

The Influence of the Electoral System on the Implementation of the Representation Function of General Elections



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ABSTRACT: Influence in the election system in the function of representation implemented in Indonesia with the Constitutional Court's decision that it could result in a shift in the right to place the representation of candidates from political parties to the largest number of votes. This study aims to analyze the Effect of the Election System on the Implementation of the Function of Election Representation. The type of research that can be used is juridical-normative with a legal concept approach, namely the Regulation of Laws. As for the results of this study, namely First, the Development of Election System Regulation in Indonesia has undergone various changes and challenges since the country became independent, both with an open proportional election system, namely Law and Regulation Instability, Injustice and Cheating, Transparency and Accountability, and the role of political parties that lack fair political enforcement. Second, the Effect of the Election System on the Implementation of Election Representation Functions in Indonesia is contrary to the concept of people's sovereignty regulated by article 1 paragraph (2), (3), article 6A paragraph (2), article 22 E paragraph (2), (3), and article 28D paragraph (1) of the State of the Republic of Indonesia law. This is because the provisions of Article 1 paragraph (2) of the 1945 Act have emphasized the sovereignty of the people in the hands of the Indonesian people but are carried out according to the method specified by the law, namely by Article 6A paragraph (2), Article 22E paragraph (2) and paragraph (3) of the 1945 Constitution were carried out by political parties through their participation in the election to elect the DPR, DPRD, President and Vice President.

KEYWORDS: Election System; Representation; General Election; political party; parliamentary threshold

I. INTRODUCTION

The implementation of the General Election is a democratic system which is a must for a country that instills itself as a democratic state.¹ Elections are also considered important in the process of statehood, at least two benefits that are simultaneously intended to be achieved by the implementation of elections, namely the establishment or regeneration of legitimate power (authority). Where elections are also where people aspire to their interests in common life. Elections, people are involved in electing their representatives as lawmakers in the parliament, so elections are chosen honestly and peacefully for the creation of people's sovereignty.²

According to Arbi Saint, "elections basically have four main functions, namely: 1) establishment of legitimate rulers and governments; 2) formation of political representation of the people; 3) circulation of the ruling elite; 4) political education."³

The election system is the first issue in implementing both legislative and executive elections, as the election system will greatly affect the stages and implementation of subsequent elections. Likewise, the election system will determine the form of democracy from representative democracy in the election implementation. Each election system is based on certain values, and each has several advantages and disadvantages. There is actually no ideal election system suitable in any country, but all of them do have the same thing: a process of developing or reforming the election system to have legitimacy and democracy. The purpose of the election system is to realize the sovereignty of the people by forming a democratic representative government.⁴

The development of the electoral system in Indonesia has undergone various changes and challenges since independence, namely Law and Regulation Instability, Injustice and Cheating, Transparency and Accountability, and the Role of Political Parties that lack fair political enforcement. It is generally known that there are two different electoral systems in a diametral manner, namely proportional and district systems. Since the time of reform we have consistently chosen an election system proportional to the

¹ Wilma Silalahi, 2022, *Sistem Pemilihan Umum Di Indonesia*, Rajawali Pers, Jakarta, Hlm. 10.

² Fajlurrahman Jurdi, 2018, *Pengantar Hukum Pemilihan Umum*, Kencana, Jakarta, Hlm. 117

³ Arbi Sanit, 2012, *Sistem Politik Indonesia: Kestabilan, Peta Kekuatan Politik dan Pembangunan*, Rajawali, Jakarta, Hlm. 21.

⁴ Sodikin, 2014, *Hukum Pemilu: Pemilu Sebagai Praktek Ketatanegaraan*, Gramata Publising, Bekasi, Hlm. 92.

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argument of this system that produces the highest proportionality index. The comparison between political parties' votes is parallel to those in the House of Representatives. The remaining choice is whether to use an open proportional system or a closed proportional system.⁵ Every system has its advantages and weaknesses. The advantages of the closed proportional system are simpler, thus reducing the possibility of implementing and strengthening the party's internal discipline. In this system, the role of political parties is very dominant because it determines the order number that determines the election of a candidate. Through this sequence number determiner, the party can position qualified candidates in the final sequence number. However, at the same time, judging by the role of voters.

