

The Idea of Implementing a District Election System as an Alternative for Simplifying Political Parties in Indonesia

Josefh J.B. Perangin Angin¹, Fifiana Wisnaeni²

^{1,2}Master of Law, University of Diponegoro

Jalan Imam Bardjo SH No.5, Pleburan, Kec. Semarang Selatan, Semarang.

Email: josephnangin@gmail.com (corresponding Author)

Accepted: 19-05-2022 Revised: 28-06-2022 Approved: 29-06-2022 Published: 04-07-2022

DOI: <http://dx.doi.org/10.30596/dll.v7i2.10230>

How to cite:

Perangin Angin, J.J.B & Fifiana Wisnaeni (2022). "The Idea of Implementing a District Election System as an Alternative for Simplifying Political Parties in Indonesia". De Lega Lata: Jurnal Ilmu Hukum, 7(2), 187-203.

Abstract

Political parties and general elections are elements that cannot be separated from the life of a country, because they can be used as tools and solutions for the change and progress of a nation. However, they can be a tool for state change if they can run in harmony and don't cause problems. Indonesia is a country that cannot be separated from Political Parties and Election Culture. Political parties have existed since the Dutch colonial era until now. Meanwhile, the electoral system was only known in Indonesia in the era of parliamentary democracy, where the plan was to elect a parliament nominated by a political party. However, the development of Indonesian political parties has harmed the lives of Indonesia, such as fragmentation between political parties, etc. Because of that, the government in the colonial era, new order until now, create policies to overcome this. One of the policies taken and proven to solve is the simplification of political parties by implementing a district election system. This system was introduced and used during the New Order era. This system is used as an alternative because the system is simple and able to overcome problems with the simplification method of political parties.

Keywords: *Political Parties, District Elections, Simplification, Alternative.*

INTRODUCTION

Political parties and direct voting by the people (elections) are one of the important elements in boosting the progress of a country that adheres to democracy. This is because the two elements above are one of the indicators that can be used to measure the progress of a country. It is said to be an indicator of the progress of a country because the policies made by these state institutions have a direct impact on the community both in terms of economy, social, politics, and culture. In addition, the existence of the two elements above in a country cannot be separated from the understanding and purpose of the Democracy ideology, namely

that the understanding of democracy is an understanding that emphasizes sovereignty is in the hands of the people.

Indonesia is one of the countries that adheres to the notion of democracy and also carries out general elections in Indonesia. The adoption of the notion of democracy and voting is carried out by the people (Election) is regulated in the basic document of the State of Indonesia, namely Article 1 paragraph (2) which states that Sovereignty is in the hands of the people and then carried out according to the law and Article 22 E of the 1945 Constitution of the Republic of Indonesia, namely elections are carried out by the people. directly, publicly, freely, confidentially, honestly and fairly (LuberJurdil) (Articles 1 and 22E of the 1945 Constitution). The practice of voting by the people (Election) in Indonesia can be seen from the history of the implementation of General Elections in Indonesia 9 times, namely the 1955, 1971, 1977, 1982, 1987, 1992, 1997, 2004, 2009, 2014 and 2019 general elections.

All these general elections were not held in a vacuum, but took place in a life that also determines the outcome of the general election itself. From the general election, it can also be seen that there were efforts to find a general election system that was suitable for Indonesia. looking for a suitable general election system is because the system used in the above era has advantages and disadvantages. For example, in the 1999 post-reform elections, until now, the election system has adopted the multi-member constituency (proportional). The election of the proportional electoral system is said to be democratic and practical to use in Indonesia, this is because this proportional system provides opportunities for the public to form political parties and provides space for political parties to nominate individuals in terms of legislative candidacy and also participate in nominating the president and vice president. However, in its development, the proportional election system is said to be less effective because this proportional election raises problems such as the complicated mechanism for nominating Parliament, the election results which sometimes lead to social conflicts and the examination of the results of the parliamentary and presidential elections to the judiciary institution, namely the constitutional court (judicative). In addition to one of the impacts mentioned above, the existence of proportional elections also has an impact on political parties, namely the level of public trust in political parties in the context of conducting the Indonesian general election, such as the “dowry” that must be provided by individuals to one of the political parties to be nominated as a candidate in the election. Legislative and executive elections and policies (policy) made by political parties both in the context of the legislative and executive are less pro-society.

Based on the explanation of the background above, the researcher proposes several formulations of the problem as follows: First, how is the development of efforts to simplify political parties in Indonesia. Second, how can the district election system be used as an alternative to simplifying political parties in Indonesia? It is hoped that this paper can describe the efforts to simplify political parties in Indonesia and be able to provide an overview and input regarding the district election system that can be used as an alternative to simplifying political parties.

RESEARCH METHOD

A study cannot be said to be research if it does not have a research method because the purpose of research is to reveal a truth systematically (Lubis & Koto, 2020). Based on the formulation of the problem put forward, the type of research is doctrinal or normative legal research that examines law as a norm (Ibrahim, 2008). Namely researching and comparing secondary data consisting of primary legal materials, primary and secondary legal materials and tertiary legal materials. These materials are arranged systematically, studied, then drawn conclusions in relation to the formulation of the problem.

