



Legal Policy for Regulating Political Education by Political Parties in Indonesia

Labib Muttaqin¹

¹Faculty of Law, Universitas Muhammadiyah Surakarta, Indonesia
lm812@ums.ac.id

Abstract. Political parties have the potential to effectively undertake political education in order to raise the level of political consciousness among the general public. To ensure that democracy is maintained, political parties are obligated to establish unambiguous standards for the political education of party cadres and the general public. Law Number 2 of 2011 on Political Parties mandates it is essential for society to receive political education, despite the fact that the law's content is not entirely apparent. The findings of this study suggest that the Political Party Law ought to have provisions for optimum political education. The research methods in this study employed normative legal research. This research uses library research to obtain secondary data such legal papers and relevant literature. Normative legal research is utilized in this study in order to conduct an analysis of Indonesian legal norms by utilizing political education ideas derived from a variety of literature. According to the findings of the research, Law Number 2 of 2011 places an emphasis on political education within political parties. When it comes to evaluating party cadres for elections, it places an emphasis on political recruitment. It encourages political party transparency, which has an impact on education and engagement of the general public in political processes.

Keywords: Legal Policy, Political Parties, Political Education, Strategy

1 Introduction

The role assigned to political parties in the constitution as a way of political engagement is a crucial element in a democratic state structure, and it also reflects the process of political modernization. There exists a strong correlation between political participation and the functioning of a democratic state. Political participation plays a crucial role in shaping the legitimacy of society in relation to the functioning of a government. An election serves as a clear illustration of how a community can exercise control over a government. It is crucial for the community to actively engage in the preparation, organization, and maintenance of the nation's growth, particularly in management and policy-making by the government (Thomassen, 2020). The outcomes of the policies implemented by the Government are solely driven by the desires of the community. The formation of individuals' desires is influenced by their level of engagement in political activities. Thus, it is crucial for society to develop a mature

comprehension of the significance of political participation through political education (Saleh, 2018). According to the Law Number 2 of 2008 concerning Political Parties, Article 11 paragraph (1) letter a state the following:

"Political parties serve as a platform for political education, both for their members and the broader community. This education aims to foster a sense of civic awareness among Indonesian citizens, ensuring they understand their rights and responsibilities in social, national, and state affairs."

Education is something that is very vital for society (Anjarwati et al., 2022; Cahyaningsih & Assidik, 2021; Khoirudin, 2017; R. D. Utami et al., 2023). One of the educations needed is political education. Political education, which is a crucial responsibility of political parties, is not limited to their own members but extends to all segments of society. This is because political parties receive financial support from the government budget to prioritize the implementation of political education. The importance of this is also outlined in Article 34 paragraph (3a) of the Law Number 2 of 2011, which pertains to Amendments to Law Number 2 of 2008 concerning Political Parties (Pasaribu, 2017). The concept of political education, as mentioned in paragraph (3a), encompasses several activities. These activities include strengthening the fundamental principles of the nation and state, such as Pancasila, the 1945 Constitution, Bhinneka Tunggal Ika, and the Unitary State of the Republic of Indonesia (Nurdin, 2015). Additionally, political education aims to foster an understanding of the rights and responsibilities of Indonesian citizens in developing ethical and cultural political practices. Lastly, it involves the systematic and sustainable development of political party members through cadre formation (Soedarwo, 2019).

Every political party has its own set of interests, goals, and desires, which they collaborate on to shape government policy according to their preferences. With the goal of securing public office through general elections, political parties openly express their aspirations. One of them involves the efforts made by election participants to persuade voters by presenting their vision, mission, and proposed programs for politics. In practice, open campaigns often prioritize entertainment over education, leading to a decrease in political awareness and participation among citizens. Consequently, it is not surprising that the prevalent phenomenon in today's society is the alarming rise of Money Politics, which deceives the public (Simatupang & Subekhan, 2018).

The actions of political parties have a significant impact on the quality of democracy. If political parties fulfill their roles and functions effectively, it will contribute to a high-quality democracy. Conversely, in today's democratic society, political education is considered a fundamental right for all citizens. When these basic rights are not met, it becomes necessary to implement legal measures to regulate the role of political parties. This is done in order to ensure that citizens have access to political education in a structured and lasting way (Nurdin, 2015). At this point, the research is crucial to developing an Indonesian political education model. This research is important because Indonesia does not have clear legal regulations regarding mechanisms of political education by political parties, so this research also has the purpose of analyzing how Indonesian laws and regulations should regulate political education.