This advantage is also a weakness because it at least distancing the distance between the voters and the elected House of Representatives candidates. Meanwhile, the advantages of the open proportional system exist on the side of appreciation for the voters' votes, because it is the voters who decide who is elected to the House of Representatives rather than based on the serial numbers created by political parties. This by itself strengthening the relationship between voters and representatives of the people, and giving legitimacy to representatives of the people, and giving legitimacy to elections to exercise control over representatives of the people. However, as it is widely revealed, this system has a weakness, namely the weakening of the role of political parties. In addition, potential candidates who are elected are popular candidates but not always qualified candidates. Some political parties have also suggested that this system creates unhealthy competition and conflicts between candidates in one political party.

To determine the choice of the election system, it must refer back to constitutional law politics. especially the meaning of the principle of people's sovereignty is accompanied by enormous costs, resulting in political and political liberalization at enormous costs. Although the 1945 Constitution did not specify what electoral system to implement, it was based on the principle of people's sovereignty that had been interpreted by the Constitutional Court's Decree, and the Constitutional Court's Constitutional Court's Constitution. The system that must be chosen is the system that gives the highest regard for voter turnout that should not be distorted by the role of political parties.⁶

The impact of this open and closed proportional system could cause oligarchic power to become more deeply rooted in political parties, and democratic ideals faded. And plus the political elite and candidate groups are more adaptable to the circumstances in society. Consequently, practice Money politics is more likely due to subjective considerations that are far from external influences, such as open or closed proportional systems.⁷

The influence in the election system in the function of representation implemented in Indonesia with the Constitutional Court's decision that it could result in a shift in the right to place the representation of candidates from political parties to the largest number of votes is clearly contrary to the concept of people's sovereignty regulated by article 1 paragraph (2), (3), article 6A paragraph (2), article 22 E paragraph (2), (3) and article 28D paragraph (1) of the Act of the Republic of Indonesia. This is because the provisions of Article 1 paragraph (2) of the 1945 Act have emphasized the sovereignty of the people in the hands of the Indonesian people but are carried out according to the method specified by the law, namely by Article 6A paragraph (2), Article 22E paragraph (2) and paragraph (3) of the 1945 Constitution were carried out by political parties through their participation in the election to elect the DPR, DPRD, President and Vice President. The formula for the problem in this study is: First, How is the Development of Election System Regulation in Indonesia? Second, How Does the Election System Affect the Implementation of Election Representation Function in Indonesia?

II. RESULTS AND DISCUSSIONS

A. Development of Election System Regulation in Indonesia

1. Proportional Election System 1955

The electoral system implemented in the 1955 elections was a closed-door Proportional representative or a balanced representative. What is meant by the proportional representation system is the number of seats in the House of Representatives and Constituents that are available to be distributed to political parties or organizations participating in the election at that time in accordance with the balance of votes obtained by political parties. In this system, the state is an electoral district, but because it is too large, it is distributed based on electoral districts by dividing a number of seats by population ratio. The party was given the authority to list the order of names of candidates from national to regional levels. Each district or region has a compound representative. Each political party presents a larger list of candidates than the number of seats allocated to an election area. With this system, each region is entitled to a minimum allotment of 6 seats for the constituency and 3 seats for the constituency.⁸

⁵ *Ibid*, Hlm. 100

⁶ *Ibid*, Hlm. 111.

⁷ Hendra Budi Setiawan, "Dampak Sistem Pemilu Proporsional Terbuka Atau Tertutup Di Indonesia Terhadap Partisipasi Pemilih", Universitas Lampung, *Jurnal Ilmiah Muqodimah*, Vol. 7, No. 2, Agustus 2023.

⁸ A. Mukthie Fadjar, 2013, *Pemilu Perselisihan Hasil Pemilu dan Dekokrasi*, Satera Press, Malang, Hlm. 3.

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In the 1955 elections there were 260 seats in the House of Representatives contested and 520 seats in the constituency. Plus 14 minority groups were appointed by the government. By implementing a system of proportional representation or balanced representation, Indonesia was initially divided into 16 electoral districts. However, at that time the election could not be held in West Irian because it was still controlled by the Netherlands. In the 1955 general election there were 43,104,464 eligible voters. However, the number of people exercising their voting rights at the time was 37,875,229 or 87.65%. The number of voters at that time included members of the TNI and Polri who still have voting rights. The 1955 elections, which were conducted by political parties participating in the election and the government, aimed at electing members of the House of Representatives and the Constituent Assembly, had not yet recognized the idea of resolving disputes resulting from the election.⁹

