



Implementation of Affirmative Action for Persons with Disabilities in Recruitment of Election Organizers

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Abstract: Discriminatory treatment of people with disabilities is an example of a human rights violation. They have the same right to get the accessibility support needed to support the participation of people with disabilities in various aspects of life. To change existing problems, the first step is to change the perspective towards people with disabilities. Affirmative action is the most appropriate weapon to fight acts of discrimination. Disrespectful treatment needs to be provided with concrete evidence by people with disabilities. Providing a real portion like women is an action that is currently needed by people with disabilities in order to balance an advanced society and pay attention to the mandate of the law that equality in the law is something that must be recognized and urgently realized. Fulfillment of the political rights of persons with disabilities is very clearly written in Law Number 8 of 2016 concerning Persons with Disabilities, this law becomes a more special norm (Lex Specialist), even defeating Law Number 7 of 2017 concerning General Elections (Lex Generalis). The legal rules state that "special norms are able to trump general norms", so that in this case people with disabilities are said to be entitled to political rights, which means the right to be elected to public office and become election organizers in accordance with the mandate of the law. Affirmative action needs to be carried out to strengthen political participation among people with disabilities to be able to fill positions in election organizers by establishing a minimum disability representation of 2 percent of the total composition of election organizers at all levels, from the provincial level down.

Keywords: Discrimination, Disability, Affirmative Action

1. Introduction

General elections are a means of popular sovereignty to elect members of the DPR, DPD, President and Vice President, and to elect members of the DPRD which are carried out directly, publicly, freely, confidentially, honestly and fairly in the Unitary State of the Republic of Indonesia based on Pancasila and the State Constitution (Noviawati, 2019), (Silalahi, 2022). Republic of Indonesia. Meanwhile, the regional elections are basically the same as the presidential elections. Both were held to elect leaders directly. Regional elections are held to elect regional heads. These regional heads include the Governor – Deputy Governor, Regent – Deputy Regent and Mayor – Deputy Mayor. Regional elections are held in certain areas (Sinaga, 2018), (Rosanti, 2020).

General elections or regional head elections in Indonesia are held every five years. Knowledge about elections and regional elections has been taught since elementary school to broaden students' insight (ANGGI, 2023), (Indriyani & Widihastuti, 2023). Even though they can't vote yet, at least they already know and understand what elections and regional elections are, so that when they are 17 years old they will already have a basic knowledge and just have to put it into practice (Ma'sum, 2023), (BAGI & TERNAK, n.d.).

In every general election or regional head election, the presence of persons with disabilities always receives special attention (Conway, n.d.), (Sahid & bin Shahrudin, 2018). Since the beginning of the stage, namely voter data collection, population data including people with disabilities have been combed, but this is only to find out the data

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on disabled voters in the DPT (Permanent Voter List) and map the TPS where the disabled are located, who knows if they need special attention and services (Dewi et al., 2020), (Rengganis, Sidiki, Saputra, & Damarjati, 2021).

Society still views the position of people with disabilities in elections only as objects (voters), not as subjects (electors or organizers) (Afifuddin, 2020), (Nursyamsi, Arifianti, Aziz, Bilqish, & Marutama, 2015). In fact, it is very important for people with disabilities to trust the organizers, especially if there are parties who represent themselves in the election organizers, then their trust and enthusiasm will increase in order to enliven the five-yearly democratic party (Heryanto, 2020), (Riza, n.d.).

Elections provide people with disabilities the opportunity to express their preferences and shape political outcomes. Elections enable people with disabilities to develop leadership and organizational skills, build relationships, raise issues that are important to them publicly, demonstrate their abilities and set the stage for their continued participation and leadership (Heryanto, 2021), (Basniwati & Nugraha, 2019). For this reason, elections must be framed as ways to position people with disabilities as equal, active and involved citizens before, during and after elections (Basniwati & Nugraha, 2019), (Auva, 2023).

