

CHAPTER 1

PRELIMINARY

A. Background

Indonesia is a democratic country that upholds the values of the law which is the most important instrument of a country which is made to create prosperity, security, and protection for every citizen of Indonesia. The goal can be realized if every level of society maintains and runs it well. The government as the holder of power in a country has set the course of the process of life in a country based on the constitution without distinguishing one group of people from another. Citizens' rights are very vital and must be considered properly, The State should regulate the rights of citizens through the equitable laws and policies through the central government, regional governments, and institutions related to the community directly in the process. The application of a law is the responsibility of every circle in this country, especially if the laws and policies that are made have a large scope and involve a large number of target groups. However, the application of a law is often difficult because of many things, both from the government and the institution as the organizer, as well as the difficulties stemming from the target group, referred to earlier.

Human rights for persons with disabilities become a hot topic in government, especially during elections. The government and related institutions continuously

make improvements and reinforcement of laws relating to the political rights of persons with disabilities so that in practice every citizen has the same rights without discrimination. Human rights are fundamental and also inherent in a human being universally.¹ Persons with disabilities are persons with physical, intellectual, mental or sensory barriers that are patent or forever so that they can hinder their direct participation in various democratic opportunities in this country. No exception to the general election, human rights for persons with disabilities are still often ignored and even violated. Generally, violations occur because the fulfillment of the needs of persons with disabilities is very complex and may be considered difficult for some people.

Law No.8 Article 1 Paragraph 2 of 2016 states that:

"Equality of opportunity is a situation that provides opportunities and/or provides access to persons with disabilities to channel potential in all aspects of the administration of the state and society".

Law No.8 Article 1 Paragraph 8 of 2016 states that "Accessibility is the convenience provided for people with disabilities to realize equality of opportunity".

¹ Tom Campbell, "Human Rights and the Partial Eclipse of Justice" dalam Arend Soeteman, *Pluralisme and Law*, (London: Kluwer Academi Publishers, 2001), hlm. 63

The General Election Commission (KPU) as the organizer of the election has also formulated several regulations relating to the fulfillment of political rights for persons with disabilities, in outline as follows:

1. Providing voting equipment, the KPU also distributes blind hearing aids in order to maintain the security, confidentiality, and smooth implementation of voting and vote counting (article 142 paragraph (2) explanation article 142 paragraph (2) of Law No. 10 of 2008 concerning Elections Members of the DPR, DPD and DPRD and article 105 paragraph (2) elucidation of article 105 paragraph (2) of Law No. 42 of 2008 concerning Presidential and Vice President Elections).
2. When voting, the voter with a disability can be assisted by someone else he chooses and that person must make their choice a secret. (Article 156 of Law No. 10 of 2008 concerning the Election of Members of the DPR, DPD and DPRD and article 119 of Law No. 42 of 2008 concerning Presidential and Vice President Elections, Article 164 of Law No. 10 of 2008 concerning Elections of Members of the DPR, DPD and DPRD).

To ensure that the articles are carried out consistently, the KPU has formulated regulations that specifically regulate political participation of persons with disabilities in elections. KPU Regulation No. 3 of 2009 concerning Technical Guidelines for the Implementation of Voting and Vote Counting at Voting Points in the Election of Members of DPR, DPD, Provincial and Regency / City DPR and KPU Regulation

No. 35 of 2009 concerning the Technical Guidelines for the Implementation of Voting and Vote Counting of the Election of the President and Vice President reaffirmed in order to maintain the security, confidentiality, and smooth implementation of the voting and vote counting of Regency / City KPU to submit blind aids to Group of Election Organizing Committee(KPPS). Broadly speaking these regulations include:

1. Notification letter for voting at polling stations must state the ease for voters with disabilities in voting (article 15 paragraph (2) KPU Regulation No. 3 of 2009).
2. To carry out the voting, KPPS prepares and regulates among others:
 - a. The table to place the ballot box is given a distance of approximately 3 meters from the seat of the Chair of the KPPS, placed near the exit of the TPS and facing the voter seat;
 - b. The distance between the voting booths with a minimum width of the Election Place (TPS) is 1 meter;
 - c. Table / board for placing voting booths and for marking on ballots, and a special table for voters with disabilities using wheelchairs (article 19 KPU Regulation No. 35 of 2008).
3. TPS are located in places that are easily accessible, including by voters with disabilities (article 4 paragraph (3) KPU Regulation No. 29 of 2009).