2. Proportional Election System 1966-1998

In the context of the New Order political format as above, elections have been held periodically for six times (1971, 1977, 1982, 1987, 1992 and 1997) using a closed proportional election system. The New Order elections took place under the regulation of Law Number 15 of 1999, which underwent several recent changes with Law Number 1 of 1985. The New Order elections, with the exception of 1971 were attended by 10 political parties, and 3 political parties resulted from the fusion/simplification of party through Law No. 1 (UU). 3/1975 is the Karya Group, and the Indonesian Democratic Party (PDI) which produced a single majority political party, namely the working group. So that Golkar always wins every election in the New Order era and occupies a parliament in the legislature or in the Regional Representative Council. In 1998 a reform movement forced President Sukarno to quit. The election of the new Order era was also marked by the waiver of mass suffrage over former PKI members as well as supporting mass organizations and other members of the banned organization. The new Order era elections were dominated by the government and only aimed to vote as members of the House of Representatives and the House of Representatives, because some members were appointed by the government, namely the ABRI as compensation for the non-exercise of ABRI members (TNI and Polri), and the Indonesian National Police. is not yet familiar with the idea of a dispute over election results.¹⁰

3. Proportional Election System 1999

This election system uses an open proportional election system. Elections in 1999 were held jointly between the Government and the Political Parties participating in the elections. In an open proportional election system, 48 parports participate. The election was won by the Democratic Party of Indonesia while the Golkar Party was ranked second in 1999. 1999 election results in PDI 153 seats (33.74%), Golkar 120 seats (22.44%), PKB 51 seats (12.61%), PPP 58 seats (10.71%), PAN 34 seats (12.61%). Despite its shortcomings, the 1999 election was considered the best election after the 1955 elections, as it had undergone improvements, both in electoral laws and in electoral processes, so it was reviewed by three criteria, people's sovereignty, government validity, and regular government succession.¹¹

4. Proportional Election System 2004

In the 2004 elections, the open proportional election system was limited (by order number) following amendments to the 1945 Constitution. For legislative and presidential elections, 2004 elections (with regulation No. 12 of 2003 Article 6 paragraph 1) state that the restrictions on elected candidates who get the most votes are given by political parties. Legislative elections in 2004 to elect members of the House of Representatives and the House of Representatives were attended by 24 political parties. The 2004 elections in Indonesia did not implement a parliamentary threshold that required the party to reach a certain percentage of votes to enter the parliament. Instead, an Electoral Threshold of 3% was applied to simplify the number of parties participating in the next election. This provides flexibility for smaller parties to remain in the House of Representatives as long as they have sufficient support in certain elections.¹²

5. Proportional Election System 2009

The election system uses an open proportional election system. Where legislative candidates are elected by most votes. However, there was much debate in the legislative election that the margin of the legislature was 2.5%. In the 2009 election, there were 3 national and 6 local parties in Aceh. The Democratic Party won the most votes of 20.85% and 148 seats, followed by the Golkar Party with 14.45% and 106 seats based on the KPU's announcement.¹³

6. Proportional Election System 2014

⁹ *Ibid*, Hlm. 5.

¹⁰ *Ibid*, Hlm. 6-7.

¹¹ *Ibid*, Hlm. 8.

¹² *Ibid*, Hlm. 10.

¹³ Ratnia Solihah, "Fenomena Fragmentasi Partai Politik Versus Penerapan Parleментарy Threshold Indoneisa" *Jurnal Teropong Aspirasi Politik Islam*, Vol. 14, No. 1, Agustus, 2018, Hlm. 24.

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The election system in 2014 was the same as in 2009, using an open proportional election system and with the determination of the most votes legislative candidates. The 2014 parliamentary limit was 3.5%. Law Number 8 of 2012 concerning the general election of members of the People's Representative Council, the Regional Representative Council, and the Regional People's Representative Council was used as the basis for the election. and political parties must obtain at least 20% of the House seats or 25% of the national valid votes to nominate a presidential threshold.¹⁴

7. Proportional Election System 2019

The election system uses an open proportional election system with the most votes and is conducted simultaneously with the presidential and vice-presidential elections. In the 2019 general election, the General Election Commission determined that there were 16 national parties participating in the election and 4 local parties of Aceh. In the vote, there were 575 seats in the DPR, 2,207 seats in the Provincial DPRD, and 17,610 seats in the Regency/City DPRD. The population registered as voters was 192,770.61 with a turnout of 81.69%. The parliamentary threshold was raised again to 4%. Elections are held simultaneously to elect members of the House of Representatives, the Regional Representatives, and the president/vice president.¹⁵

