

Revitalization of Group Envoys in the Indonesian Representative System

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Abstract

The removal of faction envoys from the Indonesian representative system, a legacy of the founding fathers reflecting the character of the Indonesian nation, occurred during the reform era driven by a desire for direct elections and negative perceptions of the New Order regime. This study analyzes the implications of this removal and explores potential solutions to the arising issues. Using a historical and analytical approach, the study examines the evolution of the Indonesian representative system and the founding fathers' rationale for including faction envoys, assessing the impacts of their removal. Findings indicate that this removal has created a gap in representing diverse societal groups within the MPR, potentially obstructing the aspirations of people outside political and regional interests. The study concludes that excluding faction envoys introduces challenges in accommodating the diverse aspirations of the Indonesian people, necessitating thoughtful solutions and mitigation efforts to ensure comprehensive representation until a permanent solution is found.

Keywords: Revitalization, Group Envoys, Representatives System.

INTRODUCTION

The envoys of the factions in the Indonesian representative system which is the legacy of the founding fathers as a reflection of the character of the Indonesian nation have become a thing of the past (Wiryomartono, 2020). The existence of the envoy element from the faction and the envoy element from the region is solely to embody the people in the Indonesian representative system through its membership in the MPR which at that time was the embodiment of the people's sovereignty, namely as the embodiment of all representative elements or national units and the socio-political reality of the Indonesian people into an institution that can "on behalf of the people" as a whole. The thinking of the founding fathers is really very brilliant, by making Utusan Golongan as one of the elements that form the MPR along with the DPR and regional envoys, aiming to realize the desire that all people, groups, and all regions can have representatives in the Assembly, so that this institution can really be considered as the incarnation of the people.

In the theory of Diversification by Hoogwerf divides three characteristics or characteristics of representative institutions, namely consisting of political representatives, Functional or Occupation Representation and regional representatives: Heinz Eulau also classifies representatives into three centers of attention, namely attention to groups, attention to parties and attention to the regions represented. Indonesia's representative system before the

amendment was what was the focus of Hoogwerf's theory of diversification as well as following Heinz's theory of representative classification.

After the amendment, Indonesia's representative system has undergone a shift, namely by eliminating the element of functional representation so that it only consists of elements of political representation and regional representation which in the end can cause representative problems (Ulum, 2020), especially from elements of society that have not been represented. In addition to unrepresented elements, the current Indonesian representative system is the trigger for the birth of representative hegemony that is concentrated in one force only, this happens because of the dominance of political representatives who have almost no rivals so it allows the control of the state by one group or even one family (Berger, 2017).

The urgency of this research is crucial considering the role of Envoys in the Indonesian representative system, which remains a subject of debate (McRae, 2019). In the context of an evolving democracy, the presence of Envoys plays a strategic role in bridging the interests of various societal groups that are often inadequately represented in the formal representative structure. Furthermore, the absence of group delegates can lead to representation disparities, potentially weakening the legitimacy and effectiveness of the government. Therefore, this research aims to identify the urgency and necessary mitigation efforts to ensure that the Indonesian representative system can be more inclusive and responsive to the needs of all societal layers (Roberts et al., 2019).

This research aims to analyze the historical role and evolution of Indonesia's representative system, evaluate the impact of post-amendment changes that eliminated functional representation, and identify the representation gaps resulting from these changes. It also focuses on the potential for representative hegemony due to the dominance of political representatives, which could lead to control of the state by a single group or family (Severs, 2020). Utilizing Hoogwerf's diversification theory and Heinz Eulau's classification of representatives, this study seeks to propose necessary mitigation strategies to ensure that Indonesia's representative system is more inclusive and responsive to the needs of all societal layers, thereby enhancing the government's legitimacy and effectiveness.

