

# THE CONCEPT OF RE-DEMOCRACY IN THE ANALYSIS OF CONSTITUTIONAL COURT DECISION NO. 135/PUU-XXII/2024 AND THE DISCUSSION OF CLOSED PROPORTIONALITY

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## Abstract

*Re-democracy is an idea to revive a more substantial democracy by emphasising people's representation, public participation, and strengthening deliberative spaces. Therefore, this study is important to see the opportunities for reconstructing Indonesia's political system to be more representative and inclusive. This research uses a normative juridical approach by analysing Constitutional Court Decision Number 135/PUU-XXII/2025 and public discourse on the closed proportional election system. The ruling separates national and local elections by a minimum interval of two years, based on technical complexity, personal and institutional fatigue, and declining voter participation in simultaneous elections. This policy has reignited the debate on closed proportional representation, which is considered capable of restoring the essence of substantive democracy through the mechanism of aggregating the aspirations of the people. This research identifies the legal, political, and social consequences of Constitutional Court Decision Number 135/PUU-XXII/2024 and the discourse on the return of the closed proportional system, as well as the issues and efforts to realise the aggregation of public aspirations through re-democracy. The purpose of this research is to examine the legal and political implications of the Constitutional Court's decision and the debate on the closed proportional system ahead of the 2029 elections in order to strengthen re-democracy. Thus, Constitutional Court Decision No. 135/PUU-XXI/2024 and the discourse on closed proportional representation reflect the need for re-democracy to strengthen the aggregation of public aspirations in building a more representative and substantive political system.*

**Keywords:** Constitutional Court; Elections; Proportional; Re-Democracy; Ruling.

## Abstrak

*Re-demokrasi merupakan gagasan untuk menghidupkan kembali demokrasi yang lebih substansial dengan menekankan keterwakilan rakyat, partisipasi publik, dan penguatan ruang deliberatif. Oleh karena itu, kajian ini menjadi penting untuk melihat peluang rekonstruksi sistem politik Indonesia agar lebih representatif dan inklusif. Penelitian ini menggunakan pendekatan yuridis normatif dengan menganalisis Putusan Mahkamah Konstitusi Nomor 135/PUU-XXII/2025 serta wacana publik mengenai sistem Pemilu proporsional tertutup. Putusan tersebut memisahkan Pemilu Nasional dan Pemilu Lokal dengan jeda minimal dua tahun, didasarkan pada kompleksitas teknis, kelelahan personal maupun institusional, serta menurunnya kualitas partisipasi pemilih dalam skema Pemilu serentak. Kebijakan tersebut memunculkan kembali perdebatan tentang proporsional tertutup yang dinilai mampu mengembalikan esensi demokrasi substantif melalui mekanisme agregasi aspirasi rakyat. Identifikasi masalah penelitian ini mencakup konsekuensi hukum, politik, dan sosial dari putusan MK Nomor 135/PUU-XXII/2024 serta wacana kembalinya sistem proporsional tertutup, permasalahan dan upaya merealisasikan agregasi aspirasi masyarakat melalui re-demokrasi. Tujuan penelitian ini adalah mengkaji implikasi hukum dan politik putusan Mahkamah Konstitusi serta perdebatan sistem proporsional tertutup menjelang Pemilu 2029 dalam rangka memperkuat re-demokrasi. Dengan demikian, Putusan MK Nomor 135/PUU-XXI/2024 dan wacana proporsional tertutup merefleksikan kebutuhan re-demokrasi untuk memperkuat agregasi aspirasi rakyat dalam membangun sistem politik yang lebih persentatif dan substantif.*

## INTRODUCTION

Democracy is a fundamental foundation in the administration of modern government, which places the people as the highest source of sovereignty, which can be exercised directly or through representative mechanisms. In Indonesia itself, this principle has been explicitly stated in Article 1 paragraph (2) of the 1945 Constitution of the Republic of Indonesia, which states that sovereignty is in the hands of the people and is exercised in accordance with the Constitution. One form of sovereignty in the hands of the people is realised through general elections as a means of expressing the will of the people in determining their leaders directly, publicly, freely, confidentially, honestly and fairly (Arrahma, 2025).

