

Supervision of the Implementation of the 2020 Simultaneous Regional Head Elections by the Semarang City General Election Supervisory Body



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ABSTRACT: The General Election Supervisory Body in Indonesia is an independent institution that has an important role in supervising the implementation of general elections in order to realize democratic elections. This can be seen from the implementation of the duties, obligations, and authorities of the Semarang City Election Supervisory to supervise the stages of the Regional Head Election 2020 in Semarang City in order to elect the Mayor and Deputy Mayor of Semarang. The Simultaneous Regional Head Elections in Semarang City which were carried out in the midst of the Covid-19 pandemic went well, safely and democratically in accordance with existing regulations. The performance of the Semarang City Election Supervisory Agency is influenced by factors including legal substance, legal structure, and legal culture.

KEYWORDS: Election Supervisory Agency; Supervision; Regional Elections.

A. INTRODUCTION

Indonesia is a democratic rule of law country. A democratic system based on law and people's sovereignty is the basis of life in the nation and state. Democracy as a government system adopted by Indonesia states that a government is led by the people, from the people, and for the people (Nasution, 2017) . The government of the Republic of Indonesia which is the sovereignty of the people is a mandate in the Preamble to the 1945 Indonesian Constitution in the 4th paragraph which is then explained in the formulation of Article 1 paragraph (2) of the 1945 Indonesian Constitution that "sovereignty is in the hands of the people and is implemented according to the Constitution" and is emphasized in Article 1 paragraph (3) of the 1945 Indonesian Constitution that Indonesia is a legal state.

In principle, the rule of law should be built and developed according to the principles of democratic *rechstaat*. Laws must not be created, determined, interpreted and enforced with an iron fist based on *machtsstaat*. The principle of the rule of law must not be upheld by ignoring the democratic principles regulated in the Constitution. Thus, sovereignty is in the hands of the people, carried out according to the Constitution (*constitutional democracy*) which is balanced with the affirmation that the State of Indonesia is a legal state with popular or democratic sovereignty. (Huda, Imam Nasef, 2017) .

General elections are one of the most important elements for maintaining people's sovereignty. In democracy, *people's sovereignty* is the highest concept which ensures that government power must be limited. Limiting government power is the basic foundation of a democratic state. In limiting government power, changes must be made periodically and in an orderly manner so that disharmony does not occur in society (Fajlurrahman, 2018) . According to Ramlan Surbakti, elections as an instrument can be formulated as a mechanism for delegating some of the sovereignty of the people to election participants and/or candidates for members of the DPR, DPD, DPRD, President/Vice President and Regional Head/Deputy Regional Head to make and implement political decisions in accordance with the will of the people (Surbakti, Didiek Supriyanto, Topo Santoso, 2008) .

This can be realized by electing regional heads. Election of Regional Heads is an implementation of popular sovereignty at the regional level. The legal provisions regarding the Election of Regional Heads are contained in Article 18 paragraph 4 of the 1945 Indonesian Constitution that " Governor, Regent and Mayor respectively as heads of provincial, district and city regional governments are elected democratically."

The implementation of democratic Regional Head Elections was then reaffirmed in Article 1 a number (1) of Law Number 8 of 2015 concerning Amendments to Law Number 1 of 2015 concerning Stipulation of Government Regulations in Lieu of Law Number 1 of 2014 concerning Governor Elections, Regents and Mayors It has become a law that "The election of Governors and

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Deputy Governors, Regents and Deputy Regents, as well as Mayors and Deputy Mayors, hereinafter referred to as Elections, is the exercise of popular sovereignty in provincial and district/city areas to elect Governors and Deputy Governors, Regents and Deputy Regent, as well as Mayor and Deputy Mayor directly and democratically."

In general, it is said that direct regional head elections are more democratic. There are at least two reasons why the idea of direct elections is considered necessary. First, to further open the door for the emergence of Regional Heads who are in accordance with the wishes of the majority of the people themselves. Second, to maintain government stability so that it does not easily fall in the middle of the road (Huda, 2017) . According to Maswadi Rauf, there are at least four reasons why direct regional head elections need to be held, including to build regional autonomy, grow local leadership, increase public accountability, government transparency and a strong popular legitimacy process. (Simamora, 2011) .

