Journal of Progressive Law and Legal Studies E-ISSN 2986-9145 E-ISSN 3031-9242 Volume 3 Issue 02, May 2025, Pp. 241-253 DOI: <u>https://doi.org/10.59653/jplls.v3i02.1721</u> Copyright by Author

OPEN CESS

Legal Review of States Financial Assistance for Political Parties According Democracy Perspective

Samuel Suiq Lewerissa^{1*}, Taufiqqrohman Syahuri², Irwan Triadi³

Universitas Pembangunan Nasional Veteran Jakarta, Indonesia¹ Universitas Pembangunan Nasional Veteran Jakarta, Indonesia² Universitas Pembangunan Nasional Veteran Jakarta, Indonesia³ Corresponding Email: <u>samuelleweriss@gmail.com</u>*

Received: 17-03-2025 Reviewed: 22-04-2025 Accepted: 07-06-2025

Abstract

The financial sources of political parties as stated in Article 34 paragraph (1) of Law Number 2 of 2011 concerning Political Parties are, membership fees, legally valid donations and financial assistance from the state. Financial assistance from the state through the State Budget/Regional Budget. Assistance from the state based on Article 34 paragraph (3) is given only to political parties that get seats in the legislative institution. This study aims to analyze financial assistance from the state to political parties in accordance with the principles of ideal democracy. With a normative legal approach, this study found that although regulations have regulated financial assistance to political parties, this assistance is only given to political parties that get seats in the legislative institution. Therefore, in order to realize an ideal democracy, financial assistance from the state should also be given to political parties that do not get seats in the legislative institution but participate in the general election contest, because all political parties have the same rights, obligations and functions without exception, as mandated in the laws and regulations. With this step, it is hoped that a democratic system will be realized for each political party.

Keywords: Financial Assistance, Political Parties, State Budget/Regional Budget, Democracy.

Introduction

The Indonesian Constitution guarantees the right of citizens to associate, assemble, and express opinions as a manifestation of the principle of popular sovereignty and the protection of human rights. Article 28E paragraph (3) of the 1945 Constitution explicitly affirms that every person has the right to freedom of association, assembly, and expression of thought, both orally and in writing. This guarantee is reinforced by Law Number 39 of 1999 concerning Human Rights, which recognizes freedom of assembly as a fundamental right that may only be restricted within the framework of the rule of law and the principle of non-violence. Political parties, as the primary institutions in the democratic system, are established based on shared

ideals to advocate for the political interests of their members and society, as stipulated in Law Number 2 of 2011. However, the policy of providing state financial assistance exclusively to political parties holding legislative seats raises fundamental questions regarding the equality of rights and responsibilities among parties in fulfilling their constitutional functions (Syahuri, 2023:53).

The right to associate and assemble constitutes a pillar of democracy that is guaranteed within Indonesia's legal framework. Article 28C paragraph (2) of the 1945 Constitution recognizes the collective right of citizens to develop society, the nation, and the state, while Article 24 paragraph (1) of the Human Rights Law affirms that everyone has the right to assemble peacefully. Political parties, as entities born from this constitutional right, function as vehicles for political recruitment, cadre education, and the aggregation of public aspirations (Elfudllatsani et al., 2019). Law Number 2 of 2011 defines a political party as a voluntary organization based on a shared ideology established to advocate for public interests through democratic mechanisms. This institution not only plays a role in electoral contests but also in shaping public policy through representation in legislative and executive bodies (Winayanti, 2016).

Although all political parties have the same responsibility in political education and the strengthening of democracy, Government Regulation Number 83 of 2012 and its amendment through Government Regulation Number 1 of 2018 restrict financial assistance only to parties that have seats in the DPR, Provincial DPRD, or Regency/Municipal DPRD. This policy contradicts the principle of equality before the law as guaranteed by Article 28D paragraph (1) of the 1945 Constitution because political parties without seats still contribute to the democratic process through election participation and the dissemination of ideology. Article 34, paragraph (3) of the Political Parties Law states that financial assistance is intended to support political education, which should be universal for all parties. This restriction creates structural inequality, where smaller parties have difficulty accessing resources for capacity development while dominant parties become increasingly consolidated through public funds (Elfudllatsani et al., 2019).

