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# THE PROBLEM OF THE AUTHORITY OF POLITICAL PARTIES IN INFLUENCING PUBLIC POLICY DETERMINATION

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#### **Abstract**

The purpose of this study is to analyze: 1) How are political parties related to public policy? 2) Why is there a problem with the authority of political parties in influencing public policy?. The research method used is normative juridical with a statutory approach, concept approach, and case studies. The results showed that: 1) In the formulation of public policies by political parties through executive and legislative bands, coordination, communication, consolidation, solidity and transparency are needed. Coordination is carried out with the aim that the policy must be synergistic so that the policy becomes a shared responsibility. 2) Improvements in Policy-Making Institutions Supervision carried out by political parties to parliament, has a strategic role in formulating national policies, but parliament as a representative democratic system cannot run well without the presence of political parties that are intermediaries between political elites and constituents, so this can be an obstacle between people's aspirations and party interests. Amendments to Law Number 17 of 2014 relating to party intervention against parliamentarians, Supervision carried out by political parties to parliament, need to be revised and realigned. Because it will provide a safe space and focus on public policy making in order to overcome problems that occur in society.

Keywords: Problematic, Authority, Political Party, Influencing, Determination, Public Policy.

### **INTRODUCTION**

### **Background**

A policy can be viewed as a process of interaction between the objectives that have been set and the actions taken to realize the intended goals. The policy determination process is the stage of determining a policy from various existing policy alternatives. In policy determination, there are various criteria that must be considered by policy makers such as: organizational loyalty, political and social pressure, economic conditions, procedural requirements, previously agreed commitments, and relatively narrow time. According to Anderson, public policy determination consists of five values that must be considered by public policy setters, namely political values, organizational values, personal values, policy values, and ideological values.<sup>1</sup>

The democratic system is believed to be able to realize the goals of justice and social welfare for all citizens.<sup>2</sup> All countries in the world declare themselves as democracies, namely countries that apply the principle of people's sovereignty in the administration of their government, starting from

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institutionalization to the system of government used.<sup>3</sup> Indonesia adheres to a democratic system whose sovereignty is in the hands of the people. People should be involved in public policy making. People can be involved in public policy making through political parties (Parpol).<sup>4</sup> Political parties are a necessity in modern democratic political life.<sup>5</sup>

Indonesia as a democracy places political parties as one of the important instruments in the realization of the nation's democracy. It is undeniable, that political parties are the pillars of the democratic system, without political parties democracy cannot work and run, or it can also be said that the functioning and working of democratic state life, depends on the existence of political parties. With political parties, people's aspirations and desires can be channeled and fought for. In that context, political parties are obliged to carry out a number of functions, including mediating between the people and the government, nominating candidates, organizing government, encouraging public accountability, political education and conflict control.<sup>6</sup>

In democracies, the existence of political parties is the main equipment. Without political parties, a country is not worthy of being called a democracy. Political parties become a much-needed media and political vehicle to facilitate political interests. The role of political parties is very important for the future of the nation, because the involvement of political parties in general elections (elections) will produce new leadership. Political parties are indispensable institutions to facilitate political interests where the electoral system requires someone to use political parties as a vehicle.

The main function of political parties is to seek and maintain power in order to realize programs prepared based on the ideology of political parties,8 The task of political parties is to perform: 1. Political Socialization 2. Political Recruitment 3. Political Guide 4. Political Communication 5. Political Control 6. Conflict Control 7. Political Participation. Related to task number 7, namely political participation, the people can influence the process of making and implementing public policies by electing candidates for people's representatives and leaders.<sup>10</sup>

Basically, public policy is something designed by policymakers where through a sovereign government, in this case it can be seen if there is a change in policy that cannot be separated from the context, format and political ideology of the ruler. Public policy is essentially a policy taken by the government that is very binding on the community and must aim for the welfare of the people, in this case the government every policy maker always intervenes in something he wants, especially life in society and must be placed at a point where it must be accepted in society, where naturally, the state represented by the government has been bound by a natural social contract With citizens, the binding contract requires the government to provide various needs or even desires of citizens that range from basic and material things to fudamental and spiritual things, but reality is <sup>12</sup>very difficult so public participation is needed, that is where the role of political parties can enter public policy making, can be through the legislature and executive.