Regional head elections are always sought so that the implementation is effective, efficient and produces regional leaders who are representative of the interests of the people in the regions they lead. One effort to improve the quality of the implementation of Regional Head Elections is by implementing a Simultaneous Regional Head Election system (Harris, 2017) . Simultaneous Regional Head Election means the election of regional heads carried out directly by residents of local administrative regions who meet the requirements, carried out simultaneously in regions in Indonesia. The election of regional heads is carried out simultaneously with the deputy regional heads, which includes the Governor and Deputy Governor for provinces, the Regent and Deputy Regent for districts, and the Mayor and Deputy Mayor for cities. (Ristyawati, 2020) .

Indonesia has and will hold regional head elections simultaneously. The General Election Commission inaugurated the Simultaneous Regional Head Elections in April 2015 and was carried out in three waves. The first wave on December 9 2015, was intended for regional heads who were entering the end of their term of office in 2015 and the first semester of 2016. The second wave was scheduled for February 2016 for regional heads whose terms of office ended in the second semester of 2016 and 2017. Meanwhile, the third wave was implemented in June 2018 , aimed at regional heads whose term of office falls in 2018 and 2019. The fourth wave of simultaneous Regional Head Elections will be held in 2020 to re-elect regional heads from the 2015 election. The fifth wave of Regional Head Elections will be in 2022 for regional heads from the 2017 election. Wave The sixth will be held in 2023 for regional heads resulting from the 2018 election. Based on these stages , the future scenario is that simultaneous national regional head elections are expected to be held in 2027 (Harris, 2017) .

However, the 2020 Simultaneous Regional Head Election which was supposed to be held on September 23 was postponed due to the Covid-19 pandemic. As is known, the 2020 Simultaneous Regional Head Election is an implementation of the mandate contained in Law Number 10 of 2016 Article 201 paragraph 6 which states that "Simultaneous voting for the Governor and Deputy Governor, Regent and Deputy Regent, as well as the Mayor and Deputy Mayor of the election results 2015 will be held in September 2020."

The postponement of the 2020 Simultaneous Regional Head Election due to the Covid-19 pandemic with the issuance of Government Regulation in Lieu of Law Number 2 of 2020 concerning the Third Amendment to Law Number 1 of 2015 concerning Stipulation of Government Regulation in Lieu of Law Number 1 of 2014 concerning Elections Governors, Regents and Mayors have become law in Article 201A paragraph (2) that "the postponed simultaneous voting as referred to in paragraph (1) will be held in December 2020" where the postponement of the simultaneous Regional Head Election will be held in December of 2020 is the same one (Ristyawati, 2020) .

Election of Regional Heads as one of the efforts to create a democratic state at the regional level must be implemented well, requiring general election organizers to be professional and accountable, to ensure transparency and efficiency requires the role of the institution that oversees the organization or implementation of all stages of the Regional Head Election, namely the General Election Supervisor Agency (Perdana, Alfaris, & Iftitah, 2020) .

Legal provisions regarding the General Election Supervisory Body are regulated in Article 1 number 10 of Law Number 8 of 2015 concerning Amendments to Law Number 1 of 2015 concerning Stipulation of Government Regulations in Lieu of Law Number 1 of 2014 concerning Election of Governors, Regents and Mayors Becomes a Law which states that the General Election Supervisory Body, hereinafter referred to as the General Election Supervisory Body, is the general election organizing institution whose task is to supervise the implementation of general elections throughout the territory of the Unitary State of the Republic of Indonesia as intended in the law governing general election organizers. duties and authority in supervising the implementation of elections based on the provisions regulated in the Regional Head Election Law.

