

Election Law Politics in 2024 Transition of Leadership Towards the Golden Indonesia 2045

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Abstract: The leadership succession is carried out through the general election both presidential elections and legislative member elections. This Democratic Party is a national agenda as regulated in the constitution of 1945. This democratic party, which is held every five years, should be an arena for contestation in choosing the future leaders of the nation who has a good vision and be able to implement the ideals of the founding fathers of this nation as stated in the preamble of the 1945 Constitution: "Protect all the Indonesian people and the entire homeland of Indonesia and to promote the general welfare, to educate the nation's life". The nomination process for president and vice president is regulated in Law no. 7 of 2017 with the condition that it meets the presidential threshold of 20 percent of the 2019 election results. This requirement raises different opinions in viewing the democratic system in Indonesia. Basically, a democratic election should not use the requirement of 20 percent of the actual election results, because the democratic system has been carried out directly with one man on vote. Without Presidential threshold, Indonesia can provide opportunities to the next generation in achieving The Golden of Indonesia 2045.

1 INTRODUCTION

In the year of 2022, this is the start of the stage for the grand event of leadership succession in the Unitary State of the Republic of Indonesia (NKRI) which will be held on February 14, 2024. This leadership succession is carried out through the General Election process (elections) both presidential and vice presidential elections (pilpres) and the election of legislative members (pileg) as well as House of Representative of Indonesian Republic (members of DPR RI), the Provincial Member's Representative Council (member of DPR Provinsi), the Regional Member's of Representative Council (member of DPRD) that all the participants come from political parties, then the election of members of the Regional Representative Council (DPD RI) which the participants are individuals. This Democratic Party is a national agenda as regulated in the constitution (UUD 1945) Chapter VIIB General Election Article 22E paragraph (1) "General elections are held in a direct, general, free, secret, honest and fair manner every five years". (Republic of Indonesia, Constitution 1945).

2 LITERATURE REVIEW

This democratic party, which is held every five years, should be an arena for contestation in choosing the future leaders of the nation who has a good vision and be able to implement the ideals of the founding fathers of this nation as stated in the preamble to the 1945 Constitution, namely: "Protect all the Indonesian people and the entire homeland of Indonesia and to promote the general welfare, to educate the nation's life". The participation of people who apply their right to vote should increase in democratic parties every five years. That is really concrete, not pseudo-participation which is only a claim by election organizers such as the General Election Commission, Election Supervisory Body, and the Honorary Board of Organizers Elections (KPU, Bawaslu and DKPP) that public participations have increased, this is of course in the interests of the election management institutions so that they are not said to have failed.

Two years before the event of this democratic party, of course all parties need to continue and to socialize the importance of participating in elections, because politics affects all aspects of the lives of its citizens. Aristotle once said, politics is a Master of

science.(Surbakti, 2010:3) He does not mean in the scientific sense, but he considers that knowledge of politics is the key to understand the environment. For Aristotle, the political dimension in human existence is the most important dimension because it affects other environments in human life. Aristotle had a view that politics means regulating what we should do and what we shouldn't do, this is what awakens all of us to study and to follow and to participate in this five-year democratic party, because this is part of practical politics. In the year of 2024 democratic party, especially in terms of choosing the president and vice president, this is a very important process in the context of leadership succession and transformation towards a better Indonesia, namely The Golden of Indonesia in 2045 (100 years of the Independence of the Republic of Indonesia).The presidential election in 2024 is indeed very interesting to observe and will be a milestone towards a Golden Indonesia in 2045, the 2024 presidential election contestation is especially the absence of an incumbent who cannot be renominated as a presidential/vice presidential candidate because President Joko Widodo had been selected as president for twice, so according to the regulations, he can no longer run for president, while the Vice President, Prof. dr. KH. Ma, Ruf Amin is old so he has a small chance of being nominated by a political party.

3 METHODS

The author uses empirical juridical research methods, namely research conducted by analyzing legal problems directly that occur in the field through observation or observations combined with legal sources as secondary data to examine data primary that occurs in the implementation of elections. This research study emphasizes the phenomenon of differences of opinion regarding the presidential threshold requirement of 20% in the nomination of president and vice president. By obtaining a theoretical construction basis, the author conducts a literature review on basic conceptual theories regarding the meaning and understanding of democracy and the general election system.

Theoretically, the purpose of research is an attempt made to find out one thing. The knowledge gained from this type of research cannot be used directly or practically. So, another name for this research is called basic research. Whereas practically, the purpose of this research is to seek and to find knowledge that can be used directly in life. This type of research is also known as applied research.

The type of data obtained is based on experience and knowledge through direct observation, where data is obtained through sensory experience, then the empirical data is studied using secondary data sources in the form of library materials (library studies). Data collection techniques are carried out by observations. It carried out by researchers through reading, reviewing and hearing various opinions in various political discussions and conducting literature studies. The data obtained directly are studied based on various related theories to produce valid, actual and factual data.

