

The Paradigm of Democracy in Kuwu Election Practices in Indramayu District West Java 2021

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ABSTRACT

In 2021 Indramayu Regency will hold simultaneous kuwu elections in 171 villages spread across 31 sub-districts. The village community welcomed the kuwu election, because it was a democratic party for the village people in order to determine a leader. The selection of kuwu is carried out periodically every 6 years. The 2021 Kuwu election will be held under the conditions of the COVID-19 pandemic, so the organizers of the Kuwu election need a new democratic paradigm. What is the democratic paradigm in the practice of kuwu elections in Indramayu Regency, West Java Province in 2021? This is the problem discussed in this article. The discussion of this issue aims to get an overview of the democratic paradigm of the Kuwu election in Indramayu Regency in 2021, which was carried out during the Covid-19 pandemic. The results of the study show that the democratic paradigm of the Kuwu election in Indramayu Regency in 2021 is different from the paradigm of the Kuwu election held in 2017 and before. All the kuwu election processes are aligned with regulations for preventing and controlling the spread of Covid-19, so that the implementation of the kuwu election in Indramayu Regency does not cause the impact of Covid-19 transmission and victims on the community.

Keywords: *Kuwu Election, Democracy Paradigm, 2021*

1. INTRODUCTION

Indonesia already has laws and regulations governing villages. The last regulation governing villages is Law Number 6 of 2014 concerning Villages. The village is defined as a legal unit of the village community that occupies an area called the village area. The village has the authority to regulate and manage all government affairs and the interests of the community. Villages and village communities have customary rights (traditional rights), and rights of origin that are respected and recognized in the Indonesian state government system [1]. Although Law no. 6 regulates the Village, but in it accommodates other terms that are equated with village, which are recognized by the indigenous peoples in their respective villages. For example, the people of Aceh use the term gampong, the people of South Sulawesi use the term lembang, the people of South Kalimantan use the term kampung [2] to refer to the term village.

Indramayu Regency is one of the regencies in West Java Province. Indramayu Regency uses the term village, as is generally used by people on the

Islands of Java, Bali, and Madura, for communities and areas inhabited by rural communities. In 2021, Indramayu Regency has 315 villages spread across 31 sub-districts [3]. Each village has a village territory, village people, and village government. Village government is a government

that is under and under the control of the sub-district government. The sub-district government is a government that is under and under the control of the Indramayu Regency Government

Each village is led by a village head. In Indramayu Regency the village head is called "kuwu". Kuwu has a term of office for 6 years, and can be reappointed for a maximum of two subsequent terms [4]. Kuwu positions are political positions, meaning that they are not career positions, but positions filled based on the results of the kuwu election. Kuwu elections are held every six years in accordance with the end of the kuwu term of office [5]. Therefore, periodically every six years, the Indramayu Regency Government holds simultaneous kuwu elections. The community also welcomes this kuwu election as a democratic party for the village people to use their right to be elected or the right to vote.

Since 2017, the Indramayu Regency Government has held simultaneous kuwu elections. The Indramayu Regency Government divides the Kuwu elections simultaneously according to the term of office of the Kuwu. The first simultaneous kuwu election was held in 2017 for 136 villages, and the second simultaneous kuwu election was in 2021 for 171 villages [6]. The next simultaneous kuwu election for 136 villages will be held in 2023, while the next simultaneous kuwu election for 171 villages will be held in

2017. And so on, the kuwu election will be held every six-year period.

The 2021 Kuwu election in Indramayu Regency is in line with the condition of the Indonesian state being hit by the Corona Virus or Corona Virus Disease 2019 (Covid-19) pandemic. This virus is very dangerous for health, because it can make people sick and even die. At first this virus appeared in China in Wuhan Province in January 2020. The spread of this virus is very fast and the danger is very fast, so that in early March 2020 this virus hit Indonesia. Millions of Indonesian citizens have become victims of illness and even died due to this virus. Therefore, the implementation of the Kuwu election in Indramayu Regency in 2021 is faced with the danger of Covid-19.

