



## Inclusive Democracy in Practice: Fulfilling the Political Rights of Persons with Disabilities in the Malang City Election

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### A B S T R A C T

This research analyzes the efforts to fulfill the political rights of persons with disabilities in the Malang City election. Persons with disabilities, who may face physical, intellectual, or mental limitations, often encounter barriers in exercising their political rights, even though they are entitled to equal participation in democratic processes. The study aims to evaluate how election stakeholders in Malang City ensure inclusivity in political participation for this marginalized group. Using a qualitative descriptive approach, data were collected through observation, interviews, and documentation, and analyzed with the interactive model of Miles and Huberman. The findings reveal that the General Election Commission (KPU) of Malang City has implemented several measures to strengthen participation. First, policies were designed and implemented in accordance with existing regulations to guarantee accessibility. Second, socialization activities were conducted to inform persons with disabilities about election procedures, schedules, and mechanisms. Third, the Election Supervisory Body (Bawaslu) provided oversight to ensure compliance and prevent discriminatory practices. Finally, the Malang Inclusion Forum facilitated regular hearings with the KPU every three months to address specific needs and challenges. In conclusion, the combined efforts of policy implementation, targeted socialization, supervision, and stakeholder collaboration have significantly contributed to the fulfillment of political rights for persons with disabilities in Malang City elections, though continuous improvement is still required to ensure full inclusivity.

### INTRODUCTION

Humans are the most perfect creatures of God on this earth, from the beginning of birth on this earth humans are endowed with natural rights inherent in each human being (George, 2016). Not only that, but humans were created on this earth to carry out the task of protecting and caring for the universe on this earth, as well as protecting the human rights of each individual, both regarding their dignity and the fulfillment of human rights as a whole. Human rights are inherent in human beings from birth and are universal, lasting (Berquist, 2019). Therefore, they must be protected, respected and defended, not to be reduced or taken away by anyone because everyone has rights that must be fulfilled. Not only that, but it is obliged to fulfill the obligations of one another in the nation and state (Stark, 2019; Taylor, 2017).

In accordance with the title above, the researchers discuss the fulfillment of political rights of persons with disabilities, where persons with disabilities have the same rights in the life of the nation and state in accordance with Law Number 8 of 2016 Article 5 which reads: Persons with Disabilities have the right to life, freedom from stigma, privacy, justice and legal protection, education, employment, entrepreneurship, and cooperatives, health, politics, religion, sports, culture, and from disasters,

habilitation and rehabilitation, concessions, income (Harpur & Stein, 2018; Khojabekov, 2021; Pratiwi et al., 2023). Persons with disabilities have the same rights and freedoms that require protection, fairness and equality with the same respect and dignity as humans in general. However, in Indonesia, people with disabilities still receive discriminatory and unjust treatment (Gumelar & Sardi, 2021; Nurhayati, 2020). Therefore, the Indonesian government is obliged to protect the human rights of people with disabilities. Disability human rights has become a global issue, which cannot be set aside by the state if it wants to continue to exist in international relations (Notopratinoto & Jalil, 2019). As a form of justice for the Indonesian state in the implementation of human rights in accordance with what is stipulated in the constitution that persons with disabilities themselves have the natural right in each individual to get what they want in order to achieve a sense of justice that is embedded in their hearts, this justice can be measured by their satisfaction both in fulfilling their needs or in other matters, when indeed the conscience or mind of each individual does not feel fair even though they have received a guarantee it is still lacking in getting justice (Anggraini & Susetyo, 2024; Endah & Itasari, 2020; Maulana et al., 2020).

In line with Jimly Asshidiqie's opinion, he reflects on human rights as rights that are inherent in humans because of the nature of human birth as humans.<sup>48</sup> It is said to be 'inherent' or 'inherent' because these rights are owned due to the nature of their birth as humans and not because they are given by any power organization including the state. It is also said to be 'inherent' so that basically these rights cannot be taken away or revoked for a moment (Asshiddiqie, 2020). The Indonesian state is inseparable from the magna carta charter issued in England on June 15, 1215 which limits the monarchy in England at that time was quasi king john whose form of power was absolute, the concept of human rights is inseparable from existing history (Arifin & Lestari, 2019).

