can be better conducted in the future.

At least three general elections using the negative issue of religious identity politics occurred during the 2014 Presidential Election, the 2017 Jakarta Governor Election, and the 2019 Presidential Election. These three election periods triggered fears among voters, affecting the psychology of the electorate throughout Indonesia. Voters who desired peaceful and polite politics were greatly disturbed by an election process that degraded the dignity of democracy. The 2014 and 2019 Presidential Elections coincidentally only featured two pairs of presidential candidates, namely Joko "Jokowi" Widodo and Prabowo Subianto. Thus, the character of "retaliation" in both election periods, in the 2014 General Election and the 2019 General Election, was inevitable (Habibi, 2022; Lestari, 2018; Mudhoffir, 2017; Nasrudin & Nurdin, 2019).

The simultaneous Regional Election in 2020 began with the registration process for election participants. However, during the registration, the Election Commission (KPU) recorded that 243 participants violated health protocols. For instance, a number of supporters of one of the pairs of regional head candidates in Makassar convoyed to the KPU office, participants from various regions brought supporters en masse during registration at the KPU, and there were altercations in Central Java among supporters. Moreover, a participant held a campaign concert gathering a large crowd (Habibi, 2021; Hamdani & Fauzia, 2021; Rangkuti, 2020; Wahyunita et al., 2020). Long before that, the government had announced the

obligation to comply with health protocols as advised by the Covid-19 Task Force, one of which was to avoid causing crowds. However, participants were reluctant to comply because their enthusiasm was solely focused on winning the 2020 Regional Election. Moreover, the KPU did not yet have a sanction mechanism for election participants who violated health protocols. As a result, there were no clear sanctions for participants who violated these health protocols.

The 2024 General Election is on the horizon, and one of the main challenges in conducting elections in Indonesia is the quality of voter data. Inaccurate voter data can lead to various problems, such as voters being unable to exercise their right to vote or potential election fraud. Therefore, improving the quality of voter data is a top priority for quality election administration. In addition, elections in Indonesia also face budget challenges. Adequate election administration requires sufficient funding, but there are often constraints in providing this budget. This can lead to various problems, such as delays in election administration or inadequate facilities for voters (Carto et al., 2022; Diniyanto & Sutrisno, 2022).

Election oversight is also a critical aspect of election administration in Indonesia. The Election Supervisory Agency (*Bawaslu*) has the duty and authority to supervise the conduct of elections, but often faces various challenges, such as a lack of resources or political pressure. Therefore, strengthening the capacity and independence of *Bawaslu* is one of the keys to the success of quality election administration. In addition to *Bawaslu*, the role of the community in overseeing the conduct of elections is also crucial. The community has the right to supervise and criticize the conduct of elections and report potential violations or fraud. Therefore, educating the public about their rights and obligations in elections is an essential aspect of democratic election administration (Fionna & Hutchinson, 2019; James & Alihodzic, 2020).

In this article, the author promises to outline various aspects of the election, from electoral design, the use of information technology, budget availability, to the duties and authority of the Election Supervisory Agency. Through in-depth analysis, the author hopes to make a significant contribution to

understanding elections in Indonesia and provide recommendations for better future election administration. The author hopes that this article can contribute to understanding the conduct of elections in Indonesia and provide recommendations for better future election administration. This research is expected to be a reference for researchers, practitioners, and stakeholders in the conduct of elections in Indonesia.

RESEARCH METHODS

This research employs a qualitative approach with descriptive analysis to understand and describe phenomena related to the execution of the 2019 General Election and the 2020 Regional Election in Indonesia. The qualitative method was chosen as it allows researchers to delve deeply into gathering information, perceptions, and experiences from various parties involved in the general and regional elections. In this study, primary data was obtained through in-depth interviews with several key stakeholders in the election process, such as election organizers, election supervisors, and other parties directly involved in the voting process. Additionally, observations and document studies were conducted to gain a more comprehensive understanding of the general and regional elections. Secondary data was sourced from various literature, including journals, articles, reports, and official documents relevant to the research topic.