2 Method

The paper employs normative legal research methods, specifically examining document studies using secondary data sources such as statutory regulations, court decisions, legal theory, and scholarly opinions. The subjects explored in normative legal research encompass legal principles, legal systematics, legal inventory, clinical law, levels of legal synchronization, legal comparison, and legal history (Christiani, 2016). Data in normative legal research is acquired using library study techniques and analyzed descriptively and qualitatively using the content analysis method. This method examines the relationship between the content of the text (legal rules and legal theory) and the initial purpose of the text, or the relationship between the content of the text and the impact it causes. This research utilizes normative legal research to analyze the Indonesian legal norms pertaining to the responsibilities of political parties in delivering political education. The analysis of legal norms is further examined in relation to the concepts of political education found in various literature.

3 Result and Discussion

3.1 The Role of Political Parties in Educating the Community

Political parties play a crucial role in the success of a democratic country. Political parties can fulfill their roles more effectively when there is a sense of shared responsibility between the party and the broader community. Due to this rationale, it is crucial for political parties to have the ability to provide political education to the general public, as mandated by the relevant laws and regulations, specifically Law Number 2 of 2011 regarding Political Parties. Political parties serve as a platform for individuals to come together and express their desires for a fair and prosperous development of the country (Lesmana et al., 2021). In recent decades, the Indonesian political system has recognized the crucial role of political parties in upholding true democracy. The existence of this entity in society is a direct result of its ability to bestow political influence upon society through the various tasks it undertakes (Azhari, 2016).

Miriam Budiardjo outlines four key functions of political parties: political communication, political socialization, recruitment, and conflict management. Political parties have a crucial role in facilitating political socialization (Budiardjo, 2008). Political socialization involves the development of political attitudes and orientation. The political values that are instilled in individuals are those that evolve throughout their lives. One approach to delivery could involve political education. Political parties communicate their ideas, visions, and strategic policies to constituents in order to gather support from the wider community. In the context of political education, parties also have a significant role to play when it comes to political socialization. The party is the crucial intermediary that must fulfill its role in firmly establishing state ideals in the collective consciousness of citizens (N. S. Utami et al., 2020). Rusadi Kantraprawira sees political education as a crucial aspect of a political structure, enabling individuals

to enhance their political knowledge and actively engage in the political system (Kantaprawira, 2004).

Political education is a very important activity in a nation based on democracy, because democracy and the democratization process require absolute conditions for the political education of society (Yandi et al., 2023). Political education involves imparting knowledge to the public about state politics and its application in general election activities. The effectiveness of political education offered by political parties to the community can be gauged by the extent of community involvement during general elections. The more individuals who participate, the greater the success of the political party in delivering education to the community. This is because education on political parties focuses on developing and nurturing one's personal political beliefs (Persson, 2015).

According to Article 31 of Law Number 2 of 2011, political education provided by political parties has the objective of raising awareness about the rights and responsibilities of individuals in society, the nation, and the state. Furthermore, it is crucial to enhance political engagement and foster community-driven initiatives within society, the nation, and the state. Furthermore, foster independence, maturity, and cultivate a sense of national pride to uphold national unity. Political education is conducted to foster an ethical and political culture aligned with Pancasila (Bangsawan, 2023). In addition, according to Article 34 paragraph (3a) of this Law, political parties are eligible for financial assistance from the State Revenue and Expenditure Budget / Regional Revenue and Expenditure Budget. This assistance is allocated proportionally to political parties that have seats in the People's Representative Council and Provincial Regional People's Representative Council, with the calculation based on the number of acquisition votes. The main focus is to ensure that members of political parties and the public receive top-notch political education through financial assistance (Setiawan & Rizkiah, 2017).

It is crucial for political parties to educate the public about politics, as there are still many individuals who are unfamiliar with this subject. There are individuals who hesitate to engage in politics due to certain concerns within certain social circles. This occurrence is not a result of any specific cause, but rather stems from society's limited comprehension and awareness of politics (Rosana, 2017). Politics can be a daunting field, but it is an endeavour that can foster division among individuals. Indeed, the presence of politics plays a crucial role in ensuring stability, encompassing security and national defense. If utilized effectively, politics can also bring about a positive influence on the nation and state. However, the presence of paradigms in society often leads to a perception that politics is intimidating, resulting in a lack of interest and understanding in the subject (Cohen & Arato, 2016).

