

*Research Article***Evaluating the Election Law in Indonesia for Strengthening Democracy and Ensuring Honest and Fair Elections**Uu Nurul Huda¹, Firdaus Arifin^{2*}, Anthon F Susanto³, Mohd Kamarulnizam Abdullah⁴¹Postgraduate Program, Universitas Islam Negeri Sunan Gunung Djati Bandung, Indonesia^{2,3}Faculty of Law, Universitas Pasundan, Indonesia⁴Institute of Malaysia and International Studies, Universiti Kebangsaan Malaysia, Malaysia

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ABSTRACT

Indonesia's electoral law established the framework to uphold democracy through free and fair elections. However, its implementation faces structural and procedural weaknesses that undermine effectiveness and public trust. This study employs a legal approach to examine these weaknesses, problems, and propose corresponding reforms. Key issues include overlapping authority among the General Elections Commission, the Election Supervisory Agency, and the Election Organizer Ethics Council; weak campaign oversight due to limited resources; unclear legal definitions; lenient sanctions for violations; and challenges in enforcing strict reporting deadlines. Additionally, systemic problems such as the open-list proportional system and the presidential threshold restrict political competition and foster transactional politics. To address these, the study recommends legal and institutional reforms: clarifying institutional roles, enhancing inter-agency coordination, strengthening campaign finance regulation with digital transparency systems, and improving enforcement mechanisms and sanctions. Further, revising the electoral system and threshold requirements, alongside introducing merit-based recruitment and whistleblower protections, are proposed to ensure inclusiveness, accountability, and democratic integrity. These measures aim to create a transparent, fair, and credible electoral process that reinforces democratic principles in Indonesia.

Keywords: Law; Election; Democracy; Evaluation**A. INTRODUCTION**

Elections are important in any democracy since they are one of the peaceful ways to change the leadership of any nation and also provide an avenue through which citizens can express their political will and shape the future of their nation. In Indonesia, elections are regarded as a manifestation of people's sovereignty since they give the citizens the ability to elect their leaders, who are expected to be people of their choice and who are committed to democracy.

This notion connects with "Pancasila Democracy" which emphasizes the willingness to participate, equity, and cooperation in dealing with politics (Saritulawa, Rahmadia, & Nelwati, 2024; Lutfi et al., 2023). Elections are crucial in a country as diverse and populated as Indonesia. They support democratic systems by preserving political legitimacy and fostering trust. But there are still certain issues. These include a lack of access to political information, election fraud, and indifferent voters. These concerns are essential to

democracy (Rannie, Saraswati, & Wisnaeni, 2023). Fair and open elections are important for Indonesia's democracy to stay on track.

The elections in Indonesia have undergone significant change. This illustrates the nation's transition from authoritarianism to democracy. Elections were not as significant under President Sukarno's Guided Democracy (1959–1965). Rather, political leaders concentrated power and made decisions. This persisted throughout the New Order of President Suharto. Elections were held on a regular basis. But they were mostly symbolic. They lacked openness, genuine competition, and a range of political viewpoints. Following Suharto's resignation in 1998, Indonesia began its Reform Era. This resulted in significant political shifts. These included direct elections for national and local offices, decentralization, and constitutional amendments (Mubarak, 2008). Subsequent reforms included simultaneous elections and an open-list proportional representation system. These changes aimed to make the election process fairer and get more people involved. Indonesia moves away from its authoritarian past. It builds an open and responsible election system that meets global democratic standards (Kristiyanto, Arinanto, & Ghafur, 2023).

Indonesia's election system still has problems that threaten its democratic credibility. This is true even with major reforms since the New Order era ended. The most urgent issues include widespread money politics, vote buying,

and poor enforcement of election rules (Dahoklory & Wisnaeni, 2020). Law No. 7 of 2017 on General Elections was created to support fair, clear, and responsible election processes. However, it has not been very good at stopping fraud or making sure laws are always followed. Studies show that punishments for election rule breaks, especially those with money, are often too light or not given out the same way. This lets practices that are not democratic become more common (Saktiana & Fakhrulloh, 2022). Institutions such as Sentra Gakkumdu address election violations. However, they struggle with unclear laws and operational problems (Umam & Sidik, 2023). These issues bring up a question: How much has Law No. 7 of 2017 protected the honesty and fairness of Indonesian elections? Answering this question helps show the difference between what the law planned and what really happens (Harun, Jaya, & Sularto, 2021).