Data analysis was carried out by categorizing, interpreting, and presenting the collected data. This analysis process aims to identify patterns, themes, and relationships among various variables present in the data (Miles et al., 2018). The analysis results are then presented in the form of a detailed and systematic descriptive narrative. By utilizing the qualitative method and descriptive analysis, this research hopes to provide a clear and in-depth overview of the 2019 General Election and the 2020 Regional Election in Indonesia, as well as the challenges and opportunities that arose during the process.

RESULTS AND DISCUSSION

The experience of supervising the 2019 Elections and the 2020 Simultaneous Elections shows that there are still a number of problems both in the regulatory aspect and in the technical aspects of election and election governance that need to be addressed. Problems caused by the simultaneous design of the election time in 2019 include: the unreasonable workload of ad-hoc election organizers because it is too heavy, the complexity of registering election participants for five types of elections, the complexity of election logistics which causes ballots to be mixed up, overlapping presidential election campaigns and Pileg, the voting of five types of ballots that confused voters, as well as the counting and recapitulation stages which took a long time. Meanwhile, recurring problems that often occur in elections even though they are not simultaneous elections, one of which is the issue of updating the voter list.

Table 1. Problems in Nominating for Individual Candidates and Political Parties

No.	Individual Candidates	Political Parties
1	There needs to be access for every voter to independently check to prevent the misappropriation of support for independent candidates	There is an increase in the number of single candidates
2	Differences in interpretation in the implementation of stages, thus there's a need for joint technical guidance between organizers	There are political parties that did not nominate candidates, which becomes an important note for the next regional head election
3	There are violations of the Health Protocol carried out by prospective independent candidates	There are still candidate registrations in the final minutes of the stage implementation
4	There is an error in the summation of factual verification results of prospective candidates in the guidelines, leading to differences in summation in the 'Not Meeting Requirements' (TMS) column.	There are violations of the Health Protocol carried out by prospective candidates
5	There is no dispute room within the Supreme Court's jurisdiction for prospective individual candidates who are dropped post-recapitulation of support at the provincial/district/city level without issuing a dispute object in the form of a Decision Letter	Election supervisors are not given rapid access to information

No.	Individual Candidates	Political Parties
6	Election supervisors face obstacles in obtaining access, both in the form of support data by name and other documents during the independent candidacy process	There are still political parties nominating former convict candidates
7	-	There is still a political dowry in the recruitment of prospective candidate pairs, but there are still obstacles in proving it

Source : processed by the author

In the realm of nominating individual candidates and political parties, several challenges have emerged. Individual candidates face issues such as the need for voters to independently verify to prevent misappropriation of support and discrepancies in the interpretation of nomination stages. On the other hand, political parties grapple with an increasing number of single candidates and some parties not nominating any candidates at all. Health protocol violations and errors in verification results further complicate the process for both parties. Notably, there's an absence of a dispute room within the Supreme Court's jurisdiction for individual candidates who face issues post-recapitulation. For a comprehensive understanding, refer to Table 1.

Table 2. Issues and Recommendations for the Voter List

No.	Issues	Recommendations
1	Duplicate data still found in the permanent voter list (DPT)	Transparency regarding voter data is key to achieving accurate, comprehensive, and up-to-date voter data; Collaboration between stakeholders is crucial to protect voting rights in every election; To achieve sustainable voter data, joint activities between data owners and survey institutions that have population data are needed to periodically update eligible voters.
2	Changes and additions to polling stations found	
3	Eligible voter data not included in the permanent voter list and vice versa	
4	Some voters have not recorded their e-KTP	
5	Issues with voters located on the border	

Source : processed by the author

The voter list, a crucial component of the electoral process, has its own set of challenges. Duplicate data still exists in the permanent voter list (DPT), and there have been changes and additions to polling stations. Some eligible voters are not included in the DPT, and vice versa. Additionally, some voters haven't recorded their e-KTP, and there are issues with voters located on borders. To address these concerns, transparency in voter data and collaboration between stakeholders are recommended. Dive deeper into the issues and solutions in Table 2.

