

Election Democratization with a Closed Proportional System in Indonesia

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Abstract

Based on the analysis that has been carried out, it was found that the democracy that was implemented after the changes to the 1945 Constitution in Indonesia, both the first, second, third and fourth, resulted in the existence of uncontrolled democratic community freedoms. This is reflected in the placement of an open proportional system where the election system that is run makes the public only see the figures of legislative candidates or simply get money from candidates for legislative members. The normative juridical approach concludes that closed proportionality should be the current choice where the function of general elections is left to political parties in maintaining the democratic structure in Indonesia as it should be and making the state function as a controller of people's sovereignty.

Keywords: democratization, election and closed proportional.

Introduction

After the amendments to the 1945 Constitution of the Republic of Indonesia, the choice of a democratic system with the core of guaranteeing community sovereignty and guaranteeing citizens' constitutional rights has been made the main parameter of success in building the nation. These constitutional rights are then elaborated in more detail in the content material contained in the Constitution or the constitution in Indonesia and the regulations under the 1945 Constitution.

If examined, many articles in the 1945 Constitution which emphasize human rights, although regardless of their application, still depend on legal politics from the perspective of Mahfud MD (El-Muhtaj, M. 2017). Nonetheless, the direction of our legal politics wants human rights to remain a top priority to be implemented in the unitary state of the Republic of Indonesia.

The desire to establish human rights guarantees in the current Indonesian constitution is of course not without reason. The existence of problems and the occurrence of past human rights violations is one of the reasons for it all. One of the violations in question is a violation of the right to democracy which is carried out through the general election process (election).

For example, the results of the vote acquisition in the 1971 election showed that Golkar was ranked first. This became the New Order's tool to perpetuate its power by using a three-track strategy to mobilize the masses: First, ABRI's path was taken with ABRI's dual role, namely defense-security and socio-politics. Second, the bureaucratic path is taken with the monoloyalty of civil servants, the government makes a rule that civil servants must channel their politics in the Golkar Secretariat. Third, the Golkar path taken with the issue of national development (Marijan, K. 2019).

These facts show that the general election system that occurred during the New Order era was only a means of legitimizing the regime in power. The impact then culminated in the process of economic stability, but the final result that occurred was the weakening of the people's sovereignty system which resulted in a weak government system which was the result of the general elections when facing the 1998 economic crisis.

As a consequence of all that, Indonesia must learn from the implementation of general elections from year to year. Indeed, when compared to the implementation of the first election in 1955 and now, of course there is significant progress in the general election system (Solihah, R., Bainus, A., & Rosyidin, I. 2018), but of course such progress is not necessarily if the system is changed to make good election, it could be with the old system but it is able to be one of the parameters of the ongoing democratization so that the quality of the election is in accordance with what it should be.

In terms of this opinion, we certainly understand, considering the condition of Indonesia as a country that is very dynamic and has extraordinary diversity, especially on the democratic side. The existence of a society that has a plural/multiple orientation makes the consolidation of democracy a top priority in building conformity with the hopes and aspirations of society.

One of the important considerations in guaranteeing democracy is the party system. Political parties are one of the real forces in building democracy democratically. The existence of a model in the general election with a party system with either a closed proportional system model or an open proportional system makes the choice for further study.

Method

The method used in conducting studies with the theme of democratization of general elections with a closed proportional system in Indonesia is normative juridical. In terms of the normative juridical method, it is in the context of examining the extent to which legal norms related to a democratic electoral system open up opportunities for a closed proportional system to be used. Qualitative analysis is appropriate for use by taking into account the existence of a basis of norms found in secondary data which can later be used as material for conducting further studies and studies.

Discussion

The role of the general election, including the organs of the general election administration, namely the general election commission and general election supervisors (Marzuki, S. 2008), has a very important position in the context of developing a democratic state system. This is based on a country or government system that has a general election system, so the policies taken are required to adapt to the needs and essence of the existence of community sovereignty.

The holding of quality general elections is absolutely necessary in the context of realizing people's sovereignty (Nugroho, D. A., & Sukmariningsih, R. M. 2020) in principle, not only placing the people as the main element in achieving the goals of general elections, but also more than that, namely in the context of building state system which will indeed continue and apply in the future. The existence of such an election system, of course, the most important thing is being able to realize an ideal, namely the welfare of society based on Pancasila and the 1945 Constitution of the Republic of Indonesia.

In building the idea of a good and perfect election, of course, it is very much determined by the system used. Certain electoral systems will also give birth to certain elections (Prihatmoko, J. J. 2008). This consideration is based on the fact that the electoral system is a form of procedural democracy which in procedural democracy (Surbakti, A. R., Supriyanto, D., & Santoso, T. 2008) is very much determined by the mechanism used by adapting to the circumstances and conditions of society.

