

Analysis of the Influence of the Idea of a Closed Electoral System on Citizen Political Participation

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Abstract

The choice of an electoral system is fundamentally more of a political process and considerations of political advantage are almost always a factor in the choice of an electoral system. Furthermore, the electoral system itself is divided into two, namely an open proportional system and a closed proportional system. With an open proportional system, citizens can specifically choose their parties and candidates for the legislature. Meanwhile, in a closed proportional system, citizens can only vote for a party, later the party leader has the right to determine the party's legislative candidates. The author describes that a closed proportional electoral system has advantages and disadvantages. This system has the advantage that applying a closed proportional system can later reduce the campaign budget, so there is no need to waste too much money. However, on the other hand, this system has drawbacks, namely that this system receives a lot of rejection from citizens who feel that this system is unfair and can open up a wide space for party leaders to commit all acts of fraud. Basically whichever system is chosen will have a tendency towards one of these two goals. A closed electoral system affects the political participation of citizens. The reason is, this idea has reaped a lot of rejection by citizens because they feel that this system will open the door to fraud for party rulers and later candidates for legislative members can be more inclined to their party leaders and not to citizens, because they feel that those who elect them are party leaders.

Keywords: Elections, Closed, Participation, Politics



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INTRODUCTION

Sovereignty of the people in the 1945 Constitution is an integral part of the historical development of Indonesian state administration. In practice the 1945 Constitution before the change in people's sovereignty was fully implemented by a state institution called the People's Consultative Assembly (MPR). As the holder of people's sovereignty, the MPR becomes supremacy in the state system with the predicate (Highest State Institution). state sovereignty and the loss of position as the highest state institution. Thus, this change is a big step towards restoring people's sovereignty by changing Article 1 paragraph (1) of the 1945 Constitution from "Sovereignty is in the hands of the people and exercised entirely by the MPR" to "Sovereignty is in hands of the people and carried out according to the Constitution".

In addition, another major step was to change the provisions contained in Article 2 paragraph (1) of the 1945 Constitution that "The MPR consists of members of the People's Representative Council plus delegates from the regions and groups" to "MPR consists of members the People's Legislative Assembly and members of the Regional Representatives Council who are elected through general elections." It is undeniable that this change has in principle shifted the pendulum of implementing people's sovereignty. However, in the event that the general election in the 1945 Constitution does not determine the general election system, the choice of the general election system itself is of course the answer to how people's sovereignty is implemented.

Elections or elections are one of the most important forms of implementing democracy. The system consists of several elements which are related to each other to form something larger which is called a system. Meanwhile, general election is defined as a process, a way of voting that is carried out simultaneously by all the people of a country (KBBI: 2005). Based on this description, the combination of the words "system" and "general election" in language is a set of several elements that are interrelated to each other contained in the election process carried out by the people of a country. In a democratic system, citizen participation in elections is crucial because through this participation, people can determine leaders and policies that will impact their lives. One idea that is often discussed in the context of elections is closed elections. Closed elections are a system where only members of certain political parties can nominate themselves as candidates for general elections.

The idea of a closed electoral system has been a topic of debate for years, particularly in terms of its impact on citizen participation in the electoral process. Some argue that closed electoral systems can increase participation because only members of political parties can vote, which can strengthen the influence of political parties in government. However, others believe that this system can reduce citizen participation, as many people feel that their right to vote has been limited. Currently, the open proportional system is being tested at the Constitutional Court (Judicial Review), to be replaced by a closed proportional system in legislative elections. However, this is a matter of debate because the closed proportional system is considered a system that represents a setback because this system is a relic of the New Order if the Constitutional Court approves it as the 2024 election system (Arizka: 2019).

In this article, we will analyze the influence of the idea of a closed electoral system on citizen participation. By looking at the advantages and disadvantages of this system, we can understand how this system can affect participation in elections, and its impact on people's trust in their political system.

RESEARCH METHODS

This research is a normative research with the approach used is a conceptual approach (conceptual approach) and statutory approach (statute approach). This study uses secondary data consisting of primary legal materials, secondary legal materials, and tertiary legal materials, with library research data collection which is processed into conceptual perceptions (Pakaya, et al: 2022).

