

ANALYZING THE LEGAL IMPLICATIONS OF THE OPEN PROPORTIONAL SYSTEM IN INDONESIAN LEGISLATIVE ELECTIONS: A FOCUS ON POLITICAL LIBERALIZATION AND CORRUPTION

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Abstract: The study focuses on discussing the problem of legal implementing an open proportional election system in legislative elections in Indonesia, its role and influence on the emergence of political anomalies within the parliament, in this case political liberalization and corruption. The study question is about the dynamics of implementing an open proportional system in the context of elections and how the legislative elections are correlated with the practice of political liberalization and corruption in Indonesia. This study is qualitative research conducted using a library approach. As a result, elections with an open proportional system contain several weaknesses and deficiencies that have the potential to give rise to corrupt practices within the board, both at the regional central level. The potential for the emergence of corrupt practices in open proportional system elections is caused by two things; First, open proportional electoral systems tend to be liberal and capitalist. Competition for leadership tends to focus on pragmatic areas that are centered on money and power relations, no longer in productive

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areas such as ideas, thoughts, ideas. Second, because of these liberalization and capitalization practices, political costs and expenses soared beyond rational and reasonable limits. In the end, uncontrolled political costs become a financial burden later that they must pay off and return.

Studi fokus membahas problem implikasi hukum sistem proporsional terbuka dalam pemilu legislatif di Indonesia, peran dan pengaruhnya terhadap munculnya anomali politik di kalangan dewan, dalam hal ini adalah liberalisasi politik dan korupsi. Pertanyaan kajian adalah dinamika penerapan sistem proporsional terbuka dalam konteks Pemilu serta bagaimana korelasi dalam pemilu legislatif dengan praktik liberalisasi politik dan korupsi di Indonesia. Studi ini merupakan penelitian kualitatif yang dilakukan dengan pendekatan kepustakaan. Hasilnya, gelaran pemilu dengan sistem proporsional terbuka memuat sejumlah kelemahan dan kekurangan yang berpotensi besar menimbulkan praktik korupsi di kalangan dewan, baik di tingkat pusat daerah. Potensi munculnya praktik korupsi dalam pemilu sistem proporsional terbuka disebabkan oleh dua hal; pertama, sistem pemilu proporsional terbuka cenderung liberal dan kapitalis. Kompetisi kepemimpinan cenderung berkuat di wilayah-wilayah pragmatik yang berpusat pada uang dan relasi kekuasaan, bukan lagi ada di wilayah-wilayah produktif semisal ide, pemikiran, gagasan. Kedua, akibat dari praktik liberalisasi dan kapitalisasi tersebut, ongkos dan biaya politik melambung tinggi melebihi batas rasional dan kewajaran. Pada akhirnya, biaya politik tidak terkontrol menjadi beban finansial di kemudian hari yang harus mereka lunasi dan kembalikan.

Keywords: legislative elections; legal implication; political liberalization, corruption.

INTRODUCTION

After the 1998 reform, Indonesia experienced massive changes in the system and political governance of government, both institutionally and constitutionally. At the constitutional level, one of the changes that occurred at that time was the rules related to elections, from what was originally a representative system to direct election, from what previously adhered to a closed proportional system to an open proportional system (Tyesta 2017). Through the implementation of this new system, there is hope and optimism that the process and activities of electing public office at both the executive and legislative levels will be better than before. Direct political participation or involvement of the community at the grassroots level is getting higher and freer. People can elect representatives in parliament directly and openly, no longer trapped and restricted by political party intervention (closed proportional system) (Rais et al. 2019; Romli 2018).