The existence of the General Election Supervisory Body as a special institution tasked with supervising the process of carrying out the General Election was initially unknown in Indonesia. The first elections held by Indonesia in 1955 were not yet known by election monitoring institutions. This institution appeared in the 1982 elections, which was called the Election

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Implementation Supervisory Committee (Surbakti, 2015) . The emergence of this institution was motivated by the many problems with election officials who were considered to have committed many violations and manipulations in vote counting. Then in the 1977 election the problem was much more massive while the handling was less than optimal because it was the government and the DPR that responded. This gave rise to many assumptions of the government's non-neutrality in the implementation of the elections, until finally the idea emerged of improving the law aimed at improving the quality of the 1982 elections. (Huda, Imam Nasef, 2017) .

To accompany the General Election Institution, which at that time partly consisted of representatives of Election participants, the government felt it necessary to establish an institution tasked with supervising the implementation of the Election, namely the General Election Implementation Supervisory Committee. After the 1999 Election, the Election Supervisory Committee was changed to the General Election Supervisory Committee. This change was made through Law Number 12 of 2003 which confirmed that to carry out election supervision, Central, Provincial, Regency/City and Subdistrict Election Supervisory Committees were formed. Based on the provisions of Law Number 22 of 2007 concerning General Election Organizers in Article 70, the name of the Election Supervisory Committee was then changed again to the Election Supervisory Body (Huda, Imam Nasef, 2017) .

In its development, the General Election Supervisory Body has strengthened its position and authority. This was proven after the Constitutional Court decision no. 48/PUU-XVII/2019 concerning Review of the Regional Head Election Law against the 1945 Constitution of the Republic of Indonesia. This Constitutional Court decision provides a new interpretation regarding the district/city level of general election supervisory committee which was previously ad hoc in nature and has become a permanent institution and relates to filling positions according to legality based on the *Election* Law. Legal certainty for the General Election Supervisory Body is very important because the General Election Supervisory Body carries out law enforcement and supervisory functions. Furthermore, this Constitutional Court decision provides legal certainty regarding the legality of Regency/City General Election Supervisory Bodies in carrying out their duties in the 2020 Simultaneous Regional Head Elections. (General Election Supervisory Body, nd) .

Simultaneous Regional Head Elections were held on December 9 2020 in the midst of the Covid-19 pandemic. The simultaneous regional head elections were held in 270 regions of Indonesia, including the election of governors and deputy governors in 9 provinces, the election of regents and deputy regents in 224 districts, and the election of mayors and deputy mayors in 37 cities. (Compass, nd) . The decision to hold simultaneous regional head elections on December 9 has sparked polemics. Some parties agreed for various reasons, one of which was to maintain democracy and the continuity of governance in the region. This reason is based on the argument to avoid uncertainty in regional leadership which could result in obstacles to regional development and community welfare. On the other hand, it was not approved, among other things, for reasons of health and safety of organizers, participants and voters, which must be given more attention, the quality of democracy, and other matters relating to the technicalities of holding Simultaneous Regional Head Elections in the midst of the Covid-19. (Nuryanti, Mouliza Kristhopher Donna Sweinstani, Sutan Sorik, 2020) .

Semarang City is one of the regions holding the 2020 Simultaneous Regional Head Election to elect the Mayor and Deputy Mayor of Semarang. In this election, Semarang City only has a single incumbent candidate, namely Hendrar Prihadi - Hevearita Gunaryanti . In the Semarang City Election, the General Election Commission The city of Semarang has set the number of polling places at 3,447 polling stations spread across 177 sub-districts in 16 sub-districts of Semarang City. (Susanti, 2021) . Even though this election only has a single candidate pair against an empty box, this does not mean that supervision of the implementation of this Regional Head Election can be considered light. The success of the 2020 Semarang City Simultaneous Regional Head Election is the result of hard work from various parties including the ranks of Semarang City Election supervisors who are at the forefront of election monitoring. The Semarang City General Election Supervisory Body is an institution that has the duties and authority to supervise the implementation of elections in the City of Semarang.