Political participation among persons with disabilities is a way to determine policies, guarantee the implementation of their rights, which gives them the freedom to organize themselves in free civil organizations or in political parties (Sari, n.d.), (Harefa & Fatolosa Hulu, 2020), and express their opinions in public forums and the mass media. Political participation among people with disabilities is an effort to pursue interests specifically related to their disabilities, such as building accessible public facilities or access to fulfill their basic lives. To achieve this, people with disabilities need to participate politically (Setiyatna, Surahman, & Wulandari, 2021), (Dedi, 2020).

In Law Number 7 of 2017 Article 5 states that: "Persons with disabilities who meet the requirements have the same opportunities as voters, as candidates for members of the DPR, as candidates for members of the DPD, as candidates for President/Vice President, as candidates for members of the DPRD, and as Election Organizers. (Santoso, 2019), (Harahap & Irwansyah, 2023)." And in Law No. 8 of 2016 Article 77 paragraph i which reads: "guarantees the fulfillment of the right to be involved as an organizer in general elections, elections for governors, regents/mayors, and elections for village heads or other names." (Putri, Triyanto, & Hartanto, n.d.), (Pratama, 2019)

Meanwhile, in Law Number 8 of 2016 concerning Persons with Disabilities Article 53 paragraph (1) states that the government, regional governments, State-Owned Enterprises, Regional-Owned Enterprises are required to employ at least 2 percent of persons with disabilities from the total number of employees or workers (Susiana & Wardah, 2019). Meanwhile, paragraph (2) requires private companies to employ at least 1 percent of people with disabilities from the total number of employees or workers (Arrivanissa, 2023).

UU no. 7 of 2017 has clearly regulated the rights of persons with disabilities as contained in Article 5 which reads "Persons with disabilities who meet the requirements have the same opportunities as voters, as candidates for members of the DPR, as candidates for members of the DPD, as candidates for president/vice president, as candidates for members DPRD, and as election organizer". Article provisions like this have never been found in previous Election Laws. The explanation or substance of the article is contained in the words "equal opportunities" which are conditions that provide opportunities and/or provide access for people with disabilities to channel their potential in all aspects of state and community administration.

Support for Law no. 7 of 2017 and Law no. 8 of 2016 provides wider space and guarantees for the fulfillment of the political rights of persons with disabilities which include; the right to vote and be elected to public office, channel political aspirations both written and verbal, elect political parties and individuals who participate in general

elections, form, become members and administrators of community organizations and political parties, form and join organizations of people with disabilities and to represent persons with disabilities at local, national and international levels, play an effective role in the general election system at all stages and parts of its implementation, and obtain accessibility to the facilities and infrastructure for holding general elections, elections for governors, regents/mayors, and elections for village heads or other names, and obtain political education.

Election organizers work to ensure that people with disabilities exercise their right to vote. What escapes the attention of election organizers is how to provide facilities in the form of policies, services and places for people with disabilities to exercise their political rights to be elected as candidates for members of the DPR, as candidates for members of the DPD, as candidates for President/Vice President, as candidates for members of the DPRD and as election organizers.

The ratification and enactment of the Disability Law is a logical ratio of guaranteed protection for persons with disabilities which is a derivative of Article 27 paragraph 1 and Article 28H paragraph 2 of the 1945 Constitution. The lack of representation of persons with disabilities in legislative and government institutions must be pursued with affirmative action specifically for persons with disabilities. so that position and opportunities can be equalized with those without disabilities. Affirmative action, which is special treatment for people with disabilities in increasing opportunities to fill legislative institutions, is a positive discriminatory action (reverse discrimination) which can be justified according to the provisions of international human rights law and the 1945 Constitution. Article 28H paragraph (2) of the 1945 Constitution states: "Everyone has the right receive facilities and special treatment to obtain the same opportunities and benefits in order to achieve equality and justice." Based on these norms, people with disabilities can be constructed as parties who have the right to receive "special treatment" in order to achieve equality and justice in the political field, in particular increasing the opportunities for people with disabilities to occupy legislative institutions.

Political participation is a condition that concerns the human rights of citizens in the political field, including people with disabilities. The participation of persons with disabilities in accessing political participation still often faces various problems, even though normatively their rights are guaranteed to be protected by various legal instruments. Elections are a public space that allows individuals to play an active role in their community. In line with this, the democratic party in question does not only belong to people with normal physical conditions, but people with disabilities also have the same rights.