Legal research like this does not recognize field research because what is being researched is legal materials so that it can be said to be library based, focusing on reading and analysis of primary and second materials or often referred to as library research. The approach used in this research is a statutory approach and a conceptual approach. In the statutory approach method researchers need to understand the hierarchy and principles in the legislation, while the conceptual approach is carried out when the researcher does not move from the existing legal rules (Marzuki Peter Mahmud, 2014).

The research data that is used as a reference in this research is secondary data in the form of primary legal materials, which are authoritative legal materials that have authority which includes legislation, official records or minutes in making legislation and judges' decisions. And secondary legal materials, namely legal and non-legal opinions from the literature, research results related to information obtained from sources. The use of secondary legal materials is to provide researchers with some kind of "guidance" in which direction the research is going (MarzukiPeter Mahmud, 2014). In this study, secondary legal materials are in the form of legal opinions from books, research results, internet media, scientific journals, newspapers, sources, legal dictionaries related to this research. As well as tertiary legal materials, in the form of complementary legal materials from the legal dictionary and the Indonesian language dictionary. In this study the authors use data collection techniques with literature studies or documentary studies, namely data collection carried out by categorizing and classifying written legal materials related to research problems, whether in the form of books, newspapers, documents, archives, writing papers, theories. legal theory and legal propositions (Ramadhani, 2019).

The data analysis technique used is content analysis (content analysis technique). content analysis is any systematic procedure that is encouraged to examine the content of the information obtained. This analysis focuses on all the secondary data obtained. After obtaining the necessary data, this paper analyzes it logically, systematically and juridically. Logical means that the data collected is analyzed in accordance with the principles of deductive logic, namely drawing conclusions from a problem against the concrete problems faced. Systematic means analyzing data by linking data with one another that are interconnected and dependent. Furthermore, the data were analyzed juridically, namely starting from the regulations that are related to the current positive law.

DISCUSS AND ANALYSIS

Political Parties and General Elections

Political parties are something that may be familiar to the world community and the people of Indonesia. This is because political parties are a means for citizens to participate or participate in the process of managing the state. Today political parties are very familiar in our environment. As an element in the State, political parties are not something that by itself exists. His birth has a fairly long history, although it's not old enough either. It can be said that political parties are new organizations in human life, much younger than state organizations. And the presence of a new Political Party is in the Modern State.

Political parties were first born and sparked in Western European countries. The birth of political parties in Western Europe was due to the idea that the people are a factor that is taken into account and included in the political process, so political parties have been born spontaneously and have developed into liaisons between the people on the one hand and the government on the other. The birth of political parties in Europe was also strengthened by the issuance of the Universal Declaration, namely the Declaration of International Nations of Human Rights (ICCPR) 1966, the freedom of association and assembly is a necessity, thus implying that the right to establish a political party is something that cannot be ignored. (Assididiqie, 2002).

Political parties are referred to as community forums and are elements of democracy in a country due to the understanding and function of the political parties themselves, namely, political parties are groups of people who are stably organized with the aim of fighting over or maintaining this control, providing party members with fair and equitable benefits. Material. As quoted and found by Carl J Friedrich (Friedrich, 1967). Apart from this understanding, Political Parties also have the following functions, namely: a). carry out input functions from Political Parties, b). control and make government activities, c). community conflict regulator. However, the implementation of the functions of political parties will be different in each country. The implementation of this function will very much depend on the history of the birth of a political party and the political conditions in the country. So that the function of political parties in democratic and authoritarian countries will be very different. In a democratic country, political parties will be able to carry out their true functions, but in an authoritarian country, political parties will tend to be just tools to legitimize power. Furthermore, the maximization of the implementation of the functions of political parties will greatly depend on the party system of a country. The party system can be defined as how political parties interact with each other and interact with other elements of the system. Duverger divides the party system into three parts, namely:

1. Single party system

This term is used for parties that really are the only parties in a country or for parties that have a dominant position among other parties.

2. Dual-party system

A two-party system usually means that there are two parties among several that have succeeded in winning the top two places in a general election in succession, and thus have a dominant position. The winning party in the general election will become the government party and the losing party will become the opposition

3. Multi party system

Multi-party system is a party system that has many parties, but no dominant party. So that coalitions and compromises between several parties are the ways to form a government. The number of political parties is usually a result of the plurality of the people of a country.

Furthermore, in a more complex manner, Riswandha Imawan introduced seven party systems, namely:

1. Atomized party system, with the characteristics of many independent parties, very far ideological distances, very heterogeneous society, consequently the political agenda and government are difficult to form.
2. Polarized Pluralism, with the characteristics of narrowing ideological distances, increasing national awareness, emerging coalitions so that the number of parties numerically shrinks between 10-15 political parties
3. Moderat Pluralism, with the characteristics of a narrowing ideological distance, growing awareness of increasing government efficiency, so that numerically the number of political parties will range from 6-8 political parties.
4. Two Parties, with the characteristics of bipolar ideology, the party that wins the election forms a government and the loser is in opposition
5. Premodiant, with the characteristics of an increasingly narrow ideological distance, one political party controls the majority of votes in several elections, while other political parties weaken.
6. Hegemonic, with the characteristics of a very narrow ideological distance, almost one party dominates the vote.
7. Single, with the characteristics of a single ideology, market monopoly. Consequently, public policy is largely determined by the vision of political parties, public participation is limited to mobilizing the implementation of government programs.

