

## ELECTION 2024: OPEN PROPORTIONAL OR CLOSED PROPORTIONAL SYSTEM

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### Keywords

General Election,  
Open Proportional,  
Closed Proportional,  
Voters

Abstract. This study aims to compare two electoral systems, namely open and closed proportional systems in the context of the 2024 Indonesian general election (Pemilu). This research was conducted by analyzing the advantages and disadvantages of each system, as well as their impact on the quality of political representation and voter participation. The research method used is literature analysis and secondary data from previous general elections, as well as interviews with political experts and policy makers. The results showed that open and closed proportional systems have their respective advantages and disadvantages. However, in the context of Indonesia which has complex political and social diversity, for the 2024 general election a closed proportional system is more suitable to be implemented because it can minimize vote counting time so as to minimize casualties due to fatigue, lower costs of holding elections and avoid high political costs so that can prevent potential corruption. Therefore, the recommendation from this study is to implement a closed proportional system in the 2024 election.

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### 1. INTRODUCTION

Indonesia is a country whose society is very diverse/heterogeneous with a fairly dense population living with various backgrounds. To keep this stable within the Unitary State of the Republic of Indonesia, a wise and capable government is needed to represent a heterogeneous society, both geographically and ideologically (Triono, 2017). One way to get leaders in government, both the executive and legislative branches who can represent the people of Indonesia, requires general elections (Sukriono, 2009; Budiana & Achmad, 2022).

General election is an important important agenda for a democratic country. This agenda becomes a political mechanism for elite circulation (Puspitaningrum, 2009). Elections are believed to be a procedural tool for the realization of democracy in the country, Dahl (1971) views that one of the characteristics is that the country has a democratic political system, marked by fair and periodic elections. So that for countries that adhere to a democratic system, holding elections is a necessity that can accommodate good competition between political parties or election participants (Syafuri, 2018). With the hope that this can bring a spirit for the continued manifestation of people's sovereignty in a country or as stated by William Liddle that it can become a link between the principle of popular sovereignty and the practice of government by a number of political elites (Pito, 2006).

Elections in Indonesia are generally interpreted as a constitutional agenda for Indonesia because they are contained in the Constitution of the Republic of Indonesia. Elections in the 1945 Constitution of the Republic of Indonesia are contained in Article 22E. This constitutional basis is followed up by regulation of the election law. Elections are carried out directly, publicly, freely, confidentially, honestly and fairly. so that this Momentum can become a political instrument to show that sovereignty is in the hands of the people, specifically in determining state leaders in Indonesia (Asshiddiqie, 2006).

Conceptually, the electoral system is interpreted as an instrument for translating vote acquisition in elections into seats won by parties and candidates ( Palenewen & Yanur, 2022). The variables in the electoral system are the election formula, voting structure and district size. The electoral system largely determines how quality elections are realized. Furthermore (IDEA, 2016) defines simply that the electoral system is converting votes in a general election into seats won by parties and candidates.

In light of the fact that the political lives of Indonesia's citizens are marked by a high degree of

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complexity, it should come as no surprise that the elections organized by the organizing committee will not be an easy task (Huda, 2017). The leadership of the People's Representative Council, which will be referred to in the following text as the DPR RI, emphasized the proposed change to the electoral system that will be used in the election that will take place in 2024, which will be from an open proportional system to a closed proportional system. This proposition is being considered as part of the judicial review of Law Number 7 of 2017, which was passed in 2017 and deals with General Elections. A system known as proportional voting allows voters in each electoral district to choose more than one representative to represent them. It is possible to obtain seats in a proportional system through the combination of different parties or coalitions. Other names for proportional systems include balanced representation and multi-member constituencies. Proportional systems also exist (Eriton, 2023).

Open proportional systems and closed proportional systems are the two different kinds of systems that can be found within the realm of proportional systems. First, a closed proportional system, also known as a closed list PR, combined with a mechanism of election by the people that is exclusive to parties (Effendi, 2016). The voters cast their vote solely by punching in the picture of the party, and the party's vote for the first opportunity will be given to the candidate with the highest serial number. The way that this system works is described in more detail below. Second, in an open proportional system (also known as open-list PR), voters choose their legislative representatives in a direct election. This ensures that all voices are heard (Ramdani & Arisandi, 2014).

Closed proportional is an electoral system that allows voters to only choose political parties. This means that the seats won by political parties will later be filled by candidates determined by the party. In the closed proportional model, the determination of the elected candidate is determined based on the serial number, while the serial number is determined by the political party. If a party gets two seats, the elected candidates are candidates with serial numbers one and two (Katili & Latuda, 2022). Conversely, open proportional is an election system that allows voters to choose one of the candidate names. In the open proportional model, the elected candidate is determined based on the most votes, that is, the candidate most voted for by voters (Riwanto, 2015). Elections in Indonesia have been carried out 12 times with details with a closed proportional system 8 times, namely in 1955, 1971, 1977, 1982, 1987, 1992, 1997, 1999 namely in the early period of independence, the New Order and the beginning of reform. Then the proportional election system was opened 4 times starting in 2004, 2009, 2014 and 2019 (Majid & Sugitanata, 2021).