Based on this description, it is interesting to study the implementation of the supervisory function of the Semarang City General Election Supervisory Body in the Simultaneous Regional Head Election in the 2020 Semarang Mayor and Deputy Mayor Election. This research provides considerations as an evaluation of the implementation of the duties and authority of the City General Election Supervisory Board Semarang in the 2020 Simultaneous Regional Head Election, the problems that can be studied are: 1) How does the Semarang City General Election Supervisory Body carry out its supervisory function in the implementation of the 2020 Simultaneous Regional Head Election in Semarang City?; 2) What are the factors that influence the performance of the Semarang City General Election Supervisory Body in the implementation of the Simultaneous Regional Head Election?

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B. RESEARCH METHOD

This research approach is *Socio Legal Research*. Through this research approach, it will be discovered to what extent the Semarang City General Election Supervisory Body is involved in supervising the implementation of the 2020 Simultaneous Regional Head Election. In addition, by using a *Socio Legal Research approach*, factors will be found that influence the performance of the General Election Supervisory Body in supervising the Regional Head Election. The data used is primary data through interviews with informants and secondary data through literature study.

C. RESULTS AND DISCUSSION

1. Supervision of the Semarang City General Election Supervisory Body in the 2020 Simultaneous Regional Head Election Implementation Stages.

According to George R. Terry, supervision is carried out for the purpose of evaluating actions and making corrections to the results that have been achieved so that what is done is in accordance with what was planned. Supervision can be concluded as an activity carried out to assess whether the implementation of activities is in accordance with what was planned. Furthermore, priority is given to evaluating and correcting the results achieved. Apart from that, supervision can also be equated with corrections to *das sein* and *das sollen*, where *das sollen* is a plan that must be in accordance with *das sein*, namely reality. (Sigit Pramukti, Meylani Chahyaningsih, 2016) .

In this case, the supervision carried out by the Semarang City General Election Supervisory Board is the implementation of duties and authority based on legal provisions in statutory regulations regarding implementation practices in the Election of the Mayor and Deputy Mayor of Semarang in the 2020 Simultaneous Regional Head Election. carry out supervision, prevention and action in accordance with legal provisions regulated in Article 30 of Law Number 10 of 2016 concerning the Second Amendment to Law Number 1 of 2015 concerning Stipulation of Government Regulations in Lieu of Law Number 1 of 2014 concerning the Election of Governors, Regent and Mayor Become Law.

a. Supervision of Data Updates and Preparation of Voter Lists

At the stage of updating data and compiling voter lists, the Semarang City General Election Supervisory Body uses technological assistance to make it easier to carry out its duties. Apart from that, arranging a strategy for dividing work between the Semarang City General Election Supervisory Body and the District Election Supervisory Committee so that implementation is effective, efficient and does not overlap.

The Semarang City General Election Supervisory Board provided recommendations regarding the results of examining the preparation of the voter list at this stage, including 1,911 multiple voters, 13,398 voters who did not meet the requirements, 4,614 new voters, 147 invalid voters and 2,750 revised voter data. Overall, the recommendations resulting from the examination of the preparation of the voter list were submitted to the Semarang City General Election Commission and its staff with a total of 22,820 findings . (Susanti, 2021) .

b. Logistics Supervision

Supervision at the logistics stage found discrepancies in the writing printed on the distributed voting booths. The sentence reads "vote the ballot paper in the column containing the serial number/photograph/name of the candidate pair." Meanwhile , in this election there is only one pair of candidates who have been inaugurated by the Semarang City General Election Commission . As in Article 8a of the General Election Organizer Honorary Council Regulation Number 2 of 2017 which requires election organizers to behave and act neutrally or impartially towards political parties, candidate pairs and/or election participants .

