

## Citizenship and Political Rights: An Analysis of the Laws on the Right to Vote of Citizens in Indonesia

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### ARTICLE INFO

#### Keywords:

Citizenship, Political rights, General elections

### ABSTRACT

Citizenship in Indonesia grants essential political rights, including the right to vote, as guaranteed by the 1945 Constitution and Law No. 7 of 2017 on General Elections. Despite these regulations aimed at ensuring equitable political participation, significant challenges persist, particularly for marginalized groups such as persons with disabilities, women, first-time voters, and Indonesian citizens residing abroad. This study employs a doctrinal legal approach and a library research methodology. Data were collected from books, legal statutes, and relevant literature. The analysis incorporates legislative, case, conceptual, historical, and comparative approaches to assess the effectiveness of voting rights regulations and to identify the challenges encountered. The research finds that, although the existing regulations are well-established, the implementation of voting rights faces several challenges. Accessibility for persons with disabilities at polling stations remains inadequate, women's participation in rural areas is often constrained by social norms, and first-time voters suffer from a lack of political education. Indonesian citizens abroad also encounter technical difficulties in voting. The study recommends improving accessibility at polling stations, enhancing women's empowerment programs, strengthening political education for new voters, and reforming the voting system for expatriates to improve transparency and electoral integrity.

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**Jurnal Restorasi : Hukum dan Politik**

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## INTRODUCTION

Citizenship grants both rights and obligations to every individual in a country, including political rights such as the right to vote and to be elected. In Indonesia, the right to vote is guaranteed by the 1945 Constitution, which affirms that every citizen is equal before the law and has the right to participate in government. This right is further regulated by Law No. 7 of 2017 concerning General Elections, which serves as the legal framework for legislative, presidential, and regional elections.

In recent years, the government has made efforts to improve election regulations to ensure that all citizens, including marginalized groups such as women, people with disabilities, first-time voters, and Indonesian citizens living abroad, have equal access to voting. This is particularly important, as these groups often face obstacles in participating in the political process.

However, despite the legal guarantee of the right to vote, challenges persist in its implementation. For example, although regulations mandate accessibility for people with disabilities, many polling stations remain inadequate. Fadli (2020) notes that many voting locations lack proper facilities for people with disabilities, limiting their participation. Additionally, first-time voters often face difficulties due to a lack of political education, resulting in a limited understanding of the importance of voting. Indonesian citizens abroad also encounter challenges, such as delays in the distribution of ballots or insufficient information about voting procedures at embassies. Yusuf (2021) found that many Indonesian citizens abroad are unable to exercise their right to vote due to administrative hurdles.

The right to vote is also a fundamental human right and is essential for fostering an inclusive democracy. Despite various reforms, challenges related to election transparency and integrity persist. Cases of vote-counting fraud remain common, even though efforts have been made to increase transparency through technology. According to Rahman (2022), while technology has led to some improvements, significant challenges in ensuring election integrity still remain.

This research will explore the development of voting rights regulations in Indonesia over the past five years and their impact on political participation, especially among marginalized groups. It will also examine the challenges in implementing voting rights and provide recommendations for improving the electoral system in the future.

Based on the background, the problems to be discussed in order to develop hypotheses for further research can be formulated as follows: 1) How is the implementation of voting rights in Indonesia for marginalized groups, such as people with disabilities, women, first-time voters, and Indonesian citizens abroad?. 2) What are the main challenges in implementing voting rights in Indonesia, especially in terms of accessibility, political participation, and election transparency?. 3) How can existing regulations, such as Law No. 7 of 2017 concerning Elections, be improved to support a more inclusive and fair implementation of voting rights?. 4) What solutions can be implemented to overcome technical and social barriers in elections in Indonesia?.

## METHOD

This research uses a doctrinal legal approach, which involves the process of identifying rules, principles, or doctrines to address the issues at hand. This study is prescriptive, meaning it provides guidance or recommendations. The method employed is normative or doctrinal research, which relies on library sources. It involves utilizing materials such as books, legal regulations, religious texts, and other publications as sources of information. The research approaches used in this study are as follows: 1) Statutory approach. 2) Case approach. 3) Conceptual approach. 4) Historical approach. 5) Comparative approach.