General elections in Indonesia are a key feature of a democratic country and serve as the driving force behind the political system, which affirms the principle of popular sovereignty. Theoretically, elections are seen as the first step in the chain of constitutional democracy and a means for the people to freely choose their representatives in political parties. In addition to selecting a representative government, elections also reflect the level of development and health of post-reform democracy in Indonesia. Simply put, the electoral system is an instrument for converting the people's votes into seats for parties and candidates, taking into account three basic variables, namely the election formula, the voting structure and the size of the district (Marijan, 2019).

Democracy is a system of government in which the people participate in running the government by electing representatives. In general, elections are a representation of the concept of democracy that guarantees

the sovereignty of the people, freedom of expression, equality in all matters and justice that must be implemented by state officials (Sugitanata & Majid, 2021). However, in its development, the implementation of democracy in Indonesia faces various problems related to effectiveness, integrity, and substance, especially in the post-reform election system, which often turns into a transactional political arena. The influence of money, the personalisation of power, and the weak of party regeneration show that democratic practices in Indonesia are still procedural and do not fully reflect substantive democratic values.

In the context of legislative elections, the discussion and debate between the open proportional and closed proportional systems has become a classic and topical discourse. Since Constitutional Court Decision Number 22-24/PUU-VI/2008, the open proportional system is considered to give the people the opportunity to directly elect legislative candidates, not just political parties. However, this system also has serious consequences in the form of internal competition between candidates within the same party, high political costs, and massive money politics practices (Q.Zaman, 2023). On the other hand, there has been a resurgence of discourse on the application of a closed proportional system, in which political parties have full control over determining the legislative candidates who will obtain seats in parliament. Supporters of the closed proportional system argue that it can strengthen party authority, improve internal discipline, and reduce political costs so that parties can function optimally as a means of political education and guardians of democratic ideology. However, this system also raises concerns

because it is considered to reduce transparency, limit public oversight of legislative candidates, and open up opportunities for nepotism and the buying and selling of candidate numbers within parties.

The debate over open and closed proportional systems reached its peak after the Constitutional Court issued Decision No. 135/PUU-XXII/2024, which rejected the judicial review of Article 168 paragraph (2) of Law No. 7 of 2017 on General Elections, while also confirming that the open proportional system remains constitutional. This ruling clarified the position of the open system as a form of *open legal policy* in the formation of laws, but it also had political implications in the form of a debate on the direction of Indonesian democracy between individual freedom and the collective interests of political parties. In this context, the idea of re-democracy has emerged as a reflection on overly procedural democratic practices, with the aim of rebalancing public participation and political party responsibility so that democracy not only channels the voice of the people but also ensures that these aspirations are realised in accountable and public-interest-oriented public policies.

Risan Pakaya (2023) in his research "Implications of the Electoral System on Democracy in Indonesia" discusses the relationship between electoral system design and the quality of democracy. In this study, the open proportional system broadens public participation but also opens up opportunities for political pragmatism and weak party regeneration. The strength of this study lies in its comprehensive historical analysis, while its weakness lies in the absence of discussion on constitutional aspects and the jurisprudence

of the Constitutional Court (Pakaya et al., 2022). Meanwhile, Christine S.T. Kansil and Christian S.L. Haga (2023) in "Analysis of the Closed Proportional Election System in Indonesia" highlight the potential for democratic regression if the closed system is reimplemented. This study asserts that an open system is more in line with the principle of people's sovereignty, while acknowledging the issues of political costs and internal party competition. The strength of this study is its emphasis on the principle of free and fair elections, while its weakness lies in its failure to discuss conceptual solutions to the crisis of political representation (Kansil & Haga, 2023).