Since direct elections with an open proportional system were first implemented in 2004, so far the people's party with an open proportional model has taken place four times, namely the 2004 election, the 2009 election, the 2014 election, and the latest is the 2019 election (Al-Hamdi, Sakir, and Lailam 2021). Interestingly, after more than two decades of the electoral system in Indonesia adhering to open proportionality, there is now a political proposal to return the proportional electoral system to the previous model of being closed (C. N. N. 2022; Media 2023). The proposal is currently being processed at the Constitutional Court trial table with a case number Case 5114/PUU-XX/2022 against the Election Law, in this case is Article 168 of Law Number 7 of 2017 concerning General Elections

(Election Law). In general, the political urge to return to the system is mainly caused because this system is considered not in line with Constitution 45 (Aranditio 2023).

Concretely, the open approach in the proportional system is considered to have narrowed the existence and political authority of parties and weakened the structure and institutions of democratic politics (Argawati 2023b). Most crucially, the atmosphere and contestation of leadership became unhealthy because of the emergence of political liberalization and political pragmatism in society. Open contestation has reduced elections to political transactions and business, rather than to its ideal meaning as a social contract between voters and their representatives (Argawati 2023a). As a result, instead of suppressing the number of abuses of power and authority as the narrative of the struggle during the 1998 reforms, the reality is the opposite. The eradication of corruption is still far from being roasted from the fire, the number of cases of abuse of authority in the form of corruption, collusion, and nepotism is not only getting higher but also widespread and spreading to many lines. Like a disease, the level of corruption has reached acute complications in a variety of diseases and viruses that have spread to all joints of interest.

Regarding the black record behind the implementation of an open proportional system in elections in Indonesia, in the context of the study is the problem of abuse of authority such as corruption and the like, so far academic studies on it have been carried out, one of which came from Abdusmadi et al (2023). According to him, the open proportional system has several weaknesses and shortcomings, the mechanism of electing canol

or candidates by considering the majority of votes has a great potential to cause corrupt behavior among members of the legislative council as a political consequence of the high cost of their candidacy and contestation during elections, ranging from registration dowry money to the distribution of 'supplements' to customers during safaris and political campaigns (Faralita 2023). Long before, a similar thesis was also revealed in the research conducted Agus Riwanto (2015), according to him, the most crucial weak point in regulating the open-based proportional election system is twofold, practice competition of political liberalization and the strengthening of the pragmatic political paradigm. The root of these two problems is none other than the soaring political costs. These two problems are also the most influential indicators of the swelling trend of political corruption post-election in Indonesia (Riwanto 2015). These two academic findings are also reinforced by a number of other studies, some of which are studies conducted by Diah Ayu Pratiwi (Pratiwi 2018); Burhanuddin Muhtadi (Muhtadi n.d.); Last is the research from Muhammad Revan Fauzani Makarim and Khairul Fahm (Makarim and Fahmi 2022).

Although studies on the correlation of open proportional systems with corrupt practices in Indonesia have previously been carried out, in the context of electoral politics in Indonesia, studies on it are still important and interesting. It is important because as we know, elections are the greatest democratic party for the people, a place where the people exercise their sovereignty to elect and appoint public officials and their representatives. Therefore, the process and implementation of elections must be designed as ideal and as good as possible, so that candidates or candidates are elected

not just *legitimate* But it also truly represents the presence and life of the constituents (Christ, 2013; Reynolds, Reilly, and Ellis 2016). It is also interesting because so far, the general perception in the community often correlates the phenomenon of high cases of corruption among public officials with the problem of law enforcement and prevention which is considered still weak and half-hearted. Yet beyond that, there is another problem that is no less serious and crucial, namely related to the arrangement of election contestation which has tended to be pragmatic and capitalist oriented (Husin 2021; Riwanto 2015:62-71). On this basis, research has an urgent value, at least to enrich scientific treasures related to elections so that it can be a reference or evaluation material to improve the election system in the future.