8. Proportional Election System 2024

The 2024 elections in Indonesia are expected to run better and democratically by using an open proportional system that has been regulated with various regulations and improvements to overcome the challenges that arose in previous elections. The 2024 elections will use an open proportional system, in which voters can vote for political parties as well as legislative candidates of the party. This provided an opportunity for voters to determine which candidate they considered most viable. The state is divided into several electoral districts, with each electoral district allocating a number of seats in the House of Representatives. The number of seats in each electoral district is determined according to the population in the area. There is a parliamentary threshold that must be reached by political parties to obtain a seat in the House of Representatives. In the 2019 general election, the threshold was 4%. This threshold serves to ensure parliamentary stability by reducing political fragmentation.¹⁶

The development of election system regulation in Indonesia has undergone various changes and challenges since the country became independent, namely Law and Regulation Instability, Injustice and Cheating, Transparency and Accountability, and the Role of Political Parties that lack fair political enforcement. In the face of these problems, continuous efforts are needed for election reform that can ensure fairness, transparency, and efficiency in every stage of the election process. Collaboration between the government, election organizers, political parties, civil society, and other stakeholders is essential to realizing a better election system in Indonesia.

B. The Effect of Election System on the Implementation of Election Representation Function in Indonesia

The election system has a significant influence on the implementation of the election representation function in Indonesia. The following are some of the main aspects of this influence:

1. Open Proportional System

Indonesia's experience in the House of Representatives elections from 1955 to 2009 still uses a system proportional to various variations. The 2014 House of Representatives election also still used a proportional representation (PR) system. This system of proportional representation also uses variants with open lists. According to Fahmi, the open list system is that voters choose political parties as well as the candidates they like and want to fill the seats won by the election party. This is as specified in Article 5 paragraph 1 of Law Number 8 of 2012 which states, "the election to elect members of the DPR, DPRD, Province and DPRD Regency/City is carried out with an open proportional system".¹⁷ A system that allows voters to choose more suitable candidates, which allows voters to choose more suitable candidates if the selection of elected candidates is based on the majority of votes.¹⁸

The open proportional election system is elected by lawmakers, for some reason the system is representative in the sense that each vote is taken into account and practically no vote is lost. A small group of people can place their representatives in a representative institution. Heterogeneous societies are generally more beneficial to each group. According to Jenedrjri, the current system is in accordance with the constitutional principles and conditions of the Indonesian nation. This system is able to produce

¹⁴ *Ibid*, Hlm. 24.

¹⁵ *Ibid*, Hlm. 29.

¹⁶ Joko Pramono, Chandra Adjie Prianggodo, "Analisis Efisiensi Sistem Proporsional Terbuka pada Proyeksi Pelaksanaan Pemilu Serentak 2024 di Indonesia", Universitas Slamet Riyadi Surakarta, *Jurnal Ilmu Sosial dan Ilmu Politik*, Vol.12, No. 3, 2023, Hlm. 376.

¹⁷ Penjelasan Pasal 5 ayat 1 Undang-Undang Nomor 8 Tahun 2012 Pemilihan Umum anggota Dewan Perwakilan Rakyat (DPR), Dewan Perwakilan Daerah (DPD), dan Dewan Perwakilan Rakyat Daerah (DPRD).

¹⁸ Sodikin, *Op.cit*, Hlm. 101-102.

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representatives that reflect the diversity of the Indonesian nation and are able to establish a clear bond between representatives and voters.¹⁹

And some of the influences of the open proportional system are:

- a. Broader Representation is that this system allows voters to vote for legislative candidates directly, rather than simply voting for political parties. This increases the likelihood of the election of candidates that voters really want, which in turn increases the more accurate representation of voters' wishes.
- b. Party Internal Competition: In an open proportional system, candidates from the same party must compete with each other for votes. This can encourage legislative candidates to be more active in approaching voters and fighting for their aspirations.
- c. Inhibiting the Impact of Money Politics: SPT can hinder the impact of money politics because political parties must form superior cadres from every party that will later be ready to compete in the general election. This could hinder the rampant practice of money politics in the community
- d. Obstructing the Power of Political Parties: SPT can hinder the power of political parties because of the full sovereign vote of the people. This could hinder the practice of non-transparent and accountable political party power