This discriminatory policy has the potential to weaken the diversity of political representation and reduce the space for new parties to compete fairly. Article 28J of the 1945 Constitution mandates the state to respect the rights of others in the context of democratic order. To ensure justice, it is necessary to revise Government Regulation Number 1 of 2018 by expanding the criteria for recipients of financial assistance to include all political parties participating in the election, accompanied by strict oversight mechanisms to ensure accountability in the use of funds. This step is in line with the principle of constitutionalism, which emphasizes a balance between individual rights and the state's responsibility to promote the general welfare (Sofian & Fuad, 2024).

This study examines the complexity of political party financial aid policies through a normative juridical approach by analyzing the provisions of the 1945 Constitution, relevant laws, and Constitutional Court decisions. The findings indicate that restricting financial aid solely to parties holding legislative seats contradicts the principles of the rule of law and social justice that form the foundation of the Constitution. Policy recommendations are focused on

improving regulations to create a level playing field for all political parties in carrying out their democratic functions.

Literature Review

- 1. Democratic Theory: According to W.A. Bonger, democracy is a form of government in which the majority of adult members of society are involved, either directly or indirectly, in political decision-making, with guarantees of freedom and equality before the law. C.F. Strong adds that democracy relies on a representative system to ensure the sovereignty of the people, where the government is accountable to the majority through periodic elections. Jimly Asshiddiqie states that Indonesia's constitutional democracy is based on popular sovereignty, where power originates from the people and is exercised for the public interest.
- 2. Theory of Justice: Aristotle distinguishes justice into two forms: distributive justice, which allocates resources based on individual contributions and abilities, and commutative justice, which emphasizes balance in social interactions. Henry B. Mayo asserts that justice must ensure proportional equality, where rights and responsibilities are allocated according to roles and achievements. In the Indonesian context, Article 28D of the 1945 Constitution guarantees equality before the law, rejecting discrimination in the granting of rights, including in the allocation of state financial assistance to political parties.

Research Method

This study employs a normative legal research method, also known as library-based legal research, which is descriptive-analytical and utilizes a qualitative approach. The literature used in this research constitutes secondary data, which includes primary legal materials such as statutory regulations, namely the 1945 Constitution, the Law on State Finance, the Law on General Elections, the Law on Political Parties, and various regulations related to political party financial assistance. Secondary legal materials consist of books by experts such as Mariam Budiarjo, Ramlan Surbakti, and others, which provide explanations of the primary legal materials. Tertiary legal materials, such as the Indonesian Dictionary (Kamus Besar Bahasa Indonesia), serve as guides to both primary and secondary legal materials.

Data collection techniques are carried out through literature studies by reviewing books, journals, magazines, statutory regulations, and court decisions, both through library visits and internet searches, as well as visits to relevant institutions such as the General Elections Commission (KPU), the House of Representatives (DPR), the Ministry of Home Affairs, and political party offices. The data obtained is then analyzed using a normative qualitative analysis method to review the conformity and causal relationships between prevailing laws and regulations and the realities in the field through analysis of all information gathered from both field research and various literature and related statutory regulations (Wiraguna, 2024).

Result

State Financial Aid for Political Parties from a Democratic Perspective

The provision of state financial aid to political parties, which is only given to parties that secure seats in legislative bodies, creates a fundamental imbalance in Indonesia's democratic system. The provision of Article 34 paragraph (3) of Law Number 2 of 2011 concerning Political Parties states that financial assistance from the State Budget (APBN) or Regional Budget (APBD) is only granted proportionally to political parties that obtain seats in the House of Representatives (DPR), Provincial Regional House of Representatives (DPRD Provinsi), and Regency/Municipal Regional House of Representatives (DPRD Kabupaten/Kota), results in discrimination that contradicts the principle of equality in democracy. This situation is paradoxical to the spirit of democracy, which prioritizes equal opportunity for all parties participating in the political process (Manurung, 2015).