The pattern and structure of this research discussion is designed to answer three research questions. First, what are the dynamics of implementing an open proportional system in the context of elections in Indonesia? What are the disadvantages and advantages of implementing an open proportional system of elections in Indonesia? What and how does the implementation of an open proportional system in legislative elections correlate with corrupt practices in Indonesia? This research data collection activity was carried out by focusing on his discussion to analyze aspects of the advantages and disadvantages of implementing an open proportional system in the dynamics of holding elections in Indonesia; Theoretical analysis related to the correlation of electoral arrangements in open proportional systems with the potential for the emergence of corrupt practices among officials or legislators. Finally, formulate and produce strategic

recommendations for all parties to present government regulations that are truly in line with the principles of democracy, free, transparent, honest, and fair.

In general, the significance of this study is based on the proposition that the holding of elections with an open proportional system contains several black records both in regulation and practice and has a strong correlation with the high level of corrupt practices in the legislative ranks. Several reasons underlying and substantiating this proposition are based on three empirical facts; *first*, the proportional system with the most sura counting mechanism makes the electoral arena liberal and tends to be capitalist. The winner is determined by how much control the election participants have over natural resources, not by their ability and capacity. Elements of financial capability and power networks have a fairly dominant position in all processes and stages, so that each candidate requires a high political cost (Prathomo 2023). Second, the ballooning political costs ultimately encourage candidates or candidates to make massive investments by selling assets or owing debts to many colleagues. Nevertheless, the political world does not recognize free laws, there is no free lunch, every political decision and step is carried out based on a full calculation of profit and loss. The risk is, when the candidate or candidate concerned is successfully elected and waltzed into public office, the first thing that comes to his mind is how to find coffers of money so that the political costs he spent before are quickly returned and covered (Chang 2005; De Vries and Solaz 2017).

Methodologically, this study is literature-based research conducted based on qualitative research. The selection of qualitative methods is based

on the nature and character of the research problem, which in the view of the researcher can only be revealed and obtained the answer if using a qualitative approach. As expressed by K. Denzime (1994), qualitative is a type of research that emphasizes how to work at the depth of meaning, has a dynamic and flexible character in the field (Denzime 1994). With this elastic nature, the qualitative approach is considered effective enough to be used as a methodological tool to explore and explain various research problems. In the context of this study, the research problem in question is the dynamics of the application of an open proportional system in elections, various things that are weaknesses and advantages, the impact and influence on the high cases of corruption in the legislative ranks.

As for the data, the types, and sources of data in this study all come from secondary data. In this case, it is the statistical data obtained from a few institutions, both government and non-government institutions. The statistical data in question includes information on the quantity of elections held with a proportional system both open and closed, then data related to the number of corruption cases in the council that occurred during the implementation of elections with an open proportional system. In addition to statistical figures, secondary data in this study is also in the form of literature information obtained from various sources such as journals, articles, and information media channels both print and online published in the period 2004-2023. To ensure its credibility and objectivity, researchers limit all sources of literature information in research while still paying attention to the main issue of research, namely the issue of the correlation

of open proportional systems with corrupt practices in legislative official circles.

RESULT AND DISCUSSION

Concept of Elections

In the English dictionary, the term election has the equivalent of the word equal to the word general election, A class of nouns (noun) which means, an election in which all the adults of a country can vote to choose people to represent them in parliament (Dictionary at n.d.). Based on this sense, there are at least three important points that are the main keywords in election terms. First, elections are synonymous with electoral activity, an event in which people cast political votes to elect and nominate their representatives, both representatives at the executive and parliamentary levels. Second, election is synonymous with the term adult, that those who can exercise their right to vote and vote if they have a minimum age limit, which is regulated based on certain regulations or legislation. Third, the term election is closely related to the event of filling certain positions or public positions, both in the ranks of the council and in the executive ranks as president and regional heads. Starting from regional heads at the city, regency to provincial levels.