Political parties determine policies as stated by Law number 2 of 2008 concerning political parties Article 11 paragraph 1 point c where political parties function as a means of absorption, gathering and channeling the political aspirations of the community in formulating and determining state policies, <sup>13</sup> if referring to the law political parties are very likely to agenda the interests of political parties in a policy both through laws and regulations policy interests carried out by executive agencies. This is an intervention carried out by political parties excessively and does not make democratic values good, political party laws are solely political, because in policy making, political parties cannot directly determine the direction of policy, government policies cannot be implemented directly without criticism from the party.<sup>14</sup>

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### **Problem Statement**

- 1. How do political parties relate to public policy?
- 2. Why is there a problem with the authority of political parties in influencing public policy?

#### THEORETICAL FRAMEWORK

### 1. Democratic Theory

According to Jimly Asshiddiqie, the concept of democracy is practiced throughout the world differently from 1 (one) country to another Democracy has become a paradigm in the language of world communication regarding government systems and political systems that are considered ideal.<sup>15</sup> Robert A Dahl, followed by Muntoha in his book "Democracy and the State of Law" states that Democracy as a political idea contains 5 (five) criteria, namely:

- a. Equal suffrage in determining binding collective decisions;
- b. Effective participation, i.e. equal opportunities for all citizens in the collective decision-making process;
- c. Truth-telling, that is, there is an equal opportunity for everyone to assess the course of the political process and government logically. 16

To run Democracy, of course, various institutions are needed that can implement these values, namely:

- a. A responsible government;
- b. A house of representatives which may represent the classes and interests of the elected society by free and secret elections and on the basis of at least two candidates for each seat;
- c. A political organization that includes one or more political parties;
- d. The press and mass media are free to express opinions;
- e. A free judicial system to guarantee human rights and defend justice. 17

### 2. Public Policy Theory

Carl J Federick defines policy as a set of proposed actions/activities of a person, group or government in a particular environment where there are obstacles (difficulties) and opportunities for implementing the proposed policy in order to achieve a particular goal. This opinion also shows that policy ideas involving behavior that has a purpose and purpose are an important part of policy definition, because after all policy must show what is actually done rather than what is proposed in some activity on a problem.<sup>18</sup>

The policy-making process is a complicated and complex job and is not as easy as imagined. However, the adsministrators of an institutional organization or institution are required to have responsibility and will, as well as ability or expertise, so that they can make policies with *intended and unintended risks*. Policymaking is influenced by several factors. The important thing that is also watched out for and then can be anticipated is that in policy making there are often common mistakes. Factors that influence policy making such as, the influence of external pressures, the influence of old habits, the influence of personal traits, the influence of outside groups, the influence of past circumstances.<sup>19</sup>

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#### **RESEARCH METHODOLOGY**

This researcher uses legal research methods with a normative juridical approach, namely using the concept of legis positivist. This concept views law as identical to written norms created and promulgated by authorized institutions or officials. This concept views law as a normative system that is independent, closed and independent of real community life. Where this method examines written law with various aspects such as theory, history, philosophy, comparison, structure and composition, scope and material, consistency, general explanation and explanation of each article, formality and binding force of a law. Further about normative legal research, namely research that has the object of study of rules or legal rules. Normative legal research examines legal rules or regulations as a system building related to a legal event. This research was conducted with the intention of providing legal argumentation as a basis for determining whether an event has been true or false according to law. 22

The type of research that the author uses in the preparation of this writing is literature research (*liberary reaserch*), which is legal research conducted by examining library materials or secondary data consisting of primary legal materials, secondary legal materials, and tertiary legal materials. The literature research includes research on legal principles, research on legal systematics, research on the level of verbal and horizontal synchronization, legal history and comparative law.<sup>23</sup>

#### **RESEARCH RESULTS**

#### The Relationship of Political Parties with Public Policy

According to Meriam Budiardjo, a political party is an organized group whose members have the same orientation, values, and ideals, the purpose of this group is to gain political power and seize political position (usually) by constitutional means to carry out its program.<sup>24</sup> According to Sigmund Neuman a political party is an articulate organization consisting of political actors who are active in society, namely those who focus on controlling government power and competing for popular support and several other groups that have different views, thus political parties are large intermediaries that connect social forces and ideologies with official government institutions that linking it to political action within the wider political community".<sup>25</sup>