Both studies highlight the electoral system and democracy, but have not analysed the legal and political consequences of Constitutional Court Decision No. 135/PUU-XXII/2024, nor have they linked it to the concept of re-democracy as a renewal of the direction of Indonesian democracy. This study aims to address this gap through an analysis of the Constitutional Court's ruling and the discourse on the closed proportional system in an effort to strengthen the constitutional aggregation of public aspirations. This study aims to analyse the legal and political consequences arising from Constitutional Court Decision No. 135/PUU-XXII/2024 in the context of the discourse on the re-implementation of the closed proportional electoral system, as well as to examine how the concept of re-democracy can be an instrument for realising the constitutional aggregation of public aspirations. Through this study, the author seeks to identify the paradigm shift in democracy following the ruling, unravel the political representation issues that have arisen, and offer conceptual ideas on the direction of electoral system reform that is more adaptive to the

principles of people's sovereignty and electoral justice in Indonesia.

## **PROBLEM FORMULATION**

Based on the background description above, in order for this research discussion to be focused and on target, it is necessary to formulate the problems that will form the basis for analysing the subject matter. The problems formulated in this study are as follows:

1. What are the consequences of Constitutional Court Decision No. 135/PUU-XXII/2024 and the discourse on returning to a closed proportional electoral system?
2. How can efforts be made to realise the aggregation of public aspirations through the re-democratisation of the electoral system and the closed proportional electoral system?

## **RESEARCH METHOD**

This study employs a qualitative method with a normative legal approach, which is a research method that emphasises the interpretation and understanding of various written sources related to constitutional issues and the electoral system. This qualitative method can provide a deep understanding of the legal and political consequences of Constitutional Court Decision Number 135/PUU-XXII-2024 and the dynamics of the closed proportional system discourse. The normative juridical approach is used to examine legal norms through legislation, legal principles, court decisions, positive legal rules and scientific literature.

In analysing the research issue, this study is based on substantive theory, people's sovereignty and open legal policy.

Substantive democracy theory is used

in this study to evaluate the extent to which the electoral system is capable of creating quality political representation. The theory of popular sovereignty helps assess the consistency of electoral policy with the basic principles of the 1945 Constitution. Meanwhile, the concept of open legal policy is used to understand the policy space available to legislators in determining the electoral system. The use of these three theories provides a comprehensive analytical framework for the issue of re-democracy that has developed after the Constitutional Court's decision.

The data sources used in this study are secondary data, which include various types of literature such as Constitutional Court decisions, laws, academic manuscripts or literature, scientific journals, websites, and other sources relevant to the research discussion. The data was obtained through a literature study using techniques of searching, reading and examining various published literature.

All data was then analysed using qualitative descriptive analysis, namely by interpreting the content of the documents, identifying patterns of issues, grouping arguments, and relating them to the theories used. This analysis process was carried out systematically to understand the relationship between Constitutional Court Decision 135/PUU-XXII/2024, the discourse on the closed proportional system, and the direction of re-democratisation. With this approach, the research was able to provide a comprehensive explanation of the legal and political consequences of the Constitutional Court's decision and its relevance to strengthening substantive democracy.

## **RESULTS RESEARCH AND DISCUSSION**

### **A. Analysis Of The Consequences Of Constitutional Court Decision Number 135/Puu-Xxii/2024 And The Discussion On Returning To A Closed Proportional Election System**

Constitutional Court (MK) Decision No. 135/PUU-XXII/2024 brought about major changes to the Indonesian electoral system. The Constitutional Court ruled that national and local elections would no longer be held simultaneously. Thus, national elections (for the president/vice president, the House of Representatives, and the Regional Representative Council) would be held first, followed by local elections (for governors, regents/mayors, and provincial/regency/city councils) 2–2.5 years later (Chaerul Umam, 2025).

Thus, constitutionally, there has been a change in the interpretation of the 1945 Constitution. The Constitutional Court has reinterpreted Article 22E on the simultaneous holding of elections, which was previously considered to cover all types of elections at one time (Firmantoro, 2025). This has led to controversy over the absolute competence or authority of the Constitutional Court, which is considered to have exceeded its role as *a negative legislator* and become *a positive legislator* by establishing new norms that should be the authority of the House of Representatives.

