

THE EXISTENCE OF A QUICK COUNT IN THE SIMULTANEOUS ELECTION VORTEX AS PART OF THE DEVELOPMENT OF INDONESIAN DEMOCRACY IN THE 4.0 ERA

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ABSTRACT

Democracy that is currently running in Indonesia is now developing very rapidly. Unfortunately, the development of this democracy is not matched by the development of the maturity of the elite and society, so that democracy is only a tool to achieve power by ignoring the philosophy of democracy 'from the people by the people and for the people'. The existence of the Quick Count as the role of modern democracy to find out the results of general elections quickly in its development creates many problems, especially when the Quick Count results do not meet the expectations of one of the election participants, the institution that organizes the Quick Count must deal with criticism, rebuttal, blasphemy, threats and even the end-latest death threats. This description of the development of democracy is fascinating to examine through the method of normative jurist research by identifying the problem whether the development of democracy in Indonesia at this time has been following the expectations of the people? Is the existence of the Quick Count in line with the development of modern democracy in Era 4.0?

This research is expected to produce a particular alternative thought regarding the hope of the development of modern democracy in Indonesia and the existence of the Quick Count as a sign of contemporary democracy, so the modernization of the electoral system must be directly proportional to the maturity of the elite and Indonesian society as a form of democratic development in the current 4.0 era.

Keywords: Quick Count, Democracy, Concurrent Elections.

INTRODUCTION

Democracy is a tool or means to achieve the goals of the nation, namely the national objectives as stated in paragraph 4 (four) of the Preamble to the 1945 Constitution (Mulyadi & Aridhayandi, 2015). With the agreement on a legal system, namely a social contract, rights and obligations are born to carry out the law reasonably and orderly (Priyatno & Aridhayandi, 2016). One of them is about the General Election.

The 1945 Constitution of the Republic of Indonesia indicates that Article 22E, the third amendment passed on November 10, 2001, states that general elections are conducted directly, publicly, freely, secretly, honestly and fairly every five years. In the context of the Simultaneous Election between the Presidential and Vice-Presidential Elections and the Legislative Election in line with the Decision of the Constitutional Court (MK) No. 14/PUU-XI/2013.

The Constitutional Court decision was then followed up through Law no. 7 of 2017 concerning General Elections, following Article 1 Paragraph (1) General Election, from now on

referred to as Election, is a means of people's sovereignty to elect members of the People's Representative Council, members of the Regional Representative Council, the President and the Vice President and to elect members of the Regional People's Representative Council, which is carried out directly, publicly, freely, secretly, honestly and fairly within the Unitary State of the Republic of Indonesia based on Pancasila and the 1945 Constitution of the Republic of Indonesia.

The General Election is then referred to as the Simultaneous Election. Their implementation socially, economically, politically, democracy and law are at a crossroads which is worsened by the atmosphere of international development in almost all fields of life which confirms that 21st-century globalization is no longer merely as a processor as a system that must be implemented but has been established as an ideology of the international community (Gelines, 2003). Coupled with the increasingly sophisticated developments and the increase in science and technology, it is apparent that it affects people's lives (Nugraha et al., 2019).

In this simultaneous general Election, the existence of a quick count or quick vote count, also known as parallel voting tabulation, is a useful method for monitoring voting day (Rizani, 2017). based on Article 28 Paragraph (1, 2 & 3) General Election Commission Regulation No. 10/2018 concerning Socialization, Voter Education, and Public Participation in Election Implementation as part of the development of accountability for the democratic process in Indonesia is an exciting issue to be studied more deeply, especially after the holding of simultaneous general elections on April 17 2019, a problem arises in the middle. The community regarding the Quick Count results, especially for the presidential Election. Various opinions emerged on the results of the Quick Count both responding to the results of the Quick Count positively and negatively (Andika et al., 2019).

The results of the Quick Count, if not managed properly, have the potential to create widespread conflict among the community, especially the supporters of each contestant. Even those who drew the pros and cons of the Quick Count results were proven by the reporting of 6 (six) Quick Count agencies to the National Police Headquarters by one of the contestants who felt aggrieved, one of the directors of the Quick Count agency received various threats and became the target of the murder of suspects whose legal process was still running until recently.

METHOD

Based on the above discussion, the author implements a normative juridical approach in carrying out this research as a basis for analysis is secondary data. The normative juridical system is an approach through a process of testing or analyzing secondary data in the form of secondary legal materials by understanding law as a rule or positive norm in applicable legislation, so this research is understood as library research, namely research on secondary materials (Soekanto, 1985).

DISCUSSIONS

Public Expectations in the Development of Democracy in Indonesia

Indonesia, as one of the largest democracies in the world at this time, has experienced extraordinary developments. This is in line with the notion of Democracy as a form or

mechanism of the state government system as an effort to internalize the values of people's sovereignty (citizen power) over the state to be implemented by the government.

The Indonesian state, as a democratic constitutional government, is the embodiment of democratic values in the legal politics of the Indonesian nation now and in the future (Mulyadi, 2018). In line with the constitution of the 1945 Constitution of the Republic of Indonesia, Article 1 Paragraph 1 "*Indonesia is a Unitary State in the form of a Republic*", Paragraph 2 "*Sovereignty is in the hands of the people*" Thus our constitution expressly introduces the meaning of Democracy in the system the constitutionality of the Unitary State of the Republic of Indonesia. Therefore, Democracy is the embodiment of the order of state life, which is sovereign of the people, government from and for the people (Marpaung, 2013).