Furthermore, Russell J. Dalton, and Martin P. Wattenberg describe the function of political parties, namely: *First* is the function of the party in the electorate (*parties in the electorate*). In this section the function of parties refers to the appearance of political parties in connecting individuals in the democratic process. *Second* is the function of the party as an organization (*parties as organization*). This function refers to functions involving the party as a political organization, or processes within the party organization itself. *Third*, is a party function in government (*parties in government*). In this arena, the party plays a role in the management and structuring of government matters.<sup>26</sup>

According to Article 1 paragraph (1) of Law Number 2 of 2011 concerning Amendments to Law Number 2 of 2008 concerning Political Parties, the definition of a political party is "an organization that is national in nature and formed by a group of Indonesian citizens voluntarily on the basis of common will and ideals to fight for and defend the political interests of members of society, nation and State and maintain the integrity of the Unitary State of the Republic of Indonesia based on pancasila and the 1945 Constitution of the Republic of Indonesia".<sup>27</sup>

The rules on political parties in this country are quite complete. This means that the ideal political party has actually been outlined according to existing regulations. The laws and regulations governing political parties in Indonesia since independence are: 1) Declaration X of Vice President Muhammad Hatta (1945); 2) Law No. 7 of 1959 concerning Party Simplification Requirements; 3) Law Number 13

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of 1960 concerning the Recognition, Supervision, and Dissolution of Parties; 4) Law Number 3 of 1975 concerning Political Parties and Work Groups; 5) Law Number 3 of 1985 concerning Amendments to Law Number 7 of 1975 concerning Political Parties and Work Groups; 6) Law Number 2 of 1999 concerning Political Parties; 7) Law Number 31 of 2002 concerning Political Parties; 8) Law Number 2 of 2008 concerning Political Parties.<sup>28</sup>

The role of political parties is simply defined as *Representation of Idea* which acts to represent the interests of society, providing a way of compromise for opinions / demands that compete peacefully and legitimately, political parties are a bridge of communication between the government and the people, then political parties through the structural ranks of parties must actively be part of social and political life in a particular community entity, as one of the democratic institutions that play an important role in the democratic process, So political parties are able to place positions actively and creatively in order to carry out their duties and functions.<sup>29</sup>

In addition to the positive view of the role of political parties, there are also many critical and skeptical views of political parties, the most serious of which states that political parties are merely political vehicles for a group of powerful political elites and merely a means for them to satisfy the "*lust of power*" His own. Political parties only serve as a tool for a few people who happen to be lucky enough to win the votes of the people who are easily deceived through elections to impose certain public policies for the benefit of a group of people.<sup>30</sup>

In a democracy, the position and role of each institution must be equally strong and mutually controlling in the relationship of *checks and balances*. Therefore, a good party system determines the working of the constitutional system based on the principle of checks and balances in a broad sense. On the contrary, the effective functioning of the country's institutional functions in accordance with the principle of checks and balances based on the constitution also determines the quality of the party system and democratic mechanisms developed in a country.<sup>31</sup> It is the political party that acts as an intermediary in the decision-making process of the state, which connects citizens with state institutions. As Robert Michels in his book, *Political Parties, A Sociological Study of the Oligarchial Tendencies of Modren Democrazy,* that organizations are the only economic or political means of forming collective will.<sup>32</sup>

Public policy is made to solve problems that occur in society. Public policy is determined by the parties, especially the government which is oriented towards solving problems that occur in society, meeting the needs and interests of the community, in order to enable the achievement of goals or objectives as the end result of the activities carried out by the government. The people as subjects of the democratic system in Indonesia, have the right to participate in determining policies through representative policies to be carried out by executive and legislative institutions for the welfare of the people.<sup>33</sup>

In accordance with AD / ART and Law Number 2 of 2011 concerning Amendments to Law Number 2 of 2008 concerning Political Parties, political parties are the reservoir of people's aspirations, but political parties can choose the aspirations to be conveyed. If public aspirations or problems are included in the agenda/interests of political parties, it will proceed to the formulation discussion stage. The problem of people's aspirations through parties is not only about the connection of aspirations through many doors, but also about differences in party political direction, especially when there is an opposition party where the opposition party is an inherent institution in the democratic system, however, for countries that have just experienced a democratic transition such as Indonesia, the institutionalization of opposition becomes a separate problem because of strong rejection from antiopposition parties who are anti-opposition As long as it considers opposition parties unusual in

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presidential systems, with opposition it is certain that when the sovereign government legitimately issues an automatic policy, the opposition party will criticize the policy.<sup>34</sup>

The product of political decisions in a democratic country will be greatly colored by the role of political actors as legislators who become a mouthpiece for the people. These political actors or legislators struggle and work within the political system through the existence and functionalism of parties. Democratic and participatory political culture becomes the political force of democratic political parties that work, fight and think for the progress of people-nations.

