

The Implications of the Empty Box Phenomenon in Regional Head Elections in Indonesia on Political Participation

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Abstract

Democracy in Indonesia, characterized by periodic elections, grants the people the right to choose leaders at various levels of government. Despite significant transitions since the 1998 reform, challenges in the implementation of democracy, such as the empty box phenomenon in regional head elections (Pilkada), persist. This phenomenon refers to situations where no qualified candidates are proposed, which can affect public political participation. This study aims to analyze the implications of the empty box phenomenon on political participation and the efforts that can be made to address it. The method used is normative legal research with a legislative and conceptual approach, as well as descriptive analysis of secondary data. The results indicate that the empty box can decrease political participation, trigger social conflict, and hinder regional development. Efforts to address this phenomenon include improving candidate quality, involving the community in the nomination process, and educating voters. With these measures, it is hoped that public political participation can increase and the quality of regional head elections can be maintained.

Keywords: Empty Box; Regional Head Elections; Political Participation.

Introduction

Indonesia is a democratic country. Democracy is viewed as the best system existing in the world and better than a Monarchy or authoritarian regime (Sahide et al., 2022). Democracy in Indonesia is marked by periodic elections, where people have the right to choose their leaders at both national and regional levels (Aspinall et al., 2010). For many decades, the Indonesian government had little sympathy with Western notions of elections as events for the transfer of power (Antlöv et al., 1999). The democratic system in Indonesia also guarantees freedom of expression, freedom of the press, and human rights, although challenges in its implementation still exist.

General election, a crucial aspect of a democratic nation, has been a regular occurrence in Indonesia since 1955 under the presidency of Soekarno (Old Order) (Puspitasari & Ali, 2023). Meanwhile, general elections were held in 1971, 1977, 1982, 1987, 1992, and 1997 during the regime of President Soeharto (New

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Order) (Puspitasari & Ali, 2023). Since the 1998 reform, Indonesia has undergone significant transitions towards a stronger democracy (Liddle et al., 2009). Free and fair elections, along with public participation in the political process, are hallmarks of democracy in Indonesia. After the reformation in 1998, Indonesia conducted elections in a different atmosphere. The country elects legislative members using a multi-party and closed proportional system in 1999 (Puspitasari & Ali, 2023). There are several types of elections in Indonesia, including Presidential and Vice Presidential Elections, Members of the House of Representatives (DPR), Members of the Regional Representative Council (DPD), Members of the Regional House of Representatives (DPRD), and Regional Head Elections (Pilkada). Elections are held every five years (Bair Vedi R, 2010).

This research will discuss 'the implications of the empty box phenomenon in Indonesia that occurs in regional head elections. Article 1 paragraph (1) of the 1945 Constitution of the Republic of Indonesia states that "The State of Indonesia is a Unitary State in the form of a Republic." As of 2024, Indonesia has thirty-eight (38) provinces, each led by a local government with the authority to manage its respective region. The election of regional heads and deputy regional heads, often referred to as Pilkada or Pemilukada, is a manifestation of democracy aimed at creating a democratic government and represents the sovereignty of the people in governance. According to Law Number 7 of 2017 on Elections, the implementation of Pilkada must be conducted democratically, based on electoral principles that are direct, general, free, secret, honest, and fair (Purba, 2023).

Responding to the shortcomings of the law mentioned above, the Indonesia Constitutional Court agreed exam material on aspects of Regional Government. This was done by issuing Court Decision Number 5/PUU-V/2007 which annulled Article 59 paragraph (1) of Law Number 32 of 2004 which states that participants in the regional head and deputy regional head elections are pairs of candidates proposed simultaneously by one person or a combination of political parties (Sahide et al., 2022). According to Court Decision Number 5/PUU-V/2007, independent contestants are further regulated in Act Number 12 of 2008 concerning the second amendment to Act Number 32 of 2004 which regulates Regional Government, specifically in Article 59 paragraph (1). This states that "participants in regional head and deputy elections are: a.) pairs of candidates proposed by a single political party or a combination b.) pairs of individual candidates supported by many people (Jamaludin, 2019).