Table 3. Evaluation and Recommendations for Campaign Stages

No.	Evaluation	Recommendations
1	Delays in providing campaign props by the KPU as in previous regional elections	There needs to be improved cooperation between the election organizing institution and social media platforms to minimize campaign activities by participants outside of what has been registered by the candidate pair; Technical formulation is needed for the provision of props by the KPU to minimize issues with prop provision; Clarification of executive authority in issuing campaign props is needed.
2	Violations of campaign prohibitions including the use of sensitive issues, black campaigns, involvement of civil servants, misuse of authority and programs	
3	Violations of health protocols during campaign periods	
4	No executor in enforcing health protocol violations during the campaign period	
5	Campaign props installed outside of regulations (prohibitions, zoning, specifications, and timing)	

Source : processed by the author

Campaign stages have witnessed delays in providing campaign props by the KPU, similar to previous regional elections. Violations, such as the use of sensitive issues and black campaigns, have been observed. Health protocols during campaigns have been breached, and there's a lack of enforcement for these violations. Campaign props have also been installed outside of regulations. To mitigate these challenges, improved cooperation between election organizers and social media platforms, along with technical formulations for prop provisions, are suggested. More details can be found in Table 3.

Table 4. Evaluation and Recommendations for Campaign Funds

No.	Evaluation	Recommendations
1	3 Provinces and 30 Districts did not get access to Sidakam	<p>Strengthening cooperation between election supervisors and public accounting institutions in the conduct of elections;</p> <p>Granting authority similar to general elections to accredit monitors and supervisory institutions.</p>
2	Delays in submitting the Initial Campaign Fund Report (LADK) in 2 Provinces and 27 Districts/Cities	
3	13 provinces and districts/cities did not announce the submission results of the LADK Candidate Pair	
4	For the election of the Governor and Deputy Governor candidates, the LADK depicts varying amounts of initial campaign funds, with the largest being around IDR 500,000,000 and the smallest being IDR 0	
5	6 candidate pairs in 6 cities/districts were late in submitting the campaign fund donation report (LPSDK) after 6:00 PM	
6	In terms of total donations from individual third parties in the election of governors and deputy governors, the range is from IDR 0 to IDR 2,300,000,000. Meanwhile, in the election of regents and deputy regents as well as mayors and deputy mayors conducted in 261 districts/cities, the range is from IDR 0 to IDR 2,142,000,000.	
7	Regarding the total donations for the category of donations from other groups and business entities in the election of governors and deputy governors, the range is from IDR 0 to IDR 3,750,000,000. Also, in the election of regents and deputy regents as well as mayors and deputy mayors, the range is from IDR 0 to IDR 6,750,000,000.	

Source : processed by the author

Campaign funds play a pivotal role in elections. However, issues like limited access to Sidakam in certain provinces and districts, delays in submitting the Initial Campaign Fund Report, and varying amounts in initial campaign funds have been observed. Donations from individual third parties and other groups also

show a wide range in terms of amounts. Strengthening cooperation between election supervisors and public accounting institutions is one of the key recommendations to address these concerns. For a detailed evaluation, refer to Table 4.

Table 5. Evaluation and Recommendations for Collection, Counting, and Recapitulation of Counting Results

No.	Evaluation	Recommendations
1	Classic issues regarding procedural compliance: DPT not affixed, insufficient ballots, misuse of voting rights by others	Strengthening human resources; Strengthening the understanding of organizers;
2	Differences in understanding and independence of organizers	Regular data sharing between the KPU and Bawaslu, especially in providing election logistics for ballot needs and during the printing process until distribution, involving election supervisors;
3	Delays in election logistics resulting in non-simultaneous voting	
4	Lack of information and transparency regarding procurement, distribution, and sorting	
5	Polling station locations are still not disability-friendly; Voters still violate rules during voting (Not a voter but using voting rights/voters using someone else's notification, voters voting more than once)	

Source : processed by the author

The collection, counting, and recapitulation of counting results have faced classic issues like procedural compliance problems, including DPT not being affixed and misuse of voting rights. There are also differences in the understanding and independence of organizers, delays in election logistics, and a lack of transparency in procurement and distribution. To address these challenges, strengthening human resources, understanding of organizers, and regular data sharing between the *KPU* and *Bawaslu* are recommended. Explore the complete evaluation in Table 5.