The implications of this disparity are highly significant for the quality of democratic governance in Indonesia. Political parties that do not secure seats in the legislative body face financial obstacles in carrying out their functions and obligations as mandated by the same law, including the implementation of political education, party program socialization, and the development of qualified cadres. This creates a vicious cycle in which political parties lacking sufficient financial resources will find it increasingly difficult to compete fairly in subsequent political contests.

Political parties play a fundamental role as intermediaries between the government and society, as well as channels for the articulation of the people's political aspirations. In this context, all legally registered political parties have the same obligations to carry out political education, political recruitment, program socialization, and participation in democratic processes. However, the differential treatment in the provision of state financial assistance creates disparities in the ability of political parties to perform these functions.

According to the data presented in the document, the total financial assistance from the State Budget (APBN) to the nine political parties that obtained seats in the House of Representatives (DPR) based on the results of the 2019 General Election amounted to IDR 126,376,418,000, with the most extensive distribution received by PDI Perjuangan at IDR 27,953,961,000. Meanwhile, political parties that did not secure any seats received no assistance from the state, even though they bear the same obligations in organizing political party activities.

From the perspective of democratic theory, as articulated by Philippe C. Schmitter and Terry Lynn Karl, democracy requires healthy competition and cooperation among elected representatives in providing accountability to citizens. In this context, the unequal distribution of state financial assistance to political parties hinders the creation of healthy and fair competition in the democratic process (Schmitter & Karl, 1991).

Injustice in the distribution of financial assistance contradicts Article 28D paragraph (1) of the 1945 Constitution, which guarantees equality before the law. Political parties, as legal subjects, should receive equal treatment from the state, especially in terms of assistance to carry

out their public functions. This discrimination not only violates the principle of legal justice but also threatens the very substance of democracy itself.

The financial limitations experienced by political parties that do not receive state assistance directly impact the quality of cadres produced. The processes of cadre formation and political education, which require substantial funding, become hindered, resulting in the suboptimal quality of candidates put forward in general elections. This condition ultimately harms the public as the sovereign owner because the available choices for political representation become limited to parties with adequate financial resources.

Furthermore, the dependence of political parties on funding sources from private parties or investors can threaten the independence of political parties in advocating for the people's interests. As stated in the document, the greater the dependence of political parties on assistance from investors, the greater the possibility that these political parties are co-opted by capitalist interests.

Based on the analysis of the various aspects outlined, reforming the political party financial assistance system becomes a necessity to realize substantial democracy in Indonesia. An ideal assistance system should provide equal opportunities for all political parties to perform their functions, not merely based on success in obtaining seats in legislative bodies.

In the context of local political parties, especially in Aceh, this disparity is even more pronounced because local political parties can only obtain assistance from APBA/APBK and do not have access to assistance from APBN. This condition creates a greater disparity between national and local political parties in terms of financial capacity to carry out political activities (Manurung, 2015).

The necessary reforms are not limited to increasing the amount of assistance but also involve a shift towards a more equitable and proportional distribution paradigm. State financial assistance to political parties should be viewed as a state investment in strengthening the democratic system, not as a reward for political parties that succeed in obtaining legislative seats.

Restriction of State Financial Aid to Political Parties

In the course of political parties' existence, Law Number 2 of 2011 concerning Political Parties, which serves as the legal foundation for the establishment of political parties, has undergone several amendments. Essentially, these amendments are aimed at strengthening the political parties themselves. These changes also include restrictions on the financial aid provided by the state to political parties. The restriction of financial aid, as well as all matters related to the finances of political parties, is expected to improve governance within each political party that receives financial assistance from the State Budget (APBN) or Regional Budget (APBD). Thus, political parties, in carrying out their roles and functions in politics, can operate by sound and ideal democratic principles (Ufen, 2008).