In addition to political parties, the most important element in a democratic country is the direct implementation of voting by the public (elections). This election aims to provide space for the community to participate for the State by choosing individuals or groups to fill strategic positions such as members of Parliament (Legislative), and also fill executive positions namely president, vice president, governor, mayor etc. The existence of a general election is considered a symbol as well as a benchmark of democracy. The results of general elections held in an atmosphere of openness and freedom of expression and freedom of association are considered to reflect quite accurately the participation and aspirations of the people. The general election is used as a benchmark for the success of the country, which is determined by the mechanism of the electoral system adopted by the nation. The measure that an election is democratic or not must meet three conditions, namely a) whether there is recognition, b) building public trust in elections that produce a legitimate government, and c) there is fair competition from election participants. This is because if the general election mechanism adopted by a country is good, then the general election which aims to choose people or groups to fill the position, the results obtained by selecting individuals or groups will be even better. Therefore, in the general election, it is known as the "General Election System". Where is the General Election System The aim is that the voting carried out by the community can run well and prevent conflict. Basically, there are two general election systems, namely:

1. Sistem single member constituency (district system)

The district system is an electoral system in which the territory of the country is divided into areas whose number is equal to the number of members of parliament to be elected. Each region or electoral district which is often referred to as a district will be represented by one member of parliament who gets the most votes in their respective district (Azed, 1987). The advantages of the district system are:

This system encourages the integration of political parties because only one seat is required in each electoral district.

- a. Party fragmentation and the tendency to form new parties can be contained; instead, this system can lead to party simplification naturally and without coercion.
- b. Due to the small size of the district, the elected representatives can be recognized by the community, so that the relationship with the constituents is closer.
- c. For big parties, this system is advantageous because through the distortion effect it can gain votes from other voters and thus obtain a majority position.
- d. It is easier for a party to achieve a majority position in parliament, so there is no need to form a coalition with other parties.
- e. The system is simple and easy to maintain.
- f. District system weakness
- g. This system does not pay attention to the interests of small parties and minority groups, especially if these groups are scattered in various districts.
- h. This system is less representative in the sense that the party whose candidate loses in a district loses the votes that have supported it.
- i. It is possible that the representative tends to pay more attention to the interests of the district and its citizens than the national interest.

2. Proportional system

The proportional electoral system is an electoral system in which the number of seats obtained by the political parties participating in the election is adjusted to the number of votes obtained in the general election. The determination of the electoral district and the number of seats is based on consideration of the area and population. While the determination of the elected candidate is based on the vote of the voters.

For example, if the number of valid votes in constituency x is 100,000 people and the number of seats allocated is 10, then every 10,000 votes can be converted into 1 seat. Thus, each party has the opportunity to get more than one seat. This proportional system is then divided into an open proportional system and a closed proportional system. In a closed proportional system, the voters will choose the party and the party will determine the candidate for the electorate. Meanwhile, the open proportional system is further divided into two parts, namely the open proportional system with a serial number system and the open system based on the most votes.

Advantages of proportional system (Budiardjo, 2008):

- a. The proportional system is considered representative, because the number of party seats in parliament is in accordance with the number of people's votes obtained in the general election.

- b. The proportional system is considered more democratic in the sense of being more egalitarian because it is practically without distortion

Weaknesses of the proportional system (Budiardjo, 2008):

- a. This system does not encourage parties to integrate or cooperate with each other and take advantage of existing similarities, but on the contrary, tends to sharpen differences.
- b. This system facilitates party fragmentation.
- c. The proportional system gives the party leadership a strong position through the list system because the party leadership determines the list of candidates.
- d. The elected representatives may have ties to their constituents.
- e. Due to the large number of competing parties it is difficult for the party to achieve may
- f. Oritas (50%+one) in parliament required to form government.

3. Political parties in Indonesia

In Indonesia, political parties have been part of political life for more than a hundred years. In Western Europe, especially in the UK, political parties have emerged long before as a means of participation for several groups of people, which later expanded to become the participation of all adults. Currently, political parties are found in almost all countries in the world. It is generally considered that a political party is a group of human beings whose members more or less have the same orientation of values and ideals, and whose aim is to gain power and maintain it in order to carry out the programs that have been set.

In Indonesia, we are particularly familiar with the multi-party system, although the phenomenon of single and dual-party parties is not uncommon in our history. The system which then applies based on the three ospol system can be categorized as a multi-party system with one party domination. In 1998, starting the reform period, Indonesia returned to a multi-party system.

a. Colonial era

Political parties were first born in the colonial era as a manifestation of the rise of national consciousness. In this situation all organizations, whether they have social goals (such as Budi Utomo and Muhammadiyah) or openly adhere to political/religious principles (such as the Sarekat Islam and the Catholic Party) or secular political principles (such as the PNI and PKI), played an important role in the development of the organization. national movement. The pattern of the party at that time showed the diversity and the pattern we revived in the independence era in the form of a multi-party system.