4 RESULTS AND DISCUSSION

The process of nomination of presidential and vice presidential candidates who meet the requirements in accordance with the provisions of Law no. 7 of 2017 concerning General Elections, to be able to register to the General Election Commission (KPU) as a pair of presidential and vice presidential candidates, they must meet the provisions as stipulated in Article 221 to Article 225 Article 221 reads: Candidates for President and Vice President are proposed in one pair by a Political Party or a Combined Political Party, then Article 222 states that a Candidate Pair is proposed by a Political Party or a Combined Election Contesting Political Party that meets the requirements of obtaining seats at least 20% (twenty percent) of the total seats in DPR or obtaining 25% (twenty five percent) of the nationally valid votes in the previous election for members of DPR. (Republic Of Indonesia, Law Number 7:2017)

There is a minimum support requirement of 20% of the vote (Presidential Threshold) in setting the threshold level of support from DPR, either in the form of the number of votes (ballot) or the number of seats that must be obtained by Political Parties from the results of the previous election, that is the result vote in the election on 2019. This requirement raises different opinions (both agree and disagree) in viewing the democratic system in Indonesia (Kompas.tv/News Article:2022), the parties which agree with the minimum requirement of 20% are supporting and arguing that the presidential and vice-presidential candidates were elected when they won the contestation in the next general election. To run the government effectively, of course, you must get the supporting vote from members of the legislature (DPR RI) so that the program can run well. And for the experts who have the point of view that there is no need for a minimum requirement of 20% the supporting vote from the previous election results,

said that Democratic elections with One Man One Vote (one person one vote) no longer need minimal support, this is intended to provide the widest possible opportunity for the best of next generations of this nation who want to nominate as presidential and vice presidential candidates so that the public can be given more choices such as the presidential elections that took place in 2014 and 2019, at that time there are only two (2) pairs of presidential and vice presidential candidates, coincidentally we have the same presidential candidate, were Joko Widodo and Prabowo Subianto. And in 2014 the vice presidential candidates were different, namely in 2014 Joko Widodo & Jusuf Kalla, with political opponents Prabowo Subianto & Hatta Radjasa, then in the 2019 presidential election the pair Joko Widodo & KH. Ma'ruf Amien with political opponents Prabowo Subianto and Sandiaga S. Uno.

At the end of 2022, presidential and vice presidential candidates began to emerge according to the results of surveys conducted by various survey institutions, in line with that, several political parties participating in the 2019 elections began to conduct political ties to explore their suitability cooperation or coalition. Referring to the results of the 2019 general election, only PDIP received 27,053,961 (twenty-seven million fifty-three thousand nine hundred and sixty-one votes) or equivalent to 19.33% so that it can nominate its own presidential and vice-presidential pairs.

Several political parties are currently in talks for cooperation and make coalition in the face of the 2024 presidential election, including the name the New Indonesia Coalition (KIB), which consists of the Golkar Party, the National Mandate Party (PAN) and the United Development Party (PPP) and then the coalition of The Gerindra Party and the National Awakening Party (PKB), there is also the Nasdem Party which has declared its presidential candidate, namely Anies R. Baswedan but still does not meet the requirements for nomination of 20% of the 2019 election votes and is currently exploring with the Democratic Party and the Prosperous Justice Party (PKS) to fulfill its requirements. Currently, the community is also very enthusiastic in facing democratic parties, especially the presidential election (pilpres) in 2024, especially on social media such as Twitter, Facebook, Instagram, etc. with various comments and actions of support for the candidate they idolize as nowadays, they make more intense socialization, especially those outside political parties or those who name volunteers from Anies R. Baswedan, Agus Harimurti Yudhoyono, Ganjar Pranowo, Puan Maharani, Prabowo Subianto

etc. Several political parties have carried out various activities to socialize the figures they want or support to the wider community either by making declarations, social activities or even through charity activities. Currently, there are so many people trying to pair the presidential and vice presidential candidates, including: Anies R Baswedan & Agus Harimurti Yudhoyono, Prabowo Subianto & Puan Maharani, Ganjar Pranowo & Erick Thohir etc. The registration for presidential and vice presidential candidates for the 2024 election is open from 19 October to 25 November 2023, so there is still approximately one year left.

5 CONCLUSIONS

In fact, the direct democracy system in Indonesia has been implemented in the reform era. The direct election system (one man one vote) was implemented in 2004 with the directly elected president, namely Prof. Dr. H. Susilo Bambang Yudhoyono with Vice President H. M. Yusuf Kalla. For the presidential and vice-presidential elections in 2024 and elections in the next period, it is hoped that the presidential threshold requirement will no longer be used, so that the public will be given many choices for the presidential and vice-presidential candidates to be nominated. With the elimination of the presidential threshold requirement, political parties can nominate candidates for president and vice president without having to form a coalition with other parties. Indonesia can provide space and opportunities as widely as possible for the future generation to run for president and vice president of Indonesia in the next general election without any presidential threshold as requirements, to realize the Golden of Indonesia in 2045.

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