After the passage of time, the development of human rights developed rapidly, giving birth to several concepts in the country, namely in 1968 there was such a thing as the bill of rights, several variables were born from the concept of the bill of rights, namely freedom of expression and speech, freedom of religion, voting and voting, the right to change people's decisions, this is the point that was born because there are several causes for the birth of the point, namely the arbitrary actions and rules for expressing opinions, and the protection itself that regulates the king so that in this case there is no form of justice and gave birth to the bill of rights declaration (Rosenberg, 2016). Along with the developments that occurred in the west, it had an impact on Indonesia. Indonesia ratified the concept of UDHR or the Universal Declaration of Human Rights (UDHR) on December 10, 1948 in Paris as a response to the majority of the world's citizens that all humans are born with freedom and have equality in degree and before the law. Indonesia is one of the countries that has ratified and adopted the UDHR in the 1945 Constitution. In fact, before the UDHR was born, the founders of this country had already thought about the importance of protecting human rights (Stephens, 2017).

In this era, the issue of human rights has become a very sexy trend in the public sphere, both on campus and among the community and other public spaces. Not a few people are lacking in the fulfillment of their human rights guarantees, because sometimes people who already feel that their rights are fulfilled are indifferent to the surrounding environment which requires more special attention. Not a few things in this country must be resolved by the state regarding human rights, because human rights are the main issue in the state that must be resolved properly and administered with full justice because it all becomes very fundamental in fulfilling a better level of welfare than before. People with disabilities in everyday life are referred to as disabled people, often considered unproductive citizens, and unable to carry out their duties and responsibilities so that their rights are ignored in everyday life (Kissow, 2015).

Disability is a person who has their own shortcomings so that in terms of carrying out their daily activities they need assistive devices to carry out their activities. but there is nothing impossible in this world because in essence God created humans equally, no one is higher than the other, as mentioned earlier, there is nothing impossible when people with disabilities are given a space for expression in political participation and other agendas or can become a leader in this country, because in fact humans are created in this world to become a leader, whether it is a leader for his family or a leader for this country (Friedman & Owen, 2017).

One of the main topics of discussion in this research is the role of disabilities in participating in politics because indeed people with disabilities have the right to vote and vote, why not if people with disabilities today have the potential to lead this country both in the executive and legislative branches. We must pay attention to the role of people with disabilities today, they also have the same rights as other normal people so that political participation must be facilitated by the state. People with disabilities are also human beings and they are created equal to other humans, as it should also be coherent from the discussion that has been put forward above regarding people with disabilities themselves, they are also Indonesian citizens not only in this country, this discussion has indeed become a global issue that must be resolved by every country both in Europe and other countries, In this case, the state and power holders called the political elite must indeed provide space or opportunities when a potential in persons with disabilities to become a leader for this country, because it does not rule out the possibility that they have a discourse for this country to make this country even better and the welfare of its people. Be it at the executive or legislative level and others. Some things that must be underlined regarding people with disabilities, which to this day have not even seen people with disabilities in the legislative or executive and judicial levels (Caton & Chapman, 2016).

This is a very big question whether people with disabilities are less capable in terms of political participation or to become leaders in the country or whether space is not given to these disabilities even though some of them certainly have potential but are not given space. This is something that must be known carefully that people with disabilities today are not just stigmatized as people with disabilities in other communities, but they or people with disabilities are created equally by God and they are also created to be a leader of this issue that has not been thoroughly revealed what is wrong with this, whether it is the system or what it is like. This is a serious concern because until today there has been no news about people with disabilities, most people today or practitioners, academics and so on, they mostly discuss about people with disabilities with the concept of service alone not discussing how the role of people with disabilities in their political participation. We will not necessarily forget how the concept of good service for people with disabilities, but we will see how the role of people with disabilities in their political participation with services that I consider to be more advanced because this is a modern era where all things are advanced.

Seeing from the rapid development of this era in various parts of the world not only in Indonesia, the issue of persons with disabilities today should have progressed in terms of services and others, whether it is getting good services in terms of expressing their thoughts or in terms of how to accommodate all forms of discourse from persons with disabilities, with this, persons with disabilities feel that there are those who accommodate them with real shortcomings that do not mean being a barrier in terms of expressing all forms of thought because they are created equal by God and equal there is nothing fundamentally different. Today's regime is different from the old order regime and the new order regime which was known to be authoritarian at that time. With the passage of time, the new order regime shifted to the reform era which adheres to a democratic system that all people have the right to express their opinions and are entitled to the same treatment, not discriminating against one another and not

discriminating against certain groups because they also have the same rights.