Political parties connect the people with their governments. For people living in large, heterogeneous societies, governments often feel distant and impersonal. However, these parties usually create close contacts with voters to gain their support at polls and to seize government power. Especially during elections and even in the period between elections, these parties can convey the demands of each people to the leaders of the government. By creating a free flow of communication between government and citizens, parties want political leaders to remain contactable to their voting publics. In a democracy, political parties try to bring together a variety of demands in order to create a common interest. In short, political parties bring together, negotiate, bridge diverse views, and therefore plan for the common good.<sup>35</sup>

Public sector development is not only a matter of improving public management, but also championing issues of justice that are only possible when a democratic system works, which can be seen from two indicators: (i) if market development is determined by open and competitive participation, structured in the political-economic and protected and controlled by legitimate institutions. Open and competitive participation where people can express their choices freely and be taken into account by decision makers; (ii) participation is effective when the people have real bargaining power, meaning that they are able to reward the government and can sanction governments that are incompetent or that abuse power. In this perspective, political parties play an important role as a bridge between the government and society so that public participation is effective.<sup>36</sup>

The role of the party vertically indicates a modern organizational model where the system forms a party work Vertically the DPP makes DPP instructions to the DPD and DPC. These vertical instructions are internal to the party, but these internal instructions have an impact on public policy. For example, regarding the government's decision to import shallots and soybeans, there is a clear attitude between the attitude taken by PDI Perjuangan and the attitude taken by party officers in the executive and legislative institutions.

In the formulation of public policy by political parties through executive and legislative bands, coordination, communication, consolidation, solidity and transparency are needed. Coordination is carried out with the aim that the policy must be synergistic so that the policy becomes a shared responsibility. Communication is a space to bridge organizational barriers where organizational barriers have different organizational rules. Communication intensity will make it easier for the three pillars to make public decisions. This solidarity and transparency is a factor that synergy is impossible to build without a common understanding and frame, therefore this solidity becomes a measure of harmony between parties, factions and the executive.

The placement of cadre positions in this faction is regulated through internal parties, the party arranges/assigns faction members according to the abilities contested by looking at members of the board fittings from other party factions. This relationship is consultative because it depends on the ability of cadres. The Party's AD/ART gives priority rights in the position of Board fittings to the KSB (chairman, secretary, treasurer). KSB is given priority rights to occupy leadership positions in the executive and legislature. The structuring of party officers is not solely done on political

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considerations, and some other considerations must be thought. The structuring of the structure must pay attention to the benefits to the public. If the structuring does not have a good impact on improving public policy, then the structuring must be considered more carefully by looking at the existing political map.

Political parties have the right to evaluate the policies set by their cadres at the level of government. This evaluation is a form of control itself whether it will be implemented effectively or not. The role of the party to party officers in the legislature and executive on a policy, whether it is supportive or disagreed in the framework of controlling the government, is conveyed through formal opinions in the form of written letters. This opinion is conveyed through the party's DPC structural meeting, faction meeting or directly through the Faction Chairman in the DPRD. Parties can also express their opinions through the media, including public media both electronic and print. <sup>37</sup>

### The Problem of the Authority of Political Parties in Influencing Public Policy

The existence of political parties is increasingly important because democracy requires the authority of citizens to govern and be part of the rights of citizens to participate in determining public policies and leaders. But political parties are created not only to govern. Political parties are also to channel *collective will*—representing the interests of various groups in society.<sup>38</sup> Related to public policy, there is a complete limitation of political parties as stated by Mark N. Hagopian that, a political party is an organization formed to influence the form and character of public policy within the framework of certain ideological principles and interests through the direct exercise of power or people's participation in elections.<sup>39</sup>

The urgency of political parties in Indonesia is very high, as evidenced in the Constitution of the Republic of Indonesia Year 1945 (UUD NRI 1945) which discusses Political Parties there are 4 Articles, namely Article 6A, Article 8, Article 22E and Article 24C, where almost all of them are related to power except Article 24C, it can be interpreted that in the 1945 NRI Constitution alone has paid attention to political parties being an important element in the Indonesian constitutional system.