In 1918 the Dutch established the Volksraad which served as a representative body. There are several parties and organizations that take advantage of the opportunity to move through this body. At first the participation of Indonesian organizations was very limited. 38 members besides the Dutch chairman, there were only 15 Indonesians, including 6 members of Budi Utomo and the Sarekat Islam. The composition changed only in 1931 when the principle of "indigenous majority" was accepted, so that from 60 members there were 30 indigenous people. In 1939 the most important Indigenous factions in the Volksraad included the Indonesian National Fraction (FRANI), which was a combination of several factions, between Parindra and the Association of Bestuur Bumi Putra Employees (PPBB). The head of the volksraad is still a dutch.

b. Japanese occupation period

The highly repressive Japanese government regime lasted for three and a half years. All resources, both natural and human resources, were handed over to support the “Greater East Asia” war. In this context, all parties were dissolved and any political activity was prohibited. Only Islamic groups are allowed to form a new organization that is operated.

c. Indonesian democracy era

1) Independence Struggle

The surrender of the Dutch East Indies army to the Japanese army made our determination to break away from both Dutch colonialism and Japanese fascism and establish a modern democratic state. After the proclamation of independence on August 17, 1945 this situation changed completely. On August 18 Soekarno and Moh Hatta were elected as president and vice president by the Preparatory Committee for Indonesian independence and on August 22 the Committee in its last session determined that the transitional rules for the 1945 Constitution had not been fully formed. In addition, the committee determined the establishment of the People’s Security Agency and the Central Indonesian National Committee. Where the second task is to assist the president before People’s Consultative Assembly (MPR) and People’s Representative Assembly (DPR) are established.

2) Sovereignty acknowledgment period (1949-1959)

After the de jure sovereignty in December 1949 we were finally recognized by the outside world and after the promulgation of the Provisional Constitution in August 1950 the coalition cabinet pattern continued. All coalitions involve the two major parties, namely Masjumi and PNI, each with its respective parties. The coalition caused these major parties to change cabinets. However, the desired political stability was not achieved. Not only parties with a clear majority (Masyumi and PNI) caused the government to always be based on a coalition between big parties and small parties. These coalitions proved to be short-lived and the government lasted only about a year on average. At this time an election was held, namely in 1955, which aimed to elect members of parliament and the constituent assembly and aimed at resolving the conflicts that occurred. In the 1955 elections, which were held with 100 pictorial signs, it showed that the party increased from 21 parties (plus representatives without a faction before the general election to 28.

d. Guided democracy era

This era was marked first by the strengthening of the president's position, among others, by his appointment as president for life through MPR Decree No. III/1963. Second, the reduction of the role of political parties, except for the PKI, which in fact had the opportunity to develop. Third, increasing the role of the military as a socio-political force. Sometimes this period is called the period of the Soekarno, TNI and PKI triangle because it is a power struggle between the three powers. Within this government, in order to strengthen the executive branch, the government contains several efforts to simplify the party system by reducing the number of parties through Presidential Decree No. 7/1959. The government's decree on November 3, 1945 advocating the formation of parties was revoked and the conditions that must be met by parties to be recognized by the government were stipulated. The parties that then met the requirements were PKI, NU, Catholic Party, Partindo, Parkindo,

Murba Party, PSII Arudji, IPKI, Perti Islamic Party while several other parties were declared ineligible. With the disbandment of Masyumu and PSI in 1960, only ten parties remained (Wiyono, 2019).

e. Pancasila Democracy Age

One of the actions of the MPRS was to revoke Decree No. III/1963 on the appointment of President Soekarno as president for life. Another action taken by the new order was the disbandment of the PKI through TAP MPRS No. XXV/1966. Meanwhile, Partindo, which had a close relationship with the PKI, was opened in the same year.

Meanwhile, debates took place through various seminars and mass media, including the need to establish democracy and establish a democratic political system by overhauling the existing political structure. Political parties that are the main targets of public criticism are considered to have acted divisively because they were too concerned about their respective ideologies and interests. This involvement is so deep that they do not develop a work program that can be implemented.

During this reign, the government also made policies to solve the problems of political parties at that time. The policy made is to introduce a district election system. Introducing the district electoral system as an effort by the government to replace a proportional electoral system. The introduction of this district system has proven to be able to resolve party conflicts, where at this time only 3 political parties are allowed to take part in the elections, namely the PPP Party, Golkar, and PDIP.

f. Reformation Age

The reformation period began when President Soeharti stepped down from power on May 21, 1998. Since then, day after day there has been pressure or pressure to reform democratic political life. It is hoped that in this endeavor we can take advantage of the collective experience of the three periods from 1945 to 1998. In the context of compliance, there is a demand that the public have the opportunity to establish political parties. On that basis the government led by B.J. Habibie and the parliament passed Act No. 2 of 1999. The desired change is to establish a system in which political parties do not dominate the life of political parties excessively, but which also does not allow the executive to become too strong (executive heavy). On the other hand, the executive and legislative powers are expected to be equal or *Nevengeschicht* as mandated in the 1945 Constitution.

