

Authorities And Responsibilities of The General Election Commission (KPU) in Mapping Election Area

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Abstract. One compelling component and component in building a constituent framework which is much of the time an issue in each political race is the electing region. This examination is a sort of subjective exploration. Subjective examination is utilized to look at the states of regular items where the scientist is a key instrument. Dapil is the genuine field of political fight on the grounds that ideological groups and contender for regulative individuals vie for the votes of citizens to get a situation as an individual from the DPR. The game plan of constituent regions is firmly connected with the appointive framework utilized. As contained in Article 168 of the Political decision Regulation that the framework utilized in the appointment of individuals from the DPR, Common DPRD, and Rule/Civil DPRD is an open corresponding political race framework. In a proportional election system, where the available representative seats are plural, the issue of forming an electoral district is not only a matter of determining regional boundaries, but also regarding the size of the electoral district.

Keywords: Election, General Election Commission, Election Regions

1. Background of Study

The Republic of Indonesia's 1945 Constitution, which will be referred to as the 1945 Constitution from this point forward, underscores that Indonesia is a lawful state wherein individuals practice power as per the constitution. At the point when a country's sway is in the possession of its kin, its residents are viewed as the country's greatest power.[1] In addition, the people also determine how a government is organized.[2] Individuals' sway is executed through a system called general races, hereinafter alluded to as decisions. Races are the most genuine structure and the most substantial type of individuals' cooperation in the organization of the state.[3] Decisions are likewise alluded to as a vote based instrument for understanding the genuine power of individuals.[4] Elections are also part of one of the main issues studied in constitutional law.

The 1945 Constitution, which is the legal form of the conception of people's sovereignty,[5] the third correction directs races. Section VIIB Article 22E of the 1945 Constitution sets out the guidelines for races. All the more explicitly, Regulation Number 7 of 2017 Concerning General Races — in the future alluded to as the Political decision Regulation — sets out the principles for holding decisions. This regulation is a blend of three regulations that are connected with decisions: Regulation No. 8 of 2012, which manages the overall appointment of individuals from Individuals' Delegate Board, Provincial Agent Gathering, and

Territorial Individuals' Agent Chamber, Regulation No. 15 of 2011, which manages general political decision coordinators, and Regulation No. 42 of 2008, which manages the overall appointment of President and VP.

Races are framed in Article 22E passage 2 of the 1945 Constitution as a method by which individuals practice their sway to choose delegates for Individuals' Delegate Committee, Territorial Delegate Board, President and VP, and Provincial Individuals' Agent Chamber. How these arrangements were composed proposes that there are various types of races in Indonesia, like decisions for Individuals' Agent Gathering; Appointment of the Local Delegate Chamber; Arrangement of President and VP; and decisions for the Provincial Nation's Agent Board. The appointment of Individuals' Delegate Gathering, hereinafter alluded to as the DPR, will be the essential focal point of this review.

One of the significant variables and a component in building a discretionary framework which is in many cases an issue in each political race organization is the constituent locale, hereinafter alluded to as the electing region.[6] Dapil is the genuine field of political fight in light of the fact that ideological groups and possibility for regulative individuals seek the votes of citizens to get a situation as an individual from the DPR.[7] The appointive framework is firmly connected to the course of action of electing regions. As indicated by Article 168 of the Political race Regulation, an open relative political race framework was utilized to choose individuals from the DPR, Common DPRD, and Rule/Civil DPRD. The issue of forming an electoral district involves not only determining regional boundaries but also the size of the electoral district in a proportional election system where there are plural available representative seats.[3]

Article 185 of the Election Law regulates the principles that must be considered in drawing up an electoral district, namely: equality of votes, adherence to a corresponding political race framework, proportionality, regional respectability, being inside a similar region, cohesiveness, and congruity. There are generally three main principles among the seven principles, namely: [8]

- 1) Same number of votes. The standard of identical worth of votes is a work to grow the value of votes (seat costs) which are comparable between one optional district and one more with the norm of one individual one vote-one worth;
- 2) Proportionality. To keep a reasonable portion of seats for each constituent locale, the standard of proportionality expects consideration regarding the equity of seat distributions between locale;
- 3) Integration of Territories. The guideline of regional honesty implies that few rules/urban communities or sub-locale that are organized into one voting public should line each other while considering the uprightness and incorporation of districts, considering topographical circumstances, transportation offices, and parts of simplicity of transportation.