The effective governance of a nation relies on the close alignment between political processes and the administration of the country. This is because politics plays a crucial role in supporting economic development in a region. For instance, an overseas investor or foreign investors will be more inclined to invest capital or resources in a country that exhibits political stability and security in a region, in addition to considering its economic conditions (Fuqoha, 2021). It is important for individuals to have a thorough

understanding of the world of politics in order to enhance the quality of political systems through increased community involvement in decision-making processes.

Political parties are responsible for providing political education to the community. Political education will be successful if the majority of people in the area are able to participate in politics and in decision making. People's involvement in politics becomes evident during direct elections, such as general elections. When there is a high participation rate and a low abstention rate in these activities, it indicates that the political party is effectively fulfilling its role in providing political education to the community. Political education for the community can be conducted through a range of activities, both formal and informal (Scarrow et al., 2017). Political parties can offer a wide range of activities, including seminars, workshops, training sessions, jamborees, and other engaging events. Political parties should be equipped to offer comprehensive political education to individuals of all ages and backgrounds, ensuring that knowledge is accessible to everyone in society. This is aimed at improving the country and avoiding any perception of unfairness among the population. Furthermore, when individuals find themselves in challenging situations, a well-informed public can foster an environment of understanding politics. Rather than resorting to finger-pointing, there can be a collective spirit of support and a focus on constructive solutions, rather than placing blame solely on the actions of the Government (Sunarso et al., 2022).

Political parties play a crucial role in upholding democracy and fulfilling their important functions. One of its roles involves engaging in community political education activities. Community political education is a powerful tool for boosting community engagement in direct election activities. It plays a crucial role in electing the president or vice president, as well as the People's Representative Council or Regional People's Representative Council. As stated by Schattschneider and Pearson, Political parties are the only organizations that can propose candidates for president and members of parliament (DPR and DPRD); without political parties, no one could hold either office. Thus, political parties can be considered as institutions that comprise the government (President and Parliament), and the government plays a significant role in ensuring the welfare of the populace (Schattschneider & Pearson, 2017). The selection of presidential and parliamentary candidates requires public intelligence in order to establish an orderly and superior government. Political parties now bear a major duty to educate the public by offering political education.

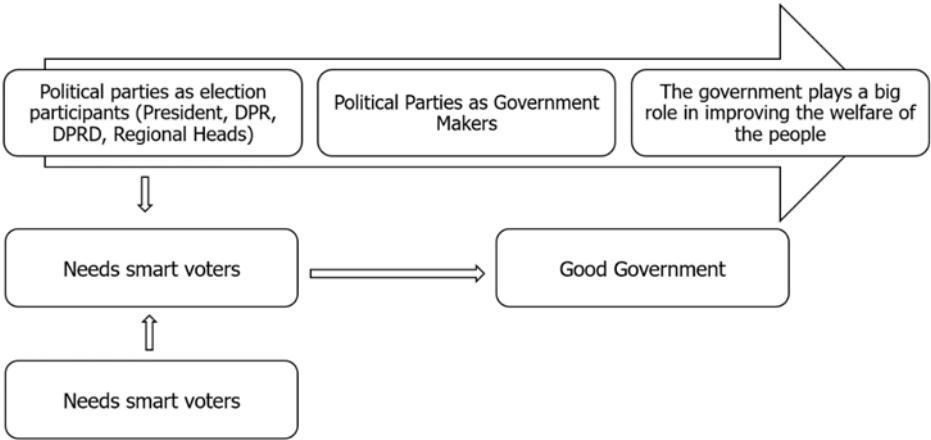


Fig. 1. Political Parties as Government Makers through Elections

The functions of political parties can be effectively executed through various activities like seminars, workshops, training, and other similar endeavours. Political parties play a crucial role in educating individuals about politics, fostering a deeper understanding and awareness of the political landscape within a country (Asshiddiqie, 2006). Nevertheless, it all boils down to the community itself. It is important to note that awareness is cultivated through personal introspection, rather than being imposed or influenced by external factors such as political parties. Understanding and comprehending politics cannot be forced upon individuals.

It is crucial for political parties to employ effective methods in conducting political education in order to effectively engage all segments of society. This approach can help foster a favorable political environment in society. When people have a clear understanding of the relevant laws, they develop a greater respect for the government and can actively engage in state politics. Engaging in politics involves endorsing the political system of that particular country. A developed country is characterized by its ability to maintain political stability and ensure the security of its nation (Burnell et al., 2017). It is important for everyone to actively engage in the activities organized by political parties to promote political education within the community. These activities may include socialization events or counselling sessions.