Election Law Enforcement Problems

The results of this study show that there are problems with election law enforcement. First, in upholding election law there are still many legal norms in the Election Law which give rise to differences of opinion among law enforcers.

One of the main causes of this difference of opinion is the lack of attention to aspects of law enforcement during the legislative process or drafting of legislation. As an illustration, there is a difference in interpretation in one of the Regencies/Cities in West Nusa Tenggara Province regarding the alleged violation of Article 188 of the Election Law. This article regulates sanctions for state officials, State Civil Apparatus officials, and Village Heads or Lurah who violate the provisions in Article 71. However, there is ambiguity in the interpretation of the word "official", which in the context of Ministry of Home Affairs Circular Letter Number 273 dated 21 January 2020, only refers to ASN in the capacity of Executive Staff and is not included in the official category. Meanwhile, according to the ASN Law, all ASNs are considered as officials. This shows the complexity and challenges in enforcing electoral law in Indonesia.

Second, it was found that there are several legal norms that often lead to different interpretations among law enforcers. One of the causes of this phenomenon is the lack of focus and attention to aspects of law enforcement during the legislative process and drafting of legislation. As a concrete example, there was a case in one of the Regencies/Cities in West Nusa Tenggara Province which was related to an alleged violation of Article 188 of the Election Law. The article regulates sanctions for officials who violate the provisions in Article 71. However, there is ambiguity in the interpretation of the definition of "official". Based on the Circular Letter of the Ministry of Home Affairs Number 273 dated January 21 2020, the definition of "official" is only limited to the State Civil Apparatus (ASN) who acts as Executing Staff. However, when referring to the ASN Law, all ASNs are considered as officials. This shows the need for clarification and harmonization of legislation in order to avoid different interpretations and increase the effectiveness of law enforcement.

Third, there are several norms that are less applicable in their application in the field. For example, the regulation regarding political dowry as stipulated in Articles 187B and 187C creates difficulties in its implementation. This is due to the condition that there is an element of giving or surrender that must be fulfilled. In addition, the existence of sanctions that can be imposed on both the giver and

recipient of political dowry causes the two of them to tend to protect and cover up each other's actions. This certainly hampers law enforcement efforts against the practice of political dowry. Furthermore, there are also norms in Article 187 paragraph (3) that are not applicable, particularly regarding the prohibition on campaigns using government facilities. This norm does not appear to be consistently applied, especially in the context of the Governor and Deputy Governor Elections. Meanwhile, in the context of the Election of Regent and Deputy Regent or Mayor and Deputy Mayor, this norm can be applied. The inconsistency in the application of these norms indicates the need for revision and refinement so that regulations can be applied more effectively and fairly.

Challenges in Organizing the 2024 Election

First, in the context of elections in Indonesia, the workload of election administrators has increased significantly, especially with the general election agenda and elections being held at almost the same time. Based on the electoral design stipulated in Law 7 of 2017 concerning Elections and Law 10 of 2016 concerning Regional Head Elections, there are additional challenges for administrators, especially election supervisors. In 2024, Indonesia will hold three types of major elections, namely legislative elections, presidential elections, and Regional Head Elections. All three will be held in close proximity, almost like an election marathon. According to the design plan submitted by the KPU, the 2024 legislative and presidential elections are scheduled to be held on February 14, 2024. This means that the electoral apparatus, including the KPU and Bawaslu, must start preparing from July 2022, or around 20 months before the vote. Meanwhile, preparations for Regional Head Elections, whose voting is scheduled for November 2024 in accordance with Law Number 10/2016, must begin at least 11 months earlier, or in December 2023. This dynamic shows the complexity and intensity of work that must be faced by election organizers in ensuring implementation of democratic and quality elections.