Affirmative action refers to a series of programs aimed at certain groups to correct the inequalities they experience. Affirmative action is a type of "fast-track policy" that can be taken to strengthen efforts to strengthen political participation among people with disabilities, especially accessibility as members of political parties to be able to fill legislative institutions.

Affirmative action started to become very popular in Indonesia with the passing of Law no. 10 of 2008 concerning the Election of Members of the DPR, DPD and DPRD as well as Law No. 2 of 2008 concerning Political Parties. The interesting material in it is the "order" of the law regarding the determination of women's representation at a minimum of 30 percent of all candidates for members of the DPR and DPRD.

At the global level, Affirmative Action is a method chosen by many countries as a response to discriminatory social conditions, inequality and marginalization in all areas of life due to patriarchal structures at the public and private levels. The emergence of affirmative action policies is a response to the history of the social system and the existence of institutionalized separation and discrimination. The affirmative action policy comes with long-term goals which function to reduce forms of discrimination against women.

2. Materials and Methods

The research method used in this research is a qualitative research method, because based on initial observations or observations made by the researcher it turns out that the problems faced are more suitable to be researched using qualitative descriptive research methods. Through this descriptive – qualitative approach, researchers present an overview of the situation or phenomenon that occurs. The data obtained was analyzed using data analysis techniques according to Miles and Huberman (in Sugiyono 2015: 246) who stated that "activities in qualitative data analysis are carried out interactively and continue continuously until completion". Data analysis is carried out during data collection and after data collection has been completed within a certain time.

For this reason, in my thesis research, the data analysis technique that I will use is qualitative descriptive analysis technique, where we only take the population without samples, so the analysis technique used is descriptive statistical data analysis technique. On the other hand, this analysis method can also be used if we only intend to describe sample data and not make conclusions for the population (where the sample was taken). The samples taken were data from the Indonesian KPU or Indonesian Bawaslu regarding the composition of election organizers in both the KPU and Bawaslu ranks at the provincial and district levels throughout Indonesia, to ensure that 2% of disabled people were represented within it.

3. Results and Discussion

In accordance with the Election Law, people with disabilities have equal opportunities in elections. Even though the number of people with disabilities is approximately 1% of the population, it is important for the General Election Commission (KPU) to register them accurately. Fulfillment of political rights for persons with disabilities in accordance with the 1945 Constitution and the Human Rights Law. Persons with disabilities are a vulnerable group with special rights guaranteed by the Disability Law. However, their political rights are often neglected due to stigma and discrimination. Through normative legal research, affirmative action policies become important to provide equal opportunities for people with disabilities. Active participation of people with disabilities is the key to success in elections. Many studies emphasize the importance of fulfilling the political rights of persons with disabilities and efforts to affirmative action for justice. Improvements in registration systems, eliminating stigma, and better understanding of political rights are expected to increase the participation of people with disabilities in the political process.

Given the various obstacles faced by people with disabilities in elections, affirmative action is here to participate in eliminating the injustices experienced by those with physical, mental and intellectual disabilities. Affirmative action is considered to be effective in overcoming this problem because political participation from people with disabilities is very necessary to create equal rights for citizens. According to Schuck (2002) quoted by Nata Irawan (2017:84), affirmative action is a program to control preferences for access to resources for certain groups that require special treatment. Meanwhile, according to Libertella (2007) in Ardian, affirmative action is also defined as positive action that is directly constructive and provides easy treatment for minority groups. Affirmation can be in the form of compensation or encouraging progress to create an environment that opens up individual access where race and gender are no longer aspects that hinder a person's ability to develop (Rivai, 2015).

With this affirmative action, it is proof that we are not silent about the inequality that occurs in the country's social and political life and must continue to take real actions for all Indonesian citizens without the slightest wall of difference between those who have physical, mental and mental disabilities. intellectuals to participate in general elections. So that later the objectives of the general election itself can be achieved in accord-

ance with the constitutional mandate which requires all citizens who comply with the provisions to take part in the election without exception.