Article 187 section (4) of the Political race Regulation further controls the plan of the constituent locale for individuals from the DPR and the quantity of seats for each electing not entirely settled by the administrators by joining them in Supplement III of the Political decision Regulation. As a result of the arrangements in Article 187 passage 4 of the Political decision Regulation, the DPR and the public authority, in their ability as lawmakers, decide the game plan of the discretionary locale and the quantity of seats for each constituent area by thinking about the standards of drawing up the electing areas. Legislators are then given the authority to set up their respective political battlegrounds. The presence of these arrangements raises lawful issues, i.e., there indicate errors in the plan of discretionary areas contrary to the standards of constituent locale.

Signs of the disparity in the utilization of the standards for the readiness of the appointive regions should be visible from the use of the three standards, to be specific correspondence of votes, proportionality, and regional trustworthiness. In terms of the principle of equality of voice values and proportionality, the legislators even admit that the value of votes/seat prices contained in the compilation of the electoral districts leads to extraordinary inequality. It was acknowledged by a member of the DPR RI from the PDIP faction in the 3rd Working Meeting of the Special Committee on the Election Management Bill on Thursday, 19 January 2017. It was also acknowledged by members of other party factions. The PKB faction stated that there was disproportionality in the price of seats between one province and another, as well as between one electoral district and another. The PAN faction, the PKS faction, and the Hanura faction also admit that there are electoral districts whose prices are very expensive and there are also electoral districts whose prices are very cheap.[9]

Moreover, with respect to the standard of regional trustworthiness, it very well may be seen from the drafting of the West Java Journey III, the lawmakers put away the rule of regional uprightness by joining the areas of Cianjur Regime and Bogor City which are not unblemished regions but rather regions isolated by different locales into one appointive region. Exactly the same thing occurred in the South Kalimantan II discretionary region, which comprises of five regulatory regions, specifically the City of Tanah Bumbu, Tanah Laut, Kotabaru, Banjarbaru City, and Banjarmasin City. In this discretionary locale, the City of Banjarmasin isn't straightforwardly adjoining the other four managerial regions however borders the regions in the South Kalimantan I Dapil, to be specific Banjar and Barito Kuala.

The discrepancy in the arrangement of electoral districts with the principle of territorial integrity is a discrepancy that can be seen clearly from the map of the arrangement of electoral districts. Against other principles, a more comprehensive study is needed. Based on the description above, indications of a discrepancy in the arrangement of electoral districts have been found concerning the principles of electoral districts, in particular the principles of equality of votes, proportionality, and territorial integrity.

2. Methodology

The creator of this study led this study utilizing subjective examination. Involving the specialist as a key instrument, subjective examination inspects the states of regular items. Often, qualitative research is referred to as doctrinal research, which means that it studies laws and library materials. [10]

This study uses secondary data from library sources to conduct its research, which includes the following: 1) Essential Legal Documents: specifically, laws pertaining to general elections. In this instance, General Elections Law No. 7 of 2017; 2) Article 29 of Guideline No. 8 of the Overall Political decision Commission of the Republic of Indonesia Concerning the Work Systems of the General, Commonplace, and Rule/City General Political decision Commissions; 3) Additional Legal Documents: specifically, any and all non-official publications about laws, such as books or readings that explain general election rules; 4) The findings of a study regarding the conduct of general elections in Indonesia; 5) The media Tertiary legal materials are those that supplement the primary and secondary legal materials used in the research with additional instructions or explanations, such as: Black Law Dictionary, Encyclopedia, Popular Scientific Dictionary, and Indonesian Language Dictionary.

3. Result and Discussion

3.1 Duties and Responsibilities of the General Election Commission (KPU)

The Republic of Indonesia General Political race Commission Guideline Number 8 of 2019 Concerning the Work Techniques of the Overall Political race Commission, Common Political race Commission, and Rule/City General Political decision Commission Article 29 layouts the KPU Seat's obligations and obligations, which incorporate:

- a. Lead Plenary Meetings and all Regency/Municipal KPU activities;
- b. Act for and on behalf of the Regency/Municipal KPU internally and externally;
- c. Providing official information regarding Regency/City KPU policies and activities;
- d. Coordinating work relations between Divisions;
- e. Controlling the implementation of the duties of the Division and Korwil;
- f. Sign all Regency/Municipal KPU Decisions.