Therefore, after the issuance of Law No. 12 of 2008, the local democratic party dominated the external parties or independent candidates. Then, another interesting phenomenon of political dynamics and democracy in Indonesia is the emergence of the term single candidate or 'empty box' democracy (Sahide et al., 2022). The empty box phenomenon in regional head elections in Indonesia refers to situations where no candidates are elected or no candidates meet the qualifications to be proposed in the election. This phenomenon began in the 2015 Simultaneous Regional Elections where there was a single candidate or the appearance of an

'empty box' occurs in three areas. They are Tasikmalaya, Blitar, and North Central Timor Regency. Then, in the second round in 2017, the number increased to nine regions with a single candidate pair. In the third 2018 election, there were also 16 pairs competing for the "empty box" (Pilkada).

However, a similar phenomenon also occurred in England and America. In England, there were uncontested seats in the 1850-1910 General Election (Lloyd, 1965) and in America there were uncontested American school board elections from 2016 to 2019. In addition, in terms of political dynamics, elections without contestants are widespread in the United States, especially at the state level. The phenomenon was won by an uncontested candidate. In Indonesia we found the different cases where the uncontested candidate lost from the empty box vote. There are plenty of books on democracy in respective stores or sales outlets and research results on regional elections in Indonesia (Sahide et al., 2022).

This phenomenon has garnered special attention in the context of democracy in Indonesia, particularly regarding political participation and the quality of elections. The issues addressed in this research are: first, what are the implications of the empty box phenomenon in Pilkada in Indonesia on political participation? Second, what efforts can be made to address the empty box phenomenon in Pilkada in Indonesia regarding political participation?

Research Methods

Research is a method of study conducted by individuals through thorough investigation of a particular issue. (Karsadi, 2018) This study was qualitative legal research. Qualitative research emphasizes the social construction of reality, the close relationship between the research object and the researcher, and the situations that shape the research (Wibawa et al., 2023).

The method used in this research is normative legal research (doctrinal law research), which involves examining literature or secondary data. Doctrinal law research is carried out by searching and analyzing legal materials, both primary legal materials, secondary legal materials, and tertiary legal materials. (Wibawa & Susanto, 2020) Secondary data can be obtained through literature sources by studying books, regulations, and other documents related to this research. The research approach used is legislative and conceptual (Seokanto & Mamudji, 1994). The legislative approach is used because the author will analyze the implementation of existing Pilkada regulations that may lead to the potential for empty boxes according to election laws, Constitutional Court decisions, and regulations from the General Election Commission. The conceptual approach is used as the author will research legal concepts, particularly related to political participation. The specification of the research used is descriptive-analytical, which describes the facts regarding the relationship between empty boxes and political participation.

The focus of this research is on written legal document studies (library studies) to obtain primary legal materials and utilize legal analysis methods to examine

various national legal rules and regulations related to the research object. Data collection techniques used in this research involve legal materials, including primary, secondary, and tertiary legal materials. The data analysis used is descriptive, providing an exposition related to the research topic.

Results and Discussion

Implications of the Empty Box Phenomenon in Regional Head Elections in Indonesia on Political Participation

Indonesia is a country that uses a democratic system in running its government. One form of democratization is general election activities (Pemilu). In the end, it seems that people's power still has a big role in the upcoming April legislative elections. This can be seen from the regional head elections that took place in Indonesia. People prefer empty boxes to a single candidate who is supported by a political party (Sari et al., 2022).