Given the above, the implementation of the Kuwu election in Indramayu Regency in 2021 is a dilemma for the government and the people of Indramayu. The Indramayu Regency Government is concerned about the transmission of Covid-19 to the community if the Kuwu election is held. On the other hand, the Indramayu Regency Government is also concerned that the continuity of the Kuwu position will be disrupted if the Kuwu election is not held. On the other hand, the villagers are ready to welcome the people's democratic party to determine their leader in the next six years. With careful consideration, the Indramayu Regency Government modified the kuwu election process, which became the model/paradigm of the kuwu election during the Covid-19 pandemic. Based on this, the interesting issue to be discussed in this article is how is the paradigm of selecting kuwu in Indramayu Regency, West Java Province in 2021 during the Covid-19 pandemic?

The problems above have been investigated using the type of empirical legal research method. This method is a research method on primary data contained in the practice of selecting kuwu in Indramayu Regency in 2021. The data collection techniques are interviews and observations. Interviews were conducted with informants from the kuwu election committee, kuwu candidates, and the electorate. The observation technique was carried out on all stages of the selection of kuwu in Indramayu Regency. The research data were collected, processed, analyzed, and then concluded using a qualitative approach. The conclusion of this study shows an overview of the answers to the problem, namely an overview of the democratic paradigm of the Kuwu election in Indramayu Regency, West Java Province in 2021.

2. DISCUSSION

2.1. Paradigm of Kuwu Election Democracy Arrangement

The election of kuwu in Indramayu is a phenomenon of village people's democracy in determining village leaders for the next six years. This phenomenon is characterized by a six-year period of kuwu election, the making of kuwu election regulations, and the kuwu election process. Village

people always wait for the period of the kuwu election, so that the people who want to use their right to be elected or the right to vote have started to make preparations before entering the kuwu election process. The six-year periodization of the Kuwu election in Indramayu Regency has been regulated in the Indramayu Regency Regional Regulation Number 5 of 2017 concerning the Organizing of Kuwu Elections in Indramayu Regency and Regent Regulation Number 64A of 2020 concerning the Implementation of Simultaneous Kuwu Elections in Indramayu Regency in 2021.

The two regional regulations above divide the kuwu election process into four stages, namely the preparation stage, the nomination stage, the voting and counting stage, and the stage of determining the elected kuwu. All these stages are carried out democratically by upholding the principles of direct, general, free, confidential, honest, and fair. Direct means that every use of the right to vote cannot be represented by another person. Free means that every people are free to use their vote, either to be elected or to vote, without coercion or pressure from anyone. The secret is that every use of the right to vote by the people is not known by anyone. Honest means that every element of the implementation of the Kuwu election is not carried out fraudulently or deceitfully. Fair means giving rights to anyone according to their portion.

The preparatory stage is the initial stage of implementing the kuwu election conducted by the district government or village government. This stage begins with the Village Consultative Body (BPD) giving a notification letter to Kuwu regarding his term of office ending in the next six months. Kuwu, who is about to end his term of office, makes a position accountability report to the Regent. The Regent established the Kuwu Election Committee at the district level. Subsequently, the BPD formed the Kuwu Election Committee at the village level of a maximum of eleven people. The Kuwu selection committee plans the cost of the kuwu election and then submits it to the Regent through the Camat. The district head gave approval for the cost of implementing the kuwu election [7].

The nomination stage is the stage where the village people nominate themselves or are nominated as kuwu candidates. This stage begins with the determination of the requirements for the kuwu candidate determined by local regulations and ends with the announcement of the kuwu election to all the people of Indramayu Regency. Based on this, the Kuwu Election Committee at the village level announced the registration of prospective Kuwu candidates in a transparent and open manner, which was then followed by the registration process for Kuwu candidates by village people who wanted to become Kuwu to the Kuwu Election Committee at the village level. The Kuwu Election Committee determines the names of the applicants to be prospective Kuwu candidates. In the 2021 Kuwu election, 696 people were recorded as candidates for Kuwu [8]. In accordance with the schedule set, the Kuwu Election Committee will check the identity of the prospective kuwu as well as the completeness and correctness of the requirements submitted by the prospective kuwu. After that, the Kuwu election committee determined the prospective

candidates who met the requirements to become Kuwu candidates, then announced them publicly.