The positive impact of the Constitutional Court's decision includes at least three important points. *First*, there will be efficiency and a reduction in the workload of the election superstructure as a result of the separation of the national and local election schedules, with the hope of reducing the heavy burden on organisers such as the General Elections Commission (KPPS, PPS and PPK) and the Elections

Supervisory Agency (Panwas Cam, Panwas Desa, and Panwas TPS), and avoid extreme fatigue such as that which occurred in the 2019 elections, which claimed the lives of 440 election officials (Prasetya, 2025). *Second*, the quality of local democracy can improve, as voters can focus more on local issues and local candidates without being distracted by national issues, known as *the coattail effect*, thereby hopefully increasing the quality of political participation. *Third*, institutional coordination can be improved, requiring major adjustments to regulations in the amendment or revision of Law No. 7 of 2017 and the Regional Election Law. The budget will increase, considering that elections are held twice, logistics, supervision and security costs will increase, and election logistics, as well as institutions such as the General Elections Commission (KPU), the Elections Supervisory Agency (Bawaslu) and the National Police (Polri) must work together more intensively.

The Constitutional Court's decision is also feared to potentially violate the principle of general elections being held every five years. If local elections are postponed to 2031, there will be a seven-year gap since the previous election, which could be considered unconstitutional, given that the positions will be filled by temporary officials (PJS) who cannot make strategic policies. The greatest concern regarding the Constitutional Court's ruling is that it has politicised the Constitutional Court, given that this ruling is linked to the Constitutional Court's trend of making controversial rulings, such as the issue of the age limit for presidential candidates (Ichsan, 2025).

The discourse on returning to a closed proportional election system has resurfaced after Constitutional Court (MK) Decision No. 135/PUU-XXII/2024, which separates the implementation of national and local

elections. Although the decision does not directly regulate the election system, it opens up a new discussion on the effectiveness and quality of democracy, including the issue of open vs. closed proportional systems. The closed proportional election system is a system in which voters only vote for political parties, not legislative candidates (caleg) directly, and legislative seats are allocated based on the order of the names of candidates determined by the party, not the majority of votes from voters as in the current open system.

Given that Constitutional Court Decision No. 135/PUU-XXII/2024 is considered a momentum to review the electoral system as a whole, including electoral efficiency, considering that the closed electoral system is considered simpler and reduces the technical burden of vote counting. From the perspective of political party regeneration, a closed electoral system gives political parties greater authority to exercise stricter control over who sits in parliament, thereby strengthening political party regeneration and internal discipline. On the other hand, a closed electoral system is considered to minimise internal conflict compared to an open system, which often triggers unhealthy competition between candidates from the same party, which can damage political party solidarity.

On the other hand, the closed electoral system is not the only good system, considering that there are pros and cons among the public and election practitioners. The pro group has three arguments regarding the closed electoral system, which can reduce the political costs of candidates, strengthen the role of party ideology and platforms, and prevent and minimise money politics and excessive

personal campaigns. Furthermore, the opposing group has at least three arguments, including reducing the right of voters to directly determine their representatives, the risk of strengthening party oligarchy and nepotism, and the possibility of a decline in the transparency and accountability of people's representatives.

Thus, Constitutional Court Decision 135 emphasises the importance of substantive democracy, not just procedural democracy. By separating local elections from national elections, there is an opportunity to redesign the regional legislative election system and encourage a system that focuses more on regional representation and the quality of representatives, rather than mere popularity as is currently the case.

Thus, Constitutional Court Decision Number 135/PUU-XXII/2024 emphasises the importance of strengthening substantive democracy, not merely procedural democracy. Through the separation of national and local elections, there is a great opportunity to redesign the regional legislative election system to be more oriented towards regional representation and the quality of representatives, rather than merely the popularity of candidates, as is often the case in the current system. This separation is expected to create a healthier political space, where voters can assess candidates based on their capacity, track record, and commitment to local interests, rather than solely on the influence of national figures or major parties (Rohman & Risma, 2021).