RESEARCH RESULTS AND DISCUSSION

Election System Choices

The electoral system is one of several elements in political institutions and has a very important influence, especially related to broader governance issues (Rosana: 2012). The election system was formed to understand the political situation so that it can accommodate changes in people's electoral attitudes and behavior in the future (Riwanto: 2014).

The choice of electoral system is one of the most important institutional decisions for any democracy. The choice of an election system is basically more of a political process and considerations of political advantage are almost always a factor in selecting an election system (Bachmid: 2021). First, it needs to be underlined that any electoral system will not be separated from the achievement of the goals of an electoral system, namely: (1) to determine a majority that is worthy of governing and (2) to realize as much as possible in representative institutions as in parties. will always be in the realm of attraction between the two goals above. Whichever system is chosen will have a tendency towards one of these two goals.

There are various kinds and variants of the electoral system, of course each system has its own advantages and disadvantages. Indonesia itself applies a proportional system in which the main idea in this system is that the proportion of seats won by a party in an electoral area will be proportional to the proportion of votes that party gets in its election. The level of proportionality of votes and the acquisition of seats shows that in this system not many votes are wasted. This system focuses on covering minority votes, differentiating it from the district system which places more emphasis on orderly government (Fahmi: 2012).

Indonesia has implemented an open proportional system since 2009 based on the decision of the Constitutional Court Number 22-24/PUU-IV/2008 in the Case for Reviewing the Law against the 1945 Constitution, dated December 19 2008. However, recently the issue of changing the legislative election system from an open proportional system to closed system has emerged since the statement by the Chairman of the General Election Commission (KPU), Hasyim Asy'ari, who stated that there is an opportunity to use a closed proportional system in the 2024 Legislative Election. closed system, such as the open proportional system that was implemented through the Constitutional Court's decision in the 2009 general election (Tanaya: 2023). A number of individuals conducted a judicial review at the Constitutional Court against Law Number 7 of 2017 concerning elections which was registered with case Number 114/PUU-XX/2022.

The former Chief Justice of the Constitutional Court (MK), Mahfud MD, once argued that he emphasized that the application of an open proportional or closed proportional election system did not violate the constitution. He corrected the notion that the Constitutional Court's decision Number 22-23/PUU-VI/2008 required an open proportional election system. So now if you want a closed (proportional system) it's also legal. There is no unconstitutional election system. Mahfud explained that when deciding on this election system, the Constitutional Court only determined that the 30 percent requirement of the Voter Distributed Number (BPP) to be calculated based on an open proportional system was unfair.

A closed proportional electoral system is a type of proportional electoral system in which voters only allow voters to vote for political parties as a whole and cannot vote for candidates. In this system, candidates are prepared directly by political parties. A closed election system is likened to buying a cat in a sack so that there are still restrictions on the people's right to vote for the candidate they want. Through a closed election system, the community cannot directly punish candidates who do not show good integrity towards the community by not voting for them because those who elect council members are not directly elected by the community, but the political parties that win the election. Likewise, in closed and open limited election systems, voters only vote for political parties so they do not have a great opportunity to choose a decent and appropriate person to carry out their ideals, vision, mission and hopes.

Closed Electoral System Analysis

The general election system is a method that regulates and allows citizens to vote for representatives of the people among themselves. The method is closely related to the rules and procedures for changing or transforming votes into seats in parliament. The closed proportional system has a different model of election ballots (only contains pictures of political parties) and will have an impact on the counting and recapitulation process at TPS which will no longer take up to 16-24 hours, but 5 to 7.5 hours is sufficient assuming the counting process and the recapitulation of each ballot entity takes 1 to 1.5 hours. If so, the counting and recapitulation activities can end at a maximum of 21.00. So that election

organizers have more effective working hours and are in accordance with human rights that are fulfilled and also don't cost too much.

The budget spent on a closed proportional election system can be said to be quite smaller than an open proportional election, this can be seen from the ballot papers. In 2019, for the election of members of the DPR and DPRD, the ballots used a portrait or vertical design with a size of 51 cm × 82 cm. The size of the paper is almost one and a half times the size of a newspaper page. As for the Presidential Election ballots, the size is 22 cm × 31 cm or slightly larger than A4 paper size with a landscape or horizontal design. The relatively large size of the ballot paper cannot be separated from the large number of parties participating in the 2019 Election, the paper size has the potential to become even larger if in the 2024 Election the number of parties participating in the contest is more than 16 political parties.