METHOD

The research methodology for examining the historical evolution of Indonesia's representative system integrates a comprehensive literature review with key analytical approaches (Suryani et al., 2023). Initially, historical analysis will delve into archival materials, governmental records, and writings of the founding fathers to trace the transition from including faction envoys to their exclusion. Comparative analysis will then scrutinize changes in representation and power distribution pre- and post-reform using legislative records and electoral data. Policy analysis will assess the impact of eliminating functional representation on political power dynamics and societal inclusion through current policy reviews and expert analyses. Case studies will explore specific instances of representational gaps and power concentration via interviews and field observations (Webster, 2017). Affirmative policies and civil society optimization will propose and evaluate strategies based on best practices and policy simulation models. Stakeholder interviews will provide qualitative insights from policymakers, representatives, and marginalized groups, while quantitative analysis will measure

representational gaps and political power concentration using statistical methods on electoral and demographic data. Synthesizing these findings, the research will formulate actionable policy recommendations for reinstating faction envoys and enhancing inclusive representation .

RESULTS AND DISCUSSION

Utusan Golongan as the Character of the Indonesian Nation Manifestation of the Founding Fathers

The envoys of the faction in the Indonesian representative system are one of the elements that form people's sovereignty which has a long history by going through various views and discussions by the founding fathers (Lindsey, 2017), namely in the BPUPKI session, especially during the session to determine the basis of the state.

In the minutes of the BPUPKI session, it can be said that the envoys are the legacy of the founding fathers which at the same time reflect the character of the Indonesian nation. Sri Soemantri Martosuwignyo gave an explanation of the origin of the existence of the MPR, both in terms of membership, trial and authority. When the investigating body had reached the level of formulating the content of the Constitution, Chairman Radjiman Widyodiningrat formed three committees. Namely the committee for the defense of the homeland, the committee for drafting the Constitution, the committee for finance and economics. The drafting committee of the Constitution was chaired by Ir. Soekarno (Nurwahyu, 2022). In the next discussion, the Constitution Drafting Committee was then divided into two, namely the first was called the sub-committee of the drafting of the Constitution chaired by Mr. Soepomo, and the second was the declaration of human rights committee chaired by Mr. Achmad Subardjo.

As we know that Prof. Mr. Soepomo is an expert in customary law and therefore we can trace the thoughts contained in the Constitution, it is likely that it cannot be separated from his thoughts about customary law. Perhaps this is the reason why the People's Consultative Assembly emerged in which all elements of Indonesian society can sit in it (Lev, 2021).

In the Constitution, it can be seen in the composition of the assembly, which consists of members of the House of Representatives, delegates from regions and groups. And to this assembly is given or according to the Constitution Article 1 Paragraph (1) or Article 1 Paragraph (2); who fully implement the sovereignty of the people. So the sovereignty of the highest power that exists in the people, it is carried out by the People's Consultative Assembly.

Before the BPUPKI period, one of the founding fathers of the nation, Tan Malaka, was the first person to initiate the idea of the Republic of Indonesia, as in 1925 written in his book entitled *Naar de Republiek Indonesia (Towards the Republic of Indonesia)*. In his view, the most ideal form of state for the Indonesian nation is in the form of a republican state, a form of republican state will give the people sovereignty over their country, not like a monarchy whose sovereignty is in the hands of a king. Through its sovereignty, the people can determine their own fate, no longer leaving it to one specific group or individual. "The drafters of the 1945 Constitution did seek to integrate an incomplete understanding of people's sovereignty or democracy." Therefore, if we really want to base our country on the idea of family, help, mutual cooperation and social justice, remove every thought, every individualism and liberalism from it."

The idea of democracy with a stronger spirit of kinship (gotong-royong) was articulated by Soekarno (Nani, 2022). His emphasis on this family spirit was reflected at least since he

published his 1926 essay entitled "Nationalism, Islam, from Marxism". This paper idealizes the importance of the link between the three revolutionary forces of Nationalistic, Islamic, and Marxistic, which he calls the "Spirit of Asia", which is the lifeblood of the people's movement in Indonesia. In Soekarno's vision, "the ship that brings us to Indonesia-Independence, is the Ship-Association." For the sake of that unity, Soekarno emphasized the importance of the Indonesian nation taking its own path of nationalism and democracy that is in accordance with the character of the Indonesian nation and does not need to imitate the nationalism and democracy that develops in the West.