This study has three main theories. The first focuses on the basic rules of Indonesia's election law. These rules come from the constitution, which requires elections to be direct, public, free, confidential, honest, and fair. Article 22E of the 1945 Constitution describes these values. They serve as both ethical guides and procedural standards for fair democratic elections (Sugiharto & Riyanti, 2020). Indonesia's legal system uses the idea of *Rechtsstaat*, or the rule of law. It should support democratic values and limit political power that is not controlled. Here, the law is more than just rules. It is a tool for

keeping people accountable and fair in politics (Wiranto & Sudiro, 2024). Third, this study uses the theory of regulatory effectiveness to evaluate how well Law No. 7 of 2017 performs. This view considers if the law meets its goals, what stops its enforcement, and how able institutions are to put electoral rules into practice. These theories offer a good way to compare the law's ideals with the real challenges of Indonesia's election system.

Law No. 7 of 2017 provides a complete basis for protecting democratic principles in Indonesia. It works to make sure elections happen fairly, honestly, and openly (Prasetio et al., 2020). This legal idea reflects a constitutional goal of promoting honest elections and political responsibility. However, in practice, major problems have appeared in reaching these goals (Ahsan et al., 2023). The law aims to support democratic standards. However, ongoing problems reduce its overall success. These problems include vote buying, unfair enforcement, overlapping roles among institutions, and a complex set of rules (Taufik et al., 2024). Studies show that unclear legal rules cause confusion for election groups. This is true for rules about the presidential vote limit and how election areas are set up. Also, groups like Bawaslu have trouble overseeing elections well. Their power is limited, and they have organizational problems. This allows political deals to keep happening (Vandito et al., 2024). The system's design and its actual function do not match. This shows a clear need for legal and institutional changes. These

changes would make election goals fit with how government truly operates.

The way legal rules and Indonesia's fast-changing social and technical world interact shows a clear need to look again at the current election laws, particularly Law 7 of 2017. This law was made to make democratic practices stronger. However, it does not deal with new problems such as false information spread by artificial intelligence, digital ways to influence voters, and the more complex social and political situations of today (Armiwulan et al., 2024). This research looks closely at the election law itself, not just institutional performance or how structures are set up. This study uses a normative and conceptual approach to find gaps in current rules. It then suggests legal changes that better fit Indonesia's changing social and political situation. Earlier studies mostly focused on changes to procedures or institutions. Few have explored how core legal provisions can change to meet new challenges in elections (Budhiati, 2024). This study examines the problems of Law No. 7 of 2017. It also suggests ways to improve the law. The goal is to make future Indonesian elections more fair, open, and ready for new technology.

Recent academic studies have looked at different parts of Indonesia's election system. These studies give useful background for this work. For example, Prasetio et al. (2020) looked at the 2019 elections, which Law No. 7 of 2017 controlled. They found many problems with logistics and laws. These problems included voter

lists that were not organized, ballot boxes that were not sealed, and procedures that were not consistent. These issues caused serious worries about how fair the election was (Prasetio et al., 2020). Sunaryo and Karlina (2019) also looked at how well Bawaslu did its job and worked with Gakkumdu. They found continued problems, such as unclear laws and not enough resources. These issues still prevent the correct handling of election violations (Sunaryo & Karlina, 2019). Khoirunnisa and Jubaidi (2024) looked at how going digital could stop election disagreements. They stressed the need for digital governance plans that include everyone and are well-organized (Khoirunnisa & Jubaidi, 2024). Argoebie et al. (2025) analyzed Indonesia's open-list proportional-representation system. They used information from journals accredited across the country. Their study showed that the system gave voters more choices. However, it also increased party divisions and did not improve ideological representation. This happened mainly because parties did not develop their members well, and campaigns were expensive (Argoebie et al., 2025). Lestari and others (2025) compared election changes in Indonesia and Thailand. They found that in both countries, political leaders' goals, not true democratic ideas, usually cause changes to the election system. These different studies show the continuing problems with Indonesia's election rules, procedures, and politics (Lestari et al., 2025). This study offers a legal assessment of Law No. 7 of 2017. It