Second, the implementation of elections in Indonesia, one of the crucial aspects that is in the spotlight, is voter data. Accuracy and speed in processing voter data is the key to successful implementation of a credible election. However,

based on observations, there are various obstacles that arise in this process. According to the KPU, there are several main factors that cause the Final Voters List (DPT) to be revised repeatedly. The first factor is the incompleteness of the population data collection process, for example the case of residents who frequently change their place of residence. The second factor is the existence of identity recording which is done more than once during the data collection process, which can lead to data inconsistencies. The third factor is the existence of duplicate or duplicate population data. The KPU considers that the core of the problem stems from the population data collection process by the Ministry of Home Affairs which has not been running optimally. This shows the importance of coordination between government agencies in ensuring the integrity of voter data to support the implementation of fair and transparent elections.

Third, one of the issues that often becomes a point of debate is the difference in regulations between general elections and regional head elections. Although both are democratic instruments for electing representatives of the people and regional leaders, both are governed by different legal frameworks. The election and regional election regimes have intersections in several aspects, but ironically, both are still regulated in separate laws. This certainly raises its own challenges, especially in handling violations that may occur. The discrepancy between these two regulations can lead to confusion in the interpretation of the law, as well as potential conflicts in its application in the field. In addition, this also raises questions about the urgency of harmonization of regulations and whether the two regulations can be combined into one comprehensive law to minimize potential conflicts and ensure fairness in every election.

Fourth, in today's digital era, the use of information technology in general elections has become a crucial aspect that cannot be ignored. Various technology platforms such as the Political Party Information System (SIPOL), Recapitulation Information System (SIREKAP), Logistics Information System (SILON), Campaign Fund Information System (SIDAKAM), Voter Data Information System (SIDALIH), and others have been implemented in the implementation of general elections and regional head elections in Indonesia. However, although

information technology offers greater efficiency and transparency, its implementation still faces a number of challenges. One of the main issues is the lack of adequate regulations that support the use of this information technology. As a result, various problems often arise in its implementation, ranging from data discrepancies to potential manipulation of election results. In addition, cybersecurity aspects are of particular concern. Considering that voter data and election results are very sensitive information, protecting this data from potential cyber-attacks is a priority.

Fifth, in the previous simultaneous elections, several regions experienced problems in selecting the election budget. This certainly has an impact on the quality and effectiveness of the implementation of elections in these areas. Insufficient budget can hamper the election process, starting from collecting voter data, providing logistics, to the vote recapitulation stage. Fifth, in the previous simultaneous elections, several regions experienced problems in providing election budgets. This certainly has an impact on the quality and effectiveness of the implementation of elections in these areas. Inadequate budgets can hamper the election process, starting from collecting voter data, providing logistics, to the vote recapitulation stage. Sixth, the implementation of duties and authorities by the Election Supervisory Body is also a challenge in itself. With the stages that run parallel to each type of election, supervision becomes increasingly complex. Especially at the stage of campaign implementation, where campaign methods and the use of campaign funds often overlap. This requires Bawaslu to go the extra mile in carrying out its duties as an institution responsible for monitoring, prosecuting and resolving election process disputes. Therefore, it is very important for regulators to pay attention to and consider the number of election supervisors in order to work effectively and efficiently.

CONCLUSION

The results of research on election law enforcement in Indonesia indicate that there are a number of problems that need serious attention. One of them is the ambiguity in the legal norms of elections which often lead to different

interpretations among law enforcers. This ambiguity is largely due to the lack of attention to law enforcement aspects during the legislative process. For example, different interpretations of the definition of "official" in the election context have demonstrated the need for clarification and harmonization in legislation. Apart from that, there are several norms that seem less applicable when applied in the field, such as regulations regarding political dowries and prohibitions on campaigns using government facilities.

In the context of the 2024 Election, the challenges faced are increasingly complex. The workload of election organizers has increased, especially with the election agenda and elections being held at almost the same time. The accuracy of voter data is crucial, but there are often obstacles in processing the data. Differences in regulations between general elections and local elections are also a point of debate, creating potential conflicts in their application in the field. The implementation of information technology in elections, although it offers efficiency, still faces a number of challenges, especially regarding data security. Inadequate budgets in several regions have become an obstacle, while Bawaslu as a supervisory institution is faced with increasingly complex tasks. These overall findings emphasize the importance of collaborative efforts from all parties to ensure the implementation of fair and democratic elections in Indonesia.

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