There were 141 political parties registered with the Ministry of Justice. However, after being selected, not all of them were able to participate in the 1999 general election. Only 48 political parties were eligible to participate in the general election. (Mirrian Budiarjo, h.450). The results of the 1999 general election show that no single party dominates the government and no party holding an absolute majority can control the government. PDIP, which received the most votes and seats (35,689,073 votes and 153 seats) did not make Megawati Soekarnoputri (general chairman) the 4th President. With the coalition of Islamic parties and several new parties becoming separate camps in the DPR, known as the central axis, the position of the PDIP has become less strong. As a result the MPR elected as president was the founder of the PKB, the party in the DPR only got 51 seats, namely KH Abdurrahman Wahid.

General Elections in Indonesia

Indonesia is a country that adheres to the notion of democracy. The adoption of this understanding of democracy cannot be separated from the arrangements in the basic document of the Indonesian state, namely Article 1 paragraph (2) of the 1945 Constitution of the Republic of Indonesia, namely power is in the hands of the people and is carried out according to the law (Article 1 paragraph 2 of the 1945 Constitution). The existence of this arrangement cannot be separated from the amendments to the Indonesian Constitution which is also inseparable from the history of the Indonesian nation, namely the Reformation in 1998. Where this movement was motivated by the previous Indonesian government being authoritarian and not taking sides with the community. In addition to adhering to the understanding of Indonesian democracy in state administration practices, they also carry out direct voting. Direct voting by the people is inseparable from the consistency of the Indonesian people in upholding the principles of democracy. Direct voting by the people in Indonesia is also regulated in the basic document of the State, namely Article 22 E of the 1945 Constitution which states that the General Election is carried out directly, publicly, freely, secretly, honestly and fairly every five years. The purpose of holding direct voting by the public is to elect members of the People's Representative Council, Regional Representative Council, President and Vice President and Regional People's Representative Council. The presence of Article 22 E of the 1945 Constitution is also inseparable from the amendment of the contents of the 1945 Constitution, namely in 2001. This amendment is also inseparable from the political history of the Indonesian people and the desire and idea that elections to elect legislative and executive members are carried out by the people.

Direct voting in Indonesia is not only regulated in the Indonesian constitution, but direct voting by the community (Election) can be seen from the history of the implementation of general elections in Indonesia, where the implementation of elections, both elections to elect members of Parliament and also general elections for president and deputy The president has carried out 12 times voting/voting by the people in Indonesia, namely in 1955, 1971, 1982, 1987, 1992, 1997, 1999, 2004, 2009, 2014, and 2019. Of that many general elections, of course, these elections have special characteristics. or privilege compared to others.

All these general elections were not held in a vacuum, but took place in an environment that also determines the outcome of the general election itself. From the general election, it is also known that there are efforts to find a suitable general election system in Indonesia.

1. Parliamentary democracy era (1945-1959) (Zainal Abidin Saleh, 2008)

Actually the general election was planned to start in October 1945, but it was only carried out by the Burhanudin Harahap Cabinet in 1955. In that general election voting was carried out twice, namely once to elect members of the DPR in September, and once to elect members of the Constituent Assembly in September. December. The election system used is proportional. At that time the system, as exemplified by the Netherlands, was the only electoral system known and understood by the leaders of the State. The general election was held in a solemn atmosphere, because it was the first general election in an atmosphere of independence. The general election was very democratic; there were no restrictions on the parties and no attempt by the government to intervene against the parties even though the

campaign was going well, especially between Masyumi and the PNI. Also, the administration runs smoothly and honestly.

The general election resulted in 27 parties and one individual, with a total of 257 seats. Even though the number of parties increased compared to the number of parties before the general election, there were 4 parties whose votes were very prominent, namely Masyumi, PNI, NU and PKI. Together they won 77% of the DPR seats. On the other hand, some parties that previously played an important role in the political arena have only won a few seats.

2. Guided democracy era (1959-1965)

After the dissolution of the constituent assembly carried out by the President in 1959, this year Indonesia entered the era or era of Guided Democracy. The era of Guided Democracy began after the President issued a government decree in November 1945 regarding the freedom to form parties, in which President Soekarno reduced the number of parties to 10. These ten parties were PNI, Masyumi, NU, PKI, Catholic Party, Partindo, Murba Party, PSII Arudji, IPKI, and the Perti Islamic Party. This party will later participate in the 1971 general election during the New Order era. In this era of Guided Democracy no general elections are held.