Affirmative action must continue to be applied in any case, both for people with disabilities and women in various matters relating to national and state life. If these affirmative actions continue to be carried out, it is believed that a state life that is in accordance with the ideals and values of the Indonesian nation has always been implemented, namely upholding equality, equality and justice.

In relation to the political context and public policy, political participation is very important in order to prepare a reference base for empowering and strengthening the capacity of marginalized groups with disabilities. The most important urgency is to strengthen political participation so that it is no longer just trapped in the frenzy of voting, but also substantially provides encouragement to this community to carry out movements for change.

Awareness of including assumptions about disability in the public policy process is very low, so the quality of policy is still far from taking sides with the sections of society who experience disabilities. Public spaces in many cities in Indonesia are still not accessible to people with disabilities. The cause of this type of policy is due to the low sensitivity of policy makers to the problems of disabled groups.

Persons with disabilities have the right to be actively involved in politics or participate in politics. Persons with disabilities as part of citizens also have the right to have equal opportunities in elections, whether to be elected, vote or become election organizers without any discrimination. This means that people with disabilities are given the same opportunity to appreciate basic rights, including political rights such as the right to vote in elections. This is in accordance with Law Number 8 of 2016 concerning Persons with Disabilities which states that:

"The Unitary State of the Republic of Indonesia guarantees the survival of every citizen, including persons with disabilities who have legal status and have the same human rights as Indonesian citizens and as an inseparable part of Indonesian citizens and society are the mandate and gift of God Almighty. , to live forward and develop in a just and dignified manner."

General elections that provide equal opportunities for people with disabilities are elections that are non-discriminatory and provide access or convenience for people with disabilities to fulfill their right to vote, the right to be elected and the right to be an election organizer. Based on this statement, election organizers are obliged to provide equipment capable of fulfilling the political rights of people with disabilities.

The paradigm, concept and character of development so far, both in terms of its nature and processes, which prioritize growth in the economic sector and national stability, have had a big influence on the formation of people's thinking patterns. This fact triggers the emergence of semantic problems so that sentences containing the words human resources, productivity, effectiveness, high mobility and efficiency always seem like general slogans intended specifically for non-disabled people. As a consequence, people who receive the title 'people with disabilities' are always seen as citizens who are unproductive, ineffective, inefficient, weak and have low mobility and are not 'classified' as human resources who have meaning and make important contributions to development.

Persons with disabilities are only placed as objects of development who are considered only worthy of guidance, coaching, service and compensation. Therefore, it is difficult for people with disabilities to gain full trust so they can play an active role in the development process. Apart from political structural obstacles and problems, there are also cultural problems experienced by the majority of people with disabilities, namely the pejorative (condescending) opinion that people with disabilities are people who are unlucky, cursed, suffering, incapable, embarrassing and even subject to 'God's trials' which are good for themselves. , family and society. This cultural construction further

strengthens the process of exclusion and unfair treatment of people with disabilities from the country's social, economic, cultural and political environment and life.

The literature in the field of disabilities is quite extensive and most of this literature is written by people with disabilities themselves, giving rise to a wave effect of change in patterns of state policy, knowledge about disabilities, treatment of people with disabilities, social security systems and cultural constructions that must be changed in viewing and treating people with disabilities. correctly. Even in the West there is literature in the field of disability politics and the empowerment of people with disabilities. In contrast to developing countries with disabilities and program design involving disabilities, such as projects involving disabled people are still carried out exclusively by 'non-disabled' people who do not have physical disabilities while disabled people themselves only congregate on the side of the road, stations, ports and shop fronts, become spectators or objects of development and are never involved and represented in making strategic state decisions. The poor literature on disabilities in developing countries increasingly fosters prejudice, stereotypes and discrimination that are deeply rooted in socio-cultural life towards people with disabilities such as the physically disabled, mentally disabled, visually impaired, illiterate and unemployed.