In his remarks as the Syusa of the Constitution Drafting Committee, Soekarno, who at the time of the session was a member of BPUPKI, expressed his views on the basis of the state as follows: 'Dear ladies and gentlemen! We design the Constitution with the sovereignty of the people, and not the sovereignty of individuals.' Sukarno further stated that "The sovereignty of the people is once again, and not the sovereignty of individuals. This is the understanding of the Constitution Drafting Committee, the only guarantee that the entire Indonesian nation will survive in the future (Schwarz, 2018). If our understanding is also used by other nations, it will guarantee peace."

Furthermore, Hatta is of the view that, although the word democracy comes from the Greek tradition which was later adopted by Western society, the values contained in democracy are also values that have long been rooted in Indonesian culture, which is represented in the tradition of deliberations and consensus of "village democracy", in order to find agreement on differences of opinion. With the heritage of the original democracy (village), Hatta stated: So, we do not throw away what is good on the old principles, do not replace Indonesia's original democracy with imported goods. We revive the original democracy, but not in the ancient place, but at a higher level, according to the will of the present life" (Hatta, 1932; 1998: 347).

In political democracy, one of the important issues that needs to be put forward is how a state government is run. Democracy provides basic guidance that government must originate from and involve the people in the country (Crook & Manor, 2018). And, one of the important processes in democracy according to Hatta is the principle of people's sovereignty, namely the power to govern the country is in the hands of the people. So we need to transfer the culture of my lord's sovereignty to the people's sovereignty. The power that was originally in the hands of the kings and colonizers must be immediately transferred to the hands of the people (Fanon, 2022). Through the principle that the people are sovereign, the people are no longer determined by a force outside of themselves. They become the determinants of their own future through the mandates they give both directly and representatively. Thus, what is meant by people's sovereignty is power exercised by the people or on behalf of the people on the basis of deliberation.

Hatta also expressed his views regarding the basis of the state that "We must pay attention to the conditions so that the country we create does not become a State of Power. We want a managing country, we develop a new society based on mutual cooperation, joint efforts; Our aim is to reform society (Shaver, 2019). But on the other hand, let us not give unlimited power to the state to make on top of the new state a state of power."

From several views and opinions, BPUPKI finally agreed on the basis of the state as we know it in the formulation of article 2 paragraph 1 of the 1945 Constitution which reads: "The

People's Consultative Assembly consists of members of the House of Representatives, plus delegates from regions and groups according to the rules stipulated by law".

The purpose and motive behind the elements of envoys from the factions and the elements of envoys from the regions were solely to embody the people in the Indonesian representative system through their membership in the MPR which at that time was the embodiment of people's sovereignty (Rahman et al., 2023). That is, to realize all representative elements or units of nationality and socio-political reality of Indonesian society into an institution that can "on behalf of the people" as a whole." The thinking of the founding fathers was very brilliant, by making the Group Delegation as one of the important elements in the MPR in addition to the members of the House of Representatives and regional delegates (Embree, 2016), namely to realize the desire that all people, groups, and all regions can have representatives in the Assembly, so that this institution can really be considered as the incarnation of the people. Furthermore, Soepomo's explanation in the BPUPKI session on July 15, 1945 is as follows: "The meaning is that all the people, all groups, all regions will have representatives in the Assembly so that the Assembly will really be considered as the incarnation of the people."

Indonesian Representative System

Referring to Hoogewerf's view in his book "Politics", Representative Theory is reviewed from the diversification that determines the character or distinctive characteristics of a people's representative body. The essence of Hoogewerf's Theory of Diversification is that there are three characteristics or characteristics of representative institutions, namely consisting of political representatives, Functional or Occupation Representation, and regional representatives: Furthermore, Heinz Eulau related to this representative system classifies representatives into three centers of attention, which are viewed from the point of view of attention to the 'represented', namely, the people. First, pay attention to the group. Second, pay attention to the party. Third, pay attention to the regions represented.

If we look at the second and third classifications of what Eulau mentioned, then we can immediately understand its relationship with 'political representation by political parties (Önnudóttir, 2016). Here, members of the people's representative body are recruited or nominated by political parties through general elections. The weakness of this political representative is that usually the only elected members are those who have popularity in the political field and do not have expertise in the field of government. Thus, it is difficult for experts or professionals to be elected through political representatives (Krick, 2020). To overcome this weakness, a second representative appeared and 'regional representation by the envoy/regional representative of the Regional Representative, This representation usually applies in a country in the form of a federal state or a unitary state with a large territory, where its members are elected through general elections. While the third is Functional or Occupation Representation. Here, its members are recruited based on appointment according to function, job, position or expertise. is a question related to groups or groups in society. The focus of representation on groups is essentially an option available in relation to the pluralistic nature of society. People are grouped by tradition, region, race, language, religion, livelihood or economy and so on.