4. TPS is 10 meters long and 8 meters wide or according to local conditions (Article 21 paragraph 1 of KPU Regulation No. 3 of 2009 and Article 22 paragraph (1) KPU Regulation No. 29 of 2009).
5. In and out polling stations must be able to guarantee access to movement for voters with disabilities who use wheelchairs (article 21 paragraph (2) KPU Regulation No. 3 of 2009).
6. The Chairperson of the KPPS may invite voters with disabilities, pregnant women, and elderly people to vote first with the approval of the voters who should have a turn to vote (article 28 KPU Regulation No. 3 of 2009).
7. The mechanism and technique of voting for voters with disabilities is the same as for other voters, except if necessary it can be assisted by KPPS officers or others at their own request (article 30 of KPU Regulation No. 3 of 2009 and article 31 KPU Regulation No. 29 of 2009).
8. The blind voter uses the blind hearing aid provided to vote in the DPD Member election (article 30 paragraph (3) KPU Regulation No. 3 of 2009).
9. At the request of voters with disabilities, the fifth and sixth KPPS members or persons appointed by the parties concerned may be tasked with providing assistance with the following provisions:

- a. For voters who cannot walk, the fifth and sixth KPPS Members assist voters towards the voting booth, and the voting is done by the voters themselves;
- b. For voters who do not have both hands and the blind, the fifth member of the KPPS helps to make the mark according to the wishes of the voter witnessed by the sixth member of the KPPS;
- c. Assistance of others, other than the fifth and sixth KPPS Members, at the request of the voter concerned, the marking is done by the voters themselves;
- d. KPPS members and others who help voters with disabilities must keep the voters 'choice confidential and sign the Declaration of Voters' Assistance (article 31 KPU Regulation No. 3 of 2009 and article 32 KPU Regulation No. 29 of 2009).

10. Voters with disabilities are one of the targets of the implementation of information dissemination and election information (part V KPU Regulation No. 23 of 2008 concerning Guidelines for the Implementation of Information Dissemination and Submission of Election Information for Members of DPR, DPD and Provincial and Regency / City DPR).

In a democratic system, participating in elections is a political right for every citizen, also for people with disabilities. This right concerns the right to

investigate/explore existing alternatives to participate and who will be chosen (Dahl, 2001).

The General Election Commission as the organizer of the election wishes to continuously improve and optimize performance to equalize Human Rights (HAM) to persons with disabilities in elections. In a formal juridical arrangement, the initial step to fulfill the human rights of persons with disabilities must begin with a Regional Regulation (Perda) that guarantees the fulfillment of the rights of persons with disabilities from the lowest level or the smallest scope (Karim, 2017). In reality, that found in the field, disregard for the rights of persons with disabilities in elections includes:

- a. The right to be registered to vote
- b. The Right of access to TPS
- c. The right to keep their vote-secrets
- d. The right to be elected as a member of the legislature
- e. The right to get the information about elections
- f. The right to participate in elections.

Even though it has been explicitly explained in Law No. 39 Paragraph 3 of 1999 : "Discrimination is any restriction, harassment, and exclusion that occurs

directly or indirectly based on human differences on the basis of religion, ethnicity, race, ethnicity, group, class, social status, economic status, gender, language, political beliefs, resulting in the reduction, deviation, or elimination of the recognition, implementation, or use of human rights and basic freedoms in the life of both individuals and collectives in the fields of politics, economics, law, social culture, and other aspects of life "².Rights in a person can also be interpreted that he has a prerogative right that opens the possibility for him to be treated in accordance with the prerogative right that exist in him (Chang, 2004).