The ratification and enactment of the Disability Law is a logical ratio of guaranteeing protection for persons with disabilities which is a derivative of Article 27 paragraph 1 and Article 28 H paragraph 2 of the 1945 Constitution. The lack of representation of persons with disabilities in legislative and government institutions requires affirmative action that is specific to persons with disabilities. disabilities so that positions and opportunities can be equalized with those without disabilities. Affirmative action is special treatment for people with disabilities in increasing opportunities to fill legislative institutions. This is a positive discriminatory action (reverse discrimination) which can be justified according to the provisions of international human rights law and the 1945 Constitution. Article 28H paragraph (2) of the 1945 Constitution states: "Everyone has the right to convenience and special treatment to obtain the same opportunities and benefits in order to achieve equality and justice". Based on these norms, people with disabilities can be constructed as parties who have the right to receive "special treatment" in order to achieve equality and justice in the political field, in particular increasing the opportunities for people with disabilities to occupy legislative and government institutions.

Political participation is a condition that concerns the human rights of citizens in the political field, including people with disabilities. The participation of persons with disabilities in accessing political participation still often faces various problems, even though normatively their rights are guaranteed to be protected by various legal instruments. Elections are a public space that allows individuals to play an active role in their community. In line with this, the democratic party in question does not only belong to people with non-disabled physical conditions, but people with disabilities also have the same rights.

Referring to Law Number 7 of 2017 Article 5 which reads: "Persons with disabilities who meet the requirements have the same opportunities as voters, as candidates for members of the DPR, as candidates for members of the DPD, as candidates for President/Vice President, as candidates for members of the DPRD, and as Organizers Election." Which is in line with Law No. 8 of 2016 Article 77 paragraph i which reads: "guarantees the fulfillment of the right to be involved as an organizer in general elections, elections for governors, regents/mayors, and elections for village heads or other names." And linked to Law No. 8 of 2016 Article 53 paragraph (1) reads: "the government, regional governments, State-Owned Enterprises, Regional-Owned Enterprises are required to employ at least 2 percent of people with disabilities from the total number of employees or workers." From the description of the three articles of the two laws above, it can be concluded that affirmative action needs to be carried out to strengthen efforts to

strengthen political participation among people with disabilities to be able to fill positions in election organizers by establishing a minimum representation of disabilities at 2 percent of the total composition of election organizers in all levels, starting from the provincial level down. For the provincial level, the 2 percent calculation is taken from the total number of provincial election organizers from all provinces in Indonesia. Meanwhile, at the district level, the 2 percent calculation is taken from the total number of election organizers at the district/city level from each province in Indonesia. And so on until you reach the lowest level.

The General Election Commission of the Republic of Indonesia is the body that organizes general elections in Indonesia. His responsibilities include determining, including deciding which parties can participate in the election. The membership of the Indonesian KPU consists of individuals who have the ability to supervise the implementation of elections. The number of members of the Indonesian KPU is 7 (seven) people consisting of a chairman who is also a member and six members. The Chairman of the Indonesian KPU is elected from and by the members of the Indonesian KPU. The membership period for the Indonesian KPU is 5 (five) years from the time the oath/promise is taken.

The General Election Supervisory Agency of the Republic of Indonesia (abbreviated as Bawaslu RI) is an independent supervisory institution tasked with supervising the implementation of general elections throughout Indonesia. The membership of Bawaslu RI consists of individuals who have the ability to supervise the implementation of elections. The number of members of Bawaslu RI is 5 (five) people consisting of a chairman who is also a member and four members. The Chairman of Bawaslu RI is elected from and by Bawaslu members. The term of Bawaslu membership is 5 (five) years from the time the oath/promise is taken.

3.1 Composition of Disability Representatives in Provincial Election Organizers

Based on Law No. 7 of 2023 concerning the Determination of PERPU No. 1 of 2022 concerning Amendments to Law Number 7 of 2017 concerning General Elections into Law, the total number of election organizers at the provincial level from 38 provinces throughout Indonesia, both Provincial KPU members and Provincial Bawaslu members are 206 people each. If this figure is multiplied by 2% (as the minimum quota number for disabilities) we will find the number 4.12, which, if rounded to 4, is the minimum number of representatives of persons with disabilities who are election organizers at the provincial level from 38 provinces throughout Indonesia, including members Provincial KPU and members of the Provincial Bawaslu