2. Party Fragmentation

Party fragmentation refers to the circumstances in which many political parties compete in a political system, especially within a legislative body. This usually occurs in a proportional election system, where smaller parties have a greater chance of gaining seats in parliament based on the proportion of votes they receive in the general election. Party fragmentation has several characteristics and implications that are important to understand. Party fragmentation is a phenomenon in which many political parties have seats in parliament, reflecting the diverse political preferences of the people.²⁰ While this fragmentation may increase ideological representation and diversity, it also brings challenges in terms of government stability, policy-making, and political accountability. In this context, strengthening the coalition mechanism and increasing the capacity of democratic institutions are important to ensure that party fragmentation does not hinder the effectiveness of the government and legislative processes.²¹ Some of the influences of party fragmentation include:

- a. Diversity of Representation: Proportional systems tend to result in a more diverse parliament with many parties represented. This allows for a wider representation of different groups of people.
- b. Difficulty in Decision Making: However, party fragmentation can also lead to fragmented parliaments, making political decision making more difficult and sometimes requiring complex coalitions.
- c. Fragmentation of political parties can impede the formation of a stable government because political parties often have to form a coalition to form a majority and form a government. This can lead to government instability
- d. Reducing Voter Involvement: Fragmentation of political parties can reduce voter involvement because voters' votes can split into many different options, resulting in a parliament consisting of many political parties with relatively small representations. This can impede the decision-making process and result in a weak coalition government

3. Parliamentary Threshold

The Parliamentary Threshold has basically been applied in Indonesia since the enactment of Law Number 10 of 2008 concerning the General Election of members of the House of Representatives (DPR), the Regional House of Representatives (DPD), and the Regional House of Representatives (DPRD). In Article 202 paragraph 1 of the Law, it is stated that political parties must meet the threshold of voting at least 2,5% of the number of valid votes determined to be participated in the determination of seats in the DPR, DPD, DPRD.²² As the legislation for the general election changed, the parliamentary threshold increased. That in Law No. 7 of 2017 on General Elections which became the basis of legislative elections in 2019, the legislative elections were held in Jakarta. Article 414 paragraph 1 states that the Political Party of Election Participants must meet the threshold of voting at least 4% of the number of valid votes nationwide to be followed in determining the legislative parliamentary seat.²³ The following effects of the Parliamentary Threshold:

- a. Party Simplification: The existence of a parliamentary threshold (e.g. 4%) aims to simplify the number of parties in parliament, which can strengthen government stability and reduce fragmentation.

¹⁹ Jenedjri, *Op.cit*, Hlm. 40.

²⁰ Agung Djojosoekarto, *Perangkap Fragmentasi dan Dilema Politik Dalam Transformasi Demokrasi*, Kemitraan bagi Pembaruan Tata Pemerintahan, Jakarta, 2012.

²¹ Ratnia Solihah, *Op.cit*, Hlm. 19-23.

²² Penjelasan Pasal 202 ayat 1 Undang -Undang Nomor 8 Tahun 2012 Tentang Pemilihan Umum anggota Dewan Perwakilan Rakyat (DPR), Dewan Perwakilan Daerah (DPD), dan Dewan Perwakilan Rakyat Daerah (DPRD).

²³ Bernardinus Putra Benartin, "Pengaruh Ambang Batas Parlemen Terhadap Kedudukan Partai Oposisi Serta Kaitannya Dengan Sistem Pemerintahan Presidensial Di Indonesia", *Jurnal Universitas Atma Jaya*, 2021, Hlm. 183.

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- b. Limited Representation: However, this threshold also means that small parties representing particular minority interests may not gain a seat in parliament, which may limit the representation of these groups.
- c. Inhibiting Political Party Power: Parliamentary thresholds can hamper political party power because representatives have to take responsibility for their actions to voters. This could hinder the practice of non-transparent and accountable political party power.

Parliamentary thresholds are an important tool in the design of election systems aimed at regulating political fragmentation in parliament and increasing the stability and effectiveness of government. However, its application must be carefully considered to balance the need for political stability and inclusive democratic representation. Each country that uses thresholds needs to consider its political and social context in order to determine the appropriate threshold level.