## METHOD

This research uses a qualitative approach, which is considered most appropriate for addressing its objectives. Qualitative research is defined as an investigative process aimed at understanding social problems in depth. This approach focuses on creating a holistic, complete picture, constructed using words, and involving the detailed perspectives of informants. Data is collected and compiled in a natural context or setting, allowing researchers to capture the essence of the phenomenon being studied (Sugiyono, 2016). This approach is particularly effective when the goal is to uncover the social complexities that occur in real life.

The type of research used in this study is descriptive. Descriptive research was chosen because it has the ability to describe the state or status of a specific group of people, objects, conditions, or events occurring at the time of the research. This research aims to describe existing social phenomena, including relationships, activities, attitudes, views, and ongoing processes. Furthermore, descriptive research also focuses on the impact or effect of certain phenomena on society. In other words, this research seeks to provide a clear picture of existing problems and to analyze the social relationships that emerge within that context (Silalahi, 2018).

## RESULTS AND DISCUSSION

### Fulfillment of Political Rights of Persons with Disabilities

The fulfillment of the political rights of persons with disabilities is one of the obligations that must be fulfilled by the state because every citizen, whether it is a person with a disability or a disability, has the same rights in terms of how to fulfill the political rights of persons with disabilities. Not only that, but persons with disabilities must be guarded by the rights inherent in their individuals to ensure that their rights are maximally fulfilled, and maintain the dignity of persons with disabilities.

In the fulfillment of political rights of persons with disabilities, there are several criteria of research subjects who know related to the fulfillment of political rights of persons with disabilities and researchers try to interview these criteria in order to know comprehensively related to how the fulfillment of political rights carried out for persons with disabilities or disabilities. Thus, the results of this interview can be a reference on how to fulfill the political rights of persons with disabilities because by criticizing those considered by researchers can provide reliable sources related to the fulfillment of political rights of persons with disabilities or **disabilities** (Labolo & Ilham, 2017).

As mentioned above, the results of interviews that have been conducted with parties who understand the fulfillment of the political rights of persons with disabilities or disabilities will provide a conclusion later with what has been obtained from the interview and try to interpret how the form of fulfillment of the political rights of persons with disabilities or disabilities in the 2018 Malang city elections. So far, what is understood related to the fulfillment of the political rights of persons with disabilities or disabilities has various research results, some of which have been maximized or less than maximized in the fulfillment of the

political rights of persons with disabilities carried out by the state through its agencies.

The following are various results of interviews that have been mentioned in the identity of the research subject, starting from the election commission and also the results of interviews from the election supervisory body and also the Malang Inclusion Forum (Fomi) which houses people with disabilities in Malang regarding what is done to fulfill the political rights of people with disabilities. Various kinds of things or efforts are made to fulfill the fulfillment of political rights of persons with disabilities both from the general election commission (KPU), and also from the election supervisory body (BAWASLU) or representatives from the Malang Inclusion Forum (FOMI), the following are efforts to fulfill the fulfillment of political rights of persons with disabilities.

### 1. Policy

The results of the interview with the chairman of the General Election Commission (KPU) related to the fulfillment of the political rights of persons with disabilities in the poor city elections held in 2018 the results of the interview are as follows: The Election Commission (KPU) has fulfilled their political rights in accordance with existing regulations and existing laws, because people with disabilities have the same rights. According to the chairman of the General Election Commission, there are two kinds of ballots ordinary ballots and the other uses braille for people with visual impairments, from each tps also provided election assistants for people with disabilities.

According to the chairman of the general election commission, the KPU invites or facilitates anyone with disabilities who wants to actively participate in the election or wants to become an election guardian and become a democracy volunteer of the General Election Commission as long as they are willing and ready to be part of the election. There are several obstacles related to the fulfillment of the political rights of persons with disabilities. The General Election Commission has provided socialization to every RW and RT, sometimes people do not want to be open if there is one of their families with disabilities so that sometimes they are not recorded on the permanent voter list who are categorized as persons with disabilities for reasons of shame.

