

**THE ROLE OF WEST LAMPUNG GENERAL ELECTION
COMMISSION (KPU) IN FULFILLING THE POLITICAL RIGHTS
OF PERSONS WITH DISABILITIES FROM THE SIYASAH
TANFIDZIYAH PERSPECTIVE**

***PERANAN KOMISI PEMILIHAN UMUM LAMPUNG BARAT
DALAM PEMENUHAN HAK POLITIK PENYANDANG
DISABILITAS PERSPEKTIF SIYASAH TANFISZIYAH***

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Volume 3, Number 1, March 2024

Received: February 5, 2024 Accepted: February 16, 2024 Online Published: March 31, 2024.

ABSTRACT

The West Lampung Regency General Election Commission plays an important role in fulfilling the political rights of people with disabilities. Problems in fulfilling the political rights of disabilities include limited accessibility which makes it difficult for people with disabilities to participate in general elections or express other political aspirations. There are still many people with disabilities whose rights have not been fulfilled. This research uses qualitative research with the type of field research or field research. The data sources used are primary data sources and secondary data with data collection techniques using interviews, observation and documentation. The research results show that the role of the West Lampung Regency general election commission is in fulfilling the political rights of people with disabilities, such as making it easier to participate in general elections. West Lampung KPU provides accessibility according to the type of person with disabilities. The Role of the West Lampung Regency General Election Commission in Fulfilling the Political Rights of Persons with Disabilities. Siyasa Tanfidziyah's perspective has carried out its obligations as a general election implementing agency which is responsible for implementing and making efforts to fulfill the political rights of persons with disabilities.

Keywords : Persons with Disabilities, West Lampung General Election Commission, Siyasa Tanfidziyah.

ABSTRAK

*Komisi Pemilihan Umum Kabupaten Lampung Barat berperan penting dalam pemenuhan hak politik penyandang disabilitas. Permasalahan dalam pemenuhan hak politik disabilitas ini seperti, keterbatasan aksesibilitas yang menyebabkan penyandang disabilitas kesulitan dalam mengikuti pemilihan umum maupun menyalurkan aspirasi politik lainnya, masih banyak penyandang disabilitas yang haknya belum terpenuhi. Penelitian ini menggunakan penelitian kualitatif dengan jenis penelitian *fiel research* atau penelitian lapangan. Sumber data yang digunakan merupakan sumber data primer dan data sekunder dengan teknik pengumpulan data menggunakan wawancara, observasi dan dokumentasi. Hasil penelitian bahwa peranan komisi pemilihan umum Kabupaten Lampung Barat dalam pemenuhan hak politik penyandang disabilitas, seperti kemudahan dalam mengikuti pemilihan umum. KPU Lampung Barat menyediakan aksesibilitas sesuai dengan jenis penyandang disabilitas. Peranan Komisi Pemilihan Umum Kabupaten Lampung Barat Dalam Pemenuhan Hak Politik Penyandang Disabilitas Perspektif Siyasa Tanfidziyah telah menjalankan kewajiban sebagai lembaga pelaksana pemilihan umum yang bertanggung jawab untuk melaksanakan dan berupaya untuk memenuhi hak politik penyandang disabilitas.*

Kata Kunci : Penyandang Disabilitas, Komisi Pemilihan Umum Lampung Barat, Siyasa Tanfidziyah.

I. INTRODUCTION

The 1945 Constitution guarantees and respects human dignity which is naturally inherent in humans, which is universal, eternal, lasting, respected, maintained and upheld by the Republic of Indonesia. A society can be called a state if the way of life that must be adhered to by both individuals and groups is determined by rules that are binding and coercive.¹ Protection and guarantees of rights are not only given to citizens who are physically and mentally perfect, in fact the rights are protected for people with disabilities.