As for terminology, the concept of elections has many meanings, one of which comes from Sarbaini (2015). According to him, elections are events or stages of competition in order to fill political positions or positions in the government that run based on an election mechanism involving citizens or conditional citizens (Sarbaini 2015). On another occasion, other sources mentioned that elections are a means available to the people to exercise their

sovereignty and are democratic institutions. In his view, elections are the earliest stage of various series of democratic constitutional life, so that elections are the driving force of the mechanism of the democratic political system. Slightly different from the previous two understandings, Morissan (2005) chose to gather elections as a way or means to find out the will of the people about the direction and policy of the state that will be applied to citizens in the future (Morissan 2005).

In Indonesia, electoral discourse is regulated by law Number 7 of 2017 article 1 (1) concerning General Elections. In it it is written that, General Elections hereinafter referred to as elections are a means of people's sovereignty to elect members of the People's Representative Council, members of the Regional Representative Council, President and Vice President, and to elect members of the Regional People's Representative Council, which is carried out directly, publicly, freely, secretly, honestly, and fairly in the Unitary State of the Republic of Indonesia based on Pancasila and the Constitution of the Republic of Indonesia Year 1945 (Syafei and Darajati 2020). In short, elections are a means of democracy for all citizens to determine and channel their political choices to elect and appoint public officials, both executive and legislative officials through applicable mechanisms and principles (Widayat et al. 2022).

As for its implementation, the implementation of elections is carried out based on six important things, namely public, free, secret, honest, and fair (*luber jurdil*). General means involving layers of society without exception if they meet administrative requirements, age, for example. The principle of freedom means that every citizen can exercise his political rights

based on conscience, without encouragement or coercion from any party. direct, which means voting directly, not using intermediaries, or being represented. Then, honestly, all parties involved in organizing elections must act according to the law. Fair that every voter and participant in the election gets equal treatment and no one is privileged, and lastly. Secret, meaning that every citizen who gives his political choice is not known by any party who he chooses (Rais et al. 2019).

In order to oversee and ensure that the election runs as its principle, it is considered necessary to create a special system or regulation that regulates the process and stages of its implementation (election). (Morgan-Jones and Loveless 2021). This is important to do, because after all elections cannot be excluded from political activities, so that if the process of holding them is not balanced by a strong system, then the people are the victims. There is a potential that the use of free principles in elections will be misused and misinterpreted, so that it has great potential to trigger the birth of political liberalization practices in the community (OECD 2020). In the perspective of democracy, theoretically the implementation system can be grouped into three types, namely district systems, proportional systems, and finally there are mixed systems. This system is a model of governance that has been carried out in various countries of the world, both adherents of presidential and parliamentary systems of government (Karp and Banducci 2008).

Open Proportional Legal System Elections in Indonesia

Historically, the proportional election system is a single system of conducting elections in Indonesia that is enforced from time to time. To this

day, ahead of the 2024 elections, the proportional system still applies, although there are currently debates and pros and cons regarding which approach model to choose, open or closed. Despite this debate, all circles agree that both approaches have their own advantages and disadvantages. Therefore, sociologically, both can actually be duplicated into the system of holding legislative elections, of course, with a number of advantages and disadvantages that exist in each system itself (Tambunan 2023). If asked which system is most ideally applied, it is greatly influenced by the goals and achievements to be obtained. Although these goals and achievements are often not fully used as guidelines, because they are influenced by the political elements behind them. Especially in the context in Indonesia, elections tend to be closer to the political meaning than people's sovereignty in the real sense.

If we reflect on the experience of previous elections, it is not quite difficult for us to determine which proportional system is the most ideal choice for elections in Indonesia to be held, because these two systems have been equally applied. In fact, both open and closed proportions, each has its own advantages and disadvantages that negate and complement each other. The closed proportional system, for example, since it was first implemented during the old order, precisely in the 1955 election, the mechanism of legislative elections through the acquisition of political party votes Leaving a lot of minus notes, one of which resulting in the political system at that time becoming Guided Democracy (Amrullah 2023). Consequently, the power posture in the cabinet was obese, centered on the executive ranks under Sukarno's sole control. Meanwhile, at the same time there was a message in

the legislative sector, the share of power in the parliamentary ranks was reduced and weakened. Consequently, the government system does not run normally and stably, causing social turmoil in many sectors, especially in the political sector.