3. Pancasila democracy era (1965-1998)

Policies made during the guided democracy era through the edict regarding the electoral system and the number of political parties did not go well, which resulted in the collapse of the Guided Democracy government. The collapse of the semi-authoritarian Guided Democracy regime then emerged a regime called the "Pancasila Democracy" regime. The birth of "Pancasila Democracy" has brought hope among the people to be able to establish a stable and democratic political system. In this Pancasila democracy, various methods were used to find the ideal politics and law which would later be used, such as the Persahi III National Conference in 1966 and the Human Rights Sposium in June 1967. (Karim, 1983)

But one way is through the general election system. At that time, not only the well-known proportional system was discussed, but also an entirely new district system. The seminar argued that the district system could reduce the number of political parties naturally, without coercion. It is hoped that small parties will feel a vested interest in cooperating in the pursuit of seats in a district. It is hoped that the reduced number of parties will bring political stability and the government will be more empowered to implement its policies, especially in the economic sector. In Pancasila democracy, the electoral system is held using a proportional system with a closed list system. Voters vote only for parties, and parties will vote for the candidate with the top serial number. Votes will be given to the next order if the candidate with the top serial number has received enough votes for the quota of 1 seat. For the general election of DPR members, the electoral area is the province; while for DPRD I, the electoral area is the same province; and for DPRD II the electoral area is the concerned Dati II region. However, there is a lack of district color in it, because each district is allocated one seat as a member of the DPR to represent that area. In the general elections of these years each member represented 400,000 inhabitants.

4. Elections in the Age of Reform

The Reformation Era is an era where there is a change and a new point of civilization for the Indonesian nation and society. The emergence of the Reformation Era is due to the fact that the community considered the previous era to be undemocratic and not pro-people through the policies that were made. The existence of these reforms has an impact on social, political, economic, and cultural developments in Indonesia. One of the impacts of the reform from a political perspective is that the first opportunity is to open up the opportunity for political parties to move freely, including establishing new parties. This provision was later reflected in a direct vote by the people in 1999 which was held in the presence of many parties. Second, in the 2004 general election for the first time in Indonesia's history, direct presidential and vice presidential elections were held, previously the president and vice president were elected through the People's Consultative Assembly (MPR). Third, a general election is held for a new body, namely the Regional Representative Council which will specifically represent regional interests. The fourth was "electronic threshold", namely the provision that for legislative elections each party must win at least 3% of the number of seats in the body concerned.

The 1999 general election was attended by three new order parties plus a number of new parties, bringing the total to 48 parties; which later succeeded in entering the DPR were 21 parties. The general election system used is not too different from the one used before. The emergence of political parties is due to the general election system used, namely the proportional system with an open list system, so that voters can cast their votes directly to the chosen candidate. In this case, the voter casts his vote to the candidate party who is at the top of the list, has a great chance of being elected because the voter's vote given to the party belongs to the candidate who is at the top. In this reform era general election, there is also a district color in the calculation of the acquisition of seats in the DPR and DPRD in the 2004 general election, namely the votes obtained by a party in an electoral district that are not enough for one BPP (Voter Dividend Number) cannot be added to the acquisition of parties in other electoral districts. For example to be added to make it enough for one chair. This is a district system not proportional.

German Electoral System

Germany is one of the countries in Europe which is one of the countries that adheres to the notion of democracy and carries out direct elections. The electoral system adopted in Germany is a mixed electoral system, specifically the mixed-member proportional (MMP) system. The MMP system is a mixed system in which the electorate uses to elect representatives through two different systems, one list PR system and the other a majority plurality system where the list PR system compensates for disproportionately in the results raised in a plurality/majority system. In addition, another alternative to this system is that voters can make only one choice.

Currently the MMP system is regulated in the German Federal Election Law which was last amended by the Federal Law Gazette. The MMP system in German elections is adjusted to the number of districts. This means that elections in Germany are adjusted to the number of districts or electoral districts in Germany. For plurality-majority-based elections, to be

precise, first past the post (FPP), has 229 districts with a single member district (SMD) concept in accordance with the number of seats allocated for the FPP system. Meanwhile, for elections based on the closed List PR system, there is one district or electoral district nationally, the MMP concept. The district system in Germany is inseparable from the political system in Germany in the past. The system with the semi-district method is considered quite successful in simplifying political parties in Germany. Where Political Parties will be more intense and aware of the nature and function as a Political Party. The existence of this system creates/creates political stability in the life of the state, which means that there is no fragmentation between political parties (Parliament) and the executive focused on making policies that favor the community.

The Development of Efforts to Simplify Political Parties in Indonesia

Political parties are something that may be familiar to the world community and the people of Indonesia. This is because political parties are a means for citizens to participate or participate in the process of managing the state. Today political parties are very familiar in our environment. As an element in the State, political parties are not something that by itself exists. His birth has a fairly long history, although it's not old enough either. It can be said that political parties are new organizations in human life, much younger than state organizations. And the presence of a new Political Party is in the Modern State.

Political parties were first born and sparked in Western European countries. The birth of political parties in Western Europe was due to the idea that the people are a factor that is taken into account and included in the political process, so political parties have been born spontaneously and have developed into liaisons between the people on the one hand and the government on the other. The birth of political parties in Europe was also strengthened by the issuance of the Universal Declaration, namely the Declaration of International Nations of Human Rights (ICCPR) 1966, the freedom of association and assembly is a necessity, thus implying that the right to establish a political party is something that cannot be ignored.