To further discuss the issue of financial assistance from the state to political parties through the State Budget (APBN) and Regional Budget (APBD), it is first necessary to

understand what is meant by the State Budget (APBN). Referring to the definition provided by the 1945 Constitution of the Republic of Indonesia, the State Budget (APBN) is defined as the state's revenue and expenditure budget, which serves as a manifestation of the management of state finances, is determined annually by law, and is implemented in an open and accountable manner for the greatest possible prosperity of the people (Faisal et al., 2018).

Further elaborated in Law Number 17 of 2003 concerning State Finance, it is stated that the State Budget (Anggaran Pendapatan dan Belanja Negara) is:

- 1. If the government's annual financial plan (state budget) is not approved by the House of Representatives (DPR;
- 2. Consists of a revenue budget, an expenditure budget, and financing;
- 3. Covers a period of one year, starting from January 1st to December 31st;
- 4. Established annually by law;
- 5. Has the functions of authorization, planning, supervision, allocation, distribution, and stabilization.

In Government Regulation Number 1 of 2018 concerning Financial Assistance to Political Parties, a definition is provided for the State Revenue and Expenditure Budget (APBN) and the Regional Revenue and Expenditure Budget (APBD). The State Revenue and Expenditure Budget is the annual financial plan of the state that is approved by the House of Representatives. Meanwhile, the Regional Revenue and Expenditure Budget is the annual financial plan of a region that is stipulated by regional regulation.

Ideally, financial assistance from the state should be allocated to modernize the organizations of all political parties without exception. If the state truly intends to create good governance of political parties so that, in the future, political parties can sever ties with oligarchies within the parties, then the state should allocate adequate budgets to every political party without exception. At least two important points are considered necessary to increase the level of assistance and to provide financial support to political parties that do not have seats in the House of Representatives or Regional House of Representatives. First, this relates to the relevance of increasing the amount of assistance for the needs of political parties. Second, it concerns the strengthening of political parties in line with the state's objectives when deciding to increase the budget for political parties and the consequences for each political party (Kurniawan, 2024).

According to the provisions of the prevailing and previous laws and regulations, financial assistance from the state through the State Budget (APBN) or Regional Budget (APBD) is only granted to political parties that have obtained seats in the House of Representatives (DPR) or Regional House of Representatives (DPRD). If we refer to the objectives of providing state financial assistance to political parties, the state should be able to ensure justice and balance for all political parties so that they can compete fairly. Such allocation undoubtedly results in substantial financial assistance being given only to parties that secure seats and the most votes in the general election. In fact, if we look further, the purpose of providing financial assistance to political parties is to balance the competition

among all political parties. However, the current formulation of financial assistance allocation is unfair to newly established political parties as well as those that did not obtain seats in parliament, even though they received votes in the election (Saputra & Setiadi, 2024).

According to the Guidelines on Political Party Regulation by OSCE/ODIHR and the Venice Commission (187), it is stated that legislation should be able to formulate a system for allocating budgets to political parties in a proportional manner and not allow the monopoly of such funds by certain political parties. In general, there are several criteria that can be used as prerequisites for political parties to be eligible to receive financial assistance from the state (Paranata, 2025):

- 1. Registered as a political party;
- 2. Has a minimum level of support;
- 3. Represents gender balance;
- 4. Financial reporting is in accordance with accounting provisions and audit standards.

In a broader context, financial assistance should also be provided to newly established political parties; this represents pluralism in political choices and ensures fairness for political parties as they compete in the same arena.