The open proportional election system is indeed a developing system in Indonesia, but if this system is implemented the same as in 2019 for 2024 (simultaneous elections) it still has to be reviewed, because it is not only the people who experience the burden -social conflict-, but also the participants with a lot of costs but the organizers are also very burdened. Seeing what happened in 2019 based on data from the Ministry of Health until May 16 2019, KPPS who were sick reached 11,239 people and the death toll was 527 people (Ginting et al, 2021).

Currently, an open proportional system is being tested at the Constitutional Court (Judicial Review), to be replaced by a closed proportional system in legislative elections (Katili & Latuda, 2022). However, this is a matter of debate because the closed proportional system is considered a system that represents a setback because this system is a legacy of the New Order when the Constitutional Court approved it as the 2024 election system .

This research will discuss the advantages and disadvantages of each electoral system, as well as its impact on the quality of political representation and voter participation. In addition, this research will also evaluate the implementation of each system in the political and social context of Indonesia. The evaluation includes an analysis of the political, social and economic factors that can affect the performance of the electoral system. Thus, the purpose of this study is to provide recommendations that can assist policy makers in choosing the most appropriate electoral system to be implemented in the 2024 election. These recommendations are based on the results of an analysis of the advantages and disadvantages of each system.

## 2. METHOD

The research method that will be used in this study is a qualitative descriptive method. This

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method was chosen because this research will evaluate the comparison between the two electoral systems, namely the open proportional system and the closed proportional system, in the Indonesian political context (Yulianah, 2022). Qualitative descriptive methods can provide a clear picture of the comparison of the two electoral systems and can assist in deducing the impact of each system. This research will be conducted by collecting data from secondary sources where researchers will conduct a literature study to understand theories and concepts related to the general election system, the quality of political representation, voter participation, and the Indonesian political context. The collected data will be analyzed using a descriptive analysis approach. This analysis will assist in identifying the impact of each system on the quality of political representation and voter participation (Sugiyono, 2011)

### 3. RESULTS AND DISCUSSION

#### A. Open and Close Proportional Electoral System

General elections (elections) have so far been recognized as a valid democratic institutional instrument and a parameter for the functioning of a democratic political system. Through elections, the voice or will of the people becomes the basis for determining public officials (legislative and executive) (Nugroho, 2012). A political system is said to be democratic if there is an election mechanism that is held regularly for an elite circulation. It is hoped that elite circulation and elite turnover or power shifts can take place peacefully without violence through democratic elections (Subekti, 2019; Sumadinata et al., 2022).

One of the electoral systems is a proportional system. A proportional system is a system in which one constituency chooses several representatives. In a proportional system, there is the possibility of combining parties or coalitions to obtain seats. A proportional system is also called a balanced representation system or multi member constituency. In the proportional system, there are two types of systems: the open proportional system and the closed proportional system. In an open proportional system, legislative representatives are directly elected by the electorate. In a closed proportional system, however, voters select only their political party. The following distinguishes an open proportional system election from a closed proportional system election:

##### **Implementation**

Method of implementation distinguishes the open proportional system election from the first closed proportional system. In open proportional elections, political parties submit candidate lists that are neither arranged by serial number nor preceded by a number. Typically, the arrangement is alphabetical or determined by chance. In contrast, in closed proportional elections, political parties submit candidate lists ordered by serial number. The political party determines the serial number. **b)**

##### **Voting method**

The second difference between an open proportional system election and a closed proportional system is the method of voting. In an open proportional election system, voters choose one of the names of the candidates. Whereas in closed proportional system elections, voters choose political parties.

##### **Determination of the selected Candidates**

The determination of the elected candidate is the third distinction between an open proportional system election and a closed proportional system election. In an open proportional system election, the candidate with the greatest number of votes is elected. In elections utilizing a closed proportional system, the elected candidate is determined by the serial number. If a party wins two seats, the serial numbers of the elected candidates are 1 and 2.

##### **Degree of Representative**

The degree of representation is the fourth distinction between an open proportional system election and a closed proportional system election. Voters have a great deal of say in who represents them in the legislature under a system of open proportional elections, ensuring that they retain influence over the legislators they elect. People's ability to have a direct say in who represents them in government is diminished under a closed proportional election system. It's not always the voter's preference that

determines which political party gets their vote.