The process for the next nomination stage is where the kuwu candidate takes the serial number to the Kuwu Election Committee, then the committee announces the name and serial number of the kuwu candidate [9]. After that, the committee determined the ballots containing photos and serial numbers of kuwu candidates. Next is the Penitia carrying out voter registration, which is then determined in the final voter list. Prior to voting, the committee gave each kuwu candidate the opportunity to campaign for his/her candidacy, vision, mission, and work program, as well as the goals to be realized if elected as kuwu.

After completing the campaign stage and before entering the suawa collection stage, the committee set a quiet day for 3 days. Quiet days are days where it is stated that no kuwu candidate attributes are installed in the entire village area, and there are no activities from the kuwu candidate and/or his supporters that are campaigning or influencing voters. During a quiet day, the kuwu election committee prepares all the places, all the equipment, procedures, and witnesses for voting and determining the results of the votes for the kuwu candidates. A quiet day is also given to the voters to consider carefully who the kuwu candidate will be chosen [10].

The stage of voting and counting of votes is the stage where the people use their right to vote, to choose a candidate for kuwu according to their will. At this stage, the people are given ballots, then they vote in the photo/picture of the kuwu candidate they want in the voting booth [11]. The people who exercise their right to vote are the people who have been determined in the final voter list, which is determined by the Kuwu election committee. The Kuwu election committee called the voters one by one, then gave ballots to the voters. Furthermore, the people determine their own candidate for kuwu directly, freely, confidentially, honestly and fairly in the voting booth.

The paradigm of democratic regulation of the Kuwu election in 2021 is the same as the democratic paradigm of the Kuwu election in Indramayu Regency in 2017. The type of regulation that governs it is the same, namely Perda Indramayu Regency No. 5 of 2017 and Regent Regulation Number 64A of 2020. The stages of the kuwu election in Indramayu Regency are also the same as the stages of the 2017 kuwu election. This means that the 2017 kuwu election regulation paradigm can still be used for simultaneous kuwu elections in Indramayu Regency in 2021.

2.2. The Democratic Paradigm of the Implementation of the Kuwu Election in Indramayu Regency

The process of implementing the kuwu election in Indramayu Regency takes place from March 15 to June 2, 2021. The process starts from the registration of prospective candidates to voting by the voters. There are several democratic paradigms in the implementation of the Kuwu election in Indramayu Regency in 2021. This paradigm is a change or difference in the practice of the Kuwu election in

2021 compared to the practice of the Kuwu election in 2017 and before. Some of the paradigms for the 2021 kuwu election practice are as follows:

2.2.1. Registration Fee for Kuwu Candidates

The election of kuwu in Indramayu Regency in 2021 raises the paradigm of the registration fee for bakap calum kuwu which is different from the previous kuwu election. In the previous kuwu election, everyone who registered as a prospective kuwu candidate was required to pay a registration fee. In accordance with Regent Regulation Number 64A of 2020, in the 2021 kuwu election, the Indramayu Regency Government does not charge a registration fee to everyone who registers as a prospective kuwu candidate. The waiver of registration fees for prospective kuwu candidates is a new paradigm for kuwu elections in Indramayu Regency, because in previous years kuwu elections always charged registration fees to prospective kuwu candidates.

The above paradigm is seen by the villagers as a policy that strongly upholds the democracy of the village people. The condition of the Covid-19 pandemic that hit the village people, which caused a decline in the economic capacity of the village people, became the best solution for the village people who aspired to lead the village government. The policy was greeted with great enthusiasm by the villagers so that 696 villagers registered themselves as candidates for kuwu in 171 villages. With the elimination of the registration fee for prospective kuwu candidates, all costs needed for the implementation of the kuwu election are charged to the Regional Budget of Indramayu Regency [12].