identifies structural problems in the rule and suggests specific changes. The study links legal analysis with real-world institutional issues. This is especially true for how oversight groups like Bawaslu do their work. This approach helps academic talks and practical policy solutions. These solutions work to make Indonesia's election system more complete and steady.

B. RESEARCH METHOD

This research applies a normative juridical method to examine the legal challenges of implementing Law No. 7/2017 on elections to achieve transparent and fair elections in Indonesia. The normative juridical approach focuses on the analysis of legal norms, statutory texts, and doctrines to evaluate how electoral law functions in theory, and how it should operate within a democratic framework. Two main approaches guide this study: the statute approach, used to analyze the content and structure of Law No. 7/2017 and related legal instruments, and the conceptual approach, which helps interpret key legal principles, such as justice, integrity, and electoral accountability.

The study is based entirely on secondary legal data, including primary legal materials (laws and regulations), secondary materials (legal scholarships, books, and journal articles), and tertiary materials (legal encyclopedias and dictionaries). Data collection happened through document analysis and literature review. Sources included official legislation databases, academic

publications, and judicial interpretations.

This research uses systematic interpretation for legal analysis. This makes sure legal rules work together and checks if election rules follow constitutional orders. A comparative legal analysis also helps when needed. This draws ideas from other democratic election systems. These methods find gaps, differences, and areas needing changes. The goal was to judge how well the current legal system works. It also proposes standard and idea-based suggestions to make election governance better in Indonesia.

C. RESULTS AND DISCUSSION

1. Problems of Election Law Provisions in Indonesia

a. Overlapping authority among KPU, Bawaslu, and DKPP

In Indonesia's election system, the General Election Commission (KPU), Election Supervisory Body (Bawaslu), and Election Organizer Honorary Council (DKPP) must work together. This cooperation is important but faces problems. Each group has its own role by law: KPU carries out elections, Bawaslu watches over them, and DKPP handles ethical issues. However, in practice, their duties can overlap. This is especially true for KPU and Bawaslu when dealing with administrative and technical rule breaks. This overlap often causes disagreement between the groups and confusion about who is responsible. This slows down how quickly rules are enforced

(Suhariyanto, Ishwara, & Kirana, 2024). Different rules among these groups, especially how they understand and apply laws, make elections harder to run. This also creates legal confusion. Studies show that without clear agreement and one legal system, these problems could harm election fairness and reduce public trust in democracy (Hapsari & Saraswati, 2023; Mufliha & Al Jannah, 2024).

b. Weak campaign oversight due to limited resources

Indonesia's Election Law regulates campaign activities, including schedules, permitted methods, and restrictions on the use of state resources. Despite these provisions, violations such as early campaigning, misuse of government facilities, and campaigning during quiet periods remain widespread. Studies of the 2019 General Elections in Pekanbaru revealed numerous cases of money politics and misuse of public resources that were reported to Bawaslu but not properly processed due to weak enforcement mechanisms and procedural problems (Pusparani et al., 2020). Such impunity undermines the credibility of elections and weakens democratic accountability.

The problem is aggravated by structural and resource limitations within Bawaslu, which is mandated to oversee campaign activities nationwide. Bawaslu consistently faces shortages of personnel, budget, and technological tools, reducing its capacity to monitor violations effectively, particularly in rural and remote areas.