The function of political parties is formulated in Article 11 of Law Number 2 of 2011 concerning Amendments to Law Number 2 of 2008 concerning Political Parties, which states that political parties function as a means of:

- a. Political education for members and the wider community to become Indonesian citizens who are aware of their rights and obligations in the life of society, nation, and state;
- b. the creation of a conducive climate for the unity and unity of the Indonesian nation for the welfare of society;
- c. absorbing, gathering, and channeling the political aspirations of the community in formulating and determining state policies;
- d. political participation of Indonesian citizens; and
- e. Political recruitment in the process of filling political offices through democratic mechanisms with attention to gender equality and justice.<sup>40</sup>

Political parties can determine government policy because at the executive and legislative levels, which are in accordance with Law Number 2 of 2008 concerning Political Parties as amended by Law Number 2 of 2011 concerning Amendments to Law Number 2 of 2008 concerning Political Parties Article 11 paragraph 1 letter c where political parties function as a means of absorption, gathering and channeling the political aspirations of the community in formulating and determining State policies.<sup>41</sup>

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So that public policy can come from the role of political parties themselves directly or indirectly, it can be concluded that the role of political parties is very large in determining the direction of state and nation progress, if the policies taken come from political parties where policy makers are an extension of political parties, then the interests of political parties that support and carry these policy makers should be in the interests of the people.

Even Article 10 paragraph (1) of the Law on Political Parties clearly states that the general objectives of Political Parties are: (i) realizing the national ideals of the Indonesian nation as referred to in the Preamble to the Constitution of the Republic of Indonesia Year 1945; (ii) maintain and maintain the integrity of the Unitary State of the Republic of Indonesia; (iii) develop democratic life based on Pancasila by upholding people's sovereignty in the Unitary State of the Republic of Indonesia; and (iv) realizing welfare for all Indonesian people.<sup>42</sup>

Political parties are important instruments because the main motive of politics is to obtain legalized power. Political parties are one of the main features of a democratic state, a country without a political party cannot yet be called a democracy. Political parties need a legal umbrella in the form of more laws and regulations, in order to support appropriate public policies, either by seizing power or by intervening with policy-making actors. The fundamental changes to laws and regulations relating to political parties and policy-making procedures that need to be made are internal improvements to political parties.

Improvements in Policy-Making Institutions Supervision carried out by political parties to parliament, has a strategic role in formulating national policies, <sup>45</sup>but parliament as a representative democratic system cannot run well without the presence of political parties that are *intermediaries* between political elites and constituents, <sup>46</sup> So this can be an obstacle between people's aspirations and party interests. Amendments to Law Number 17 of 2014 relating to party intervention against parliamentarians, Supervision carried out by political parties to parliament, need to be revised and realigned. Because it will provide a safe space and focus on public policy making in order to overcome problems that occur in society.

Law Number 17 of 2014 concerning the People's Consultative Assembly, House of Representatives, Regional Representative Council, and Regional People's Representative Council article 98 paragraph (1): The task of the commission in the formation of laws is to prepare, draft, discuss and refine draft laws"<sup>47</sup>. This illustrates that the role of factions in the DPR is very large in making policies and party cadres when elected to parliament, simply bearing the title of the commission without including the name of the party, so that commission members are more focused on working for the people and producing policies that are pro-people and able to overcome problems that occur in the community<sup>28</sup>

A representative of the people in his candidacy is through a political party and must be a member of that political party, so the first legal relationship that the people's representative has is with the party concerned. Furthermore, with his election as a representative of the people, it means that the people have given him the mandate to fight for aspirations to become public policy. This is motivated by the implementation of general elections, which determines whether someone as a representative of the people depends on the people's choice. This condition gives rise to legal relations between the people's representatives and their constituents.<sup>49</sup>

#### **CONCLUSION**

The results showed that;

a. In the formulation of public policy by political parties through executive and legislative bands, coordination, communication, consolidation, solidity and transparency are needed. Coordination is

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carried out with the aim that the policy must be synergistic so that the policy becomes a shared responsibility.

b. Supervision carried out by political parties to parliament has a strategic role in formulating national policies, but parliament as a representative democratic system cannot run well without the presence of political parties that are *intermediaries* between political elites and constituents, so this can be an obstacle between people's aspirations and party interests. Amendments to Law Number 17 of 2014 relating to party intervention against parliamentarians, Supervision carried out by political parties to parliament, need to be revised and realigned. Because it will provide a safe space and focus on public policy making in order to overcome problems that occur in society.

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