The rolling of the 1998 reforms marked the collapse of Suharto's new order regime, the demand to switch to a totality or multiparty democratic system of government was loudly sounded by many circles. Over time, these demands paid off, the article The government at that time took the decision to change the closed list proportional system in legislative elections to open proportional. The decision to switch to an open system was then translated into legislation, namely Law No. 12 of 2003 tOpposing the General Election of Members of the People's Representative Council, Regional Representative Council, and Regional People's Representative Council [JDIH BPK RI (Argawati 2023b). It's just that in the first year of its implementation, precisely in the 2004 election, the implementation of an open proportional system at that time still seemed half-hearted in the form of a relatively closed open system. At this time, in addition to displaying the party's picture and number, the election ballot also contained the candidate's name and sequence number (Rahma 2022).

At the beginning of its application, the open model in the proportional electoral system in Indonesia was able to present solutions to various electoral problems in previous times. Breaking the chain of hegemony of political parties which at that time played a very significant role in the electoral system such as determining elected candidates, determining sequence numbers, submitting the sequence list of candidates to the

organizing institution (read: General Elections Commission [KPU]), narrowing the arena of contestation because the political recruitment process was dominated by the internal circle of political parties (Amalia 2018). At this level, the open proportional system is considered relatively successful in reducing the practice of party hegemony. By choosing candidates by name or sequence number, the people get the right to participate in real and direct. That way, the elected candidate really represents the voice and will from below, no longer on the intervention of political parties. In addition, political recruitment, which was once exclusive and centralized, is now changing to be more inclusive and dynamic. Anyone can nominate as long as they have sufficient capital, both self-capacity capital, social capital, and of course political capital (Pratiwi 2018).

However much as open proportional elections are considered by some to be the most ideal choice because they reflect democracy in the true sense, it is not necessarily concluded that this model is flawless or flawless. So far, the election of legislative members with an open proportional system has been held twice, namely the 2004, 2009, 2014 elections, and the last is the 2019 election. This series of elections left many minus notes, both to the institution and the voting community as its constituents. Regarding the weaknesses of implementing an open proportional system in the context of elections in Indonesia, it will be explained in detail and in depth in the next subdiscussion.

In open proportionality, political institutions no longer focus on strengthening the quality of their work programs that reflect the identity and ideological side of their parties. Instead, they prioritize market tastes,

prioritizing financial capabilities and popularity ratings of candidates (Akili 2022). This is also an explanatory variable why in previous elections (elections in 2004, 2009, 2014, and 2019) the stage of our legislative political orchestration was colored by candidates with artist backgrounds, who in fact lack experience and knowledge of the political world. Herein lies the structural weakening of political parties. The party no longer focuses on nurturing young cadres seriously for the long-term interests of the party's ideology but focuses on finding shortcuts by hunting down popular cadres with financial capabilities to fund the party's financial needs, and no less important is to support their votes at the electoral level (Cheibub and Sin 2020).

Another dark side of the proportional system open to elections in Indonesia, it can be traced to the dynamics of political constellations that have emerged at the root of the lower society. Reflecting on the previous elections, the mechanism of selecting legislative candidates based on obtaining the most votes, has not only changed the political climate at the legislative level to unhealthy and polluted but has also distorted the political paradigm at the grassroots level. The stage of contestation for parliamentary seats that was supposed to be colored by the war of ideas and ideas has now shifted to a battle of popularity and money (Carey and Hix, 2011; Chang, 2005). Consequently, the practice of political capitalization occurs everywhere; the masses or people are simply positioned as political commodities (objects) that are bought and sold. In this situation, the social contract between the candidate or candidates and their constituent ranks is relegated to transactional practices and political business called money

politics. The cost of candidacy soared, and as a result it was not uncommon for people to forget after the election was over. On the contrary, elected candidates have great demands to immediately cover and return the political costs used when campaigning. This is why on many occasions not a few legislators fall into a pool of personal interests and certain groups so that they must deal with the law because they are entangled in corruption cases and so on.