4. Women's Representation in the Parliament

Indonesia in the 1945 Constitution clearly states that there is no distinction between men and women, namely Article 27 paragraph 1 states strongly that all people are equal before the law. The position of women is clear in de jure.²⁴ Women's representation is a key element in creating a fair, inclusive, and responsive political system. By ensuring that all segments of society have a voice in the political process, we can strengthen democracy, enhance equality, and produce more comprehensive and fair policies. Effective implementation of strategies to improve this representation is essential to achieving that goal. Factors affecting women's representation include:

a. Gender Quota

Gender quota policies were the most influential in efforts to catch up with women in politics. Gender quotas for women can be mandated in constitution, national legislation, or internal party policies. The gender quota mandated by the law requires political parties to accommodate the percentage of female candidates. Gender quotas required political parties to nominate at least 30% of female candidates. It aims to improve women's representation in parliament.²⁵

b. Electoral system

A proportional election system with open or closed lists can affect women's representation. In a system of proportional representation with closed lists, parties can more easily regulate women's quotas in the list of legislative candidates. Meanwhile, the open list proportional representation system is an election system where voters not only vote for political parties can also vote for individual candidates from the list of parties they choose. The arrangement of this system has specific implications for women's representation in the parliament.²⁶

c. Political parties

The commitment and support of political parties to women's representation played a key role. Parties that have internal policies to encourage women's involvement and provide the necessary training and resources will be more successful in increasing women's representation.²⁷

5. Accountability and Relationship between Voters and Representatives

According to Kusumastuti Accountability is a reference to the obligation or responsibility of a person or an institution to be responsible for the actions or decisions taken. In a governmental or political context, accountability refers to the ability to be held accountable for actions or decisions taken by public officials or government institutions to the public or voters. The relationship between voters and representatives refers to the interaction between voters, who are individuals or groups that cast votes in elections or other electoral processes, with their representatives, who are individuals or groups elected to represent the interests of voters in a political process or government. This relationship should be based on mutual understanding, trust, and two-way communication, in which representatives are responsible to voters to represent their interests and act according to their wishes and needs.²⁸ Accountability plays an important role in maintaining this relationship, as voters have the hope that their representatives will take responsibility for their actions and will work for the benefit of the voters they represent.

- a. Individual Accountability: An open proportional system improves individual accountability because legislative candidates are directly elected by voters and must be accountable to them.

²⁴ Penjelasan Pasal 27 ayat 1 Undang-Undang Dasar 1945.

²⁵ Nurdin, "Keterwakilan Politik Perempuan di Parlemen", FISIP Universitas Pembangunan Nasional Jakarta, *Jurnal Parapolitika*, Vol. 2, No. 2, 2021, Hlm. 139.

²⁶ Jamaluddin, 2022, *Sistem Pemilu Proporsional Terbuka Pasca Amendemen UUD NRI 1945*, Publica Indonesia Utama, Jakarta, 2022, Hlm. 41.

²⁷ *Ibid*, Hlm. 140.

²⁸ Muhammad Fikri Haikal, Deasy Mauliana, "Akuntabilitas Dan Transparansi Dalam Pelayanan Publik (Studi Kasus Pelayanan E-KTP Di Kantor Kecamatan Tallo Kota Makasar)", *Jurnal Politeknik STIA LAN Makasar*, Vol. 28, No. 1, April 2022, Hlm. 92.

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- b. Close to the Constituent Assembly: Legislative candidates tend to be closer to their constituent because they need to win direct votes, not just rely on their position on the party list.
- c. Improving People's Representation: Accountability can increase people's representation because representatives have to take responsibility for their actions to voters. This can increase political participation and improve the quality of decisions made.
- d. Improving People's Representation: Accountability can increase people's representation because representatives have to take responsibility for their actions to voters. This can increase political participation and improve the quality of decisions made.

Overall, the election system in Indonesia is designed to reflect the diversity of Indonesian society and ensure that various votes and interests can be represented in parliament. However, challenges remain, particularly related to party fragmentation, accountability, and representation of minority groups. The effect of the election system on the implementation of the representation function is complex and requires a balance between various interests in order to achieve fair and effective representation.