These constraints were especially evident during the 2024 simultaneous elections, when Bawaslu struggled to oversee campaign practices, address early campaigning, prevent the misuse of state facilities, and counter digital disinformation public (Amancik et al., 2024). Research emphasizes the importance of institutional reform, including improving inter-agency cooperation, restructuring Bawaslu's organization through legal revision, and adopting digital monitoring technologies, to ensure more effective and transparent election oversight across Indonesia's vast political landscape (Nasution et al., 2023).

c. Unclear legal definitions

One of the persistent weaknesses of Indonesia's electoral framework is the unclear legal definitions and ambiguous procedural rules that hinder consistent and fair enforcement. Bawaslu often struggles to address complex violations because investigative procedures are not standardized and relevant legal provisions remain vague, particularly in cases involving powerful political actors or sophisticated practices such as digital disinformation (Hariadi, Rustan, & Irwansyah, 2024; Nikmah, 2024).

Another problem emerges in Bawaslu's limited authority after election results are certified. Law No. 7/2017 restricts its supervisory role primarily to the pre-election and election period, leaving a legal vacuum when violations appear or continue after results are announced. This limitation forces Bawaslu to depend on other institutions for enforcement, weakening its ability

to act independently and promptly (Mukhlis et al., 2024; Sistyawan et al., 2024).

Unclear legal definitions also appear in the division of authority between Bawaslu, the State Administrative Court (PTUN), and the Constitutional Court. While PTUN has jurisdiction over administrative disputes, its procedures are slow and often overlap with those of the Constitutional Court, which operates under very strict deadlines. This duality creates confusion, delays resolution, and complicates access to justice (Madril 2020; Yamani, Sunardi, & Arief, 2024).

Similarly, the seven-day reporting deadline for electoral violations is problematic due to vague wording in the law. It is unclear whether the time limit begins from the occurrence of the violation, the discovery of evidence, or the filing of a report. This ambiguity has led to inconsistent practices among enforcement bodies such as Bawaslu and Gakkumdu, producing fragmented enforcement and undermining trust in electoral justice (Nurhayati, 2024; Angela, 2024; Umam & Sidik, 2023).

The same issue of vagueness is evident in campaign finance regulations. While Law No. 7/2017 and KPU rules mandate full disclosure of campaign income and expenditures, the legal framework does not clearly define reporting standards, audit mechanisms, or sanctions for non-compliance. As a result, many candidates and political parties submit incomplete or misleading reports, obscuring the role of money in

politics and eroding public confidence in democratic processes (Amin & Hayatulah, 2024; Chandranegara & Bakhri, 2023; Marpaung & Indrayani, 2024).

Taken together, these examples show that vague legal provisions and inconsistent interpretation across institutions significantly undermine Indonesia's ability to enforce electoral law effectively. Addressing these uncertainties through clearer drafting, standardized procedures, and stronger sanctions is essential to uphold the credibility, transparency, and fairness of Indonesia's elections.

d. Lenient sanctions for violations

Another critical weakness of Indonesia's electoral framework lies in the lenient sanctions and weak enforcement mechanisms that fail to deter electoral violations. Although Law No. 7 of 2017 and the Criminal Code prohibit practices such as vote buying and electoral fraud, the provisions contain legal gaps and vague definitions that reduce their effectiveness. In practice, many violations are either dismissed or resolved with minimal consequences, allowing candidates and parties to continue engaging in money politics without fear of meaningful punishment (Rosmidah et al., 2024; Saktiana & Fakhrolloh, 2022).

The problem is compounded by inconsistent enforcement. Even when sanctions are applied, they are often perceived as too light and unevenly implemented across different cases. This inconsistency undermines the credibility of

electoral institutions and weakens the overall deterrent effect of the law. Instead of discouraging malpractice, the current sanction regime indirectly encourages repeated violations, eroding both electoral integrity and public trust in democratic processes (Saktiana & Fakhrolloh, 2022).

Strengthening electoral justice therefore requires not only clearer legal provisions but also firmer and more consistent sanctions, coupled with independent enforcement mechanisms to ensure accountability.

e. Challenges in enforcing strict reporting deadlines

Strict reporting deadlines in Indonesia's election law are intended to ensure quick dispute resolution, but in practice, they often hinder access to justice. The State Administrative Court (PTUN), which has authority over administrative aspects of electoral disputes, is frequently criticized for slow procedures that fail to match the urgency of election timelines. This problem is worsened by overlapping jurisdiction with the Constitutional Court, which operates under extremely short deadlines sometimes only a few days for case processing. As a result, many disputes remain unresolved, while complainants face procedural barriers that delay justice delivery (Madril 2020; Yamani, Sunardi, & Arief, 2024).