A sufferer is defined as someone who suffers or suffers from something. Normatively, disability is a condition of disability or a condition that limits a

¹ Rudi Santoso and Agus Hermanto, "Analisis Yuridis Politik Hukum Tata Negara (Suatu Kajian Tentang Pancasila Dan Kebhinekaan Sebagai Kekuatan Negara Kesatuan Republik Indonesia)," *Jurnal Nizham* 8, no. 01 (2020): 125-35, <https://doi.org/https://doi.org/10.32332/nizham.v8i01.2093>.

person's physical mental abilities or a condition that is unable to make a person do things in the usual way like normal people in general, whether congenital or not, in terms of physical and mental abilities.² In general, a person with a disability can be defined as someone who has long-term physical, mental, intellectual or sensory limitations that are related to activities carried out in the surrounding environment and can cause obstacles and difficulties in carrying out daily life and participating fully in the surrounding community. based on equal rights. The rights summarized in human rights include the rights of society which have basic concepts in Islam, such as issues of social justice, issues of legal guarantees, freedom of religion, freedom of business, social welfare, protesting behavior that harms other people and the rights politics or what is known as political right or political rights.³ Political rights can be defined as rights where every individual can contribute through these rights, in managing the problems of the country or government.⁴ Politics is also a way and effort to deal with people's problems with a set of laws to create benefits and prevent things that are detrimental to human interests.⁵

The political rights of persons with disabilities are stated in article 13 of law number 8 of 2016, as follows: Voting and being elected to public office, Writing and channeling political aspirations verbally and in writing, Choosing a political party and/or candidate to run in the general election, Forming Community groups and/or political parties, as well as becoming members and/or administrators of groups within these parties, Creating and joining disability organizations and representing people with disabilities at local, national and world levels, Actively participating in all levels and/or aspects of implementing the general election system , Obtain accessibility of facilities and infrastructure for holding general elections, elections for governor, regent or mayor, village elections or other positions, Obtain political education.⁶ In 2023, people with disabilities in Indonesia will number around 22.97 million people or around 8.5% of the total population. From a survey conducted by the Central Statistics Agency (BPS) in 2022, the number of people with

² Akhmad Sholeh, "Islam Dan Penyandang Disabilitas: Telaah Hak Aksesibilitas Penyandang Disabilitas Terhadap Pendidikan," *Palastren* 8, no. 2 (2015): 293–320, <https://jurnalannur.ac.id/index.php/An-Nur/article/view/49>.

³ Abdul Qodir Zaelani, Khairuddin, and Rudi Santoso, " Understanding Civil Society Through the Perspective of Ushul Fiqh (Basic Principle in Islamic Law) ," *Proceedings of the 1st Raden Intan International Conference on Muslim Societies and Social Sciences (RIICMuSSS 2019)* 492, no. RIICMuSSS 2019 (2020): 60–66, <https://doi.org/10.2991/assehr.k.201113.012>.

⁴ Mujar Ibnu Syarif, *Hak-Hak Politik Minoritas Non Muslim Dalam Komunitas Islam* (Bandung: Angkasa, 2003), 32.

⁵ Farid 'Abd Al-Khaliq and Faturrahman A. Hamid, *Fikih Politik Islam* (Jakarta: Amzah, 2005), 87.

⁶ Pasal 13 undang-undang nomor 8 tahun 2016

disabilities in Indonesia will increase to around 22.5 million people.⁷ The General Election Commission (KPU) recorded 1.1 million people with disabilities on the permanent voter list in the 2024 election or the equivalent of 0.54% of the total national voters.⁸ The General Election Commission (KPU) is an institution that has the authority to organize legislative elections, presidential elections and regional head elections in Indonesia. All aspects related to the implementation of elections are the responsibility of the KPU and not other institutions.⁹

II. METHOD

This research is a type of field research, namely research carried out intensively and in detail on a desired object by studying various data that strengthen or support a case.¹⁰ This research is descriptive qualitative, which is meant as descriptive. The data sources used are primary data sources and secondary data with data collection techniques using interviews, observation and documentation.¹¹

