

The Implementation of Disability Rights Fulfillment in the General Election in Kuningan Regency Based on Law No. 7 of 2017 on General Elections

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ARTICLE INFORMATION

History of Article:

Received: May 3, 2025

Accepted: May 5, 2025

Available Online: June 25, 2025

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ABSTRACT

This article examines the implementation of political rights for persons with disabilities during the General Election in Kuningan Regency, as outlined in Law Number 7 of 2017 on General Elections and Law Number 8 of 2016 on Persons with Disabilities. The research focuses on issues of accessibility and the effectiveness of electoral outreach. Using a normative legal method with a qualitative approach, this study examines legal frameworks, policy documents, and conducts interviews with relevant stakeholders. The findings reveal a significant gap between legal provisions and field implementation. Many polling stations remain physically inaccessible, and outreach programs often fail to consider the diversity of disability types. These barriers limit the participation of persons with disabilities in democratic processes. The study concludes that without accessible infrastructure and inclusive political communication, the right to vote and be elected cannot be fully realized for this marginalized group. It recommends stronger affirmative policies and collaboration between the General Election Commission, local authorities, and disability organizations to promote inclusive, non-discriminatory elections in line with human rights principles.

Keywords: Political Rights; Disability; Accessibility; Inclusive Elections; General Election Commission Kuningan

A. INTRODUCTION

General Elections (Pemilu) constitute a fundamental element of a democratic system, ensuring the implementation of popular sovereignty.¹ In the context of inclusive democracy, the active participation of all segments of society, including persons with disabilities, is a crucial aspect that cannot be overlooked. In this regard, the fulfilment of the political rights of persons with disabilities serves as an important indicator of the realization of an inclusive and non-discriminatory democracy. In Indonesia, Law No. 7 of 2017 on General Elections and Law No. 8 of 2016 on Persons with Disabilities provide a legal foundation to guarantee the right to vote and the right to be elected for persons with disabilities.

These regulations not only guarantee the right to vote and to be elected but also require election organizers to provide accessible facilities and infrastructure for persons with disabilities.² However, the implementation at the local level, such as in Kuningan Regency, continues to face various technical, social, and cultural challenges that hinder the achievement of full inclusivity in the electoral process.³

Persons with disabilities are a group that is often marginalized in the political context. Data shows that in Kuningan Regency, there are 2,912 voters with disabilities registered in the Third Revised Final Voters List (DPTHP-3).⁴ This figure encompasses various types of disabilities, including visual, physical, and hearing impairments. Although this number reflects recognition of their voting rights, the challenge of conducting accessible elections remains a pressing issue.

Public outreach on the political rights of persons with disabilities is also of critical importance. Election organizers must conduct effective outreach to increase awareness among both the general public and individuals with disabilities regarding their right to vote and be elected.⁵ Without adequate outreach, many persons with disabilities remain unaware of their rights or feel disempowered to participate.

¹ Wahyu Adi Pamungkas et al., "Implementasi Hak Konstitusional Penyandang Disabilitas Menuju Pemilu 2024," *Innovative: Journal of Social Science Research* 3, no. 2 (2023): 11710–20.

² Julita Widya Dwintari, "Aksesibilitas Penyandang Disabilitas Dalam Pemilihan Umum Di Indonesia," *JISIP UNJA (Jurnal Ilmu Sosial Ilmu Politik Universitas Jambi)* 5, no. 1 (2021): 29–51, <https://doi.org/10.22437/jisipunja.v5i1.4235>.

³ ZULFA QURROTUL AINI, "Hak Politik Penyandang Disabilitas Dalam Perspektif Hak Asasi Manusia Dalam Islam" (2024).

⁴ Andri, "Pemilih Disabilitas Di Kabupaten Kuningan Mencapai 2.912 Orang," <https://www.indramayujeh.com>, 2019, <https://www.indramayujeh.com/berita-terbaru/pemilih-disabilitas-di-kabupaten-kuningan-mencapai-2-912-orang/>.

⁵ Iman Jalaludin Riva'i and Haris Budiman, "Sosialisasi Pasal 13 Undang-Undang Nomor 8 Tahun 2016 Tentang Penyandang Disabilitas Dalam Peningkatan Partisipasi Memilih Dan Dipilih Dalam Jabatan Publik Di Kabupaten Kuningan," *Inisiatif: Jurnal Dedikasi Pengabdian Masyarakat* 2, no. 1 (2023): 18–24, <https://doi.org/10.61227/inisiatif.v2i1.110>.