Further complications arise from the seven-day reporting limit for electoral violations under Law No. 7 of 2017. The law does not clearly specify whether the reporting period begins from the moment the violation occurs, when it is

discovered, or when it is officially reported. This vagueness has led to inconsistent interpretations among institutions such as Bawaslu and Gakkumdu, resulting in fragmented enforcement and uneven application of justice. Scholars note that these ambiguities weaken fair procedures, undermine the credibility of electoral dispute resolution, and reduce public trust in the election justice system (Nurhayati, 2024; Angela, 2024; Umam & Sidik, 2023).

Together, these challenges show that instead of facilitating swift justice, rigid and unclear deadlines often obstruct fair legal proceedings. Reform is needed to establish clearer definitions and more flexible yet accountable timelines, ensuring both efficiency and fairness in resolving electoral disputes.

f. The open-list proportional system and the presidential threshold

Indonesia's open-list proportional representation system was originally designed to improve democratic representation by allowing voters to choose individual candidates rather than just political parties. However, in practice it has produced several negative consequences. The system intensifies intraparty competition, as candidates within the same party must compete against one another for votes. This dynamic drives up campaign costs, fosters vote buying and money politics, and weakens party discipline and cohesion. As a result, elections have become increasingly expensive and vulnerable to corruption, while political parties struggle to

maintain organizational integrity (Rosmini, Abdi, & Nur, 2024).

The presidential threshold, set at 20% of seats in the House of Representatives (DPR) or 25% of the national vote, has also generated widespread criticism. By favoring large and established political parties, the threshold significantly limits competition and prevents smaller or newer parties from meaningfully participating in presidential elections. Scholars argue that this regulation undermines the principle of equal opportunity in democracy, concentrating power among dominant elites and reducing the diversity of candidates and ideas available to voters (Nugroho, 2024).

When combined, the open-list proportional system and the presidential threshold create a structural framework that narrows political openness, reduces minority representation, and restricts voter choice. Research shows that these mechanisms encourage transactional politics and elite collusion, while weakening democratic inclusivity and accountability (Setiawan, Fatmawati, & Shulga, 2024). Together, they illustrate how Indonesia's electoral rules, while legally valid, often contradict the constitutional ideals of fairness, broad participation, and representative democracy.

2. Reforming Indonesia's Electoral Framework to Ensure Honest and Fair Elections

a. Legal and Institutional Reform

Indonesia's legal and institutional

framework for elections, as governed by Law No. 7 of 2017, still faces structural and procedural challenges that hinder the realization of honest and fair electoral processes. These challenges are spread across various dimensions, including weak campaign regulation, limited institutional coordination, legal ambiguity, enforcement gaps, and flaws in recruitment practices.

Efforts to strengthen Indonesia's electoral institutions have so far focused on campaign regulation. Although Law No. 7 of 2017 outlines the rules for campaign timing, methods, and media, enforcement remains weak particularly regarding premature campaigning and misuse of state resources. Experts argue the provisions are either vague or insufficiently strict, allowing manipulation that undermines electoral fairness (Suyono, Rusmana, & Praptapa, 2020). Comparative systems like Germany's Bundeswahlgesetz, with centralized and standardized rules, demonstrate how clear regulations and strict penalties can foster openness and trust.

Supervision of election campaigns also suffers from institutional limitations. Bawaslu, which was given broader investigative powers under the law, still faces severe capacity constraints especially in rural and remote areas. Inadequate staffing, limited facilities, and operational inefficiencies reduce its ability to address violations such as money politics and black campaigning (Djakaria, Ariawan, & Mustafa, 2025). South Korea's digital and

decentralized monitoring model illustrates how technological integration can enhance the transparency and effectiveness of electoral oversight.