Before the amendment of the 1945 Constitution, the "Theory of Consolidated Representation" was reflected in the membership of the MPR. As stipulated in Article 2 paragraph (1) of the 1945 Constitution, the membership of the People's Consultative Assembly

(MPR) consists of all members of the House of Representatives (DPR), plus delegates from regions and groups according to the rules stipulated by law. In the explanation of Article 2 paragraph (1) of the 1945 Constitution, what is meant by "groups are collective bodies such as cooperatives, trade unions. Then, representatives of this group are referred to as functional groups. Thus, it can be said that the MPR is a representative body or institution that reflects three representations, namely political representation (DPR), territorial representation or regional representation (Regional Representatives), and functional representation (Group Representatives). (Ellydar Chaidir, 2007: 130).

After the Amendment of the Constitution of the Republic of Indonesia in 1945, the Indonesian Representative was applied to three representative institutions (Darusman, 2018), namely First, the People's Consultative Assembly consists of members of the House of Representatives and members of the Regional Representative Council who are elected through general elections and further regulated by law." Furthermore, Law No. 17 of 2014 concerning the MPR DPR, DPD and DPRD also regulates the membership of the MPR as follows "The MPR consists of members of the DPR and members of the DPD who are elected through general elections." The authority of the MPR is to establish and amend the Constitution; The next authority is to inaugurate the President and Vice President. Second, the House of Representatives, the House of Representatives as stipulated in the 1945 Constitution of the Republic of Indonesia is as follows: "Members of the House of Representatives are elected through general elections." Furthermore, the Law also regulates the membership of the House of Representatives, namely Article 67 of Law No. 17 of 2014 "The House of Representatives consists of members of political parties participating in general elections who are elected through general elections." Third, the Regional Representative Council, the DPD as stipulated in the 1945 NRI Constitution is as follows "Members of the Regional Representative Council are elected from each province through general elections." Furthermore, the Law also regulates the membership of the DPD, namely Article 246 of Law No. 17 of 2014 "The DPD consists of provincial regional representatives elected through general elections."

From these three representative institutions, we can see that based on their membership, they are only represented politically by political parties and represented by regional representatives only, while functional representatives who are representatives of groups or groups in society are "groups of people based on tradition, region, race, language, religion, livelihood or economy and so on." "In MPR membership, there is no longer an element of functional group envoys. There is only membership that reflects political representatives and regional representatives." The composition of representatives in Indonesia today, it will be able to spark the emergence of problems in society in the life of the nation and state, including the following:

Not Belonging to All Elements of Society

The state is a container of group plurality and interests are the construction of living together with all elements and units of nationality (Hashmi, 2020). As a forum for all people, the state must be represented jointly and as a whole. The ethical side of democratic representation is the ability of a system to be able to realize a representation that can encompass all elements of the nation. So that they will be able to have a high degree of representation.

One of the pillars of the Indonesian nation is diversity which is a recognition of the diversity that is born, lived, grew and developed in Indonesian society. The character of Indonesian society as described in the Pancasila State Foundation is a religious and plural (plural) society. In Indonesian society, there are many groupings based on ethnicity, culture, language and religion that have different characters and interests from the interests of other groups. Each group has its own interests, so that the interests of different groups cause political parties to experience difficulties in being able to accommodate them as a whole.

According to Jimly Assiddiqie in his book *Principles of Indonesian Constitutional Law*, the Republic of Indonesia is one of the countries with a very large territory and a very large population. Therefore, the 1945 Constitution, which has since adhered to the principle of "all must be represented", instituted the three principles of political representation, territorial representation, and functional representation at the same time in the membership of the people's consultative body in the MPR.