III. ANALYSIS AND DISCUSSION

a. The Role of the West Lampung Regency General Election Commission in Fulfilling the Political Rights of Persons with Disabilities

General elections, which were later shortened to general elections, are an implementation of popular sovereignty which is a basic principle in the concept of democracy. Indonesia is a democratic country based on Pancasila and the 1945 Constitution. A democratic country, elections are a routine agenda held by the general election commission for all citizens without exception for people with disabilities, when holding general elections, people with disabilities receive facilities and infrastructure when holding general

⁷ Tratama Helmi Supanji, "Pemerintah Penuhi Hak Penyandang Disabilitas Di Indonesia," KEMENKO PMK, 2023, <https://www.kemenkopmk.go.id/pemerintah-penuhi-hak-penyandang-disabilitas-di-indonesia>.

⁸ Nabilah Muhamad, "Jumlah Penyandang Disabilitas Dalam Daftar Pemilih Tetap/DPT Pemilu 2024," databoks, 2023, <https://databoks.katadata.co.id/datapublish/2023/07/04/11-juta-penyandang-disabilitas-sudah-tercatat-di-dpt-pemilu-2024>.

⁹ Rudi Santoso, "Peran Komisi Pemilihan Umum Dan Partai Politik Dalam Demokrasi Berintegritas," *Nizham: Jurnal Studi Keislaman* 7, no. 2 (2019): 252–61, <https://e-journal.metrouniv.ac.id/index.php/nizham/article/view/1867>.

¹⁰ Rindy Mustika and Hervin Yoki Pradikta, "Pelaksanaan Pelayanan Kesehatan Penyandang Disabilitas : Perspektif Fiqih Siyasah, AS-SIYASI: Journal of Constitutional Law [Http://Ejournal.Radenintan.Ac.Id/Index.Php/Assiyasi/Index/AS-SIYASI](http://Ejournal.Radenintan.Ac.Id/Index.Php/Assiyasi/Index/AS-SIYASI) Volume: Vol 1, No 2 (2022)" 1, no. 2 (2022).

¹¹ Rudi Santoso et al., "Kajian Filsafat: Zakat Sebagai Sumber Keuangan Negara," *IJRC: Indonesian Journal of Religion Center* 1, no. 1 (2023): 1–7, <https://doi.org/10.61214/ijrc.v1i1.7>.

elections. to make it easier for them to take part in political participation like ordinary citizens without any difficulties.

The General Election Commission (KPU) of West Lampung Regency as the election organizing institution carries out the direct task of holding elections in West Lampung Regency starting from the preparation stage to implementation, including ensuring the fulfillment of political rights for minorities such as people with disabilities, in this case the political rights of people with disabilities. such as obtaining accessibility of facilities and infrastructure during general elections to find out the role of the West Lampung Regency KPU in fulfilling the political rights of people with disabilities, the author describes the results of interviews conducted at the West Lampung Regency KPU with Mr. Okto Priadi, Head of the Planning, Data and Information Subdivision, he said that the role of the KPU is very important, especially in the West Lampung Regency KPU in fulfilling the political rights of people with disabilities, such as accessibility of facilities and infrastructure when holding general elections to make it easier for people with disabilities to take part in general elections.

The important role of the West Lampung Regency KPU in fulfilling the political rights of people with disabilities, Mr. Okto Priadi as Head of the Planning, Data and Information Subdivision at the West Lampung Regency KPU, said that the role of the West Lampung Regency KPU as an election organizer is very important in fulfilling the political rights of people with disabilities, such as facilities and infrastructure when holding elections starting from matching and researching (Coklit) data for people with disabilities.¹² The West Lampung Regency KPU has a mechanism to provide access for people with disabilities, starting from visiting the homes of people with disabilities who have difficulty participating in elections to making it easier for them to take part in voting during elections.

Based on the results of the interview above, it can be concluded that the West Lampung General Election Commission (KPU) as the election organizer domiciled in West Lampung Regency plays an important role in fulfilling the political rights of persons with disabilities, especially in obtaining accessibility of facilities and infrastructure to provide convenience when holding general elections.

