

ABSTRAK

ANALISIS YURIDIS TERHADAP WACANA SISTEM PEMILU PROPORSIONAL TERTUTUP DI INDONESIA

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Penelitian ini bertujuan untuk menganalisis kesesuaian sistem pemilihan umum dengan ketentuan Undang-Undang Dasar Negara Republik Indonesia Tahun 1945, serta mengkaji implikasi yuridis dan demokratis dari wacana perubahan sistem pemilu dari proporsional terbuka menjadi proporsional tertutup dalam kerangka ketatanegaraan Indonesia. Penelitian ini menggunakan pendekatan yuridis normatif dengan metode analisis deskriptif-kualitatif. Pendekatan yang diterapkan mencakup pendekatan konseptual, pendekatan perundang-undangan, dan pendekatan historis. Sumber data yang digunakan merupakan data sekunder yang diperoleh dari peraturan perundang-undangan, putusan Mahkamah Konstitusi, doktrin hukum, literatur akademik, serta jurnal ilmiah yang relevan dengan sistem pemilu dan prinsip-prinsip demokrasi konstitusional.

Hasil penelitian menunjukkan bahwa sistem pemilu proporsional terbuka lebih sejalan dengan prinsip-prinsip demokrasi yang dijamin oleh UUD 1945, khususnya Pasal 1 ayat (2) dan Pasal 22E. Putusan Mahkamah Konstitusi Nomor 22-24/PUU-VI/2008 secara tegas menegaskan legitimasi sistem terbuka sebagai perwujudan asas pemilu langsung dan kedaulatan rakyat. Sebaliknya, wacana pengembalian ke sistem proporsional tertutup dipandang berpotensi menurunkan kualitas demokrasi karena dapat memperkuat dominasi partai politik, mengaburkan akuntabilitas wakil rakyat, serta mengurangi partisipasi publik dalam menentukan representasi politik. Oleh karena itu, arah reformasi sistem pemilu ke depan sebaiknya tetap didasarkan pada prinsip partisipasi rakyat, keterwakilan yang autentik, dan konsistensi terhadap nilai-nilai konstitusionalisme.

Kata Kunci: Sistem Pemilu, Proporsional Tertutup, Demokrasi Konstitusional, Putusan Mahkamah Konstitusi, Kedaulatan Rakyat.

ABSTRACT

JURIDICAL ANALYSIS OF THE DISCOURSE ON THE CLOSED-LIST PROPORTIONAL ELECTORAL SYSTEM IN INDONESIA

By

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This study aims to analyze the compatibility of the electoral system with the provisions of the 1945 Constitution of the Republic of Indonesia, as well as to examine the juridical and democratic implications of the discourse on changing the electoral system from an open-list proportional system to a closed-list proportional system within the Indonesian constitutional framework. This research employs a normative juridical approach with a descriptive-qualitative analysis method. The approaches used include the conceptual approach, statutory approach, and historical approach. The data used are secondary data obtained from legislation, Constitutional Court decisions, legal doctrines, academic literature, and scientific journals relevant to the electoral system and principles of constitutional democracy.

The results of the study indicate that the open-list proportional electoral system is more aligned with the democratic principles guaranteed by the 1945 Constitution, particularly Article 1 paragraph (2) and Article 22E. Constitutional Court Decision Number 22-24/PUU-VI/2008 explicitly affirms the legitimacy of the open-list system as a manifestation of the direct election principle and the sovereignty of the people. Conversely, the discourse on returning to the closed-list proportional system is viewed as potentially diminishing the quality of democracy, as it may strengthen political party dominance, obscure the accountability of elected representatives, and reduce public participation in determining political representation. Therefore, future electoral system reforms should be based on the principles of public participation, authentic representation, and consistency with constitutional values.

Keywords: *Electoral System, Closed-List Proportional Representation, Constitutional Democracy, Constitutional Court Decision, Popular Sovereignty*