This strategic step must be accompanied by in-depth and comprehensive studies to ensure that changes to the electoral system do not cause a crisis of political legitimacy in society. Without careful planning, these changes

have the potential to create negative public perceptions regarding the weakening of citizens' electoral rights and the strengthening of the dominance of political party elites. Therefore, the evaluation of institutional design, nomination mechanisms, and representation models must be conducted in an open, transparent, and participatory manner. Substantively, Constitutional Court Decision 135/PUU-XXII/2024 is a significant constitutional change because it has dual consequences, both positive and negative, for the constitutional system and electoral democracy in Indonesia (Prayudi, 2021).

On the positive side, this ruling is expected to create efficiency in the implementation of elections by reducing the workload of organizing institutions such as the General Elections Commission (KPU) and the Elections Supervisory Agency (Bawaslu). The separation of schedules between national and local elections allows for a more proportional division of focus, avoiding the extreme fatigue of election officials as occurred in the 2019 elections, and improving the quality, order, and security of the electoral process as a whole. In addition, a separate election system also opens up opportunities for a " " improving the quality of local democracy through a focus on regional issues and candidates, as well as strengthening coordination between state institutions involved in the implementation and supervision of elections. Furthermore, the quality of local democracy is expected to improve in line with the separation of schedules between national and local elections. This separation is expected to eliminate the coattail effect, which is the tendency for voters to elect certain legislative candidates because of their affiliation with or popularity of national candidates such as presidential

candidates or major parties. With the reduction of this effect, the public can focus more on local issues, work programmes, and the track records of candidates in their respective regions. This has the potential to improve the quality of political participation at the local level because voters are no longer distracted by national issues but instead truly assess candidates based on their capacity and commitment to regional development.

In addition, improved institutional coordination is an important consequence of Constitutional Court Decision Number 135/PUU-XXII/2024. The separation of these elections requires massive regulatory adjustments, including revisions to Law No. 7 of 2017 on Elections and the Law on Regional Elections. These adjustments must be followed by more intensive synergy between election organisers and supervisors such as the General Elections Commission (KPU), the Elections Supervisory Agency (Bawaslu), and security agencies such as the Indonesian National Police (Polri). Strengthening institutional coordination is expected to improve the effectiveness of election administration, in terms of logistics, supervision, and security. However, the administrative and budgetary consequences will certainly increase because holding two elections requires greater logistics, distribution, and supervision costs.

On the other hand, there are also negative consequences and concerns arising from this decision. One of the main issues is the potential for *inconsistency* with the five-year election principle as stipulated in the constitution. If the Local Elections are postponed to 2031, there will be a gap of up to seven years from the previous election, which has the potential to cause constitutional problems. In addition, this

situation could result in public offices being filled by Temporary Acting Officials (PJS) for a long period of time, who have limited legal authority and cannot make strategic policies. As a result, the running of regional governments could be disrupted and hamper the process of development and public services.

Furthermore, there are also concerns about the potential politicisation of the Constitutional Court (MK). This ruling is considered by some to be a shift in the role of the MK from a *negative legislator* to a *positive legislator*, as it has established new norms that should be the authority of the law-makers (the House of Representatives and the Government). This politicisation of the MK is considered to undermine the principle of judicial independence and reduce public confidence in the objectivity and integrity of constitutional institutions.

In addition to these consequences, MK Decision 135/PUU-XXII/2024 has also reignited the discourse on the closed proportional election system. Although this decision does not directly regulate the election system, the momentum for change in the design of national and local elections has opened up space to review the effectiveness of the system used. The closed proportional system is considered simpler and more efficient because voters only vote for political parties, not legislative candidates directly. This is believed to reduce the technical burden of vote counting, reduce political costs, and reduce the practice of money politics and excessive personal campaigning.

From the perspective of party institutions, this system is also considered to strengthen the regeneration and internal discipline of political parties, as control over the selection of legislative candidates rests entirely with the party. Thus, parties

can select the best cadres to sit in parliament and minimise internal conflicts between candidates within a single party.