Regency/Municipal KPU members in carrying out their duties, authorities, and obligations, carry out the division of tasks in the form of Divisions and Regional Coordinators which include:

- a. Finance, General, Household, and Logistics Division
Has the task of coordinating, organizing, controlling, monitoring, supervising, and evaluating related policies:
 - (a) housework, office administration, and archives;
 - (b) protocols and procedures;
 - (c) State Property management and reporting;
 - (d) financial reporting, accountability, and implementation;
 - (e) ecommending the taking of the membership oath and pledge of the Regency/Municipal DPRD into effect;
 - (f) planning, acquiring goods and services, and organizing and disseminating election logistics.
- b. Division of Effort, Elector Instruction, People group Support, and HR
Has the task of coordinating, organizing, controlling, monitoring, supervising, and evaluating related policies:
 - (a) electoral socialization;
 - (b) community participation and voter education;
 - (c) publication and public relations;
 - (d) election and election campaigns;
 - (e) inter-agency cooperation;
 - (f) managing and providing public information;
 - (g) recruitment of PPK, PPS, and KPPS individuals;
 - (h) human resource performance evaluation and development of ethics;
 - (i) the improvement of organizational discipline and culture at work;
 - (j) human resource development as well as education and training;
 - (k) electoral development research and development; And
 - (l) human resource management and growth.
- c. Planning, Data, and Information Division
Has the task of coordinating, organizing, controlling, monitoring, supervising, and evaluating related policies:
 - (a) outline programs and budgets;
 - (b) electoral studies, research, and evaluations;

- (c) controlling, evaluating, and monitoring budgets and programs;
 - (d) keeping voter information up to date;
 - (e) election-related information technology systems;
 - (f) administration of information and technology applications and networks; And
 - (g) the management and presentation of data on the results of national elections.
- d. Implementation Technical Division
Has the task of coordinating, organizing, controlling, monitoring, supervising, and evaluating related policies:
- (a) proposals for constituencies and seat allocations;
 - (b) verification of DPD members and political parties;
 - (c) the election and the candidates running for it;
 - (d) voting, counting votes, and summarizing the results of voting;
 - (e) determining the outcomes of the election and documenting them;
 - (f) Reporting on campaign finances; In addition
 - (g) the temporary replacement of Regency/Municipal DPRD members.
- e. Legal and Oversight Division
Has the task of coordinating, organizing, controlling, monitoring, supervising, and evaluating related policies
- (a) drafting of Regency/Municipal KPU Decrees;
 - (b) legal review and legal advocacy;
 - (c) legal documentation and publications;
 - (d) internal control and supervision;
 - (e) settling disagreements regarding election stages and outcomes, as well as non-stage elections and elections; And
 - (f) dealing with PPK, PPS, and KPPS's administrative violations of the Code of Conduct and Code of Ethics.

The Regency/Municipal KPU Secretariat is in charge of managing the finances and acquiring goods and services in accordance with statutory regulations. The Secretariat is led by a Secretary. In orderly administration and the smooth running of daily tasks, it is necessary to have a clear division of labor. The division of labor in the Pekanbaru City Election Commission secretariat is as follows:

- a. The Program and Data sub-division has the task of collecting and processing program planning materials, budgeting for the activities of the election stages, and collecting and processing election follow-up data.
- b. The Legal Subdivision has the task of carrying out inventory, study, and settlement of legal disputes, educating regulations related to elections, and preparing factual verification of election participants, as well as financial administration and campaign funds.
- c. The Technical and Hupmas sub-divisions have the task of collecting and processing technical materials for the holding of elections and administrative processes and verification of post-election post-election district/municipal DPRD members, determination of electoral districts and nominations, and determination of elected candidates for provincial DPRD members, and regional head and deputy elections. Regional Heads, counseling, cooperation assistance between institutions, implementing information services, as well as voter education.
- d. The Finance, General, and Logistics Subdivision has the task of collecting and processing materials for budget implementation, treasury, verification, and

bookkeeping of budget implementation, implementation of household affairs, equipment, security in administration, procurement of logistics for Elections for Regional Heads and Deputies, distribution of logistics for DPR, DPD, and DPRD, President and Vice President, Regional Heads and Deputies, Personnel, and Documentation, and election members.