CONCLUSIONS

1. The development of election system regulation in Indonesia has undergone a number of significant changes since independence, reflecting efforts to create a better and fairer democratic system. Overall, the development of the election system in Indonesia shows a significant improvement towards a more transparent, participatory, and fair democracy. However, challenges such as money politics, manipulation, and lawlessness remain and need to be addressed continuously in order to achieve ideal democracy.
2. The effect of the election system on the implementation of the representation function in Indonesia is significant and can be seen from several main aspects. Overall, the election system in Indonesia is designed to reflect the diversity of Indonesian society and ensure that various votes and interests can be represented in parliament. However, challenges remain, particularly related to party fragmentation, accountability, Parliamentary Threshold, Women's Representation and Marjinal Groups, and representation of minority groups. The effect of the election system on the implementation of the representation function is complex and requires a balance between various interests in order to achieve fair and effective representation. This ever-evolving election system is expected to support the creation of a more stable, transparent, and representative government in the future.

SUGGESTION

By giving this advice, it is hoped that the election process will better reflect the will of the people as a whole, increase political participation, and strengthen democracy. As well as a guide for a justice for the nation and country in the function of representation in the next vote. Good for the dpr, the dprd, and the president.

REFERENCES

A. Books:

- 1) Arbi Sanit, 2012, *Sistem Politik Indonesia: Kestabilan, Peta Kekuatan Politik dan Pembangunan*, Rajawali.
- 2) Sodikin, 2014, *Hukum Pemilu: Pemilu Sebagai Praktek Ketatanegaraan*, Gramata Publising, Bekasi.
- 3) A. Mukthie Fadjar, 2013, *Pemilu Perselisihan Hasil Pemiluu dan Dekokrasi*, Satera Press, Malang.
- 4) Agung Djojosoekarto, 2012, *Perangkap Fragmentasi dan Dilema Politik Dalam Transformasi Demokrasi*, Kemitraan bagi Pembaruan Tata Pemerintahan, Jakarta.
- 5) Jamaluddin, 2022, *Sistem Pemilu Proporsional Terbuka Pasca Amandeman UUD NRI 1945*, Publica Indonesia Utama, Jakarta.
- 6) Wilma Silalahi, 2022, *Sistem Pemilihan Umum Di Indonesia*, Rajawali Pers, Jakarta.
- 7) Fajlurrahman Jurdi, 2018, *Pengantar Hukum Pemilihan Umum*, Kencana, Jakarta.

B. Journal:

- 1) Bernardinus Putra Benartin, "Pengaruh Ambang Batas Parlemen Terhadap Kedudukan Partai Oposisi Serta Kaitannya Dengan Sistem Pemerintahan Presidensial Di Indonesia", *Jurnal Universitas Atma Jaya*, 2021.
- 2) Nurdin, "Keterwakilan Politik Perempuan di Perlemen", FISIP Universitas Pembangunan Nasional Jakarta, *Jurnal Parapolitika*, Vol. 2, No. 2, 2021.
- 3) Ratnia Solihah, "Fenomena Fragmentasi Partai Politik Versus Penerapan Parlemetary Threshold Indoneisa" *Jurnal Teropong Aspirasi Politik Islam*, Vol. 14, No. 1, Agustus, 2018.
- 4) Joko Pramono, Chandra Adjie Prianggodo, "Analisis Efisiensi Sistem Proporsional Terbuka pada Proyeksi Pelaksanaan Pemilu Serentak 2024 di Indonesia", Universitas Slamet Riyadi Surakarta, *Jurnal Ilmu Sosial dan Ilmu Politik*, Vol.12, No. 3, 2023.
- 5) Muhammad Fikri Haikal, Deasy Mauliana, "Akuntabilitas Dan Transparansi Dalam Pelayanan Publik (Studi Kasus

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- Pelayanan E-KTP Di Kantor Kecamatan Tallo Kota Makasar”, Politeknik STIA LAN Makasar, Vol. 28, No. 1, April 2022.
- 6) Hendra Budi Setiawan, ”Dampak Sistem Pemilu Proporsional Terbuka Atau Tertutup Di Indonesia Terhadap Partisipasi Pemilih”, Universitas Lampung, *Jurnal Ilmiah Muqodimah*, Vol. 7, No. 2, Agustus 2023.

C. Law:

- 1) Undang-Undang Dasar Negara Republik Indonesia 1945
- 2) Undang -Undang Nomor 8 Tahun 2012 Tentang Pemilihan Umum anggota Dewan Perwakilan Rakyat (DPR), Dewan Perwakilan Daerah (DPD), dan Dewan Perwakilan Rakyat Daerah (DPRD).
- 3) Undang-Undang Nomor 7 Tahun 2017 Tentang Pemilihan Umum



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