Open proportional Legal systems fuel corruption?

One of the big narratives of the struggle that was loudly echoed in the 1998 reform at that time was to eradicate corrupt practices at the root. This narrative was created as a form and antithesis attitude towards Suharto's new order government which at that time was claimed by many to be a corrupt and authoritarian regime (Anderson 1983). Unmitigated, the ideal of improvement and change in governance was then followed by a major revolution in all aspects, both at the institutional and legislative levels. One of them is by implementing direct elections, where people can directly elect their representatives and leaders, no longer leaving their votes to political parties (Diprose, McRae, and Hadiz 2019; Teak 2021). In electoral theory, such an electoral mechanism is popularly known as an open proportional system.

Tebuka means giving freedom for voters (constituents) to give political voting rights by directly voting for the name of the candidate he wants to represent his political interests in parliament (Argawati 2023a). In this system, candidates are offered to voters not based on sequential numbers and numbers that are usually in front of names. Instead, it is designed

alphabetically by name or by lottery. For the mechanism of determining the elected candidate, this system refers to obtaining the most votes of the candidate, not based on party decisions as in a closed system. With this mechanism, there is hope that the elected candidate is really born and arises by the political will of the people, so that with him a strong emotional closeness is built between the voter and his deputy (Cheibub and Sin 2020). Leadership contestation is open in the community, where each candidate is required to work extra hard to be able to gain support and votes directly from below. In short, in a closed system the arena of legislative power struggle is centralized within political parties, while in a closed system it is in the hands of the people.

The big question now is, has the open proportional system elections reduced and decreased corruption in Indonesia? In fact, the facts do not speak so. That at this time the people are considered to have more guaranteed freedom to choose and determine directly their representatives in the parliament within certain limits is true (Hadiz 2000). However, in the context of combating corruption, empirical experience states that the open proportional approach currently applied in the electoral system is not effective enough to solve the problem of elections in Indonesia, including the problem of corruption (Rahma 2022). How to know and ensure that the proportional system of open elections is less effective in suppressing corrupt practices in the ranks of parliament? It's easy to answer. In fact, since this system gained its legitimacy through Law No. 12 of 2003 concerning the General Election of Members of the People's Representative Council, Regional Representative Council, and Regional People's Representative

Council [JDIH BPK RI], and officially implemented in the 2004 elections, the number of corruption cases continues to soar year by year. In fact, it seems to be increasingly chronic and extends to many sectors (Almskoro 2021; tnr 2014).

Statistically, the above thesis is reinforced by data from the report of the Corruption Eradication Commission (KPK), that since the KPK was established in 2004 until December 2022, the total number of corruption cases successfully brought to the green table by the KPK reached 1,479. Draw it by background or background Institutional perpetrators, as many as 343 are members of the people's representatives both at the central and regional levels. This number places the board as the institution with the second most corrupt perpetrators under the private sector (370) (Ni'am 2022). This data does not include the latest cases currently under the handling of the KPK. For example, corruption involving the name of Ary Egahni, a member Member of the House of Representatives of the Republic of Indonesia Commission III from the Central Kalimantan electorate. She was named as a suspect along with her husband, Ben Brahim S Bahat, who is the Regent of Kapuas in a case of withholding payments for civil servants in Kapuas Regency, Central Kalimantan (Sidebang 2023).