Table 1. Number of Provincial KPU / Bawaslu Provincial Members throughout Indonesia 2% Quota for Disabilities 4.12

No	Province	Number of Provincial KPU / Bawaslu Members
1	Aceh	5
2	North Sumatra	7
3	West Sumatra	5
4	Riau	5
5	Riau islands	5
6	Jambi	5
7	South Sumatra	5

8	Bangka	5
	Belitung	
9	Bengkulu	5
10	Lampung	7
11	DKI Jakarta	7
12	West Java	7
13	Banten	7
14	Central Java	7
15	IN Yograkarta	5
16	East Java	7
17	Bali	5
18	West Nusa	5
	Tenggara	
19	East Nusa	5
	Tenggara	
20	West	5
	Kalimantan	
21	Central	5
	Kalimantan	
22	East	5
	Kalimantan	
23	North	5
	Kalimantan	
24	South	5
	Kalimantan	
25	North	5
	Sulawesi	
26	Gorontalo	5
27	Central	5
	Sulawesi	
28	South	7
	Sulawesi	
29	West Sulawesi	5
30	Southeast	5
	Sulawesi	
31	Maluku	5
32	North Maluku	5
33	Papua	5
33	South Papua	5
33	Central Papua	5
33	Papua	5
	Mountains	
33	West Papua	5

34	Southwest Papua	5
TOTAL		206

Rounding 4

From the description above, it can be concluded that out of the 206 members of the Provincial KPU / Provincial Bawaslu throughout Indonesia there should be at least 4 people with disabilities who have been elected to represent people with disabilities in Indonesia. Representation of people with disabilities in the election organizing body is important so that there are disabled representatives who can oversee the policies of the election organizers from the time they are still in the discussion stage of draft regulations until they are finally implemented.

For the recruitment of special election organizers from people with disabilities, perhaps the implementation could be carried out earlier than general recruitment. This is to ensure that the disability quota of 4 Provincial KPU / Bawaslu Province members throughout Indonesia can be realized first. However, the selection process can also be carried out simultaneously with general non-disabled registrants, the important thing is that the disability quota of 4 Provincial KPU / Provincial Bawaslu members throughout Indonesia is still realized.

3.2 Composition of Disability Representatives in Regency/City Election Organizers

Based on Law No. 7 of 2023 concerning the Determination of PERPU No. 1 of 2022 concerning Amendments to Law Number 7 of 2017 concerning General Elections into Law, the total number of election organizers at the Regency/City level from 38 provinces throughout Indonesia, both Regency/City KPU members and Regency/City Bawaslu members, each of whom is 1,914 Regency/City KPU/Bawaslu members throughout Indonesia. If this figure is multiplied by 2% (as the minimum quota number for disabilities) we will find the number 39, as the minimum number of representatives of persons with disabilities who are election organizers at the Regency/City level from 38 provinces throughout Indonesia, both Regency/City KPU members and members Regency/City Bawaslu.

Table 2. Number of District/City Bawaslu Members Per Province in Indonesia

No	Province	Number of Regency/City KPU Members	2% Quota for Disabilities	Turning
1	Aceh	75	1.5	2
2	North Sumatra	115	2.3	2
3	West Sumatra	63	1.26	1
4	Riau	54	1.08	1
5	Riau islands	23	0.46	0
6	Jambi	37	0.74	1
7	South Sumatra	67	1.34	1
8	Bangka Belitung	21	0.42	0
9	Bengkulu	30	0.6	1
10	Lampung	61	1.22	1
11	DKI Jakarta	28	0.56	1
12	West Java	127	2.54	3
13	Banten	38	0.76	1