One of the main challenges is the lack of accessibility to electoral facilities and infrastructure.⁶ Election organizers in Kuningan Regency must ensure that polling stations are disability-friendly and accessible to individuals with various types of disabilities. Previous studies have shown that many regions have yet to meet these accessibility standards, thereby reducing the participation rate of persons with disabilities in elections.⁷

Social and cultural barriers also contribute to the low participation of persons with disabilities. In many communities, stigma and discrimination against persons with disabilities persist, influencing public perceptions of their ability to participate in the political process.⁸ Studies in other regions highlight the importance of education and outreach in transforming these perceptions and promoting political inclusion.⁹

In the context of Kuningan Regency, it is essential to analyze how outreach regarding Law No. 8 of 2016 has been implemented. Research suggests that effective outreach activities can improve both public and individual understanding of the rights of persons with disabilities and encourage their more active participation in elections.¹⁰

The novelty of this study lies in its focus on the specific implementation within Kuningan Regency, an area that has not been widely explored in previous research. Using a qualitative approach, this study aims to explore the lived experiences of persons with disabilities during the electoral process and to identify the barriers they face.

Moreover, the role of the General Elections Commission (KPU) is crucial in ensuring that the rights of persons with disabilities are fulfilled. Prior studies from other regions demonstrate that the KPU can enhance participation by providing special services, such as sign language interpreters for the deaf and accessible voting tools for the visually impaired.¹¹ Nevertheless, challenges remain, particularly in terms of accurately collecting data on voters with disabilities and developing adequate infrastructure.

⁶ Euis Sundarti, Ronni Juwandi, and Qotrun Nida, "Peran Komisi Pemilihan Umum Dalam Upaya Pemenuhan Hak Dan Akses Penyandang Disabilitas Sebagai Wujud Partisipasi Warga Negara," *IJEDR: Indonesian Journal of Education and Development Research* 2, no. 1 (2024): 122–29, <https://doi.org/10.57235/ijedr.v2i1.1584>.

⁷ Sundarti, Juwandi, and Nida.

⁸ Sundarti, Juwandi, and Nida.

⁹ Sundarti, Juwandi, and Nida.

¹⁰ Andika Adhyaksa, "Analisis Hukum Hak Memilih Penyandang Disabilitas Mental Dalam Pemilihan Umum," *Mendapo: Journal of Administrative Law* 4, no. 2 (2023): 152–75, <https://doi.org/10.22437/mendapo.v4i2.24843>.

¹¹ Arif Firdaus Ananda, Azum Syaifana Achnaf, and Jihan Khonitatillah, "Implementasi Undang-Undang Nomor 8 Tahun 2016 Tentang Penyandang Disabilitas Pada Diskriminasi Kaum Disabilitas Dalam Pemilihan Umum," *Amnesti: Jurnal Hukum* 5, no. 2 (2023): 225–36, <https://doi.org/10.37729/amnesti.v5i2.2991>.

Research indicates that, despite supportive regulations, on-the-ground practices often fail to meet legal standards. This creates a gap between expectations and reality that local governments must address.

B. RESEARCH METHODS

This research adopts a normative legal method with a qualitative approach, using legislation, policy documents, and interview data. Legal sources include Law No. 7 of 2017 and Law No. 8 of 2016, as well as documents from the Kuningan KPU. Interviews were conducted with KPU staff, disability organizations, and voters with disabilities. Analysis was performed using a descriptive-analytical approach.

C. RESULTS AND DISCUSSION

1. Accessibility of Electoral Facilities and Infrastructure for Persons with Disabilities in Kuningan Regency

The accessibility of electoral facilities and infrastructure for persons with disabilities in Kuningan Regency is a crucial aspect that must be addressed to ensure their participation in the democratic process. Based on Law Number 7 of 2017 concerning General Elections and Law Number 8 of 2016 concerning Persons with Disabilities, election organizers are mandated to provide adequate facilities to enable persons with disabilities to exercise their voting rights with ease. However, research findings indicate that the implementation of these policies still faces various obstacles.¹²

In the context of Kuningan Regency, similar issues persist, with several polling stations (TPS) lacking disability-friendly facilities, including inaccessible entryways for wheelchairs and the absence of assistive tools such as braille ballots. These challenges result in a low level of electoral participation among persons with disabilities.¹³

Beyond physical barriers, the dimension of reasonable accommodation also deserves attention. Previous studies have shown that services provided by polling station officers are often not accessible to people with disabilities. In Kuningan, election officers require specialized training to better understand the needs of persons with disabilities and to provide more inclusive services. Such training is essential to reduce stigma and raise awareness among officials about the political rights of persons with disabilities.

The availability of infrastructure and equipment also plays a key role in electoral accessibility. Research in other regions has shown persistent challenges in

¹² Dwintari, "Aksesibilitas Penyandang Disabilitas Dalam Pemilihan Umum Di Indonesia."

¹³ Dwintari.

the availability of materials and methods to accommodate the voting rights of persons with disabilities.¹⁴ In Kuningan, local government efforts are necessary to ensure that all polling stations are equipped with adequate facilities that comply with established accessibility standards.