Dominance of Political Representation

With the elimination of group delegates in the Indonesian representative system, political forces increasingly control the representatives, which in the worst case is when regional representatives begin to be filled by politicians who leave political parties because they are no longer in line with the party's vision and mission or because they want to pursue a solo career. The peak of political dominance in the Indonesian representative system occurred when politicians who claimed to be regional representatives but were actually still partisans of political parties even forced themselves to be able to run as regional representatives even though at that time they were still serving as party chairmen.

In the current Indonesian representative system, political parties do have a very vital role in the relay of the leadership of the Indonesian nation in the future (AL-HAMDI, 2017). For this reason, the establishment of good regulations that regulate political parties is absolutely necessary, so that it can provide a guarantee for the sustainability of the life of the Indonesian nation and the journey in achieving the nation's goals can be ensured only for the Indonesian people as a whole. Lately, to serve as the chairman of the party does not take long, just a few days to be a member of a party, then it is allowed to become a party chairman. This incident proves that the main function of political parties as a place to regenerate prospective leaders has begun to be pawned, so it is questionable whether the journey towards realizing the state's goals is still for the Indonesian people as a whole or only for a group of people.

From the description above, it can be concluded that the element of the envoy as the character of the Indonesian nation which is affirmed as one of the pillars of the nation, namely *bhinneka tunggal ika*, should have gained a measurable place in the Indonesian representative system, but realizing that to re-place the element of the envoy as one of the filler elements in the Indonesian representation requires a difficult path, one of which is through amendments. Therefore, it is necessary for us to seek temporary solutions while waiting for the amendment process as an effort to mitigate the absence of elements of class disunity in the Indonesian representative system, among others, several efforts can be made as follows:

1. Affirmative policy

According to Jimly Asshidqie, In order to preserve the idea of functional representation in Indonesia, its realization can only be institutionalized through the membership system of the DPR and DPD, for example, by giving certain allotments to

certain functional groups, such as to women. This kind of idea is considered important as a special treatment that is positive to help certain groups in society who are classified as very lagging behind in their role in the formal political representation system. This kind of policy is commonly called affirmative policy which is recognized under the Limburg Principles as a legitimate special treatment. This system of representation is included in the definition of functional representation.

The existence of a representative institution in a democratic country is essential because it functions to represent the interests of the greater people. It is through this representative institution that the aspirations of the people are accommodated which are then contained in various kinds of general policies/laws and regulations that are in accordance with the aspirations of the people. And so that all the aspirations of the community can be accommodated, the DPR and DPD as legitimate representative institutions in Indonesia can provide allotments/opportunities to every element of society to be involved in their political parties. The principle of people's sovereignty, in addition to being embodied in the form of laws and regulations that will be produced, is also reflected in the institutional structure and mechanism of the state and government that ensure the upholding of the legal system and the functioning of the democratic system.

2. Civil Society Organizations (CSOs)

Indonesia's current representative system, which does not provide measurable space for group delegates, so that representation cannot accommodate all the smallest units of all elements of the nation as an ideal that is parallel to the purpose of protecting and respecting human rights is still difficult to realize. The desire to regulate measurably for the existence of faction delegates in the Indonesian representative system is very necessary considering the level of urgency in the life of Indonesian representatives who adhere to the democratic system.

The existence of the Group Envoys actually represents a variety of civil society organizations (CSOs). If the basis of the debate is the need for the aspirations and interests of these various organizations to be represented, then there is no need to go through the formation of Group Envoys. The active and meaningful involvement of these groups in the process of formulating policies related to their interests is a strategy that is seen as having more potential to produce better outputs and outcomes.

CONCLUSION

The research concludes that the presence of group envoys is crucial for upholding Indonesia's national ideals and maintaining its unitary state, anchored in the principle of *bhinneka tunggal ika*. By serving as a manifestation of this diversity within Indonesia's representative system, group envoys act as a counterbalance to political dominance, ensuring a balanced representation of societal facets beyond political interests. Their inclusion in the People's Consultative Assembly (MPR) not only diversifies its membership, historically dominated by political entities, but also strengthens national character by integrating non-political societal voices. To address current exclusions in the representative system, affirmative policies and civil society organizations play pivotal roles in ensuring broader societal participation and optimizing the role of group envoys.

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