However, the closed proportional system has also drawn sharp criticism. Opponents argue that this system reduces the constitutional right of voters to directly determine their representatives. In addition, there are concerns that this system will strengthen party oligarchy and nepotism, as the list of legislative candidates is determined internally by party elites without the involvement of the people. This condition also has the potential to reduce the transparency and accountability of representatives to their constituents, as their legitimacy depends more on the party than on the voters.

Overall, Constitutional Court Decision Number 135/PUU-XXII/2024 opens up opportunities to redesign the regional legislative election system towards a more substantive democracy that is, a democracy that is not only oriented towards electoral procedures, but also towards the quality of representation and political justice. However, any system change, especially regarding the closed proportional system, must be carried out carefully and based on in-depth studies so as not to cause a political legitimacy crisis. Changes must maintain a balance between technical efficiency, strengthening party institutions, and protecting the basic electoral rights of citizens as the foundation of constitutional democracy in Indonesia.

## **B. Issues And Efforts In Realising The Aggregation Of Public Aspirations Through The Redemocratisation Of The Electoral System And The Closed Proportional Electoral System**



In a democratic country, the aggregation of public aspirations refers to the mechanism of combining, selecting, and transferring the diverse interests of citizens into public policies that reflect the collective will (Irianto & Jurdi, 2022). The quality of a democratic system can be evaluated based on the extent to which the people's voices are expressed and implemented through representative institutions. This aggregation mechanism is greatly influenced by the level of public participation and the performance of the political system and institutions tasked with directing these aspirations (Noor, 2023).

In representative democracy, representative institutions and political parties play a crucial role as intermediaries between the people and the government (Saputra et al., 2024). In this situation, political parties function as the main tool for transforming the aspirations of the people into political policies, as well as ensuring the representation of various social groups in the public decision-making process. However, currently, the effectiveness of this role can be influenced by the electoral system that is implemented. The electoral system is an institutional mechanism that converts the people's votes into representative positions, and the results can influence the success in gathering public aspirations (Sulaiman & Rohaniah, 2022).

From a theoretical perspective, representative democracy is based on the principles of popular sovereignty, accountability, and political representation. In this case, the general election system serves as a concrete mechanism for realising these principles. The history of the electoral system in Indonesia reflects prolonged dynamics, in which a closed proportional system was implemented during the Old Order and New Order eras,

while after the 1998 reform, there was a transition from a closed proportional system to an open proportional system (Chaidir & Jamaluddin, 2022). This transition was triggered by demands for greater public participation and transparency in the political process. However, these changes have had consequences such as increasingly intense internal competition among legislative candidates, the emergence of money politics, and a decline in the ideological cohesion of political parties.

Furthermore, changes to the electoral system in Indonesia cannot be separated from legal institutional issues and interpretations of the principle of people's sovereignty as stipulated in Article 1 paragraph (2) and Article 22E of the 1945 Constitution of the Republic of Indonesia (Muhammad Mutawalli, 2024). Within the constitutional legal framework, the electoral system functions as a mechanism for realising legitimate and fair popular sovereignty. Constitutional Court Decision No. 135/PUU-XXII/2024 is an important milestone in this development, as it contains legal arguments that emphasise that the electoral system must guarantee substantive representation, not merely procedural representation. The arguments of the constitutional judges in the decision indicate a new orientation in Indonesian legal politics, which places greater emphasis on strengthening political parties as the main means of channelling public aspirations, in accordance with the principles of constitutional democracy that require a balance between people's sovereignty and the functions of state institutions.

The shift from a closed proportional system to an open proportional system has had an impact that has sparked widespread criticism. Criticism of this system has emerged in the public sphere because it is

considered to have reduced the role of political parties as collectors of public aspirations. Political parties no longer function as ideological vehicles, but merely as tools for selecting individual candidates (Prayugo, 2025). As a result, public aspirations, which should be integrated through institutional mechanisms, have become fragmented, creating a situation in which the legal system is divided into uncoordinated, unintegrated, and conflicting parts. From this condition emerged the concept of re-democracy as a form of correction to procedural democracy practices that tend to be superficial and elitist (Huntington, 1991). The concept of re-democracy aims to revive the substance of democracy, namely ideological representation, collective responsibility, and institutional accountability.