14	Central Java	167	3.34	3
15	IN Yogyakarta	21	0.42	0
16	East Java	176	3.52	4
17	Bali	33	0.66	1
18	West Nusa Tenggara	40	0.8	1
19	East Nusa Tenggara	70	1.4	1
20	West Kalimantan	58	1.16	1
21	Central Kalimantan	46	0.92	1
22	East Kalimantan	38	0.76	1
23	North Kalimantan	17	0.34	0
24	South Kalimantan	45	0.9	1
25	North Sulawesi	45	0.9	1
26	Gorontalo	18	0.36	0
27	Central Sulawesi	43	0.86	1
28	South Sulawesi	80	1.6	2
29	West Sulawesi	20	0.4	0
30	Southeast Sulawesi	51	1.02	1
31	Maluku	33	0.66	1
32	North Maluku	30	0.6	1
33	Papua	27	0.54	1
34	South Papua	18	0.36	0
35	Central Papua	26	0.52	1
36	Papua Mountains	32	0.64	1
37	West Papua	23	0.46	0
38	West Papua	18	0.36	0
TOTAL		1914	38.28	39

From the table above, it can be concluded that of the 1,914 Regency/City KPU members throughout Indonesia there should be at least 39 people with disabilities who have been elected to represent people with disabilities in Indonesia. Representation of people with disabilities in the election organizing body is important so that there are disabled representatives who can oversee the policies of the election organizers from the time they are still in the discussion stage of draft regulations until they are finally implemented.

For recruitment of Regency/City KPU members throughout Indonesia specifically from people with disabilities, perhaps the implementation could be carried out earlier than general recruitment. This is to ensure that the disability quota of 39 Regency/City KPU members throughout Indonesia can be realized first. However, the selection process could also be carried out simultaneously with general non-disabled registrants, the important thing is that the disability quota of 39 Regency/City KPU members throughout Indonesia is still realized.

Fulfillment of the political rights of persons with disabilities is very clearly written in Law Number 8 of 2016 concerning Persons with Disabilities, this law becomes a more special norm (Lex Specialist), even defeating Law Number 7 of 2017 concerning General Elections (Lex Generalis). The legal rules state that "special norms are able to trump general norms", so that in this case people with disabilities are said to be entitled to

political rights, which means the right to be elected to public office and become election organizers in accordance with the mandate of the law.

4. Conclusion

Discriminatory treatment of people with disabilities is an example of a human rights violation. They have the same right to get the accessibility support needed to support the participation of people with disabilities in various aspects of life. To change existing problems, the first step is to change the perspective towards people with disabilities. The meaning of the constitutional rights of persons with disabilities in general elections is to provide legal protection to persons with disabilities in an effort to fulfill their political rights. Through Law no. 7 of 2017, the government gives authority to election organizers to facilitate the needs of people with disabilities which are translated into very technical aspects so that there are no obstacles for people with disabilities to exercise their right to vote. Throughout the world, regardless of the culture and political ideology that exists there, people with disabilities are 'mostly' seen as people who are weak, inferior, and unable to maintain control over their own lives. Generally, in my observations, there are three main attitudes of 'non-disabled' people in viewing disabilities and people with disabilities. First, considering people with disabilities as weak, a social disgrace, and of a lower status who should be rejected. Second, people with disabilities are only objects of charity for people without disabilities. Third, people with disabilities become objects of exploitation for the state to obtain empowerment grant funds. Sadly, in political seasons such as regional elections, legislative elections and presidential elections, people with disabilities become hot political commodities. The social institutions were crowded with rows of political figures vying for sympathy. It is as if people with disabilities are an electoral blessing that contributes to voting incentives. Our social showcases ahead of elections, for example, are often presented with views of seasonal charitable acts by political actors who sell wheelchairs, prosthetic legs, rice and modest envelopes as social compensation. There is nothing wrong with the attitude of philanthropy and generosity which has become a tradition for politicians ahead of the election. We appreciate the care and attention of these political actors, but there are those who are negligent and seem to be deliberately forgotten, even though the state and politicians are doing more fundamentally, namely designing policy models and productive programs for people with disabilities. For example, building empowerment and training centers, providing public facilities that are friendly to people with disabilities, an education system that is relevant to the labor market needs of people with disabilities, local industries such as home industries for doormats, tablecloths, tissue crafts and others at the national and regional levels that can absorb and distributing workers with disabilities or handicaps like in developed countries. So that disability is not seen only as a family burden and social disgrace but rather encourages people with disabilities to be creative, independent and productive.

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