In line with the data above, based on field data searches, the results of the 2020 Global Corruption Barometer (GCB) survey conducted by Transparency International Indonesia (TII) on 1,000 respondents in Indonesia over the age of 18 years obtained the fact that 51 percent of respondents think that the People's Representative Council (DPR) is the most corrupt institution in Indonesia (Indonesia 2020; Media 2020). By institution Indonesia

Corruption Watch (ICW), there are at least four dominant factors why cases of decay of state authority in the DPR institution are quite high, namely; Expensive political costs, high political party funding burden for cadres to become legislators, political meaning among councils that tend to be pragmatasi and materialistic, finally is the lack of interpersonal conflicts of interest within the party elite (ICW Indonesia 2016). If examined and observed more deeply and critically, these four factors have a strong correlation with the current tradition of the electoral system (proportionally open) which tends to be liberal, capitalist, and *material oriented* both at the concept or regulatory level and at the practical level when applied in the field.

Correlation: Open Proportional System, Liberalization, Corruption in Indonesia

Until this subdiscussion, from all the data and descriptions above, we get three important propositions that are interesting to test and analyze their correctness, namely:

First, the system of holding legislative elections with the mechanism of obtaining the most votes or popular support has given rise to the practice of political liberalization. Etymologically, liberalism means a constitutional and economic school that calls for democracy and personal freedom to do business and commerce. Individual rights are everything, so the government is not allowed to interfere, rather intervene (KBBI) Online n.d.). In short, liberalism upholds human dignity and the human rights values inherent in themselves and their lives (read: HAM), both external and internal rights.

Thus, referring to this understanding, liberal politics is a paradigm of power struggle that emphasizes its spirit on individual freedom.

As for terminology, the definition of liberal politics comes from Syarifuddin (2016), according to him liberal politics is a political system that adheres to individual freedom. Another definition of liberal politics is a political system that protects individual rights from government power, constitutionally. In liberal democracies, majority decisions will apply to most government policies subject to restrictions, so as not to infringe on the independence and rights of everyone. In general, the good side of liberal politics lies in the spirit of protecting itself against human dignity, encouraging the development of political institutions in the democratic world in the form of open faucets of direct and free public participation (Ed. et al. 2013). In Indonesia, the principle of freedom in the implementation of legislative elections is translated into an electoral system called open proportionality. Through this system, candidates or candidates get full freedom to carry out their political activism. Conversely, political parties tend to be more passive because their functions and existence are limited to political vehicles.

The narrative of the struggle for universalism and human dignity in liberal politics at first glance sounds very good and quite invites very high optimism in strengthening the electoral system in Indonesia. However, the big question is whether such electoral mechanisms are relevant to the political culture that develops at the grassroots. This question is important to answer because in many cases open proportional systems fail when applied among voters who have a low political culture. Political culture is the

psychological and rational elements that influence political attitudes and behavior when choosing and determining representatives or leaders. Whether he is classified as a low-level voter or mobilative, intermediate (participatory) in the sense of simply jumping on the bandwagon, or belonging to the category of emancipatory voters, voting based on rationality and common-sense calculations.

Second, the practice of political liberalization in open proportional system elections, in many cases has caused problems or further problems, namely the massive political game of money in the internal candidates so as to make the climate of contestation capitalist (Cusack, Iversen, and Soskice 2010). This problem was born as a domino effect of unprepared culture and our political paradigm, which based on empirical experience in previous elections still exists at the participatory and mobilative level, just following along and tends to be mobilized by certain groups or groups. At the same time, this situation is exacerbated by the social conditions and economic structure of the lower community which is still far from the decent and prosperous category. Consequently, when they are faced with the title of a democratic party (election), their political attitudes and decisions tend to be dynamic—not to say pragmatic –, the mentality of themselves as constituents is not built militantly and consistently to give their political rights and votes based on conscience choices but tends to be oppurtunist and materialistic. Unfortunately, this situation was shrewdly and cleverly then exploited by candidates and prospective election participants. Instead of conducting political education for constituents, what happens is that they take advantage

of this crisis condition as a momentum to do political business, vote buying and selling transactions and the like (Kuhner 2014).