One of the most persistent legal-institutional issues is the lack of transparency and accountability in campaign finance. Although public disclosure is mandated, many candidates and parties underreport or obscure funding sources and expenditures. This significantly erodes public trust in elections (Marpaung & Indrayani, 2024). Reform efforts must include the development of digital real-time reporting platforms, independent audits, and stricter sanctions. Lessons can be drawn from South Korea and the EU, where rigorous financial oversight is an integral part of electoral integrity (Hidayat, 2024).

A broader revision of Law No. 7 of 2017 is essential to improve clarity, enforceability, and functionality. Experts argue that the law's complexity, legal uncertainty, and weak sanctions obstruct its effective application, especially in curbing practices such as vote buying (Sarah & Suatmiati, 2022). Germany's clear and enforceable electoral law, along with independent institutions such as the Federal Returning Officer, offers a model for developing a more transparent and responsive legal structure.

A core element of legal reform is increasing inclusiveness in the lawmaking process. Although the law aims to comprehensively govern electoral procedures, it lacks mechanisms to involve civil

society, political minorities, and grassroots communities in its formulation and review. This exclusion makes the electoral legal system less adaptive to evolving social and technological realities (Priandi & Roisah, 2019). Participatory legal reform is necessary to ensure greater legitimacy, representation, and responsiveness. Institutional coordination among KPU, Bawaslu, and DKPP also needs urgent reform. These bodies often experience functional overlaps and unclear jurisdictional boundaries, which lead to implementation delays and enforcement difficulties. Comparative systems like South Korea's unified National Election Commission demonstrate the benefits of integrated structures. Indonesia should explore shared IT systems, joint operational task forces, and regular inter-agency coordination forums (Nazril et al., 2024).

The professional capacity of electoral officials is another critical issue. Studies show that consistent training, ethical orientation, and procedural guidance significantly improve election management. However, implementation in Indonesia remains uneven due to budgetary and logistical constraints. Countries like South Korea and Canada have institutionalized ongoing certification and training programs that Indonesia could replicate (Ramadani et al., 2022).

Recruitment processes for EMB personnel are often criticized for lacking transparency, fairness, and inclusivity. Temporary election workers are frequently selected through opaque procedures, with minimal outreach to women or

youth (Sugiarto et al., 2022). A professional, merit-based, and publicly accountable recruitment system is essential to build trust and institutional credibility.

Recruitment of election organizers in Indonesia is often marred by money politics, favoritism, and nepotism, which undermine the fairness and integrity of electoral management. Wardhani, Ibrahim, and Christia (2020) highlight widespread public concerns over non-meritocratic appointments, where political and financial interests overshadow qualifications (Wardhani, Ibrahim, & Christia, 2020). In Banten, Ismanto, Sjafari, and Listyaningsih (2019) found that political ties and family connections frequently determined candidate selection, weakening institutional neutrality and professionalism (Ismanto, Sjafari, & Listyaningsih, 2019). These practices erode public trust and reduce the capacity of election bodies to function impartially. By contrast, South Africa's independent electoral commissions implement transparent, criteria-based recruitment with public oversight, offering a model for Indonesia to strengthen professionalism and accountability in its electoral institutions.

To address these systemic flaws, reform must also strengthen whistleblower protections and public oversight. Currently, Indonesia's election law does not adequately safeguard individuals who report misconduct in recruitment or administration. South Korea's Anti-Corruption and Civil Rights Commission provides a model for institutionalizing whistleblower protections and

citizen monitoring (Suryani et al., 2024).

Another legal barrier to fair elections is the rigid 7-day deadline for reporting electoral violations. This time limit, intended to expedite justice, often prevents full investigation especially in remote regions or in complex cases (Iskadrenda & Hiariej, 2022). Other democracies like Germany and Canada balance judicial speed with fairness through specialized electoral courts and more flexible procedural windows.