It is claimed that political parties have a strong dominance in the proceedings of the democratic parties, therefore sometimes this emphasizes the role and function of the owner of sovereignty, namely the people. Although it is admitted that having one candidate in elections for simultaneous regional leaders is a form of empirical democracy. The circumstances under which a "single candidate" emerges are normatively unimaginable, unpredictable, even engineered conditions. This means that empirical democracy in its implementation continues to develop and is influenced by the political system in the area. The empty box in the context of elections refers to the option to not vote for any of the candidates available (Hidayat, 2020).

In several regions, the empty box has even been designated as an official option on the ballot and is regarded as a form of protest against the existing political system, where the public feels that no candidate meets their expectations (Lestari, 2020). During the first simultaneous regional elections held in Indonesia, some areas experienced situations where the empty box became a choice, such as in Jember and Probolinggo. In the 2020 simultaneous regional elections, there are 25 candidates who will fight the empty boxes for the Mayor and Regent election. This number increased when compared to the Simultaneous Pilkada in 2018, which contained 16 regions with a single candidate and in 2017 only 9 single candidates (Sari et al., 2022).

Then, in the second year of the simultaneous regional elections, the phenomenon of the empty box occurred again in several regions (Kurniawan, 2021). This indicates that the public is becoming increasingly bold in expressing their dissatisfaction. There are several factors that lead people to choose the empty box in regional elections, including: dissatisfaction with Candidates One of the main factors for the emergence of the empty box is public dissatisfaction with the existing candidates; lack of Candidate Quality The quality of regional head candidates is also an important factor Many people feel that the existing candidates do not have a clear vision and mission; and Minimal Community Involvement.

Many people feel that the proposed candidates do not represent their aspirations. This dissatisfaction often stems from several influential issues, including: first, negative perceptions of candidates because the public believes these candidates do not represent their aspirations and needs, and lack a good track record in public service. Second, unrealistic promises have the potential to disappoint the public, as the promises made usually lack clear planning for their realization once elected.

The lack of candidate quality in regional elections has become a significant issue in the democratic process. Many candidates lack sufficient competence or experience, leading to doubts among voters. This is often caused by a lack of political education and understanding among the public about the importance of choosing quality leaders. The existence of candidates without a good track record or who are not widely known can also increase the likelihood of people choosing the empty box.

Community involvement in the political process, including the nomination process, is essential. When people feel they are not part of this process, they tend to doubt the integrity of the candidates, leading many to choose not to vote. This creates a situation where the empty box becomes an option for those who feel there are no deserving candidates.

The implementation process of the regional elections based on the relevant regulations regarding candidates opposing the empty box is based on the issuance of the Constitutional Court Decision Number 100/PUU-XIII/2015 stating that areas with only one pair of regional head candidates can participate in simultaneous regional elections. In this regard, the General Election Commission issued Election Commission Regulations that have been amended several times, with the applicable provision in Article 18 of the General Election Commission Regulation Number 13 of 2018 concerning amendments to the General Election Commission Regulation Number 14 of 2015 on the Election of Governors and Vice Governors, Regents and Vice Regents, and/or Mayors and Deputy Mayors with One Pair of Candidates, which states: "Voting for 1 (one) Pair of Candidates is done by marking 1 (one) time in the column that contains the photo of the Pair of Candidates or in the empty column that does not have a picture." The two provisions state that the ballot in the election of one pair of candidates will contain two columns, consisting of one column that contains the photo and name of the pair of candidates and an empty column that does not have a picture, thus legally there is a potential for only one pair of candidates to oppose the empty box.

Therefore, political participation is needed to ensure that the voices of the public are heard and represented in decision-making that affects their lives (Siregar, 2015). Through political participation, citizens can contribute to the democratic process and influence public policy (Titi, 2018). There are several implications of the empty box in regional elections on political participation, including: Decreased Participation The empty box can lead to a decrease in political participation;

Potential for Social Conflict; High Political Costs; and Stagnation of Regional Development.

If people feel there are no viable options, they may choose not to vote at all, which can negatively impact the legitimacy of the election results. An attitude of apathy may also arise due to prolonged distrust in the political system and existing candidates. Many feel that their vote will not make a difference.