3.2 Formation of Electoral Districts by the General Election Commission

Supriyanto in their book characterizes the appointive region as the field of truly political contest since this is where the possibility for the council seek the votes of their constituents.[11] This understanding is likewise in accordance with what was advanced by Indra Pahlevi who expressed that the electing region is a "rivalry region" for ideological groups taking part in races to prevail upon the votes of citizens who will ultimately sit in parliament. J. E. Leib and G. R. Webster characterize a discretionary region as an area isolated by geological limits for choosing individuals from the governing body.[12] It is in accordance with the arrangements of Article 187, passage 1, of the Political decision Regulation, which expresses that the DPR individuals' constituent locale are territories, locale/urban communities, or a blend of locale/urban communities.

In principle, the electoral area is one of the important technical tools in elections. This technical device has a special role because it directly encounters election participants, both voters and those who are elected. Determination of electoral districts will directly affect an electoral system, the relationship between votes and seats or how many people's representatives are appropriate to represent one electoral area, and the chances of a political party winning seats. Through the electoral district, the distribution of political representation or party system can also be directed and controlled.[6]

In forming an electoral district, the first thing that must be done is to determine the number of seats that will fill the parliament. To determine the number of parliamentary seats, two methods are known, namely:[12]

a. The one-seat quota method

The method uses population quotas for every 1 seat in parliament so that the number of seats in parliament is known according to the population. For example, it is determined that 1 (one) seat represents 100,000 (one hundred thousand) population, if the population totals 100,000,000 (one hundred million), then the number of seats that will fill parliament is 1,000 (one thousand) seats. This method, allows the number of seats in parliament to change following changes in population.

b. The method of determining the number of seats

This method determines in advance the number of seats that will fill the parliament as a divider for the total population so that a quota of 1 (one) parliamentary seat is known. This method is often also referred to as the fixed seats method which guarantees the certainty of parliamentary seats. This method causes the quota of 1 (one) parliamentary seat to change according to the population. If initially the quota of 1 (one) parliamentary seat is equal to 100,000 (one hundred thousand) population, if the population increases, the quota of 1 (one) parliamentary seat will also increase and vice versa.

After determining the number of seats that will fill the parliament, then next, seats will be allocated to each electoral district. To designate seats to each discretionary area, the relative estimation strategy is utilized, which so far is known as two techniques, to be specific:[13]

a. Variant quota method

Hamilton/Hare/Niemeyer or called Quota LR (largest remainders) To allocate seats to each electoral district, this method calculates seat acquisition by dividing the total population of each electoral district by the total population, then multiplying by the number of parliamentary seats. If there are remaining seats, they will be distributed to the electoral district that has the largest remaining population in a row until the seats run out. This method gave rise to three paradoxes in America, namely the number of seat paradox, the population paradox, and the new state paradox. These three types of paradox lead to injustice in the allocation of seats to the electoral districts

b. Divisor method

This method divides the population of each electoral district by the divisor or divisors to assign seats to each district. The results of dividing each electoral district's population by the divisor number are sorted, and the highest number successively receives seats in accordance with the number of seats in parliament. There are two variants of this method, namely d'Hondt and Webster/St. Lague. Initially, d'Hondt set the divisor numbers 1, 2, 3, 4,..., etc., then refined by Webster/St. League with divisors 1, 3, 5, 7,... etc. This odd-separating number is known to be exceptionally unbiased, not helping discretionary locale with an enormous populace, and troublesome for electing regions with a little populace

The size of the electoral district is the number of seats or mandates provided for a constituency. The term district magnitude or district magnitude first appeared popularized in Douglas W. Rae's publication entitled "The Political Consequences of Electoral Laws" (1967). By definition, in an election with multiple seats, the size of the electoral district is divided into three groups namely:[14]

- a. Small Dapil Class: 2-5 seats;
- b. Middle Electoral Class: 6-10 seats;
- c. Electoral District Class: Above 10 seats.

The size of the discretionary locale is chosen by lawmakers in Indonesia. The quantity of discretionary regions that are allowed by the Political race Regulation for individuals from the DPR in each electing locale is at least three seats and a limit of ten seats, as expressed in Article 187 passage 2 of the Law. That suggests the size of the constituent area in Indonesia is in the little to medium class. In addition, the fact that each electoral district must have at least three chairs demonstrates that Indonesia uses a proportional election system.