### **Candidate Equality Level**

The degree to which candidates are treated equally is the fifth distinction that can be drawn between elections held using an open proportional system and those held using a closed proportional system. It is possible for there to be cadres in an open proportional election system. These cadres start from the bottom and work their way up, eventually winning with the support of the masses. Not because of the support of the general public, but rather because of their proximity to the political party elite, upward roots have a greater influence on cadres in open proportional election systems.

### **Number of Seats and Number of Candidates**

The number of seats and the list of candidates make up the sixth distinction between elections held using an open proportional system and elections held using a closed proportional system. Under the open proportional voting system, political parties are awarded seats in direct proportion to the number of votes they receive. During elections conducted using a closed proportional system, each party submits a list of candidates that contains a greater number of names than the number of seats available in a given electoral district or electoral area.

### **Excess**

The fact that open proportional system elections and closed proportional system elections each have their own distinct benefits brings us to the seventh distinction between the two types of proportional voting systems. Candidates are encouraged to compete in an open proportional system election by this provision, which aims to garner mass support for the victor. Establishment of closeness between voters and those chosen. Build closeness between voters. In elections with a closed proportional system, it makes it easier to fulfill the quota for women or ethnic minority groups because the political parties determine the legislative candidates. Able to minimize the practice of money politics.

### **Lack**

The eighth difference between an open proportional system election and a closed proportional system is that there are drawbacks of each. In an open proportional election system, the chances of money politics occurring are very high. Requires considerable political capital. The complexity of counting the results of the vote. The difficulty of enforcing gender and ethnic quotas . In closed proportional system elections, voters have no role in determining who represents their party. Not responsive to fairly rapid changes. Keep the relationship between voters and people's representatives post-election.

### **Implementing countries**

The ninth difference between an open proportional system election and a closed proportional system is the implementing country. Open proportional system elections were held in Austria, the Netherlands, Belgium, Brazil, and others. While closed proportional system elections include South Africa, Argentina, Israel, Bulgaria, Ecuador, and others.

## **B. 2024 Election System: Open proportional or closed proportional**

In 2019 an open proportional system was implemented simultaneously with the presidential and vice-presidential elections, where an electoral system regulated in the law certainly has implications that will have consequences for the technical implementation of each stage of the election in terms of administrative requirements, procedures, time , executive staff, facilities, budget and other institutional support. The consequences of the 2019 election which we have passed and which we will apply again in 2024 must pay attention to legal instruments including one of which is contained in Article 21 of the Universal Declaration of Human Rights, that the main substance in the contents of the declaration states that respect for the right to life is the supreme human right that every human being has since he was

born, so that, in compiling election regulatory instruments, legislators and technical regulations must incorporate the spirit of upholding human rights. holistically.

The General Election Commission (KPU), which was mandated by the 1945 Constitution as the election organizer, not only has the main obligation to protect people's voting rights, but also has the responsibility to protect the right to life of all administrators under it, up to KPPS officers and TPS security personnel. though. The 2019 election itself has a big tragedy regarding the right to life. Nearly 527 people died due to fatigue in carrying out their duties as organizers with working hours of around 16-24 hours. In addition, the budget used for elections with an open proportional system is quite a lot, around Rp. 722,912,000,000.

Elections will be held again in 2024, but are still waiting for legal certainty from the results of the Constitutional Court's decision regarding which proportional system will be used. UU no. 7 of 2017 concerning Elections Article 168 is currently being tested in the Constitutional Court, because it is considered contrary to the 1945 Constitution which states that election participants are political parties which means that the constitutional order for closed proportionality must become an election system in 2024.

Researchers have a perception that to prevent a tragedy from happening in 2019, the government must reconsider changing the system from an open proportional system back to a closed proportional system. This is because a closed proportional system makes it easier for the state technically to carry out elections, starting from the working hours of organizers can be reduced so that the implementation of elections in accordance with human rights is still fulfilled, and does not cost too much .

In the 2024 elections, a closed proportional system will be used. Vote counting time in this system is faster than in an open proportional system, because in a closed proportional system, voters only vote for political parties and do not need to vote for individual candidates. This reduces the number of votes that must be counted, because voters' votes only have to be counted based on the political party they choose, not the candidate that political party carries. Thus, even though the election uses a closed proportional system, vote counting can be done more quickly because there is no vote counting for individual candidates. However, keep in mind that general elections still take quite a long time to process and accurately count votes, especially if there are a large number of voters or the votes are controversial.