2.2.2. Composition of the Kuwu Election Committee

The election of kuwu in Indramayu Regency in 2021 also creates a new paradigm for the kuwu election committee. The kuwu election committee is the organizer of the kuwu election formed at the district and village levels. The district-level kuwu election committee is formed by the Regent who is determined by a Regent's Decree. The village level kuwu election committee is formed by the BPD and determined by a BPD decision. In the 2021 kuwu election. The district level kuwu election committee consists of elements of the Regional Leadership Coordination forum, namely the Regent, DPRD Leader, Head of the Resort Police, Head of the District Attorney's Office, and the Commander of the Indramayu Regency Military Region. The Kuwu election committee at the village level is a maximum of 9 people consisting of village officials, Village Community Institution administrators, and village community leaders (Article 4-6 Regent Regulation Number 64A of 2020).

In view of the Covid-19 pandemic, the Indramayu Regent formed a sub-committee for the election of Kuwu at the district level from elements of the Covid-19 Handling Task Force at the district level and formed the Sub-Committee

for the Election of Kuwu at the District Level. This sub-district level sub-committee consists of elements of the District Leadership Coordination Forum, namely the Camat, the Head of the Sector Police, and the Regional Military Commander, as well as elements of the Covid-19 Handling Task Force at the sub-district level. Strictly controlling the implementation of the Covid-19 health protocol at all stages of the Kuwu election.

The Kuwu election committee also formed a TPS level committee, as a consequence of the implementation of the Kuwu election during the Covid-19 pandemic. This committee consists of elements of the Kuwu election committee, the Covid-19 handling task force, and local community leaders. These committees were placed at each polling station, considering that the people's letter collection was distributed to several polling stations throughout the village area. The spread of polling stations aims to prevent or avoid crowds at the time of voting, which can have an impact on the transmission of Covid-19.

2.2.3. Kuwu Candidate Campaign

Regional Regulation Number 5 of 2017 and Regent Regulation Number 64A of 2020 regulates campaign activities for Kuwu candidates. The campaign is the activity of the kuwu candidate and/or his success team to introduce themselves, their vision, mission, goals, and nomination program to the electorate, to convince voters in the hope of getting as many votes as possible. According to Article 23 of Regional Regulation Number 5 of 2017 the forms of campaign activities can be in the form of general meetings, limited meetings, face-to-face and dialogue, distribution of campaign materials to the public, installation of props at campaign sites and other places determined by the Kuwu election committee, and social services.

In the 2021 Kuwu election, through Regent Regulation Number 64A of 2020, it limits the model of campaign activities. The model of campaign activities that may be carried out by each Kuwu candidate and/or his success team is only limited meetings, installation of props at the campaign site and other places determined by the Kuwu election committee, as well as campaigning through print and electronic media and/or social media [13]. As a result of these restrictions, the model of campaign activities in the 2021 Kuwu election is not the same as the models of the 2017 and previous Kuwu election campaign activities. Nevertheless, all Kuwu candidates, the success team, and even the people who sympathize with the Kuwu candidates are aware of and accept the restrictions on this campaign mode, considering that Indramayu Regency is still in the Covid-19 pandemic.

2.2.4. Implementation of the Voting

Voting is a vote by the Kuwu election committee on the votes of the electorate. Voting is the essence of the implementation of the kuwu election. At that time the village people as voters used their voting rights to choose the kuwu candidate they wanted. Village people use their

votes in a direct, free, secret, honest and fair manner. This voting has been carried out by the election committee of the village kuwu tugkat with the electorate simultaneously in 171 villages on June 2, 2021.