The existence of the empty box can trigger tensions or conflicts within the community, especially if there are groups that feel unrepresented by the existing candidates. Examples of potential conflicts include the possibility of community divisions. For supporters of the empty box who feel opposed to supporters of certain candidates, this could trigger tensions.

The election process involving the empty box can increase political costs, both in terms of the organization of the election and the campaigns conducted the candidates. During the campaign, if voters are more inclined to choose the empty box, then the expenses by candidates campaigning will be seen as wasted.

If the election results lead to uncertainty or a void in leadership, this can hinder development processes and decision-making necessary for regional progress. Leadership uncertainty reflects dissatisfaction with existing candidates. Furthermore, if the elected candidates do not receive strong support, and voters tend to choose the empty box, then the planned development programs may be neglected, which would certainly hinder infrastructure advancement and public service.

Efforts to Address Empty Box Phenomenon in Pilkada in Indonesia Regarding Public Participation

Democracy is a system selection of leaders by the citizens through a competitive election (Purwaningsih & Widodo, 2021). The nomination of a candidate is the main key in a competitive democracy. The selection of candidates is an important element in free elections to realize their ideals with the consent of the people.

Direct regional elections are a form of implementation of regional autonomy. The argument is that the leadership at the local government level is in accordance with the wishes of the municipality. However, the objective of direct district elections is not compatible with the political party system.

A sole candidate always wins against the empty box in the local Election in Indonesia (Purwaningsih & Widodo, 2021). Winning empty boxes in regional elections, such as in the regional elections in Makassar City. This also shows the failure of political parties in carrying out their functions. Political parties must articulate and aggregate the interests of society. They put forward candidates that the public doesn't want. Party structure, the party leadership only determines centralized and exclusive decision making. Therefore, there is a gap between the interests of the people and the interests of the party. The impact is that people lose trust in political parties. Lower-level parties and voter movements that are not in line with the recommendations of party leaders at the national level indicate

disobedience to party policy. This also shows that the party is not rooted in society.

The empty box phenomenon in regional head elections in Indonesia refers to situations where no candidates are proposed by political parties or independent candidates who meet the qualifications to compete (Zainuddin, 2021). This often occurs in certain regions and can create challenges for local democracy. Efforts to address this phenomenon are crucial for ensuring that the democratic process runs smoothly, and public participation remains intact. Several steps that can be taken to address the empty box phenomenon regarding political participation include:

1) **Improving Candidate Quality:** Political parties should be more selective in choosing quality and representative candidates. One way to achieve this is by providing incentives for parties that successfully nominate candidates meeting certain criteria, such as educational background, experience, and integrity. This is expected to encourage more quality candidates to participate in Pilkada. Additionally, proposed candidates should have good track records and be able to address public needs.

2) **Enhancing Community Involvement:** There is a need for community involvement in the nomination process. Furthermore, participation in public debates and discussion forums is expected to make the public active in these forums and express their aspirations and hopes to the existing candidates. This serves as a means for the public to interact directly with candidates and assess their visions and missions, ensuring that public aspirations are heard by the candidates.

3) **Voter Education:** Political education for the public is essential. Good political education will help the public understand the importance of choosing leaders and encourage them to participate in the election process. Through seminars, workshops, and information campaigns, the public can gain a better understanding of their rights and obligations as voters. Educated voters will be more discerning in choosing candidates and understanding the importance of their votes in elections.

Conclusion

Based on the background outlined and the analysis of this research, it can be concluded

That there are several implications the empty box phenomenon in regional head elections in Indonesia on political participation, including decreased participation, potential for social conflict, high political costs, and stagnation of regional development. Several steps can be taken to address the empty box phenomenon in Pilkada in Indonesia regarding public participation, including Improving Candidate Quality, Enhancing Community Involvement, and Voter Education.

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