General Election Commission Regulation Number 13 of 2018 concerning the Election of Governors, Regents and Mayors with one candidate pair, states that the existence of empty columns/boxes is recognized by law. Therefore, the existence of empty boxes is important to accommodate according to regulations. Responding to these findings, the Semarang City General Election Supervisory Body provided suggestions for improvements to the Semarang City General Election Commission through letter Number 347/General Election Supervisory Body Prov.JT33/PM.00.02/XI/2020 concerning Closing Voting Booth Stickers that are not in accordance with election conditions in Semarang City with one candidate pair. The Semarang City KPU's follow-up to the suggestions for improvement was to cover the writing on the voting booth using a sticker that read "Vote on: Photo of Candidate Pair or Blank Column with No Picture" (Susanti, 2021) .

c. Nomination Supervision

The 2020 Simultaneous Regional Head Election in Semarang City in the context of the Election of Mayor and Deputy Mayor of Semarang only has a single pair of candidates and incumbents, namely Hendrar Prihadi – Hevearita Gunaryanti who

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are supported by all political parties that have seats in the Semarang City DPRD. These political parties include: PDIP, PKB, Gerindra, PKS, Golkar, Nasdem, PSI, PAN and Democrat with a total political support of 50 seats (Susanti, 2021) .

Regulations regarding empty boxes are regulated in the Republic of Indonesia General Election Commission Regulation Number 9 of 2020 concerning Nominations for the Election of Governor and Deputy Governor, Regent and Deputy Regent, and/or Mayor and Mayor. It is more clearly regulated in Law of General Election Commission Number 13 of 2018 concerning the Election of Governor and Deputy Governor, Regent and Deputy Regent, and/or Mayor and Mayor with one candidate pair. Both regulations implicitly convey that voting in empty boxes is valued at the same value as votes for candidate pairs promoted by political parties.

d. Campaign Oversight

In the article 1 number 22 General Election Supervisory Body Regulation Number 4 of 2020, a campaign is an activity offering a vision, mission, candidate pair program and/or other information, which aims to introduce or convince voters. In the campaign stages, the number of Campaign Props continues to increase significantly. Almost all the main roads in the city of Semarang are scattered with billboards, banners, banners and flags of various proposing parties spread across 16 sub-districts and 177 sub-districts of the city of Semarang.

In controlling it, it is periodically carried out by the Semarang City General Election Supervisory Body's campaign props control team which consists of several related agencies such as the Semarang City General Election Commission, National Unity and Politics Body, Police, the Health Service, etc. Supervision in this stage includes activities including 107 non-campaigns, 36 campaigns disbanded, 13 campaigns not having a Notification Receipt, 33 campaigns canceled, 274 online campaigns, 295 conventional campaigns with a total of 582 campaign activities carried out.

The Semarang City General Election Supervisory Body also received 12 findings and reports of alleged violations, including 4 findings of administrative violations, 4 findings of violations of statutory regulations, 2 findings of criminal violations, and 1 finding of non-violation. (Susanti, 2021)

The Semarang City General Election Supervisory Body also provided 3 written appeals and 3 verbal appeals in monitoring the campaign finance stage. Apart from that, supervision at the campaign finance stage is also carried out with the results of initial campaign fund reports, reports on receipt of campaign fund donations, reports on receipt and expenditure of campaign funds, as well as estimates of campaign funds during the 2020 Simultaneous Regional Head Elections in Semarang City.

e. Supervision of Voting and Vote Counting

The Semarang City General Election Supervisory Body, in carrying out supervision during the monitoring stage of voting and vote counting, made recommendations to the TPS, including: 1 voter cannot vote because they do not bring Form A5, 1 Political party is not allowed to enter the TPS because they do not bring a mandate letter, 3 letters less votes, 1 polling station was affected by flooding, 38 polling place supervisors did not get a copy of the DPT, 1 opening of ballot boxes before 06.00 WIB, polling place supervisors did not get a copy of the KWK C-Results, 2 distribution of door prizes from the Polling Organizing Group to voters, 1 ballot paper spilled with ink, 3 missing ballot papers, 23 recounts of ballot papers, 226 errors in writing C-KWK Results, 16 errors in writing D-KWK Results (Susanti, 2021) .