However, the concept of re-democracy cannot be separated from the development of social and political dynamics in society. From a sociological perspective, the failure to gather the aspirations of the people is not only caused by the design of the electoral system, but also by low levels of political awareness, unequal access to information, and economic oligarchy that limits the political freedom of citizens (Rohmah, 2024). In reality, political parties are often more loyal to the interests of their financial supporters or elite groups than to the hopes of their constituents. The emergence of identity politics, pragmatism in elections, and the rise of transactional politics indicate that the democracy that has been implemented does not yet fully represent the sovereignty of the people in a profound way (Ninawati, 2025). Therefore, re-democracy needs to be understood not only as a reform of electoral mechanisms, but also as a socio-political movement to restructure the relationship between the

people, parties, and the state within an ethical and moral political framework.

The concept of re-democracy has sparked renewed discussion of a closed proportional electoral system, which has been proposed as an alternative option to strengthen the function of political parties and increase their effectiveness in gathering the aspirations of the people (Barus et al., 2024). This discussion stems from the view that a closed system is more effective in maintaining party ideological discipline, reducing political costs, and limiting money politics. The concept of re-democracy does not only serve as a technical measure to change the electoral system, but as a comprehensive initiative to improve the quality of representation and strengthen the relationship between the public and political parties.

In comparison, several countries such as the Netherlands, Spain, and South Africa, which still implement a closed proportional system, show that the success of such a system is largely determined by the level of internal democracy within the party. In these countries, parties are required to implement transparent and accountable procedures in recruiting legislative candidates through party conventions, open selection, or internal preference mechanisms (Prasojo et al., 2025). This approach shows that a closed proportional system does not necessarily mean elite domination, as long as it is supported by clear internal oversight mechanisms. Indonesia can emulate these practices by strengthening the principles of meritocracy and openness in the cadre selection process. In this way, a closed system can still ensure ideological representation without reducing direct public participation.

The aggregation of public aspirations can be truly represented through

improvements to the electoral system, especially if the discourse on returning to a closed proportional system is realised. The problems in aggregating public aspirations regarding the closed electoral system consist of:

1. **Minimal Direct Voter Involvement:** in a closed proportional system, voters only vote for parties, not individual candidates. Public aspirations can be distorted because parties determine who sits in parliament, not voters.
2. **Party Elite Domination:** The determination of candidate numbers tends to be based on proximity to political party elites, rather than quality or track record. This condition opens the door to political oligarchy and hinders potential cadres from the grassroots.
3. **Low Accountability of Representatives:** Given that representatives are not directly elected by the people, they tend to be loyal to their party rather than their constituents. As a result, local or community aspirations may be neglected in the legislative process.
4. **Declining Political Participation:** Given that voters feel their votes have no direct impact, enthusiasm and participation may decline (Azis & Sihombing, 2023).

In addition to these four problems, the effectiveness of gathering community aspirations is also influenced by the weak function of political parties as institutions that connect the community and the government. In general, the process of forming cadres is elastic and closed, while the mechanisms of political communication between central and regional structures tend to be less participatory. Political parties place more emphasis on electoral goals than

on carrying out their role in political education or absorbing community aspirations. This has caused parties to lose their ideological nature and become more like pragmatic organisations that only aim to obtain seats in the legislature (Al-Hamdi, 2022). Therefore, strengthening the internal structure of parties is an important prerequisite for the success of the re-democratisation process, so that parties can resume their function as collectors of public aspirations.