In drawing up an electoral district, of course, the principles that have been determined must be contemplated so that the electoral district truly represents the people in that area. Universally, Thomas L. Brunell in his study put forward 5 (five) main principles that must be met in drawing up an electoral district, namely:[13]

- a. Dapils are adjoining areas, therefore the electoral district must pay attention to the proximity of the regions. Every point in an electoral area must be accessible to other points in that electoral area without having to leave that electoral area;
- b. The same population, that is, the price of each seat in one electoral area must be the same as the other electoral districts. The principle of OPOVOV (one person, one vote, one value) is crucial in constructing constituencies. Political equality means that every vote has the same value, where no voter is valued more or less than other voters;
- c. Taking into account the interests of the community, namely the electoral area must consider the similarity of the social conditions of citizens in an electoral area;

- d. Paying attention to politics/administrative subdivisions;
- e. The compactness or density of constituencies.

Lisa Handley in her study also explained that of the many principles for organizing electoral districts, there are at least five main principles that are often used, namely:⁷⁰

- a. Impartiality: a foundation that has the power to shape a body electorate should be non-sectarian, free and proficient, and not partnered with a specific ideological group;
- b. Equality: The total population of the electoral districts must be equal to provide equality of voting power;
- c. Representativeness: The establishment of a constituency must consider the cohesiveness of a community, which is determined by the factors of administrative, geographic boundaries, and community interests;
- d. Non-discrimination: The process of establishing an electoral district must be free from manipulation that discriminates against voters because of race, skin color, religion, and status;
- e. Transparency: the formation of electoral districts must be transparent and as accessible to the public as possible.

From these generally known standards, the administrators in Article 185 of the Political Race Regulation decide the rules that should be viewed as in the planning of electing areas, specifically:

- a. equal worth of votes, or endeavors to expand the worth of votes (seat costs) that are similar in each constituent locale as per the principle "one individual, one vote, one worth,";
- b. adhering to a corresponding political race framework, and that implies giving need to the making of constituent regions with a ton of seats to guarantee that each ideological group gets similar extent of seats as legitimate votes;
- c. Proportionality, or paying attention to how seats are distributed among electoral districts in a way that keeps each district evenly distributed;
- d. territorial respectability requires the lining of numerous supporters organized rules, urban communities, or sub-locales while keeping up with regional trustworthiness and mix by considering topographical circumstances, transportation choices, and simplicity of transportation;
- e. are inside a similar inclusion region, and that implies that an electing locale for individuals from the DPR should incorporate all electing areas for individuals from the Common DPRD, whether they are comprised of one, a few, or a blend of areas as well as urban communities; Likewise, a whole constituent locale for individuals from the Common DPRD should incorporate individuals from the Regime/Civil DPRD's one, a few, or sub-area framing discretionary region;
- f. Cohesion means that minority groups, history, sociocultural conditions, and customs are taken into account when constituencies are prepared; And
- g. continuity, or the plan of electing locale with appointive regions that existed in the past political decision considered, except if the quantity of seats in a constituent area is more than the most extreme number took into consideration each discretionary region or is in opposition to the six standards framed previously.

4. Closing

One significant calculate and a component fabricating a discretionary framework which is many times an issue in each political decision is the electing region. Dapil is the real field of political fight in light of the fact that ideological groups and contender for regulative individuals vie for the votes of electors to get a situation as an individual from the DPR. The course of action of constituent regions is firmly connected with the discretionary framework utilized. As contained in Article 168 of the Political decision Regulation that the framework utilized in the appointment of individuals from the DPR, Commonplace DPRD, and Regime/Metropolitan DPRD is an open relative political decision framework. In a proportional election system, where the available representative seats are plural, the issue of forming an electoral district is not only a matter of determining regional boundaries, but also regarding the size of the electoral district.

In drawing up an electoral district, of course, the principles that have been determined must be considered so that the electoral district truly represents the people in that area. In Indonesia, the size of the electoral district has been determined by the legislators. A minimum of three seats and a maximum of ten seats are allowed in each electoral district for members of the DPR in accordance with Article 187 paragraph (2) of the Election Law. This indicates that the size of the electoral district in Indonesia falls into the small to medium class. In addition, the fact that each electoral district must have at least three seats emphasizes that Indonesia uses a proportional election system.

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