The Semarang City General Election Supervisory Body supervises this stage, apart from using manual methods, it is also assisted by the Recapitulation Information System to make it easier to count votes and recapitulate vote counting results, although the use of the Sirekap tool cannot be implemented in its entirety in only five sub-districts of Semarang City.

f. Supervision of Money Political Practices

During the campaign stage, the Semarang City General Election Supervisory Body discovered 2 findings of alleged money political election crimes which were processed and discussed at the Semarang City Integrated Law Enforcement. Both activities are social services by providing basic necessities accompanied by campaign materials with pictures of candidate pairs given by cadres and volunteers from the proposing party to vulnerable groups whose economy has been affected by the Covid-19. This is suspected to violate criminal provisions regarding money politics in article 187A paragraph (1) of Law Number 10 of 2016 concerning Regional Head Elections.

The Semarang City General Election Supervisory Body is making preventive efforts to ensure that similar cases do not happen again by providing written advice to candidate pairs and campaign teams. This appeal is in Letter Number 313/General Election Supervisory Body ProvJT33/ PM.00.02/X/2020 regarding an appeal not to distribute aid in the form of rice, basic necessities or other materials accompanied by campaign materials or an invitation to vote or not to vote for certain candidate

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pairs in the Head Election. Semarang City Region 2020, and requested that this appeal be forwarded to party administrators at sub-branch and branch level in the city of Semarang (Susanti, 2021) .

g. Supervision of Neutrality of State Civil Apparatus

Civil servants in Central Java occurred at almost all stages during the 2020 Simultaneous Regional Head Elections. Semarang City was one of the areas where there were many violations of the neutrality of the State Civil Service . The Semarang City General Election Supervisory Board issued an appeal regarding the neutrality of the State Civil Apparatus, Indonesian Army, and Police to the Mayor, Personnel, Education and Training Agency, Regional People's Representative Council, Polrestabas, and Kodim 0733/B5. In the findings of alleged violations of civil servants, there were 6 cases registered regarding alleged violations of civil servants neutrality involving 16 State Civil Apparatus. Most of these alleged violations of civil servants neutrality were conveyed by providing support to candidate pairs on social media or by directly appearing to provide support to the candidate pairs' campaigns. The follow-up to this violation of the neutrality of the State Civil Service was a recommendation from the Semarang City General Election Supervisory Board to the State Civil Service Commission. (Susanti, 2021) .

h. Health Protocol Supervision

The stages of implementing elections in Semarang City in the midst of the Covid-19 pandemic are basically not much different from the stages of implementing Simultaneous Regional Head Elections in general. What is different is that every stage that occurs must be implemented by implementing Health Protocols as an effort to prevent and spread Covid-19. The implementation of the health protocol is regulated by changes to election implementation regulations, both General Election Commission Regulations and General Election Supervisory Body Regulations.

In this case, the Semarang City General Election Supervisory Body carries out supervision in the 2020 Simultaneous Regional Head Elections based on the Regulation of the General Election Supervisory Body of the Republic of Indonesia Number 4 of 2020 concerning Supervision, Handling Violations and Settlement of Disputes in the Election of Governors and Deputy Governors, Regent and Deputy Regent, as well as the Mayor and Deputy Mayor Simultaneously Continued in Conditions of Non - natural Disasters Corona Virus Disease 2019 (Covid-19).

The implementation of health protocols in the technical implementation of elections has made changes and adjustments to break the chain of transmission of Covid-19. In practice, the implementation of several stages has changed significantly. In the previous Regional Head Election, the stages of matching and researching voter data were carried out directly (door to door) in order to avoid voter data errors, but in the Regional Head Election this time it was allowed to be carried out indirectly, namely matching the data on the table by the head of the region. At the campaign stage, the recommended method is online campaigning, while face-to-face campaigning is still permitted with a maximum participant limit of 50 people. (Semarang City General Election Supervisory Body, 2020) . Even at the voting stage where the number of voters is limited to a maximum of 500 citizens with the right to vote in one TPS, this is in accordance with Article 21 paragraph (4) of the General Election Commission Regulation (PKPU) Number 6 of 2020 concerning the Implementation of the Election of Governors and Deputy Governor, Regent and Deputy Regent, and/or Mayor and Deputy Mayor Simultaneously Continued in conditions of Non-natural Disaster Corona Virus Disease 2019 (Covid-19).