Role in the functionalist concept is seen as the expectations that society places on a person or institution for their social status. However, in reality, a role is not enough if it is a hope, the role must be realized in a real action, where the action is an action that can benefit other people, not just oneself. Head of the Planning, Data and Information Subdivision, Mr. Okto Priadi, said that the West Lampung KPU plays an important role in fulfilling the political

¹² Okto Priadi Kasubbag Perencanaan, Data dan Informasi, wawancara dengan penulis, Komisi Pemilihan Kabupaten Lampung Barat, 06 Maret 2024

rights of people with disabilities, but before holding the general election, the KPU carried out matching and research (Coklit) of election data, the KPU noted that there were people with disabilities consisting of people with physical disabilities, people with mental disabilities, people with intellectual disabilities, people with visual disabilities, people with hearing disabilities and people with speech disabilities.

The lower level election management team has carried out in accordance with existing regulations, some of the disabilities in West Lampung Regency are dominated by physical disabilities, so that after non-disabled people fulfill their right to vote, the party in charge picks up the ball or goes to the house of the disabled person to carry out the election at home. each. It can be concluded that the fulfillment of the political rights of persons with disabilities by the West Lampung General Election Commission has been fulfilled, such as obtaining accessibility of facilities and infrastructure for ease in conducting general elections, but there are obstacles to fulfilling the political rights of persons with disabilities, especially for persons with mental disabilities, they have difficulty in fulfilling them. political rights.

The West Lampung Regency General Election Commission plays an important role in fulfilling political rights for people with disabilities, such as accessibility in the form of facilities and infrastructure that can make it easier for people with disabilities to participate in general elections in accordance with their disabilities. Fulfillment of accessibility for people with disabilities which aims to provide comfort and convenience for people with disabilities, as said by Mr. Okto Priadi that for people with physical disabilities who have difficulty in carrying out general elections, officers will come to their residence to make it easier for them to vote and to fulfill their rights. Politically, for people with speech and intellectual disabilities who go to the polling stations, officers will assist them in voting and for people with hearing disabilities, the KPU provides sign language teachers to make voting easier for them and easier for them to participate in other political rights. The KPU said that people with mental disabilities had difficulty fulfilling their political rights.

Accessibility for persons with disabilities is the comfort and convenience obtained by persons with disabilities as regulated in Article 2 of Law Number 8 of 2016 concerning Persons with Disabilities.¹³ Accessibility for people with disabilities in West Lampung Regency is a benchmark for the implementation of elections carried out by the West Lampung General Election Commission, whether they have evenly provided easy access during general elections or not. Based on the facts found by the author when conducting field research, the provision of accessibility in the form of facilities and infrastructure for people with disabilities to make it easier for them to take part in general elections or other political activities, there are still people with disabilities who

¹³ Pasal 2 Undang-Undang Nomor 8 Tahun 2016

have not received access services when carrying out general election activities according to the type of disability.

During the general election, there are still people with disabilities who have difficulty participating in political activities, especially during the general election, this is due to the unavailability of facilities and infrastructure provided by officers to make it easier for them to get to that place, especially for people with physical disabilities in the legs, they election with the help of the family to go to the polling station. The KPU admits that people with mental disabilities have difficulty fulfilling their political rights, because of these difficulties, in this case, people with mental disabilities have not been fulfilled. For people with intellectual disabilities when participating in general elections or other political activities, they are assisted by officers to make it easier for them to participate in the elections. For people with hearing and speech disabilities, the KPU provides sign language experts, however, sign language experts were not available at the time of the election and for people with visual disabilities, they admitted that they did not get special ballot papers for people with disabilities, during the election they were assisted by their families.