In a closed proportional system, the use of the election budget tends to be smaller than in other electoral systems, such as a majority electoral system or an open proportional system. This is related to several factors, including:

1. Smaller number of candidates: In a closed proportional system, political parties only submit lists of candidates, which are fewer in number than the individual candidates proposed in a majority electoral system. This can reduce campaign and administrative costs incurred by political parties and candidates.
2. Reduction of ballot printing costs: In a closed proportional system, political parties only need to print one type of ballot for an election, namely a ballot containing a list of political parties participating in the general election. This is different from a majority election system or an open proportional system, where each candidate or political party must have its own ballot.
3. Reducing administrative costs: In a closed proportional system, the administrative process becomes simpler, as voters only vote for political parties and do not have to vote for individual candidates.

This can reduce the costs incurred by the electoral body in administering the election.

Closed proportional systems in elections can help minimize the high political costs associated with political campaigns. In this system, voters only vote for political parties and not individual candidates, so political parties do not have to incur huge costs to promote their individual candidates.

In some cases, high-cost politics can lead to corrupt practices in general elections, such as bribery or embezzlement of campaign funds. Therefore, by minimizing high political costs, a closed proportional system can reduce the potential for corruption in general elections. In addition, in a closed proportional system, each political party gets representation in parliament based on the number of votes it gets. Thus, political parties do not have to incur huge costs to ensure their candidate wins, and the elected candidate represents the political party as a unit.

However, even though a closed proportional system can help minimize high political costs and the potential for corruption, it does not mean that this system is immune to corrupt practices. There is still the possibility of misuse of campaign budgets and unhealthy influences that could affect the results of the general election. Therefore, transparency and proper oversight of the electoral body and the public are critical in ensuring the integrity of elections.

Even though for the 2024 election a closed proportional system is more ideal, several improvements and refinements are needed with several important points of improvement, namely:

- a) Voters only vote for political party symbols. The List of Legislative Candidates is not printed on the voting paper, but is displayed on the board of the Polling Station or TPS. Voters can see and consider the candidate they want before choosing a political party so it's not like voting for a cat in a sack. This concept can reduce logistics costs and simplify vote counting, as well as a middle way between open and closed proportional systems. There is no longer competition for votes between candidates in one political party. No more buying and selling votes. There is no chance for instant candidates who rely on counter-democratic elements to win seats in parliament.
- b) Each candidate needs to pass an open survey or regional public test in each constituency. This pattern opens opportunities for anyone who wants to run as a candidate for the legislature, thereby closing the oligarchic gap and eliminating the determination of candidates who are closed and who take advantage of their closeness to political party elites. A new, more transparent pattern forms a merit pattern since nomination. Voters can also get to know their candidates further, not only during the campaign period.
- c) Determination of legislative seats is left entirely to political parties: whether to use serial numbers or rankings based on quality, track record of integrity, or certain qualifications. Determination of seats is the right of political parties as Kherid (2021) reviews the meaning of Article 22E Paragraph (3) of the 1945 Constitution that political parties should have direct contact with voters, not with their candidates. The public can also assess how far the democratic mechanism works in one political party in determining who will sit in parliament.
- d) By choosing a political party, the responsibility of a legislator is completely under the political party. Political parties will compete to place candidates who are truly qualified and electorally profitable. If not, simultaneous elections as an electoral court will prove it. People can "judge" corrupt and poorly performing political parties by not voting for them.
- e) The calculation method is returned to the Hare Quota because the method is compatible with closed proportional ones which only vote for political parties.

Even though it has weaknesses, there are still efforts that the government can make and these efforts can be maximized in improving a closed proportional system, namely a closed proportional system that can be accompanied by primary elections or internal party conventions to screen credible candidates while reducing oligarchy and bribery at the elite level. . Parties in the closed proportional example are positioned to be participants in idea-based elections who are required to consistently use their ideas as a form of accountability to the people.

#### 4. CONCLUSION

As an important pillar of democracy, elections are necessary for succession of leadership and correcting government performance. Elections must also be held honestly, fairly and peacefully. Prerequisites for creating this require adequate social, economic, political and legal conditions. Because economic conditions and poor law enforcement will affect national stability. The public's hope is to get quality election results so as to increase public trust in election administrators and law enforcement institutions. Indonesia, which has held elections 12 times, uses a proportional election system, both an open proportional system and a closed proportional system. Each of these systems has differences ranging from implementation, voting method, determination of elected candidates, degree of representation, level of equality of candidates, number of seats/candidates etc. Reflecting on the results of the 2019 election which claimed many lives and a large budget, for the 2024 election the use of a closed proportional system was felt to be more ideal with several improvements made, including such that the Legislative Candidate List was not printed on voting paper, but was displayed on the polling

station board. votes or TPS, each candidate needs to pass an open survey or regional public test in each electoral district, using serial numbers or rankings based on quality, track record of integrity, or certain qualifications in determining legislative seats, political parties really place qualified and qualified people as a legislator, and using the right method in the calculation.

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