Law Number 2 of 2011 concerning Political Parties, Article 34 paragraph (1), stipulates that the finances of political parties originate from:

- 1. Membership dues;
- 2. Legally valid contributions and
- 3. Financial assistance from the State Revenue and Expenditure Budget (APBN) and/or Regional Revenue and Expenditure Budget (APBD).

However, the state further regulates the limitations on the provision of financial assistance to political parties through the provisions in Law Number 2 of 2011, Article 34 paragraph (3), which states: "Financial assistance from the State Revenue and Expenditure Budget/Regional Revenue and Expenditure Budget as referred to in paragraph (1) letter c is given proportionally to political parties that obtain seats in the House of Representatives, Provincial Regional House of Representatives, and Regency/City Regional House of Representatives, with calculations based on the number of votes obtained."

The General Election Commission Regulation stipulates that, in the case of campaigns for President and Vice President, funding can also be sourced from the State Revenue and Expenditure Budget/Regional Revenue and Expenditure Budget (APBN/APBD). Financial assistance from the APBN/APBD is justified because political parties perform public duties at the very least, they have nominated their members as candidates for the House of Representatives, Regional House of Representatives, President, or regional heads. To ensure fair competition among participating political parties or candidates, it is reasonable for the APBN/APBD to provide public funding, whether directly or indirectly, either as incentives for each political party to carry out its roles and functions or as an effort to provide an equal minimum basic capital for political parties.

Two specific regulations further explain the basis for the implementation of financial assistance to political parties using the APBN/APBD: Government Regulation Number 1 of 2018 concerning Financial Assistance to Political Parties and Minister of Home Affairs Regulation Number 36 of 2018 concerning Procedures for Calculation, Budgeting in the Regional Revenue and Expenditure Budget, Administrative Order of Submission, Distribution, and Accountability Report on the Use of Financial Assistance for Political Parties.

Discussion

Funding for political parties is a vital component in ensuring the effective functioning of a healthy democratic system. A comprehensive review of the research document "Legal Review of State Financial Assistance for Political Parties in the Perspective of Democracy" reveals a fundamental imbalance in Indonesia's system of state financial assistance for political parties. The practice of granting financial aid exclusively to parties holding seats in legislative bodies creates a discriminatory cycle that contradicts the principle of equality in democracy, undermines political pluralism, and potentially hampers the development of new parties in contributing to Indonesia's democratic dynamics.

Several interrelated legal instruments regulate the political party funding system in Indonesia. Law Number 2 of 2011 on Political Parties stipulates that political party finances are sourced from three main channels: membership fees, legally recognized donations, and financial assistance from the State Revenue and Expenditure Budget/Regional Revenue and Expenditure Budget (APBN/APBD). Further provisions are detailed in Government Regulation Number 1 of 2018, which amends previous regulations on state financial assistance for political parties.

Article 34 paragraph (3) of Law No. 2 of 2011 explicitly states that financial assistance from the APBN/APBD is provided proportionally to political parties that secure seats in the House of Representatives (DPR), Provincial House of Representatives (DPRD Provinsi), and Regency/Municipal House of Representatives (DPRD Kabupaten/Kota), calculated based on the number of votes obtained. This provision is reinforced by Government Regulation No. 1 of 2018, which sets the amount of financial assistance for central-level political parties with seats in the DPR at Rp1,000.00 per valid vote.

These regulations are intended to strengthen the party system and institutions by increasing financial assistance as well as transparency and accountability in the management of political party finances. However, restricting the receipt of assistance only to parties that win legislative seats creates a paradox within a democratic system that prioritizes equality and fairness.

Financial assistance to political parties should be implemented based on the principles of legal certainty, functionality, transparency, efficiency, and accountability. Ideally, the purpose of such assistance is to enhance the role of political parties in providing political

education, improving transparency and accountability in governance, raising the quality of administration, improving party management, and realizing a higher quality of democratic life.