The meaning of the constitution, according to Law no. 7 of 2017 concerning General Elections as a manifestation of the development of Indonesian Democracy in the era 4.0 marked by various constitutional phenomena that exceed the expectations of democratic package lawmakers (Political Party Law, Election Law, Election Management Law & Election Law) Regional Heads (Pilkada) include the phenomenon of campaigns using holographic technology so that candidates do not have to be present at the campaign venue, but campaign objectives are well conveyed. Furthermore, the existence of the Quick Count institution is following the General Election Commission Regulation (PKPU) No. 10/2018 is expected to provide an overview of the reality of aspirations and political maps in Indonesia, be able to map the dynamics of Democracy in Indonesia's increasingly mature society. The expectations of the Indonesian people for their leader figure can be illustrated through the Quick Count results in a matter of minutes with the flow of implementation determining the number of polling stations The votes (TPS) to be observed, choose the TPS to be observed randomly using data management (observation, recording, and analysis of the data from the vote count) (Karami & Pradani, 2017).

This dynamic illustrates that the development of Democracy in Indonesia is currently very advanced, even though the progress of the democratic process is not matched by sufficiently proportional regulations or regulations so that this progress often turns into a potential conflict that is detrimental to society. These phenomena are a picture of the development of Democracy in Indonesia as part of a modern democratic state following the expectations of the Indonesian people today.

The Existence of the Quick Count is in Line with the Development of Modern Democracy in the Era 4.0

The jargon "*The World Is In Your Hand*" as a consequence of the current globalization which is currently unstoppable and has penetrated the joints of Indonesian society, spiced with increasingly sophisticated technological developments the world has now entered the era of the industrial revolution 4.0 with a characteristic emphasis on Digital economic patterns, artificial intelligence, big data, robotic or what is known as the phenomenon of disruptive innovation, in a political context in a country that implements a modern democratic system, it turns out that it cannot be separated from this influence, this is marked by one of the phenomena of a campaign system using holographic technology. Although from the juridical side there is still no precise regulation, rampant hoax crimes and the acceptance of survey institutions that carry out quick counts as a means of control and comparison of the results of calculations carried out by the

General Election Commission (Real Count) in the General Election of Regional Heads, Elections Legislative (Pileg) and Presidential Election (Pilpres) in Indonesia.

Suseno (2016) said that a modern democratic country is a law state whose government is supervised by the people, implementing free, honest and fair elections, which adhere to the principle of the majority and guarantees for fundamental democratic rights, in addition to these characteristics in the development of a modern democratic country as well. Must provide space for the recognition and protection of the human rights of citizens, the existence of a free/independent judiciary, the freedom of the Press, the glory of differences and diversity of ethnicity, religion, class as a pluralist state political reality.

The General Election Commission (KPU), which holds general elections (Mulyadi, 2018), has the authority to regulate the existence of the Quick Count institution as one of the modern democratic institutions that must be able to carry out an internal supervisory function that places the noble values of human rights as part of social dynamics. The Quick Count institution is regulated in Law No. 7 of 2017 concerning General Election which is further held in PKPU No. 10/2018, in the 2019 Election, there were 40 (forty) survey institutions that carried out quick counts that had officially registered with the KPU.

In PKPU No. 10/2018 Article 28 Paragraph (1) explains that surveys or opinion polls and quick counts of election results are conducted by institutions registered with the KPU. Thus Quick Count institutions that have registered with the KPU are official institutions following the statutory requirements. Then the Quick Count results are also official regardless of the accuracy of the products. Paragraph (2) The registered survey institution must be a legal entity in Indonesia, and the source of the funds does not come from foreign financing. This paragraph is intended to minimize interference from other countries on the sovereignty of the democratic process in Indonesia. Paragraph (3) the survey institution must register with the KPU by submitting documents in the form of a schedule and location plan, deed of establishment and management structure, this paragraph can make it easier for election organizers, in this case, the KPU to track the work area and management personnel of the Quick Count institution.

The purpose of the birth of a survey institution that conducts Quick Count in the general elections for the President, Vice President and the Legislative Election simultaneously in 2018, including as a control tool to anticipate potential fraud, however, the Quick Count is carried out by randomly sampling data and using scientific methods, which may allow some errors-in performing the calculations, provided that the larger the sample size, the smaller the margin of error. For example, the margin of error in the Quick Count by the Indonesian Survey Institute (LSI) in the 2013 Regional Head Election of Central Java Province was 0.11%, the desired error rate was 0.11% and using the confidence level was 95% (Uya et al., 2018).

The Quick Count Institute in the development of modern democracy in the world has historically been a fundamental institution for predicting the outcome of democracy in a country, for example, the regime change in several countries including Chile in the 1988 Election, Panama State in the 1989 Election, and Bulgaria in the General Election. In 1990, the Dominican Republic in the 1996 General Election and the State of Kenya in the 1997 Election and 2018 Indonesia became a country that benefited from the existence of the Quick Count institution in the political contestation of the Legislative Elections and the Presidential Election with its various problems. As for the rejection which aims at reporting and even death threats for the managers of the survey institutions that carry out quick counts in the election, this is a reaction of

extreme disappointment over the Quick Count result which is beyond the expectations of the group as part of the dynamics of democracy and the legal process is still ongoing.

CONCLUSION

Public Expectations in the Development of Democracy in Indonesia through the existence of survey institutions that carry out quick counts in line with the development of modern democratic institutions in Era 4.0. The results of the Quick Count as a measuring and comparison tool of the results of the calculation of the Real Count conducted by the KPU in the presidential, legislative and regional elections simultaneously in Indonesia. Even in several other countries, the results of the Quick Count are used as a reference for comparison in the process of replacing a regime in the dynamics of modern democracy through general elections.

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