Based on the results of the research, it can be concluded that the West Lampung Regency General Election Commission has basically tried as much as possible to fulfill the political rights of people with disabilities in the form of ease of facilities and infrastructure for people with disabilities, people with physical disabilities get assistance in the form of wheelchairs and get convenience when carrying out activities. elections by visiting their homes and for people with intellectual disabilities it is easy to get their political rights fulfilled when voting, but the fulfillment is not evenly distributed. For people with mental, hearing, speech and visual disabilities, the implementation of providing facilities and infrastructure, such as providing language experts during elections, is still not implemented perfectly, because it is still partial or not comprehensive, especially for people with disabilities who live in villages.

In general, there are three efforts made by the West Lampung General Election Commission to fulfill the political rights of people with disabilities, namely as follows:

- 1) The KPU claims to have carried out data matching and research (Coklit) before holding general elections for people with disabilities.
- 2) Providing accessibility for people with disabilities, in this case the accessibility referred to is the provision of services in the form of facilities and infrastructure that can make it easier for people with disabilities to participate in general elections.

b. The Role of the West Lampung Regency General Election Commission in Fulfilling the Political Rights of Persons with Disabilities from a *Siyasah Tanfidziyah* Perspective

According to *Siyasah Tanfidziyah*, the role of the West Lampung Regency General Election Commission in fulfilling the political rights of persons with disabilities is a foundation of Islamic law which is based on the characteristics and objectives of Islamic law. *Siyasah tanfidziyah* is one of the most important parts of Islamic government because it concerns the state revenue and expenditure budget. The task of the *Tanfidziyah siyasa* is to implement the law.¹⁴ The state carries out its policies both relating to the country and relating to relations between countries (international relations).¹⁵ So, in the Islamic view, people with disabilities and non-disabled people have the same rights before Allah and the law. The main teachings of Islam are humanizing humans and spreading the mission of *Rahmaan lil`alamin*. If someone uses religion in the name and actually destroys the existence of humanity, then that is an excessive (extreme) religious attitude.¹⁶ Understanding *fiqh siyasah Tanfidziyah* in Islamic law requires studying the Islamic legal system as a whole first, because Islamic law is an aspect of teaching that occupies an important position because it is the most concrete manifestation of Islam as a religion. It is impossible to understand Islam without understanding Islamic law.¹⁷

Islam is a religion that is *rahmatan lil'alamin* which talks about commands and prohibitions. As it relates to small communities and disabled or disabled people, religion is not only discussed from a legal perspective but also a person's sensitivity or conscience. Islamic concern for small things covers all aspects of their lives, so paying attention to the fate or rights of people with disabilities or what are usually called disabled people is a recommendation of the Islamic religion. Islam not only protects the law, but also protects the conscience of fellow human beings, which means that dealing with their fate cannot be left entirely to the law, but also adheres to human values. The government and society must work together to fight for the rights and improve the lives of people with disabilities.

The formation of laws must be based on justice and the benefit of the people, so that the objectives of the law can be achieved as taught by Islam. As explained in the *Al-Qur'an* which reads:

¹⁴ Ibnu Taimiyah, *Syarbu Kitab Al-Siyasati Al-Syar'iyah* (Kairo: Mu'assasah Al-Mukhtar, n.d.), 5.

¹⁵ Muhammad Iqbal, *Fiqh Siyasah Kontekstual Doktrin Politik Islam* (Jakarta: Gaya Media Persada, 2001), 52.

¹⁶ Rudi Santoso and Fathul Mu'in, "Peran Majelis Ulama Indonesia (MUI) Lampung Menghadapi Era Disrupsi Informasi," *Ath Thariq Jurnal Dakwah Dan Komunikasi* 4, no. 1 (2020): 79, https://doi.org/10.32332/ath_thariq.v4i1.2026.

¹⁷ Fathul Mu'in et al., "The Urgency of Reforming Marriage Laws and Compilation of Islamic Law Entering the 5.0 Era," *KnE Social Sciences* 2024 (2024): 294–301, <https://doi.org/10.18502/kss.v9i2.14988>.

إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَ إِلَىٰ أَهْلِهَا وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ ۗ إِنَّ اللَّهَ نِعِمَّا يَعِظُكُمْ بِهِ ۗ إِنَّ اللَّهَ كَانَ سَمِيعًا بَصِيرًا

"Indeed, Allah commands you to convey the trust to its owner. When you establish laws between people, you must establish them fairly. Indeed, Allah gives you the best teaching. Indeed, Allah is All-Hearing, All-Seeing." (Al-Qur'an Surah An-Nisa Verse 58)

The verse above shows that Allah SWT commands to carry out the mandate in a perfect, honest and fair manner, and to give it to those who are entitled to receive it. Allah also commands us when He establishes laws between human beings, both those who are in dispute and those who are not in dispute. So it must be in accordance with Islamic teachings, which means acting fairly, siding with only those who are right and giving sanctions only to those who are guilty. The command to do justice is addressed to all humans. The nature of trust and justice must be implemented and upheld without considering history.

The view of Islamic law in fulfilling the political rights of persons with disabilities must be based on the teachings of Islamic law, namely obedience regulated by leaders or *ulil amri* and is also part of the science of *Fiqh Siyasa Tanfidziyah*. *Siyasa Tanfidziyah* is a science that discusses politics in implementing a law, so in this case the Role of the West Lampung Regency General Election Commission in Fulfilling the Political Rights of Persons with Disabilities from the *Siyasa Tanfidziyah* Perspective.¹⁸

Fiqh Siyasa Tanfidziyah in the content of the discussion focuses more on legislative and regulatory policies from the perspective of Islamic law, apart from that, *Fiqh Siyasa Tanfidziyah* also examines the implementation of a law. In this research, the author focuses on the study of *fiqh siyasa tanfidziyah* because *fiqh siyasa tanfidziyah* has the task of implementing legislation, including the implementation of the KPU in fulfilling the political rights of persons with disabilities.

Based on the results of the research, it can be concluded that the implementation of the fulfillment of the political rights of people with disabilities by the West Lampung Regency KPU has not been fully fulfilled, there are still obstacles in fulfilling these political rights by the West Lampung Regency General Election Commission, there are still people with disabilities whose rights have not been fulfilled, in this case According to *Siyasa Tanfidziyah*, the role of the West Lampung Regency General Election Commission in Fulfilling the Political Rights of Persons with Disabilities has carried out its obligations as a general election implementing agency which

¹⁸ Iqbal, *Fiqh Siyasa Kontekstual Doktrin Politik Islam*.

is responsible for implementing and making efforts to fulfill the political rights of persons with disabilities and it can be said that the Role of the West Lampung Regency General Election Commission is in Fulfilling The Political Rights of Persons with Disabilities do not conflict with principles and rules and are in line with the study of siyasah tanfidziyah because the KPU as an election management institution provides accessibility in the form of convenience for persons with disabilities in participating in general elections and other political activities. Accessibility for persons with disabilities is fulfilled according to the type of disability suffered, although in fulfilling the political rights of persons with disabilities there are still obstacles and the fulfillment of the political rights of persons with disabilities has not been fully implemented by the West Lampung Regency KPU.

IV. CONCLUSION

The role of the West Lampung general election commission in fulfilling the political rights of persons with disabilities, such as providing easy accessibility. West Lampung KPU provides accessibility according to the type of person with a disability, people with physical disabilities receive assistance in the form of wheelchairs and convenience in participating in general elections, people with intellectual disabilities have a role in assisting and directing people with intellectual disabilities, people with speech disabilities the KPU provides language experts, but in the field language experts not yet available and for people with mental disabilities their political rights have not been fulfilled, because there are obstacles in fulfilling them.

The West Lampung Regency General Election Commission's fulfillment of the political rights of persons with disabilities is in line with the Fiqh Siyasah Tanfidziyah where the General Election Commission has implemented and fulfilled the political rights of persons with disabilities. Based on Fiqh Siyasah Tanfidziyah, however, there are still obstacles and obstacles in fulfilling all the political rights of persons with disabilities.

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