Finally, the lack of clear legal definitions and uniform interpretation hampers law enforcement. Ambiguities in terminology and authority lines particularly in the role of *Sentra Gakkumdu* have led to delays and confusion in adjudicating electoral violations (Umam & Sidik, 2023). Reforms should include precise legal drafting, procedural guidelines, and training for law enforcement and election officials.

Weak enforcement remains a major obstacle. Even though Law No. 7 of 2017 provides for criminal sanctions in cases of vote buying or abuse of public resources, these penalties are often inconsistently applied. This lack of deterrence compromises the credibility of the electoral process (Suhendarto & Saraswati, 2022; Saktiana & Fakhrolloh, 2022). Giving *Bawaslu* stronger legal authority and simplifying prosecution procedures are crucial steps toward strengthening electoral justice.

b. The Electoral System and Threshold Requirement

Indonesia's electoral system continues to

face structural challenges rooted in the interaction between the open-list proportional representation system and the presidential threshold rule. Although the open-list model was intended to expand voter choice and strengthen democratic representation, in practice, it has fostered intraparty competition, weakened party cohesion, and intensified money politics. Legislative candidates often prioritize personal electoral gain over party programs, resulting in fragmented campaigns and reduced ideological clarity (Bima & Jacob, 2023).

The presidential threshold, which requires parties or coalitions to hold at least 20% of DPR seats or 25% of the national vote to nominate a presidential candidate, has also received strong criticism. This regulation is seen as a barrier to broader political participation. It benefits dominant parties and entrenched elites, while excluding smaller parties and new leadership alternatives, thereby constraining competition and distorting democratic fairness (Fathullah, 2023).

Risky, Al-Fatih, and Azizah (2023) also criticize the current electoral setup, particularly the open-list system, arguing that it fosters favoritism and money-driven politics. They emphasize that this framework prioritizes personal networks and financial capacity over competence and issue-based campaigning (Risky, Al-Fatih, & Azizah, 2023). According to their analysis, a fundamental shift in the electoral system is needed to cultivate a political culture grounded in substantive issues and openness.

In response to these problems, electoral experts propose transitioning to a mixed-member proportional (MMP) system, as successfully implemented in Germany. This model combines direct constituency representation with proportional party seat allocation, offering a balance between local accountability and representational fairness. It reduces reliance on costly personal campaigning and encourages parties to focus on coherent policy platforms. If applied in Indonesia, the MMP system could help transition political focus away from individuals and toward collective party responsibility and policy orientation. Additionally, revisiting or eliminating the presidential threshold would expand the democratic arena, enabling more inclusive leadership and reflecting the country's diverse political landscape.

D. CONCLUSION

Indonesia's election regulations under Law No. 7 of 2017 still exhibit significant weaknesses and problems that hinder the realization of free, fair, and democratic elections. First, there is overlapping authority and weak coordination among key electoral institutions KPU, Bawaslu, and DKPP which creates confusion and delays in enforcement. Second, limited resources and inadequate supervision have allowed frequent campaign violations, especially during early campaigning and misuse of state facilities. Third, the law contains unclear legal definitions, leading to inconsistent interpretation and application in

different regions. Fourth, sanctions for violations are often too lenient or inconsistently applied, which weakens deterrence. Fifth, strict legal deadlines, such as the 7-day reporting rule, constrain access to justice, particularly in remote areas. Sixth, the combination of an open-list proportional representation system and a high presidential threshold restricts political competition, encourages vote buying, and fosters internal party conflicts.

To address these issues, comprehensive reforms are needed, grouped into two main areas. First, legal and institutional reform should include clarifying institutional mandates, improving inter-agency coordination, enhancing campaign finance transparency through digital platforms and public audits, revising enforcement mechanisms, lengthening procedural time limits, and ensuring transparent and merit-based recruitment of election officials, with strong protections for whistleblowers. Second, reform of the electoral system and threshold requirements is necessary to reduce personalistic politics and strengthen party accountability. Adopting a mixed-member proportional system and revisiting the presidential threshold would foster greater political inclusivity, fairness, and ideological representation. These reforms are essential to build a more credible, transparent, and accountable electoral process, thereby strengthening democratic governance in Indonesia.

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