From the perspective of acceptability, public perceptions of persons with disabilities also influence their participation in elections. Studies have shown that negative stigmas regarding the political capabilities of persons with disabilities still exist. Therefore, effective public outreach and education on the political rights of persons with disabilities are crucial to fostering greater societal understanding and promoting inclusivity in the electoral process.

In this regard, advocacy by organizations representing persons with disabilities is highly important. Advocacy efforts can help increase public awareness and encourage local governments to prioritize the needs of persons with disabilities in their election processes. In Kuningan Regency, collaboration between the government and non-governmental organizations can serve as a solution to create a more inclusive environment for persons with disabilities.

The accessibility of electoral facilities and infrastructure for persons with disabilities in Kuningan Regency represents a complex yet vital challenge that must be addressed. Through collaboration among the government, civil society organizations, and the broader community, it is hoped that electoral participation among persons with disabilities will increase significantly. This study aims to provide practical recommendations for local governments to establish an inclusive and fair electoral process for all citizens without exception.

By addressing all of these aspects, Kuningan Regency can become a model for other regions in realizing inclusive democracy through the fulfillment of political rights for all its citizens. The upcoming general election will serve as a critical moment to demonstrate a strong commitment to inclusivity in Indonesian democracy.

2. The Effectiveness of Electoral Outreach in Increasing the Participation of Persons with Disabilities

Electoral outreach is a crucial phase in ensuring the participation of persons with disabilities in general elections. According to Law No. 7 of 2017, effective outreach is expected to enhance the understanding of political rights among persons with disabilities and encourage them to exercise their voting right.¹⁵ In Kuningan Regency, the effectiveness of electoral outreach in increasing the

¹⁴ Dwintari.

¹⁵ Dwintari.

participation of persons with disabilities remains a significant challenge that must be addressed.

One of the factors influencing the effectiveness of outreach efforts is the limited accessibility of outreach locations.¹⁶ In Kuningan, numerous outreach activities are conducted in venues that are inaccessible to persons with disabilities. Additionally, a lack of understanding regarding the importance of elections is another obstacle. Research indicates that many persons with disabilities are not fully aware of their political rights.

In this context, the use of varied outreach methods can enhance the effectiveness of communication. For instance, programs such as "KPU Goes to Campus" and the use of social media have proven effective in capturing public attention.¹⁷ In Kuningan Regency, the General Elections Commission (KPU) could utilize technology and social media to reach persons with disabilities in more innovative and engaging ways.

Recruiting democracy volunteers as outreach agents is also a strategic step to increase the participation of persons with disabilities. By involving volunteers knowledgeable about disability issues, KPU Kuningan can ensure that information is conveyed in a manner that is both appropriate and sensitive to the needs of persons with disabilities.

The involvement of disability organizations in the outreach process is likewise essential. Research shows that collaboration between the KPU and civil society organizations can improve the effectiveness of electoral outreach.¹⁸ In Kuningan, partnerships with local disability organizations can help design outreach programs that are more relevant and responsive to the needs of this group.

In the long term, more specific policies are needed regarding electoral outreach for persons with disabilities. Such regulations should include mechanisms for independent oversight and sanctions for parties who fail to meet their obligations toward the disability community. With clear rules and adequate budgetary support, the implementation of political rights for persons with disabilities can be carried out more effectively.

Overall, the effectiveness of electoral outreach in increasing the participation of persons with disabilities in Kuningan Regency still requires serious attention from all relevant stakeholders. By addressing these aspects and implementing the practical recommendations of this study, it is hoped that the participation of persons with disabilities in elections will increase significantly. The upcoming

¹⁶ Dwintari.

¹⁷ Lutfiatul Laili Arrohmah et al., "Efektivitas Sosialisasi Dalam Pelaksanaan Pemilu Serentak" 7, no. 3 (2024): 1041-53.

¹⁸ Arrohmah et al.

general election will provide a vital opportunity to demonstrate a strong commitment to inclusivity in Indonesian democracy.

D. CONCLUSION

The implementation of fulfilling political rights for persons with disabilities in Kuningan Regency continues to face various structural and technical obstacles, particularly in terms of accessibility to electoral facilities and infrastructure. Although a clear legal foundation exists through Law No. 7 of 2017 and Law No. 8 of 2016, on-the-ground practices reveal that electoral facilities are not yet fully accessible to people with disabilities. This has resulted in the limited political participation of persons with disabilities, which the state should substantively guarantee as a form of human rights protection and the realization of inclusive democratic principles.

The effectiveness of electoral outreach for persons with disabilities in Kuningan Regency remains suboptimal, both in terms of methods, media, and the involvement of relevant actors. Outreach activities have not fully accounted for the diversity of disability types, leading to low levels of awareness and understanding among persons with disabilities regarding their political rights. Therefore, affirmative and collaborative policies are necessary among the General Elections Commission (KPU), local governments, and civil society organizations to develop political communication strategies that are accessible, adaptable, and participatory for all segments of society, including persons with disabilities.

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