Political parties are referred to as community forums and are elements of democracy in a country due to the understanding and function of the political parties themselves, namely, political parties are groups of people who are stably organized with the aim of fighting over or maintaining this control, providing party members with fair and equitable benefits. Material. Apart from this understanding, Political Parties also have the following functions, namely: a). carry out input functions from Political Parties, b). control and make government activities, c). community conflict regulator.

In Indonesia, political parties were born and formed since the Dutch colonial era, which means political parties in Indonesia before proclaiming their independence. The existence of political parties in Indonesia during the Dutch colonial era was due to the Dutch establishing the Volksraad in 1918 and followed by the growth of the national movement which marked the era of national awakening. At the beginning of its establishment, political parties did not call themselves political parties and only named themselves as national organizations. Where the goals of national organizations for national interests such as education and culture. In 1918, many national organizations took advantage of this momentum, including Budi Utomo, Sarekat Islam and the Indonesian National Party (PNI) (Hutabarat, 2005). Where the birth of

this national organization became the forerunner of the birth of Political Parties in Indonesia. the number of political parties at that time made the colonial government make policies regarding these political parties. One of the policies made at that time was to simplify political parties. This policy emerged in 1930. The policy was made because of the repressive policies carried out by the Dutch colonial government. The policy was initiated by the Governor General B.C. De Jonge and A.W.L. Tjandra Van Stakenborg Stachouwer whose policy contains rejection of nationalist organizations.

This repressive policy is supported by the provisions of articles 35, 36, 37 and 38 of IS which give the governor general the right to exile, namely the right to exile people who are considered to be endangering the security and the provisions of political parties are also strictly monitored by Politie eke incke instigen dienst, the intelligence agency. In 1935, the Bepeokt Vergader Verbod (BVV) regulation was issued which authorized the Governor General after hearing the Red von Indie balance to declare that an association was against the public interest. In addition, the Governor-General can also limit the right to hold meetings. The simplification of political parties in Indonesia did not only occur during the Dutch colonial period, but the simplification of Indonesian political parties occurred when Indonesia was already independent. The simplification of political parties after independence occurred during the Guided Democracy and Pancasila Democracy.

During the Guided Democracy period from 1959 to 1965, the simplification of political parties occurred because the President revoked the Government Declaration in November 1945 concerning the freedom to establish parties, where President Soekarno at that time reduced the number of parties to 10. These ten parties were Masyumi, NU, PKI, Catholic, Partindo. , the Murba Party, PSII Arjudi, IPKI, and the Perti Islamic Party. Where the party participated in the 1971 general election during the new order era. During the Guided Democracy, no general elections were held.

This simplification of political parties continued in the era of Pancasila democracy. Where in the era of Pancasila democracy, efforts for political simplification began to be carried out with various policies. One way is through the general election system. At this time, not only the proportional system was known but also the district system was introduced. Where the existence of this district system can reduce the number of political parties naturally without coercion. It is hoped that small parties will feel an interest in working together in an effort to gain seats in a district. The election policy with the district system is expected to be able to bring political stability and the government will be more empowered to implement its policies, especially in the economic field. However, this policy was opposed by various parties and argued that the district system would harm the existence of political parties, and also because there was a proposal to give ABRI seats in the DPR (Santoso, 2019).

The failure in simplification at that time made the President at that time, Suharto, take action to control party life. The first act is to bring about fusion between the parties. President Suharto's parties in 1973 made a suggestion that they group themselves into three groups, namely the Spiritual Group, the Nationalist Group, and the Work Group, so that there were only three political parties, namely Golkar, PPP, and PDI.

After the early collapse of the Pancasila Democracy (New Order) government, the simplification of political parties had not occurred, but along with the development of public political life, the awareness of the government to implement the simplification of political

parties began to be felt. The simplification of Political Parties can be seen in the 2009 Election. Where the 2009 General Election no longer uses Law No. 12 of 2003 concerning the General Sorting of Members of DPR, DPD, and DPRD and Law No. 23 of 2003 concerning General Elections for President and Vice President. . In the 2009 election, the reduction or simplification of political parties uses the terms, namely Parliamentary Threshold and Presidential Threshold (Ghafur, 2019).

The two terms were previously unknown in the previous era or year, the regulation regarding these terms is regulated in two laws namely Law Number 42 of 2008 concerning the President and Vice President and Law Number 10 of 2008 concerning General Elections for DPR, DPD, and DPRD. The adoption of these two terms is considered effective enough to simplify political parties in Indonesia, which at that time used the electoral system, namely the proportional electoral system. Where in 2009 there were 9 parties that were able to overcome and pass the threshold, namely the Democratic Party, Golkar Party, PDIP, Prosperous Justice Party, National Mandate Party, PPP Patai, National Awakening Party (PKB), Gerindra, and Hanura.