3.1.1 Legal Policy on Political Party Education Models in Indonesia

Prior to delving into the topic of political education, it is important to recognize that the foundation of political education thinking lies in political socialization. The political socialization process is a commonly used term to describe the activities of political parties within the framework of party ideology in Indonesia. Political socialization involves three crucial aspects: political recruitment, political education, and political indoctrination (Hooghe, 2022). The last two aspects in context share many similarities despite their differences in terms. The research primarily focuses on political education, which is a more rigorous interpretation of the concept of political socialization. Then,

when it comes to political indoctrination, it is the most stringent term in regards to political socialization. When it comes to political education, it is important to address the underlying aspects of political recruitment that drive its implementation.

The regulations outlined in Article 29 of Law Number 2 of 2011 regarding Political Parties, which pertain to political recruitment, place significant emphasis on:

- Political Parties recruit Indonesian citizens to become:
 - Political Party Members;
 - respective candidates for members of the People's Representative Council and Regional People's Representative Council;
 - Prospective Regional Head and Deputy Regional Head candidates; and
 - Candidates for President and Vice President. Recruitment as intended in paragraph (1) letter b is carried out through democratic cadre selection in accordance with the AD and ART by considering at least 30% female representation.
- Recruitment as intended in paragraph (1) letter c and letter d are carried out democratically and openly in accordance with the AD and ART as well as statutory regulations;
- Determination of recruitment as intended in paragraph (1) and paragraph (2) is carried out by decision of the political party management in accordance with the AD and ART.

During the political recruitment process within a political party, the nomination of candidates for legislative members is an extremely important stage in the Legislative General Election. The issues that arise during the political recruitment process are quite varied. In terms of political recruitment procedures conducted by political parties, Gabriel Almond and Bingham Powel have identified two distinct implementation procedures; (1) The Closed Recruitment Process is a recruitment system used by political parties, where party elites select candidates for legislative positions or executive roles. (2) The Open Recruitment Process is a recruitment system that ensures the names of candidates are processed and announced openly to the public, fostering a fair and transparent competition (Almond et al., 2004).

However, it is often observed that the process of nominating legislative candidates conducted by political parties lacks transparency. Actual conditions in the field reveal that the public has little to no say in the process of selecting legislative candidates. The public is required to accept legislative candidates presented by political parties and determined by the General Election Commission. Upon closer examination of Article 241 of Law Number 7 of 2017 concerning General Elections, it becomes evident that the selection process for prospective legislative members is conducted in a democratic and transparent manner, in line with the political parties' constitution and bylaws. Practically speaking, the nomination process for legislative members conducted by political parties has limited the ability for active community participation in selecting the candidate who will represent them (Irawan, 2020).

Undoubtedly, this practice will impede the community's active participation in political education activities. From a different standpoint, this also establishes a negative precedent in political education for elected legislative candidates since their candidacy lacks full validation from the public. It's quite unfortunate that the public

rarely pays attention to the transparency of political parties in selecting legislative members (Hasyim et al., 2020). Indeed, the adoption of transparent practices by political parties in the selection of prospective legislative members will foster efforts to enhance internal democratization.

In addition to the recruitment strategy, political education can also be conducted through a transparent approach within a political party. This approach is specifically regulated in Law Number 14 of 2008 concerning Openness of Public Information. The level of political party transparency is directly tied to the amount of information that the public can uncover about political parties (Rosidi, 2017). According to Article 1 number 1 of Law Number 14 of 2008, information refers to various forms of data, facts, and explanations that are presented in different packages and formats, keeping up with advancements in electronic and non-electronic information and communication technology.

According to Law Number 14 of 2008, specifically Article 15, political parties are mandated to provide public information. This is a result of the role of political parties as public entities that receive financial support from the government through the national and regional budgets (Nurimansyah & Ariyani, 2020). In discussing the transparency indicators commonly used to evaluate the openness of public information, one important aspect is providing clear information about procedures for each plan and activity result. Another key factor is ensuring easy access to information. Another important aspect is the presence of a complaint mechanism, as well as ensuring a smooth flow of information (Nendissa & Rahakbauw, 2020).