In the last 2014 Election, the Sleman Regency KPU in collaboration with the Association of Disabled Persons of Sleman (PPCS) made various efforts in the framework of fulfilling the political rights of persons with disabilities, including:

- a. Voter preparation is namely data collection on Permanent Voter List (DPT) people with disabilities through District Election Committee (PPK) and Election Committee (PPS). The Voter List data collection is done separately to make it easier for the KPU to distribute special logistics to persons with disabilities.
- b. KPU as the organizer of the General Election carries out technical guidance (BIMTEK) for the implementation of voting for PPK and PPS, then PPS

² Majda El Muhtaj, UU No. 39 Tahun 1999 Tentang Hak Asasi Manusia (Hak Asasi Manusia Dalam Konstitusi Indonesia, 2005, Kencana Prenada Media Group.

organizes BIMTEK for KPPS for the creation of an accessible & comfortable election for persons with disabilities.

- c. Special Logistics Distribution in the form of ballots and special election templates for persons with disabilities Logistics prepared for persons with disabilities are templates for DPD ballots provided by the Central KPU, each distributed 1 template per polling station/TPS in accordance with the TPS data that has voters with disabilities, and letters DPR RI votes provided by the Provincial KPU. Logistics distribution is carried out by KPPS members who have previously followed technical guidance (BIMTEK).
- d. Regular outreach is carried out for groups of people with disabilities assisted by democratic volunteers who are also persons with disabilities. This is done voluntarily, according to them so that the political rights of persons with disabilities can be fulfilled properly as they should without discrimination (Anonim, 2016).

The problem that then arose in the 2014 election was that the DPT, which was summarized through the Association of Disabled Persons of Sleman (PCCS), did not yet include all persons with disabilities in Sleman Regency so that many persons with disabilities were subsequently not recorded. This is reinforced by the findings of researchers in the field, after checking per-district that did not have a person with a disability in the DPT, but apparently, in the district concerned there are many persons

with disabilities. The checking is carried out in the Godean and Gamping Districts. In the sub-district, several persons with disabilities were found to have the right to vote, ranging from persons with disabilities who are blind, disabled, hearing impaired and / or speech and persons with mild disabilities. Furthermore, according to data collected, several TPS locations are not accessible for persons with disabilities. In TPS 01, TPS 05, TPS 15, TPS 17, TPS 24 and TPS 39 the place is still not accessible, that is, there are still steps or stairs which make it difficult for persons with disabilities who use wheelchairs. Besides, TPS 17 still placed ballot boxes with a height of more than 100 (one hundred) cm. This made it difficult for a person with a disability to enter a ballot that has been punched. (Anonim, 2016).

The Sleman Regency Government-Issued the Regional Regulation No. 1 of 2018 concerning the Implementation of the Protection and Fulfillment of the Rights of Persons with Disabilities. Implementation of Regional Regulation of Sleman Regency No. 1 of 2018 should be an additional guideline for the General Election Commission as the organizer and community of Sleman Regency which is obliged and responsible for all forms of providing accessibility and assistance for people with disabilities during general elections. However, the application of Law No. 8 of 2016 and Regional Regulation No. 1 of 2018 there are still some problems found in the mobility sector and the provision of assistive devices for people with disabilities.

Sleman Regency is the largest contributor to the Special Voters List (DPK) with a total of 4,626 people. This number is relatively smaller compared to the 2014 election. The DPK covers disabilities with the following categories;

1. Mental Disability
2. Physical Disability
 - a. Tuna Daksa (Body Disorders)
 - b. Tuna Netra (Visual Disorders)
 - c. Tunarungu (Hearing Disorders)
 - d. Tunawicara (Speech Disorders)
3. Tunaganda (Double Disabilities) (Reefani, 2013)

Persons with disabilities are often juxtaposed with difficulties in mobility due to the physical limitations they have, so that the Commission and the Regional Government need to pay attention to many things that would be a solution to these limitations. According to the data collected, in the 2019 elections in Sleman Regency, there were still some problems including polling locations that had stairs that made it difficult for the mobility of persons with disabilities to cast their votes, The inaccessible TPS was located in Sidoarum Village, Karangwuni Village, and Bangunkerto Village. Apart from that, the voting aid was only found on a few ballots so that some persons with disabilities were only given 2 ballots, namely the ballots of President & Vice President. Other than that, other problems come from families of

persons with disabilities who still think that persons with disabilities do not need to give their voting rights, especially mental and physical disabilities which they think will only be troublesome.