The consolidation of public aspirations in the context of re-democratisation following Constitutional Court Decision No. 135/PUU-XXII/2024 presents a crucial opportunity to strengthen the foundations of substantive democracy in Indonesia. From a legal perspective, Constitutional Court Decision No. 135/PUU-XXII/2024 does not directly change the existing electoral system, but rather reinforces constitutional principles related to fair representation. However, this ruling has important legal implications because it provides an opportunity for legislators to re-evaluate the compatibility of the electoral system with the basic principles of democracy (Christine Kansil & Putri Meilika Nadilatasya, 2024). Therefore, this ruling is declarative in nature, but it encourages legal reform in the drafting of future electoral laws. From a political-legal perspective, the Constitutional Court has established the issue of people's representation as the main basis of Indonesia's electoral democracy system, so that any changes to the General Election Law must be directed towards the principles of substantive representation and public accountability.

Constitutional Court Decision Number 135/PUU-XXII/2024 provides an opportunity for a change in the direction and quality of electoral democracy, which

previously only emphasised procedural aspects. Thus, re-democracy is expected to be a tool to revive the role of political parties as the main backbone of public representation and as a means of connecting the aspirations of the people with government policies. To achieve this, strategic steps or efforts are needed that cover various dimensions, ranging from internal reform of political parties, increasing public political awareness, to reformulating the general election system to be more responsive to the demands of contemporary democracy. The steps that can be taken to realise the gathering of aspirations in re-democracy in the General Election after Constitutional Court Decision Number 135/PUU-XXII/2024 are as follows.

1. Internal Reform of Political Parties, through internal reform of political parties as an effort to encourage political parties to implement a transparent and meritocratic candidate selection system, which involves active public participation in the process of compiling candidate lists through conventions or internal polls (Erlina, 2023).
2. Improving Public Political Literacy, public education programmes on the functions of parties, representatives, and the electoral system so that the public is more critical and active and can pressure parties to accommodate the aspirations expressed through the media and public forums (Rosit et al., 2023).
3. Strengthening the Role of *Civil Society* and the Media: Non-governmental organisations (NGOs), academics, and the media can become channels and guardians of public aspirations, as well as encourage transparency and

accountability of parties in compiling candidate lists (Afifuddin, 2020).

4. Designing a *Hybrid* or Open-Controlled System: An alternative semi-open proportional system in which voters can choose a party and give preference to candidates. This maintains the efficiency of a closed system, but still provides space for the direct aspirations of voters (Januardinur, 2023).
5. Adjustment of various laws and regulations, revision of the Election Law, Political Party Law and Regional Election Law through the DPR and Government mechanisms can consider changes to the electoral system in the revision of the Election Law, Regional Election Law, and Political Party Law. It is possible that a new judicial review will be submitted to the Constitutional Court if a party resubmits a *judicial review petition* related to the open system, and the Constitutional Court may change its stance. In the course of public debate involving academics, non-governmental organisations (NGOs), and civil society, they will play an important role in determining the direction of electoral system reform.

## CONCLUSION

After undergoing a process of data collection and in-depth analysis, this study has produced a number of important findings. The conclusions that can be drawn are as follows:

Constitutional Court Decision Number 135/PUU-XXII/2024 marks an important turning point in the dynamics of electoral democracy in Indonesia. By separating the implementation of National Elections (Presidential, Vice Presidential, DPR &

DPD Legislative Elections) and Local Elections (Governor, Regent, Mayor, Provincial, Regency and City DPRD Elections), the Constitutional Court's decision is an effort to reduce the systemic burden that has been hindering the effectiveness of simultaneous elections. This step is seen as a correction to procedural democratic practices that are overly technocratic and lack substance.

The discourse on the application of a closed proportional election system has sparked serious debate regarding political representation and the aggregation of people's aspirations. This system has the potential to strengthen the dominance of political parties in determining people's representatives, but it can also reduce the direct participation of voters in electing individual legislative candidates. In the context of re-democracy, this requires an in-depth evaluation to ensure that the electoral system continues to guarantee fair, transparent, and accountable representation. Thus, re-democracy is not merely a technical change, but a process of restoring democratic values oriented towards public participation, electoral justice, and the strengthening of political institutions. Therefore, electoral system reform must be carried out comprehensively, involving various stakeholders, and based on the principles of constitutionalism and the aspirations of the people.

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