The results of the interview with the chairman of the general election commission (KPU) if it is concluded that the commission has tried to provide facilities for persons with disabilities in terms of fulfilling the political rights of persons with disabilities in the elections of the city of Malang, by providing an understanding of persons with disabilities that the general election commission (KPU) is ready to facilitate related to the needs of persons with disabilities in the elections of the city of Malang in 2018 in order to increase community participation, especially persons with disabilities.

Previously, we all know that people with disabilities need special attention related to the fulfillment of their political rights because people with disabilities need accessibility in the form of information and facilities provided by the General Election Commission (KPU) in order to increase the participation of people with disabilities in the 2018 elections and create an inclusive or disability-friendly Malang City in the elections. Thus, from the results of these interviews, according to the chairman of the general election commission, it has provided a policy related to the fulfillment of the political rights of persons

with disabilities in accordance with existing laws, from the existence of socialization, props and also the presence of assistants at each polling station.

## 2. Socialization

The results of interviews with commissioners of the election commission for the socialization section related to elections and the fulfillment of the political rights of persons with disabilities in the 2018 Malang City elections, the results of the interviews are as follows: "The election organizing commission (KPU) in the election socialization section has conducted socialization related to ballots or procedures in terms of voting or selecting candidate pairs for persons with disabilities and tried to bring in representatives of persons with disabilities in participating in socialization related to the Malang City elections".

The hope according to the technical part of the socialization of elections in the 2018 Malang city elections is intended so that the representatives who attend can socialize related to what has been obtained in participating in the event that has been carried out by the general election commission in the Malang City elections. In addition, in terms of election socialization from the general election commission (KPU) in terms of fulfilling the political rights of persons with disabilities, all Tps have KPPS officers who have been given training by the general election commission (KPU) so that they can assist persons with disabilities in terms of their activity and also participate in assisting at tps-tps in the 2018 Malang City elections.

Some of the obstacles are that not all families of persons with disabilities who register their relatives are included in the permanent voter list because they are considered incapable, so they do not register them even though they should be eligible to vote and be included in the permanent voter list'. Some other obstacles are that the general election commission cannot bring in all persons with disabilities so that in the end it only brings in representatives of persons with disabilities, these representatives do not fully convey to persons with disabilities what has been done so that there are some persons with disabilities whose political rights are not fulfilled.

The response obtained from the holding of socialization received a positive response and a high sense of enthusiasm because the general election commission also tried how as much as possible to fulfill related to the fulfillment of the political rights of persons with disabilities. Thus, the general election commission is also very enthusiastic so that it makes a special meeting agenda for three months once before the election and discusses related to elections and access to persons with disabilities.

Figure 1: Portrait of Happiness and Enthusiasm of Persons with Disabilities at the Socialization Time



Source: General Election Commission

From the results of the interview, we can conclude that the commission for organizing elections in the socialization section related to the elections that at the time of the 2018 elections, the socialization technician section provided a lot of socialization which was intended to increase political participation in the 2018 elections specifically aimed at people with disabilities.

Thus, in order to increase the political participation of persons with disabilities, the General Election Commission (KPU) has tried as much as possible related to how to increase the political participation of the community, especially how to increase the fulfillment of political rights of persons with disabilities as much as possible (Ramadhan et al., 2017).

From the results of observations that the expression at the time of socialization related to the elections of persons with disabilities is very enthusiastic and happy in order to follow related to the socialization of the elections, with this being done persons with disabilities feel valued and involved in the elections are not underestimated.

As for the efforts made by the General Election Commission (KPU) in the election socialization section mentioned above, from the results of interviews with the head of the election socialization section, what is done is to provide socialization related to ballot paper and also voting procedures.

In addition, what is also done is to gather representatives of persons with disabilities in order to socialize what has been provided by the general election commission related to the material, voting procedures. Do not forget to also provide socialization to kpps officers so that they can assist persons with disabilities in an effort to fulfill their political rights.

Basically, the General Election Commission (KPU) recognizes that it cannot gather all people with disabilities, so it finally comes up with a solution to bring in several representatives so that they can convey to each person with a disability, in terms of fulfilling the political rights of persons with disabilities from the General Election Commission (KPU) has made every effort related to how the rights of persons with disabilities can be fulfilled as much as possible.