B. Problem Questions

The formulation of the problem in this study is as follows:

1. How is the evaluation of the Law No. 8 of 2016 implementation?
2. What factors influence the unsuccessful of the implementation of the Law No. 8 of 2016?

C. Research Purpose

Based on the problem questions above, the research purpose are as follows:

1. To find out how was the evaluation of the Law No.8 of 2016 carried out by the Election Comission (KPU) and Sleman Regency Government.
2. To find out the factors that influence the unsuccessful of the implementation of Law No.8 of 2016.

D. Research Benefits

1. Theoretical Benefits

- a. It is hoped that this research will become a forum for writers to add insight into the field of Politics & Government in application and theory.

- b. It is expected to be an additional reference for students especially students of Government Sciences Universitas Muhammadiyah Yogyakarta so they can understand the situation & practice directly in the field.

2. Practical Benefits

- a. This research is expected to become input for the Sleman Regency Government and KPU as the election organizer so that they will continue to carry out reforms and seek equality in efforts to fulfill the political rights of persons with disabilities.
- b. It is expected to be a reference and consideration for various interested parties in making regulations and policies related to the fulfillment of the political rights of persons with disabilities.

E. Previous Research

Previous research is a collection of research and the result that are attached for publication reason and also as reference material in academic field. In the table below, the author attaches some previous research related to the topics that author will discuss in this thesis. This previous research also became a reference for the author in conducting the research.

Table 1.1
Previous Research

No	Research Title & Year of Research	Research Result
1	<p>PENTINGNYA AKSESIBILITAS BAGI TERWUJUDNYA PARTISIPASI DIFABEL – STUDI KASUS KPU SLEMAN (Fadila Saraswati, 2015)</p>	<p>KPU of Sleman Regency started cooperation with many disabled activists. They were trying to advocate for accessible difficulties and socialize voter education for people with disabilities.</p>
2	<p>PARTISIPASI DAN JAMINAN HAK POLITIK PENYANDANG DISABILITAS DI YAYASAN YUKARTUNI MAKASSAR PADA PEMILU LEGISLATIF 2014 (Nur Aliyah Zainal, Muhammad Taufik Ilham,</p>	<p>Based on the results of the research, it was concluded that the guarantee of the political rights of persons with disabilities at the Yukartuni Foundation has been fulfilled so that fostered citizens can participate in the 2014 legislative elections. They were involved in the campaign of one legislative candidate in another place especially for citizens who</p>

	<p>Muhammad Rezki Razak – 2018)</p>	<p>have talents such as singing. The number of residents guided by Yukartuni is 57 people.42 were included in the Permanent Voter List (DPT) which 32 people who channeled their aspirations in the voting booths as many as 32 people meanwhile 25 people did not channel their votes or abstentions.</p>
3	<p>PEMENUHAN HAK ASASI MANUSIA KAUM DISABILITAS DALAM PELAKSANAAN PEMILU DAERAH MELALUI PENINGKATAN PERAN KOMISI PEMILIHAN UMUM DAERAH GUNA PENGUATAN DEMOKRASI LOKAL (Agus Riwanto, Isharyanto, Andina Elok, Puri</p>	<p>Two laws and regulations are governing the rights of voters with disabilities, namely international law and national law. Obstacles encountered in the field are also the culture of society which tends to stigmatize poor people with disabilities so that it is difficult to foster concern because it is often not taken into account.</p>

	Maharani, dan Ayub Torry – 2018)	
4	PARTISIPASI POLITIK PENYANDANG DISABILITAS DI KOTA SEMARANG PADA PEMILIHAN WALIKOTA & WAKIL WALIKOTA SEMARANG (Sandra Febriani Nur – 2016)	The political participation of persons with disabilities in the city of Semarang in 2015 belongs to the category of political participation in watching activities because the majority of people with disabilities at the time of the Semarang 2015 Pilwakot only voted. Factors that influence the political participation of persons with disabilities in the city of Semarang in the 2015 Semarang Pilwakot included data collection on disability voters, election socialization, and facilities and accessibility of polling stations.
5	PELAKSANAAN PEMILU YANG AKSESIBEL DAN NON-DISKRIMINASI SEBAGAI UPAYA PEMENUHAN HAK-HAK	The implementation of accessible and non-discriminatory elections for people with disabilities has not yet been carried out fully and optimally because there are still factors that hinder the realization of