In general, the implementation of the 2020 Simultaneous Regional Head Elections in Semarang City went well, safely and democratically. This can be proven by several indicators, including: community compliance with health protocols during the Regional Head Election in the midst of the Covid-19 situation, an increase in the number of participation compared to the 2015 Regional Head Election which, based on data from the Semarang City General Election Supervisory Body, was 68.6% compared to the last Regional Head Election of around 65.9% of participants, and there was a decrease in alleged violations, both administrative, criminal, dispute and code of ethics violations. However, compared to the 2015 Regional Head Election, handling of civil servants neutrality violations tends to increase (Semarang City General Election Supervisory Body, 2020) .

2. Factors that Influence the Performance of the General Election Supervisory Body .

The existence of the General Election Supervisory Body as one of the General Election organizing institutions together with the General Election Commission and the Honorary Council of Election Organizers has a very important role in realizing the implementation of democratic elections. The General Election Supervisory Body has the duties, authority and obligations to carry out supervision, prevention and action in the implementation of elections in accordance with those regulated in statutory regulations.

According to Lawrence M. Friedman, law as a system (legal system) in its operation has 3 components that interact with each other, namely legal structure, legal substance and legal culture. (Bakri, 2013) . Legal substance is legal material that is stated

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in statutory regulations. The legal structure concerns the institutions (institutions) implementing the law, the authority of the institutions and personnel (law enforcement officers). Meanwhile, legal culture is related to the legal behavior of its people (Ansori, 2017) . These three components influence the success of law enforcement in a society because one component and another are interconnected, influence and complement each other to achieve goals.

In this case, to realize a democratic and fair Regional Head Election, there are factors that influence the performance of the Semarang City General Election Supervisory Body in enforcing the law during the 2020 Simultaneous Regional Head Election, as follows:

1. Legal Substance.

Lawrence M. Friedman explains that legal substance consists of substantive legal regulations and legal regulations regarding how the institutions created by substantive legal regulations should act. The real *results* of this legal substance can take the form of law in concreto or law in abstracto (Bakri, 2013) .

Law Number 10 of 2016 concerning the Second Amendment to Law Number 1 of 2015 concerning the Stipulation of Government Regulations in Lieu of Law Number 1 of 2014 concerning the Election of Governors, Regents and Mayors. Becoming a Law has an important role as a regulation governing implementation of the Regional Head Election, however, there are still weaknesses that hamper the performance of the Semarang City General Election Supervisory Body in carrying out its duties and authority in the implementation of the 2020 Simultaneous Regional Head Election.

The Semarang City General Election Supervisory Body has limited authority in carrying out law enforcement against violations that occurred during the Regional Head Election. This is because the General Election Supervisory Body only has the authority to provide recommendations regarding findings or reports of election violations to the authorized institutions. The General Election Supervisory Body provides recommendations regarding administrative violations to the General Election Commission, violations of the code of ethics to the Election Organizer Honorary Council, and criminal offenses to the Integrated Law Enforcement Center. In the Regional Head Election Law, the General Election Supervisory Body does not have the authority to carry out execution efforts for election violations, so it requires it to collaborate with other institutions that have the authority to carry out resolutions.

In addition, the Regional Head Election Law gives the Semarang City General Election Supervisory Body limited time to carry out follow-up actions against violations. The General Election Supervisory Body only has a short time, namely 3 days plus 2 days to follow up on reports of violations that have been received. This limited time period is one of the factors that hinders the General Election Supervisory Body in collecting evidence. This can result in the performance of the General Election Supervisory Body being less than optimal.

Regional Head Election Law grants limited authority to the General Election Supervisory Body. When compared with the authority of the General Election Supervisory Body as regulated in Law Number 7 of 2017 concerning General Elections, it is clearly different. In the Regional Head Election Law, the General Election Supervisory Body is limited to providing recommendations regarding administrative violations to the General Election Commission through a closed process. Meanwhile, in the General Election Law, the General Election Supervisory Body has the authority to resolve administrative violations by issuing decisions through an open process.