Figure 2. Socialization conducted by the General Election Commission



Source: General Election Commission

### 3. Conducting Supervision

The results of an interview with the head of the Election Supervisory Body (Bawaslu) related to how the results of field findings related to the fulfillment of the political rights of persons with disabilities in the 2018 Malang City elections: "The form of supervision that has been conveyed is that the election supervisory body conducts socialization to each RT or RW and asks each RT and RW whether they have registered as voters or not, The Election Supervisory Agency also asked the community whether there were persons with disabilities who had not been registered in the permanent voter list at the time of the elections after that the things done by the Election Supervisory Agency provided a letter or appeal to the General Election Commission that there were people who were not registered in the permanent voter list in the elections. Thus, the Election Supervisory Agency also instructs that in the elections in 2018 persons with disabilities must be monitored so that the political rights of persons with disabilities can be fulfilled and become the commitment of the Election Supervisory Agency".

From the conclusion of the interview with the chairman of the Malang City Election Supervisory Agency (Bawaslu), it is clear that in terms of supervision, the Malang City Election Supervisory Agency pays close attention to how to supervise people who are not registered as permanent voters and make every effort to fulfill the political rights of persons with disabilities as well as other people and accompany them. As mentioned above, in an effort to fulfill the fulfillment of the political rights of persons with disabilities, it is not only the Election Commission (KPU) that seeks to fulfill the rights of persons with disabilities to actively participate in the 2018 Malang City elections.

The Election Supervisory Body (Bawaslu) also makes supervisory efforts to fulfill the fulfillment of the political rights of persons with disabilities by conducting a form of supervision and conducting socialization to each Rt and Rw and asking directly whether there are groups of people who have not registered as permanent voters, especially persons with disabilities, after that they also send a letter to the General Election Commission (KPU) if for example among those with disabilities there are those who have not registered as permanent voters and follow up quickly so that the rights of persons with disabilities are fulfilled so that they continue to supervise until voting.

Thus, what has been mentioned above is that it is the result of a direct interview with the head of the Election Supervisory Body (Bawaslu), he firmly also fights for the rights of persons with disabilities so that everything is fulfilled in accordance with existing regulations.

### 4. Holding hearings three months once before the election

The results of interviews with the coach or founder of the Malang Inclusion Forum related to the fulfillment of the political rights of persons with disabilities in the 2018 Malang City elections: "Lack of knowledge from the General Election Commission related to persons with disabilities and the absence of concrete data collection related to persons with disabilities. Regarding the data collection of persons with disabilities, which is still not concrete, how many persons with disabilities in Malang City, how do you want to protect or know about the needs of persons with disabilities and what kind of potential should be developed in terms of elections? The results of this interview also discuss that the general election commission (KPU) does not know very well about the geography of Malang City itself, from the ups and downs of the road and so on, it becomes an obstacle for people with disabilities when there is no accessibility related to facilities in the Malang City elections. What is done in fulfilling the political rights of persons with disabilities is by holding meetings with the General Election Commission for three months once to exchange information and socialization and conduct hearings related to what is needed".

From the results of this interview is the lack of maximum what has been done by the general election commission in the Malang City election, according to an interview with the Malang Inclusion Forum coach (Fomi), due to the absence of concrete data on the number of people with disabilities, if it is not recorded thoroughly, it will not know what exactly is needed to fulfill the political rights of people with disabilities. Thus, what has been mentioned in the results of the interview with the Malang Inclusion Forum coach is part of the complaints related to the fulfillment of the political rights of persons with disabilities in the Malang City elections and requires mutual evaluation related to the various shortcomings found.

The thing that is done to fulfill the fulfillment of the political rights of persons with disabilities is what has been mentioned above, according to the founder and coach of the Malang Inclusion Forum (Fomi) is to hold hearings with the general election commission (KPU) and the hearings discuss what is needed by persons with disabilities so that the political rights of persons with disabilities are fulfilled and evaluate each other regarding what is lacking (Ramadhan et al., 2017). The purpose of holding the hearing is to find out about each other's needs and what must be done carefully, so that in this case people with disabilities can be fulfilled regarding the fulfillment of their political rights and increase the participation of people with disabilities in the 2018 Malang City elections.