	<p>POLITIK PENYANDANG DISABILITAS (Junaidi Abdullah – 2015)</p>	<p>the fulfillment of the political rights of persons with disabilities following statutory regulations. However, this has made it clear that the State has carried out its responsibilities and obligations to respect, protect and fulfill the rights of all its citizens without exception.</p>
6	<p>AKSESIBILITAS PARTISIPASI POLITIK PENYANDANG DISABILITAS DALAM PEMILU DI KOTA DENPASAR (Ratih Putu Kumala Dewi – 2015)</p>	<p>Denpasar City KPU has played its role in providing accessibility of choice for persons with disabilities. Some facilities that have been facilitated by the Denpasar City Election Commission include voter data collection forms by including a code of disability type, provision of braille voice templates at each polling station, as well as other supporting facilities for persons with disabilities. The effort carried out by the Denpasar City Election Commission was also accompanied by socialization to persons with disabilities so</p>

		<p>that it become a reference for people with disabilities and election organizers in other districts in the Bali region. However, in this context, the Election Commission of Denpasar City invited the active participation of the community and family to accurately record citizens with disabilities so that they wanted and felt facilitated in using their voting rights in elections.</p>
7	<p>PEMENUHAN AKSESIBILITAS HAK POLITIK BAGI DIFABEL DALAM PEMILUKADA 2015 (Studi tentang Aksesibilitas Difabel dalam pelaksanaan Pemilukada di Kabupaten Sragen) Ferry Yuhanda - 2016</p>	<p>Fulfillment of political rights for persons with disabilities concerning the implementation of accessibility in using the right to vote in the 2015 post-conflict local election in Sragen regency has been inventoried. Starting from the Universal Declaration of Human Rights as an International Human Rights Instrument to be mandated by the 1945 Constitution of the Republic of Indonesia as a constitution</p>

		<p>and legislation below it to Sragen Regency Regulation Number 14 of 2014 concerning the implementation of the protection of persons with disabilities in Sragen Regency as a form the obligations and responsibilities of the government towards the legal protection of persons with disabilities as the people and people of Indonesia. It can be concluded that all existing policies aim to protect, take sides and provide access for special treatment because of the disabilities they experience. Second, in line with the implementation of Simultaneous Election activities in Sragen Regency in 2015, it turns out that the existing regulations were not yet fully used as a reference in the implementation of the implementing regulations, This was evidenced by the findings in the field that not all voters with disabilities with certain</p>
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		<p>types of disabilities had access to rights. Their political rights and not all polling stations in Sragen Regency met the criteria for TPS access and disability friendly. Thus, it can be concluded that fulfilling the accessibility of political rights for the disabled as a voter is considered to be still uneven and lacks proper supervision.</p>
8	<p>TATA KELOLA PEMILU DALAM PEMENUHAN HAK- HAK PEMILIH PENYANDANG DISABILITAS (Ade Rio Saputra, Jendrius, dan Bakaruddin – 2019)</p>	<p>In the governance of elections for persons with disabilities in Padang Pariaman, seen from the level of rulemaking, that existing regulations have governed the fulfillment of disability rights in elections, both in the stage of updating voter data, socialization and voting stages. However, in terms of the rule applies that is the implementation of the rules, there are still several other problems at the registration stage of the disability voter. The stages of voter registration to persons with disabilities</p>