According to the analyzed research, financial assistance received by political parties is prioritized for conducting political education for party members and the public. This is also emphasized by the Acting Regent of Banyumas, who stated that financial assistance to political parties should be prioritized for political education and only subsequently used for the operational needs of party secretariats. In summary, while the current regulatory framework aims to support party institutionalization and accountability, its limitations risk entrenching inequality and stifling political diversity, highlighting the need for reforms that uphold democratic principles of fairness and inclusivity (Saputro, 2024).

The restriction of financial assistance solely to political parties holding legislative seats creates a significant imbalance within Indonesia's political ecosystem. Based on the analyzed research, the total financial assistance from the State Budget (APBN) to the nine political parties that obtained seats in the House of Representatives (DPR) following the 2019 General Election reached IDR 126,376,418,000, with the largest allocation received by the Indonesian Democratic Party of Struggle (PDI Perjuangan) amounting to IDR 27,953,961,000. Meanwhile, political parties that did not secure any seats received no assistance from the state despite having the same obligations in carrying out political party activities.

This disparity has profound implications for the quality of democracy in Indonesia. Political parties that do not obtain seats in the legislative body face financial constraints in fulfilling their functions and obligations as mandated by law, including the implementation of political education, party program outreach, and the development of qualified cadres. This situation creates a vicious cycle, where parties lacking adequate financial resources will find it increasingly difficult to compete fairly in subsequent political contests.

The unfairness in the distribution of financial assistance contradicts Article 28D paragraph (1) of the 1945 Constitution, which guarantees equality before the law. Political parties, as legal subjects, should receive equal treatment from the state, particularly in terms of support to carry out their public functions. Such discrimination not only violates the principle of legal justice but also threatens the substance of democracy itself.

According to the Guidelines on Political Party Regulation by OSCE/ODIHR and the Venice Commission, legislation should be able to formulate a system of budget allocation to political parties proportionally and not be monopolized by certain parties. The guidelines further state that "public subsidies should be set at a meaningful level to fulfil the objective of providing support, but should not be the only source of income or create the conditions for over-dependency on state support."

In a global context, there are several alternatives for the allocation and distribution of sustainable financial assistance to political parties that Indonesia can learn from. Based on the case study of public funding for political parties in Chile, there are three main funding models (de la Cerda, 2022):

- 1. Equally Distributed Fixed Contribution: This model distributes funds equally among all eligible political parties to ensure a minimum level of funding for new parties and to reduce the comparative advantage of more financially established parties. However, the main risk of this criterion is the proliferation or fragmentation of parties that use it as a vehicle to access public funds, as well as the misuse of allocated funds by political forces with minimal societal representation.
- 2. Variable Contribution Based on Previous Electoral Performance: This model allocates funds based on the electoral performance achieved in previous elections, helping to reduce funding disparities while supporting parties with greater representation. However, the risk posed by this alternative is that fiscal resources may ultimately be allocated to dominant political forces, which are generally those least in need, thus perpetuating disparities and undermining the objectives of equality, plurality, and the representation of sectors of society whose voices are excluded from institutionalized politics.
- 3. Matching Funds: In a matching funds system, fiscal resources are allocated based on the amount of private donations successfully raised by the party. This mechanism introduces incentives for private fundraising efforts, strengthening the relationship between political parties and their constituents. However, introducing a matching funds mechanism without any restrictions risks party capture by donors and may benefit political forces with a wealthier support base.

Based on a comprehensive analysis of the issues surrounding the political party financial assistance system in Indonesia, several policy recommendations can be considered to reform the existing system:

- 1. Expansion of Recipient Criteria: The political party financial assistance system needs to be reformulated to include political parties that did not win seats in the legislative body but participated in general elections and obtained a certain minimum number of votes. This is in line with the Guidelines on Political Party Regulation, which recommend that state assistance should be provided based on a minimum support threshold lower than the electoral threshold for seat allocation in parliament (van Biezen & ten Napel, 2014).
- 2. Adoption of a Mixed Funding Model: Indonesia could consider adopting a mixed funding model that combines fixed contributions for all eligible election-participating parties, variable contributions based on vote acquisition, and matching funds mechanisms with certain limitations. This could create a more equitable and balanced funding system while encouraging political parties to strengthen their relationships with constituents.
- 3. Strengthening Oversight and Accountability Mechanisms: Transparency and accountability in the use of financial assistance must be a top priority in reforming the political party funding system. This can be achieved by strengthening reporting mechanisms, conducting independent audits, and imposing strict sanctions on parties that fail to meet accountability requirements.
- 4. Periodic Review of Funding Amounts: Legislation should establish effective review mechanisms aimed at periodically assessing the impact of current public financing and, if necessary, adjusting the amount of allocated funding. Such funding should be allocated in a non-partisan manner, based on "objective, fair, and reasonable criteria."

State financial assistance to political parties should serve as an instrument to strengthen democracy by empowering all political parties participating in the democratic process, not just those that succeed in securing legislative seats. Fair and equitable funding will create a level playing field, enabling new and small parties to compete healthily with larger, established parties.

Reforming the political party financial assistance system is imperative to achieving substantive democracy in Indonesia. The ideal assistance system should provide equal opportunities for all political parties to fulfil their functions, not merely based on their success in winning legislative seats. State funding for political parties should be viewed as an investment in strengthening the democratic system, not as a reward for parties that manage to secure legislative representation.

By considering various global perspectives and experiences, Indonesia has the opportunity to reform its political party funding system to be more inclusive, equitable, and oriented toward strengthening democracy as a whole. This will contribute to the creation of a healthier and higher-quality political ecosystem, ultimately benefiting all Indonesians as the highest sovereign power in a democratic state.

Conclusion

Based on the discussion above, it can be concluded that the financial assistance system for political parties in Indonesia faces two fundamental problems. First, political parties face a dilemma between the need for substantial operational funds and the risk of losing independence due to external donor intervention. The government, as the guarantor of democracy, has not yet fully provided adequate financial support to political parties, even though these parties are the main pillars of the democratic system. Second, the provision in Article 34 paragraph (3) of Law No. 2 of 2011 on Political Parties, which only provides financial assistance to parties holding legislative seats, creates systemic injustice. This policy contradicts the principles of justice and equality in democracy, as the primary purpose of political party financial assistance is to create balance and provide equal opportunities for all parties to fulfil their function as vehicles for public political participation.

To achieve an ideal democracy, synergy is required between the government, political parties, and society through the reform of the political party financial assistance system. The government should expand the scope of financial assistance to all parties participating in general elections, not just those holding legislative seats, considering that the current budget allocation is only 0.001% of the total state/regional budget (APBN/APBD). An increase in the amount of assistance is also necessary, given that political parties bear significant responsibilities in developing cadres who uphold Pancasila and the 1945 Constitution, absorbing constituents' aspirations, and implementing party agendas that require substantial funding. Furthermore, there needs to be a revision of Article 34 paragraph (3) of Law No. 2 of 2011 on Political Parties to expand the criteria for financial assistance recipients. The assistance should be provided to all election-participating parties as recognition of their participation in

the democratic process and acknowledgement that each party has received public support, albeit in varying amounts. This step will eliminate negative perceptions toward the government and ensure fair, equal, and equitable treatment for all political parties, thereby fostering an ideal democratic climate in Indonesia.