Library research is part of qualitative research. According to Moleong, this type of research uses literature sources. Shobron, Amrin, Rosyadi, and Imron explained that the researchers focused on books, legal documents, fiqh texts, and other relevant materials related to the research topic. The researchers then read, identify, and analyze these texts to gather conceptual and theoretical insights, supported by data from secondary sources.

## RESULTS AND DISCUSSION

Based on the theoretical review and previous research relevant to this study, the discussion of this article's literature review is as follows:

### 1. Implementation of Voting Rights in Indonesia

The right to vote is one of the key elements of democracy, as it provides citizens with the opportunity to participate in political decision-making. In Indonesia, the right to vote is regulated by Law No. 7 of 2017, which aims to ensure that all citizens have equal opportunities to vote in elections. However, despite the existence of regulations, the implementation of voting rights still faces various challenges, particularly concerning accessibility for marginalized groups. For example, although the Election Law mandates facilities to accommodate people with disabilities at polling stations (TPS), many polling stations remain inaccessible. Putra (2019) found that only a few polling stations provide adequate facilities, such as wheelchair access or assistance for visually impaired voters. This creates an obstacle for these individuals to effectively exercise their right to vote.

Additionally, women in some areas, particularly in rural regions, still face social challenges that limit their full participation in elections. Patriarchal cultural norms and the lack of political education often prevent women from engaging actively in the political process. Fadila's (2021) research shows that while women's participation is relatively high in urban areas, in rural areas, women are often excluded from political decision-making.

### 2. Political Participation of New Voters

New voters, especially those participating in elections for the first time, often experience confusion regarding the general election process. This is primarily due to a lack of political education among young people, which leads to their low participation in elections. Nurhadi (2021) found that many first-time voters do not understand the importance of political participation, which causes them to be apathetic or to abstain from voting. To increase the participation of first-time voters, the government needs to strengthen political education programs in schools and universities. According to Sari (2020), better integration of political education at the secondary school and university levels can help raise political awareness among

young voters and ensure they are better prepared for elections. These steps are crucial for improving the quality of democracy in Indonesia and ensuring that the younger generation can play a key role in the country's political development.

### **3. Election Challenges for Indonesian Citizens Abroad**

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### **4. Election Transparency and Integrity**

Although Indonesia has implemented various reforms to increase transparency in elections, challenges in maintaining election integrity still persist. One problem that often arises is allegations of fraud in the vote-counting process. Ramli (2021) highlighted that, despite the use of technology such as the Vote Counting Information System (Situng), there are still many obstacles in ensuring that the recorded data accurately reflects the true election results. The use of technology in elections, such as e-recap or e-voting, can help improve accuracy and transparency in vote counting. However, Rahman (2022) emphasized that this technology must be complemented by strong oversight and adequate security systems to prevent manipulation or fraud. Transparency and the preservation of integrity are crucial foundations for a healthy democracy and the legitimacy of an elected government.

## **CONCLUSION**

The right to vote is a fundamental political right and the cornerstone of democracy in Indonesia, as guaranteed by Law No. 7 of 2017. However, challenges persist in ensuring that voting is inclusive and fair for all. Accessibility for people with disabilities remains a significant issue, with many polling stations lacking adequate facilities such as ramps and assistive devices. This highlights the urgent need for improved infrastructure and training for polling officers to support voters with special needs. Women, particularly in rural areas, also face cultural barriers that limit their political participation. Empowerment programs and awareness campaigns are essential to foster political engagement and enable more women to contribute actively to elections and governance. First-time voters often encounter confusion due to a lack of political education, underscoring the importance of incorporating electoral rights and processes into school and university curricula to prepare the younger generation for active political participation. For Indonesian citizens abroad, technical issues such as delayed ballot distribution and insufficient procedural information hinder voter participation. Leveraging technology, such as e-voting or improved postal voting systems, could streamline the process and enhance turnout among the diaspora. Additionally,

transparency and integrity in elections are critical for public trust. Strengthening vote-counting mechanisms, implementing robust monitoring systems, and encouraging public involvement in fraud prevention are necessary to ensure credible and fair elections. Despite Indonesia's strong electoral regulations, significant improvements are needed. Addressing these issues, enhancing accessibility for people with disabilities, empowering women, educating new voters, reforming diaspora voting systems, and ensuring transparency will create a more inclusive and trustworthy electoral process. These reforms are vital for safeguarding democracy, fostering public confidence, and enabling all citizens to exercise their voting rights effectively.

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