In this situation, the meaning and understanding of the election is distorted and contradicts its original purpose. The contestation of the election of representatives or leaders is no longer carried out based on principles and principles but has shifted to the space of capital. The law of the free market in the world of capital also applies; namely whoever is strong (money) is the winner. The context of the struggle is no longer centered in the world of ideas and ideas, but has changed to dimensions of pragmatism, money and power networks (Ekowati 2019). This is also a variable explanation why in open proportional system elections, many caribty politicians are born and emerge. The political recruitment process does not come from within political parties but comes from outside. The regeneration process is interrupted, because political parties prioritize figures or candidates who economically have sufficient natural resources.

Third, the emergence of liberalization and political capitalization in the proportional election system creates a domino effect, namely political costs become expensive to trigger the practice of abuse of authority and power such as corruption and the like. Regarding the high political costs of elections during the implementation of an open proportional system in Indonesia, this is revealed in a research report Indonesian Coorruption Wacth (ICW). In its report, it is stated that the cost of candidate campaigns at the central level can reach billions, even ICW found cases of candidates who spent tens of billions of political funds (JEO Kompas.com 2019). In the case of Bowo Sidik Bangarso, for example, the incumbent candidate from the

Golkar Party, who was caught red-handed at that time had 400,000 envelopes containing between 20,000-50,000 moneys stuffed into 84 boxes. Originally, the 8 billion envelopes were to be used by him to carry out a dawn attack on the day of voting (Widiastuti 2019).

Referring to the research report of the Institute for Economic and Social Research of the University of Indonesia (LPEM-FEUI), The national average of optimal and reasonable investment funds starts from Rp 787 million to Rp 1.18 billion for the People's Representative Council and Rp 320-481 million for the Regional People's Representative Council. The range of campaign costs for DPR candidates is in the rational category when the figure is in the range of Rp1.18 billion to Rp.4.6 billion; Rp.4.6 billion to Rp.9.3 billion is classified as unnatural, and more than Rp.9.3 billion is categorized as irrational. This categorization refers to the income of a Member of Parliament in a five-year term which is around Rp 5 billion, while DPRD members IDR 1.8 billion (Newspaper 2014). Thus, if the political costs incurred at the time of the election are greater than the amount of income for five years as a candidate, absolutely the shadow of corruption will continue to haunt their minds (candidates). Because in economic calculations, if you rely on net income as a council in a straight way and way, practically their political costs do not return and are not covered.

CONCLUSION

Based on the reading above, several main points were obtained that became the conclusion of this study, namely, First, that elections with an open proportional system have been implemented since 2004 after gaining

legitimacy through Law No. 12 of 2003 concerning the General Election of Members of the People's Representative Council, Regional Representative Council, and Regional People's Representative Council [JDIH BPK RI]. In general, the application of the legislative election system through an open proportional approach has a special purpose to answer various problems or problems that arise in the previous system (closed proportional). Strengthen democracy and popular participation and minimize potential abuses of power from hegemony and intervention of political party elites. Second, since it was first implemented in 2004, elections with an open proportional system have so far been rolled out four times, 2004, 2009, 2014, and most recently the 2019 election. Reflecting on the previous elections, the operational system with an open model is considered to have several weaknesses, the most crucial of which is to cause electoral politics to become liberal and capitalist. In this situation, political contestation has not only been wild and indiscriminate, but has also exacerbated the unhealthy climate because it is contaminated by opportunist and hedonist political views. Leadership competition no longer revolves around productive areas such as ideas, thoughts, ideas and programs but has shifted to constructive areas centered on money and power relations. Third, as a logical consequence, massive capitalization and political liberalization ultimately have a direct impact on soaring political costs. Expensive political costs make candidates or candidates more extra prepare political ammunition as much as possible by taking various ways, selling assets, and borrowing to many places. Consequently, uncontrolled political costs and costs become a financial burden later, which must be covered as soon as possible. It is in this situation

that the correlation between an open proportional system and the potential for corrupt behavior in the legislative council finds a causal relationship. [W]

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