References

- de la Cerda, N. (2022). Unstable Identities: The Decline of Partisanship in Contemporary Chile. *Journal of Politics in Latin America*, 14(1), 3–30. <u>https://doi.org/10.1177/1866802X211069378</u>
- Elfudllatsani, B., Isharyanto, & Riwanto, A. (2019). Kajian Mengenai Kebebasan Berkumpul dan Berserikat Pasal 28E Ayat (3) Undang-Undang Dasar 1945 Melalui Organisasi Kemasyarakatan Kaitannya Dengan Teori Kedaulatan Rakyat dan Hak Asasi Manusia. *Jurnal Hukum Dan Pembangunan Ekonomi*, 7(1), 52. <u>https://doi.org/10.20961/hpe.v7i1.29190</u>
- Faisal, Barid, B., & Mulyanto, D. (2018). Pendanaan Partai Politik di Indonesia: Mencari Pola Pendanaan Ideal untuk Mencegah Korupsi. *Integritas*, 4(1), 265–287. <u>https://doi.org/10.32697/integritas.v4i1.248</u>
- Kurniawan, M. J. (2024). Komparasi Sistem Pendanaan Partai Politik Di Indonesia Dan Singapura. Jurnal Locus Penelitian Dan Pengabdian, 2(12), 1116–1168. https://doi.org/10.58344/locus.v2i12.2323
- Manurung, T. R. E. (2015). Perkembangan Politik Hukum Pertanggungjawaban Partai Politik Dalam Pengelolaan Bantuan Keuangan Negara Pasca Reformasi. *Yustisia Jurnal Hukum*, 4(1), 118–128. <u>https://doi.org/10.20961/yustisia.v4i1.8636</u>
- Paranata, A. (2025). A Systematic Literature Review of Anti-corruption Policy: A Future Research Agenda in Indonesia. *Public Organization Review*. <u>https://doi.org/10.1007/s11115-025-00847-8</u>
- Saputra, M. R., & Setiadi, W. (2024). Implementation Of General Principles Of Good Government In The Organization Of The 2024 Elections. *International Journal of Law and Society*, 1(3), 94–112. <u>https://doi.org/10.62951/ijls.v1i3.65</u>
- Saputro, H. C. (2024). *Pj Bupati : Bantuan Keuangan Parpol Diprioritaskan Untuk Pendidikan Politik*. Kabupaten Banyumas. <u>https://www.banyumaskab.go.id/read/47629/pj-bupatibantuan-keuangan-parpol-diprioritaskan-untuk-pendidikan-politik</u>
- Schmitter, P. C., & Karl, T. L. (1991). What Democracy Is. . . and Is Not. *Journal of Democracy*, 2(3), 75–88. <u>https://doi.org/10.1353/jod.1991.0033</u>
- Sofian, M., & Fuad, F. (2024). Peran Mahkamah Konstitusi Dalam Menegakkan Prinsip Negara Hukum Untuk Mewujudkan Keadilan Sosial Berdasarkan UUD 1945. Juris Humanity: Jurnal Riset Dan Kajian Hukum Hak Asasi Manusia, 3(2), 12–23. https://doi.org/10.37631/jrkhm.v3i2.43
- Syahuri, T. (2023). Teori Konstitusi (Sejarah, Teori, dan Perubahan Konstitusi). PT. Rajagrafindo.
- Ufen, A. (2008). Political party and party system institutionalization in Southeast Asia: lessons

for democratic consolidation in Indonesia, the Philippines and Thailand. *The Pacific Review*, 21(3), 327–350. <u>https://doi.org/10.1080/09512740802134174</u>

- van Biezen, I., & ten Napel, H.-M. (Eds.). (2014). Regulating Political Parties. European Democracies in Comparative Perspective. Leiden University Press. https://doi.org/10.24415/9789087282189
- Winayanti, N. K. (2016). Makna Pasal 28 Uud 1945 terhadap Kebebasan Berserikat dalam Konteks Hubungan Industrial. Jurnal Konstitusi, 8(6), 969. <u>https://doi.org/10.31078/jk865</u>
- Wiraguna, S. A. (2024). Metode Normatif dan Empiris dalam Penelitian Hukum: Studi Eksploratif di Indonesia. Public Sphere: Jurnal Sosial Politik, Pemerintahan Dan Hukum, 3(3). <u>https://doi.org/10.59818/jps.v3i3.1390</u>