Public information disclosure by political parties is also regulated by the General Election Commission (KPU), the election organizer. The KPU has recently released KPU Regulation Number 20 of 2018, which addresses the nominations of Members of the DPR, Provincial DPRD, and Regency/City DPRD. According to Article 4 paragraph (2) of the KPU Regulation, it is stated that the obligations of political parties in selecting prospective members of the DPR, Provincial DPRD, and Regency/City DPRD must be carried out in a democratic and transparent manner, as specified in the AD/ART or internal regulations of each political party.

For any organization to thrive in a modern democratic country, it is crucial for political parties to actively prioritize and uphold strong organizational ethics. An atmosphere of collaboration and teamwork in organizations, along with a strong sense of responsibility and openness, and a fair distribution of power and mutual oversight, are essential elements for political parties to be considered as well-established organizations. This type of party ethics will eventually result in political parties becoming integral to the advancement of institutional democracy (Gauja, 2017).

J.H Merryman highlighted that the assessment of a country's level of democratization is frequently determined by analyzing its party system. Within this context, party standardization is crucial for fostering internal democratization within political parties, specifically through the implementation of political education. This is extremely important because filling positions within political parties, legislative members who sit in parliament, and of course the government are individuals with extensive political party experience (Merryman, 2017). Undoubtedly, when these three

parties fulfill their roles with utmost professionalism, it will foster a comprehensive democratic practice within a nation.

Discussing the aspect of internal democratization within a political party is crucial for analyzing the challenges that arise and impede the implementation of political education for prospective legislative members. It's crucial to recognize that even with a well-designed electoral system, the quality of leaders and representatives cannot be enhanced without internal democratization within a political party. Put simply, the achievement and fulfillment of an ideal standardization of political party functions relies on the presence of robust internal democratization within the party itself. One of the challenges in achieving internal democratization within political parties is the influence of personalized democracy that can hinder progress (Junaidi & Indah, 2020). Challenges in the practice of rejuvenating political party leaders are a tangible issue faced by numerous political parties in Indonesia. The impact of the charm, personality, reputation, and exceptional service of political party leaders, who are frequently the party's founders, is what contributes to the growing effectiveness of this personalized democracy (Mujani & Liddle, 2010). The lack of a structured approach to cadre formation within the party has a detrimental impact on the performance of legislative institutions. This undermines the effectiveness of a personalized democracy.

When it comes to parties in Indonesia, there is a notable presence of personalized democratic activities within political parties. The stagnation of internal democratization caused by the implementation of personalized democracy is not limited to well-established political parties. It is evident that the Indonesian Democratic Party of Struggle (PDI-P) is well-represented by the prominent figure of Megawati Soekarno Putri. Additionally, the Democratic Party is led by Susilo Bambang Yudhoyono. However, even new parties participating in Indonesian political contestation have not been immune to the trend of personalized democracy within their parties. The Indonesian Unity Party (Perindo) exemplifies the strong influence and respect that Hary Tanoesoedibjo holds within the party (Areza et al., 2023). It is a natural outcome of this phenomenon that at times, the personal desires and perspectives of key individuals are embraced by supporters of political parties, almost as if they have become the prevailing ideology within the party. This type of personalized democracy can hinder the coordination and consolidation of party culture, which should ideally have a democratic and collective collegial tone.

Indonesia as a rule of law country, already has a solid foundation for regulating the internal democratization of political parties. In a professional and lawful manner, it is expected that all national and state activities are carried out in accordance with written laws. Postponing the implementation of internal democratization arrangements for political parties raises the risk of the country being governed under the control of a small group of powerful individuals. The state regulates the internal democratization of political parties to ensure that the democratic values upheld by each party's constitution or internal regulations are not just the personal desires of the party founders, but are reflective of the societal values represented by state-produced regulations. It is crucial to establish a legal framework that promotes internal democratization within political parties in Indonesia, ensuring effective and competent party governance. Implementing this legal breakthrough or establishing regulations to govern internal democratization

within political parties can involve separating the cadre components based on the career path that each cadre wants to pursue.

4 Conclusion

In Law Number 2 of 2011 concerning Political Parties, the ideal political education should include Political Education with a Political Recruitment Approach, which is the most important process in determining the success of political education because it determines the quality and capability of party cadres who will run in the general election. Political Education with a Political Party Transparency Approach also considerably affects public engagement and monitoring of political parties, which in turn affects political education quality. Finally, Political Education with an Internal democracy Approach Political Parties, a microcosm of society, must demonstrate democracy. Regularly replacing the party general chairman and maintaining democratic organizational discipline will offer the public a positive impression of internal democratization within the political party.

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