The idea of a democratic election that is determined by a formal mechanism is one of the barometers in building a political recruitment function (Kartiko, G. 2009) which is carried out in a sustainable manner. In such a political recruitment function, the mechanism creates a representative system that provides the same form and the same nature between those represented and those who represent in administering the country.

However, of course, by choosing the right mechanism for implementing elections, it is hoped that support for the implementation of democratic elections will lead to an achievement whereby the holding of elections will be directed not only at placing representatives who fill good positions, but also at encouraging the creation of the right ideas for implemented in state administration. This can be realized by choosing a closed proportional election system.

Whether you realize it or not, changes to the electoral system in Indonesia are very dynamic. In post-reform history, for example, a number of improvements starting from the electoral system (electoral system) (Purba, A. M. 2021) have been carried out by building on the idea of an open proportional system. An open proportional system was chosen by considering that during post-democratic reforms it was opened as wide as possible after the power of the Suharto regime came to power which was full of discriminatory policies.

An open proportional system is considered capable of voicing the wishes of the people according to the best choice that the people want without having to be hindered by political parties. Regardless of the higher political costs incurred (Makarim, M. R. F., & Fahmi, K. 2022) compared to a closed proportional system, still the spirit of reform is the basis of people's wishes and will to place an open proportional system as a strategic choice.

On the other hand, with an open proportional system there is a desire from the people who directly expect to elect their legislature members directly and even know them beforehand. Through this acquaintance and knowing, it is hoped that there will be satisfaction in conveying their aspirations directly. However, the next problem is that with an open proportional system, many legislative members are elected only with popularity (Ratnasara, S. E. 2019), not their abilities.

On the other hand, in an open proportional system, various previous research studies are considered as a mouthpiece for corrupt behavior in Indonesia (Pratiwi, D. A. 2018). The corruptive behavior referred to is the existence of money politics that develops in the holding of elections starting from submitting oneself as a legislative candidate in a political party to the implementation of elections conducted by the community to elect representatives of the people. Finally, there is a continuous tendency for fractures to want to be re-elected (McKee, S. C., Shino, E., & Smith, D. A. 2022).

The weakness of the open proportional system, which so far has been interpreted as a system that gives people the freedom to choose their representatives, makes the vision of political parties as the foundation of our nation-state driven by the party system not a top priority. The existence of a shift in political party ideology

(Prasetya, I. Y. 2011) can be lost with the dominance of figures or a mixture of unclear ideas from each of the elected candidates.

Therefore it is necessary to restore the position of the party system that we have used so far. That political parties as the basis of the nation's ideology must be placed in a clear position, namely cadre formation or what is referred to as a form of political recruitment (Tumanduk, M. C., Pati, A. B., & Tompodung, J. (2022). However, what is currently happening is that the function of political parties has been viewed as which side (Kodiyat, B. A. (2019). Therefore, a closed proportional system is expected to restore real political parties.

In a closed proportional system, delegating political parties facilitates campaign models for political parties as the main actors (Minan, A. 2018) in building a structured system of democracy and popular sovereignty. But of course there are efforts to emphasize why the structure of democracy is so important, namely by considering the position of political parties as a means of channeling people's sovereignty (Maulana, M., & Satriawan, M. I. 2019). With political parties, the dynamics of democratic development is placed in its proper position, namely as social change in society. Therefore, the existence of people's sovereignty (Malay, M. N. 2013) is highly reflected in political parties which are the implementing instruments of general elections in Indonesia.

Another main principle with a closed proportional system is in order to control democracy which often gets out of control (Rahma, N. M. 2022). So that elections that are able to produce a form of people's sovereignty with the system change with the inability of the state to prosper its people. This is where the next choice of people's sovereignty through closed proportionality should be implemented.

Apart from all that, there is indeed criticism of a closed proportional system where the 1999 election with a closed proportional model formed political parties like political companies (Kherid, M. N. 2021). But it needs to be interpreted if the closed proportional system is implemented when democracy is not running as it should. It's different now than in 1999, democracy and the right to express opinions are barometers of people's sovereignty being carried out as they should.

Conclusion

Sovereignty of the people is one of the options in organizing the state which is actualized through elections. However, of course the electoral system must be implemented in a structured and directed manner in order to realize social welfare which is the final result of elections. Closed proportional elections are important in this case considering that the uncontrolled position of democracy makes the control of the state to present people's welfare impossible to implement. Therefore the final choice is to present a closed proportional system by placing the position of political parties as controllers through the selection of candidates who are ready to be placed in exercising state power. Closed proportionality is not in the context of presenting political companies within political parties considering that we are already practicing democracy, but closed proportionality is more simply an attempt to describe the placement of political parties as a means of conveying people's aspirations.

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