If the election system, which originally used an open list, is changed to a closed list, namely by only selecting pictures of political parties, assuming there are 16 political parties participating in the election, then the paper size for the DPR, Provincial and Regency/City DPRD elections can be reduced to around 600%. As an illustration, if the number of voters in the DPT is around 190 million, then the total number of ballots printed is 970 billion sheets including reserves. Meanwhile, the budget used to produce ballots for the 2019 election amounted to more than IDR 603.34 billion. With the change in the size of the Pileg ballot paper which is more or less the size of the presidential election ballot paper, the cost of procuring the entire simultaneous election ballot paper can be saved by 38%. The closed list proportional system contributes to the efficiency of procurement of ballots with a (saving) difference of Rp. 407,222,250,000.

Furthermore, from a democratic perspective, a closed proportional system has several drawbacks. First, the closed proportional system distances public participation in selecting candidates for legislative members who will be elected, because it is not the people who directly vote, but the public can only vote for parties, and later the party chairperson selects its members to become members of the legislature. Second, a closed proportional system can also widen the space for nepotism, because candidates who have fairly good relations with their party officials will have a greater chance of getting a certain serial number. Third, a closed proportional system has the potential to eliminate the responsibility of each member of the legislature to the people, this can happen because the final decision is in the hands of party rulers, not the people, therefore, it is feared that elected legislators will only be accountable to political parties, not to the people. A closed proportional system could actually be a solution to the political and democratic conditions that exist in Indonesia today for holding elections, but oligarchs can easily play through this system, and parties will dominate more and people's sovereignty can be threatened.

Analysis of Citizen Participation in Elections

Citizens are one of the elements of a country that inhabits a certain area. Citizens and people have the same object, people who live in a certain area, but in the context of constitutional law. The people are individuals, both individuals and groups who live in a certain area. However, citizens are people who have the rights and obligations as well as the status determined in the legislation. People who can become citizens in Indonesia are native Indonesian people and other Indonesian people who are legalized by law as citizens. In this sense, there is the term nation which must be distinguished from the term state. But in general, the two terms have always been one unit and follow each other like a nation-state or nation-state.

Every Indonesian citizen who is 17 years of age and over and already has an Identity Card is required to take part in an election, both for the election of presidential and vice-presidential candidates as well as candidates for members of the legislature. Public participation in elections is regulated in Law 7 of 2017 in Chapter XVII Article 448 Elections are held with public participation. Community participation as referred to in paragraph (1) can be carried out in the form; election socialization, political education for voters, surveys or opinion polls about elections and quick calculation of election results. As for the form of community participation referred to in paragraph (2) with the provisions; does not take sides that benefit or harm election participants, does not interfere with the process of organizing election stages, aims to improve the process of organizing election stages, encourages the creation of a conducive atmosphere for election organizers that is safe, peaceful, orderly and smooth.

Against a closed proportional system, most citizens choose to reject the idea of the system. Citizens feel that the enactment of a closed proportional system can lead to many frauds that could have been committed by party rulers. Because, as we know, a closed proportional system makes the people not know who is the person who will occupy the position of the people's representative, because the people only vote for the party, and it is the party leader who will later choose which members will occupy the position. This is also quite worrying for the people because it does not rule out the possibility that candidates for office who are also ex-convicts can occupy the position.

CONCLUSION

Elections or elections are one of the most important forms of implementing democracy. In a democratic system, citizen participation in elections is crucial because through this participation, people can determine leaders and policies that will impact their lives. A closed election system is likened to buying a cat in a sack so that there are still restrictions on the people's right to vote for the candidate they want. Through a closed election system, the community cannot directly punish candidates who do not show good integrity towards the community by not voting for them because those who elect council members are not directly elected by the community, but by the political parties that win the election. Likewise, in closed and open limited election systems, voters only vote for political parties so they do not have a great opportunity to choose a decent and appropriate person to carry out their ideals, vision, mission and hopes. A closed proportional system could actually be a solution to the current political and democratic conditions in Indonesia for holding elections, but oligarchs can easily play through this system, and parties will dominate more and people's sovereignty can be threatened. Most citizens of the country choose to reject the idea of such a system. This is because the enactment of a closed proportional system can lead to many frauds that could have been committed by party rulers.

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