Thus, what has been mentioned earlier is the result of an interview with the founder or coach of the Malang Inclusion Forum (Fomi) so in this case the author draws conclusions from what has been conveyed earlier by drawing important things related to the results of the interview.

### 5. Support or facilities.

There are several things that are done in fulfilling related to the fulfillment of the political rights of persons with disabilities in the 2018 elections, the following efforts are made:

#### a. Companion

In fulfilling related to the fulfillment of political rights of persons with disabilities from the results of the interview is to provide briefings to kpps officers conducted by the general election commission (KPU), the purpose of which is so that kpps officers can accompany persons with disabilities at polling

stations and provide direction to persons with disabilities in fulfilling related to the fulfillment of political rights of persons with disabilities. As mentioned earlier, the things done by the General Election Commission (KPU) are a form of responsibility carried out so that people with disabilities get their rights in accordance with policies and laws because people with disabilities also have the same rights as others in fulfilling their political rights.

The assistance itself according to the founder or coach of the Malang Inclusion Forum is that:

*"At the time of voting, persons with disabilities are accompanied by their families for those who are unable to walk alone, but at the polling station persons with disabilities are accompanied by kpps officers who have been given directions by the general election commission and also kpps officers when persons with disabilities need something or help".*

#### **b. Ballots**

Braille is one that is provided by the general election commission (KPU) for no other purpose than to fulfill the fulfillment of political rights of persons with disabilities because braille itself has a very positive impact on persons with disabilities because braille is a finding that can bring up the desired letters according to the instincts of persons with disabilities, especially the blind and the general election commission (KPU) has provided this in the election of the city of Malang in 2018.

With these shortcomings, Braille tried to provide a more complete system. The Braille system consisted of a number of dots. Each letter of the alphabet is represented by a combination of dots. This combination of dots is emphasized on a paper to create a bulge. Visually impaired people simply move their fingers over the ridges to recognize each letter and form words. Fingertips are very sensitive to texture, so the shape of Braille letters can be easily perceived by the blind. A simple process, system and analysis at first, but it can change the perspective and perception that braille is very helpful for people with disabilities who are blind in an effort to fulfill their rights.

#### **c. Media**

After voting the results of the election who won the contestation according to the Malang Inclusion Forum coach: *"From the Malang Inclusion Forum, persons with disabilities only get information from the media regarding who won the contestation, and the Malang Inclusion Forum also emphasizes not expecting information from the General Election Commission because those at the Malang Inclusion Forum with disabilities already understand or understand related to the media and dry or tell each other".* In other words, what is the view mentioned earlier is that the Malang Inclusion Forum does not fully expect information regarding the election results, but the Malang Inclusion Forum appreciates the things done by the general election commission and evaluates each other regarding some of the shortcomings that exist.

It's just that people with disabilities are able to utilize the media and work together with each other to find out who was elected at the time of the election who won the contestation by telling each other. As mentioned above, the media is also very important for people with disabilities, but there must be other access that supports people with disabilities so that the political rights of people with disabilities can be fulfilled carefully in accordance with the law without any particular obstacles.

## CONCLUSION

The findings of this research demonstrate that the fulfillment of political rights for persons with disabilities in the Malang City election has been pursued through a combination of regulatory policies, targeted socialization, consistent supervision, and active collaboration between stakeholders. The policies implemented by the General Election Commission (KPU) ensured compliance with existing regulations, while socialization activities helped raise awareness and understanding of election procedures among persons with disabilities. Oversight by the Election Supervisory Body (Bawaslu) further reinforced accountability, and the role of the Malang Inclusion Forum in conducting regular hearings with the KPU strengthened dialogue and responsiveness to disability-related needs. These combined efforts have significantly improved accessibility and inclusivity in the electoral process, reflecting progress in safeguarding democratic participation for marginalized groups.

However, the study acknowledges several limitations. The research is context-specific to Malang City, which may limit the generalizability of the findings to other regions with different political and social dynamics. In addition, the study primarily relied on qualitative methods, which, while providing depth of insight, may not fully capture the breadth of participation levels quantitatively. Future research should expand the scope to compare practices across multiple regions and incorporate mixed methods to generate more comprehensive evidence. Such studies would enhance the understanding of effective strategies for ensuring political rights of persons with disabilities, while also contributing to the development of more inclusive electoral frameworks at the national level.

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