In addition, the Regional Head Election Law provides a limited time period for following up on reports of violations, namely 3 days plus 2 days or a maximum of 5 days, while the Election Law provides a period of 7 days plus 7 days or a maximum of 14 days for the General Election Supervisory Body to carry out follow up on violation reports. The two regulations governing the General Election Supervisory Body, both through the Regional Head Election Law and the General Election Law, are different because the root of the problem is that Regional Head Elections and General Elections are different regimes.

Therefore, in terms of legal substance, harmonization and synchronization of regulations requires strengthening of the Regional Head Election Law, General Election Supervisory Body Regulations and General Election Commission Regulations as well as other derivative regulations.

2. Legal Structure.

The legal structure is the parts of the legal system that move in a mechanism. For example, law-making institutions, courts, and various bodies that are given the authority to implement and enforce the law (Bakri, 2013) . The legal structure relates to law enforcement officials who are given authority by the legislation applicable to law enforcement. In this case, the institution authorized to carry out law enforcement against criminal acts in regional head elections is the Integrated Law Enforcement Center which consists of the General Election Supervisory Body, the Police and the Prosecutor's Office.

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The Integrated Law Enforcement Center aims to equalize understanding and handling patterns for election crimes. In an effort to enforce the law, each element of the law enforcement apparatus coordinates to determine a joint decision as to whether an alleged election crime can be continued to the next stage or stopped. In law enforcement practice, the obstacle that usually arises is that adequate coordination has not been achieved between institutions that are members of the Integrated Law Enforcement Center, which results in less effective and efficient performance. This is a challenge in itself because it requires cooperation and synergy between the General Election Supervisory Body, the Police and the Prosecutor's Office.

In realizing law enforcement seen from the legal structure, it is very important to have law enforcement officers both autonomously from election supervisors and Integrated Law Enforcement centers including the police and prosecutors who are regulated by integrity, rewards, punishments and a code of ethics. This is to encourage the formation of a legal structure as a law enforcer that has adequate credibility, capability and skills in the context of law enforcement.

3. Legal Culture.

According to Lawrence M. Friedman, legal culture refers to parts of general cultural customs, opinions, ways of thinking that bend social forces towards or even away from the law in certain ways. Legal culture is closely related to attitudes towards the law. This attitude is related to culture in general because it involves things such as beliefs, values, ideas and expectations. Legal culture can also be said to be the attitude of citizens and the values they adhere to (Bakri, 2013) .

The community culture in the context of law enforcement during the 2020 Semarang Regional Head Election can be seen from the level of community participation in submitting violation reports to the General Election Supervisory Body. Based on data on violation cases, a total of 45 cases were received by the Semarang City General Election Supervisory Body, of which only 2 cases of alleged violations came from public reports. This proves that there is still low participation from the people of Semarang City who take part in law enforcement.

Legal culture plays an important role in encouraging a legal culture that is in line with law enforcement. In this case, it is the legal culture of the people of Semarang City. Therefore, good legal awareness and participation from the community is needed to be actively involved in realizing law enforcement.

D. CONCLUSION

The implementation of supervision by the Semarang City General Election Supervisory Body in the 2020 Simultaneous Regional Head Election in Semarang City went well, safely and democratically in accordance with the regulations governing both statutory regulations, the General Election Supervisory Body and existing legal provisions. Even though the Simultaneous Regional Head Election was held in the midst of the Covid-19 pandemic, it did not reduce the performance of the Semarang City General Election Supervisory Body in safeguarding democracy, apart from several things noted during the implementation of its supervision which still needed improvement. As a result of the Covid-19 pandemic, changes and adjustments were made to the implementation stages of the 2020 Simultaneous Regional Head Elections as well as the implementation of health protocols to prevent Covid-19.

In order to realize the implementation of a democratic Simultaneous Regional Head Election , the Semarang City General Election Supervisory Body, in carrying out its duties and authority, needs to improve its performance by strengthening its regulatory aspects, law enforcement officers, and the culture of the people of Semarang City itself. These are factors that influence the implementation of the Simultaneous Regional Head Election in Semarang City.

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