The District Election System Can Be Used as an Alternative for Simplifying Political Parties in Indonesia

The District Election System can be used as an alternative to holding elections because of the advantages possessed by the district system itself, such as its easy implementation because it is simple, party fragmentation and the tendency to form new parties can be formed; instead this system can lead to party simplification naturally and without coercion. On the one hand, these advantages have a positive impact on a country, namely political stability, the government easily makes, compiles and executes policies quickly, precisely and measurably to the community, be it economic, social, political policies, etc. Although on the one hand this district election policy is considered less democratic and tends to create an authoritarian government. In Indonesia, the district election system has long been known and was used during the Guided Democracy and Pancasila Democracy. The adoption of the district election system in both eras was considered effective in simplifying political parties in Indonesia. This simplification has also been proven to be able to create national stability and the Indonesian economy. Simplification of political parties by using the district system as it is today can be applied in Indonesia by making regulations on Political Parties and General Elections. The policy in terms of regulation of political parties here is that the conditions for the formation of political parties nationally, for example, must meet 60-75% of the national vote for the formation of political parties and may participate in elections, both Parliament and presidential nominations, for example, for parliamentary nominations, the threshold is increased from 4% increased to 6%-8% pass registration requirements. The district system will also be easily implemented if there is socialization to political parties and their implementation infrastructure. The application of the district system as a simplification of adult political parties is easier to implement because most political parties today only think about the practical impact (profits) and do not pay attention to the nature and function of a political party. Efficiency is more important especially in Indonesia (Guan & Oktaviani,

2021). This is because the legal awareness of the Indonesian people and the legal position in society is much lower than in developed countries).

CLOSURE

Conclusion

Based on the explanation above, the author can conclude about the author's title, namely Measuring the Application of the District Election System as an Alternative to Simplifying Political Parties in Indonesia, namely that the simplification of political parties in Indonesia has long been applied in the post-independence Dutch colonial era, until today. The district election system is not a new system for the general election system in Indonesia, this is proven by two eras in Indonesia, namely the Pancasila Democracy Age. the district system can be used as an alternative for general elections today, this can be used because with the district election system, election problems can be overcome, such as problems in field implementation which have been complicated and have not fulfilled a sense of justice. In addition to being able to solve problems such as administration above, the existence of this district system will make it easier for executives to make, compile, and execute policies (Policy) as well as with the policy of using the district system as an election to create and make political parties aware of the nature and function in people's lives. One of the main sources of election conflict in Indonesia is the poor implementation of election administration and poor election law enforcement. Therefore, through the products of legislation and legal practices carried out by the bureaucracy, security forces and courts, it can be seen how violence operates and produces itself in various attitudes and social behavior of people in Indonesia. The existence of regulations governing the General Election provides a definition and at the same time approves all forms of state action.

Suggestion

Seeing the condition of the voting system and political parties in Indonesia, which are many and varied, the government should reconsider using the district general election system. Which by creating and implementing a district election system can answer the problems of general elections and Indonesian politics that are not neat and so that political stability in the country is created.

REFERENCES

- Assididiqie, J. (2002). *Refleksi Hukum dan Konstitusi di Era Reformasi*. Pusataka Bangsa Press.
- Azed, A. B. (1987). Sistem Pemilihan Umum Indonesia. *Jurnal Hukum dan Pembangunan*, 17(2).
- Budiardjo, M. (2008). *Dasar-Dasar Ilmu Politik*. PT. Gramedia Pustaka Utama.
- Friedrich. (1967). *Constitutional Government and Democracy: Theorie and practice in Europe and America*. Waltham Mass.
- Ghafur, J. (2019). *Presidensial Thershold*. PT Citra Intrans Selaras.
- Guan, Y., & Oktaviani, E. (2021). Meningkatkan Efisiensi Peradilan dalam Tata Cara Prosedural Litigasi Perdata Indonesia. *De Lega Lata: Jurnal Ilmu Hukum*, 6(2).
- Hutabarat, R. (2005). Peranan Partai Politik Menyerap Aspirasi Masyarakat Dan Hukum Politik Yang Tidak Semantik. *Jurnal Hukum Dan Pembangunan Universitas Indonesia*, 11(3).
- Ibrahim, J. (2008). *Teori dan Metodologi Penelitian Hukum Normatif*. Bayumedia.
- Karim, R. (1983). *Perjalanan Partai Politik di Indonesia*. CV. Rajawali.
- Lubis, T. H., & Koto, I. (2020). Diskursus Kebenaran Berita Berdasarkan Undang-Undang Nomor 40 Tahun 1999 Tentang Pers dan Kode Etik Jurnalistik. *De Lega Lata: Jurnal Ilmu Hukum*, 5(2).
- MarzukiPeter Mahmud. (2014). *Penelitian Hukum*. Kencana.
- Ramadhani, R. (2019). Jaminan Kepastian Hukum yang Terkandung dalam Sertifikat Hak Atas Tanah. *De Lega Lata: Jurnal Ilmu Hukum*, 2(1).
- Santoso, T. (2019). *Pemilu di Indonesia*. Sinar Grafika.
- Septian, I. F. (2019). Mengefektifkan Sistem Pemerintahan Dan Menyederhanakan Sistem Partai Politik: Belajar Kepada Pemilu Jerman. *Majalah Hukum Nasional*, 2.
- Wiyono, R. (2019). *Organisasi Kekuataan Sosial Politik di Indonesia*. Alumni.