In the implementation of the Kuwu elections in 2021, there is a different paradigm for the implementation of voting compared to the implementation of the Kuwu elections in 2017 and before. The implementation of voting in the Kuwu elections in 2017 and before uses a centralized voting model, while the voting in the 2021 Kuwu elections uses a polling station division (TPS) model [14]. This different voting model (paradigm) is influenced by the conditions of the 2021 Covid-19 pandemic which is still hitting Indramayu Regency. With this model change, it is intended that the implementation of voting can take place properly and all village people do not get infected with Covid-19.

The voting model was centered on the 2017 Kuwu election and previously held in one polling place, namely the Kuwu Office. The Kuwu election committee only prepares one polling place (TPS), the composition of the committee, voting equipment, voting flow, and witnesses from each Kuwu candidate in one place, namely at the Kuwu Office. The kuwu candidates were invited by the kuwu election committee to attend and occupy the seats for the kuwu candidates that had been prepared by the committee. All voters are invited by the Kuwu election committee to exercise their right to vote at one polling station. This centralized voting model makes it easier for the Kuwu election committee to count the votes for each Kuwu candidate, because all the votes of the voters have been collected in one ballot box located at the polling station.

Voting for the TPS distribution model in the 2021 Kuwu election was carried out at several polling stations. In accordance with Article 2 of the Regent's Regulation Number 64A of 2020, the Kuwu election committee formed a number of polling stations throughout the village area, each of which only provided a maximum of 500 (five hundred) votes. This means that each TPS only serves voting for a maximum of 500 voters. The election committee must also prepare a polling station committee, voting equipment, voting flow, and witnesses from each kuwu candidate according to the number of polling stations. The kuwu election committee invited the voters to exercise their right to vote at the nearest designated polling station, while the kuwu candidates were not invited to attend and take their seats at the polling station.

After completing the voting process, the polling station committee will count the votes obtained by each kuwu candidate at the polling station. After the vote count for all TPS committees is complete, the TPS committee will bring the results of the TPS vote count to the Kuwu election committee located in the Kuwu office. The kuwu election committee determines the number of votes for each kuwu candidate, and determines the kuwu candidate who gets the most votes as the elected kuwu candidate [16]. Furthermore, the kuwu election elector reports the results of the vote count and the elected kuwu candidate to the BPD. Based on the report, the Head of the BPD reports the results of the kuwu election to the Regent through the Camat. The Camat further reports the results of the kuwu election from each

village in his sub-district area to the Bupati [16]. In accordance with the results of the research and the laws and regulations, the Regent determines and appoints the elected Kuwu candidate to become a Kuwu by a Regent's Decree.

3. CONCLUSION

The election for kuwu in Indramayu Regency in 2021 has been carried out from March 15 to June 2, 2021. The legal basis for its implementation is Regional Regulation Number 5 of 2017, which is technically further regulated by Regent Regulation Number 64A of 2020. Village people in Indramayu Regency welcomes this people's democratic party, to elect its leader for the next six years. The implementation of the Kuwu election is during the Covid-19 pandemic, so that although it has a legal basis for the 2017 regional regulation, which is used as the legal basis for the 2017 Kuwu election, in the 2021 Kuwu election there is a democratic paradigm that is different from the previous Kuwu election.

The different democratic paradigms in the 2021 Kuwu election are the exemption of registration fees for Kuwu candidates, the addition of the Kuwu election committee structure that is adjusted to the efforts to prevent and control the transmission of Covid-19, limited campaign activities that can be carried out by Kuwu candidates and their successful teams, and the distribution of TPS. throughout the village. This new paradigm is different from the democratic paradigm of the 2017 and previous Kuwu elections, which imposed a registration fee for prospective kuwu candidates, a simpler arrangement of committees, routine campaign activities, and the implementation of centralized voting at one polling station in the Kuwu office. However, the democratic paradigm of the Kuwu election in 2021 was well received by the Kuwu candidates, the successful tu=im of the Kuwu candidates, and the villagers, so that the Kuwu election took place well and without any disturbance or lawsuits against various restrictions on the Kuwu election process.

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