		<p>have not been well implemented due to the lack of understanding of the organizers in disability data collection because there are terms that are not well understood. Moreover, perspectives from disability families assume that disabilities are not entitled to vote so that there are still disability voters who have fulfilled the requirements to vote that has not been registered on the permanent voter list.</p>
9	<p>PENERAPAN ASAS RAHASIA BAGI PENYANDANGDISABILITAS DALAM PENYELENGGARAAN PEMILIHAN UMUM (Dziqra Maulana – 2016)</p>	<p>The accessibility factor is one of the things that influence the application of the principle of confidentiality for persons with disabilities in the holding of elections because of the important conditions for persons with disabilities to carry out their life activities. In addition to accessibility, factors of deep political socialization the general election, the number of disability voters who are still confused, the</p>

		<p>difference in the number of data of persons with disabilities owned by the government and the reality in the field and technical obstacles are also very influential for persons with disabilities in organizing elections.</p>
10	<p>PEMENUHAN HAK POLITIK BAGI PENYANDANG DISABILITAS (STUDI KASUS GERAKAN UNTUK KESEJAHTERAAN TUNARUNGU INDONESIA DI KOTA PALEMBANG) Ananda Vita Parameswara - 2019</p>	<p>In this case, several points can be concluded here that the dominant factors were physical and parental limitations. Physical limitations in this case, where persons with disabilities (hearing impaired) cannot hear so that the information found not optimally accepted by them. The factor of parents also does not provide information on knowledge about what rights possessed by persons with disabilities (deaf) such as the fulfillment of their political rights.</p>

The conclusion that author can take from the previous research is that the Government as the control holder in this country and also Election Commission (KPU) as the executor of the election always make various programs and efforts in terms of fulfilling the political rights of person with disabilities through many efforts in the form of providing services and facilities for them. However, there are still many deficiencies found in the field. In this thesis, authors will specify the implementation of Law No.8 of 2016 in the 2014 & 2019 elections in Sleman Regency as a comparison, whether the existing problems can be solved or repeated again.

F. Theoretical Framework

1. Public Policy Evaluation

Public Policy is a term in the world of social science developed by Harold Laswell, According to him, public policy is designed to highlight problems and decision-making in order to adjust to social changes that occur in a democratic country (Taufiqurokhman, 2014). Public policy as an approach to solve social problems and the expected results of the public policy for many people (Dunn W. , 2007). Public policy can also be interpreted as a series of plans, programs, activities, actions, and decisions to act carried out by related actors as stages for solving the problem at hand. Policy determination is an important factor for an organization to achieve its objectives (Iskandar, 2012).

From some of the views above, it can be concluded that public policy is born from the need to solve a social problems. Public policy aims to overcome various problems that exist by the government and power holders. Thus, the policy can be expressed as an effort to achieve certain goals, as well as efforts to solve problems using certain means, and in certain stages of time. Policies are generally fundamental, because policies only outline general guidelines as a basis for action in an effort to achieve the goals set (Ramdhani, 2017).

Public policy implementation is an implementation or application of public policy in the form of programs, activities, actions in a mechanism that is bound to a particular system (Ramdhani, 2017). Public policy implementation is a continuation of the formulation, and application of public policy. Public policy implementation is then interpreted as an action taken by both individuals and government groups that are oriented towards achieving the goals outlined in policy decisions. The implications of implementing public policies are the consequences that arise as a result of the implementation of these policies. The results of evaluations on policy implementation can produce expected or unexpected impacts (Ramdhani, 2017). The following elements include the implementation of public policy:

- a. The specification of the program details, namely how and where the institution or organization should run the program, and how the law or program is interpreted.
- b. Resource allocation, i.e. how the budget is distributed, the personnel who will carry out the program and the organization responsible for implementing the program.
- c. Decision, or how the decision will be made (W. Jann & K. Wegrich, 2007)

The implementation of public policies does not only involve government agencies but also cover the social, political, and economic fields to be able to be responsible for implementing programs and to cause adherence to target groups.

Policy evaluation is a process to assess the extent to which a public policy can produce results, namely by comparing the results obtained with the objectives or targets of specified public policies (Muhajdir, 2008). Evaluation is intended to assess whether the policy can be said as activities involving the estimation or assessment of policies that include the substance, implementation and impact of the implementation of the policy (Anderson, 2008). Evaluation of the implementation of public policies requires the involvement of stakeholders in a democratic and participatory manner. The government and

policy makers must continue to discuss to analyze the consequences of implementing the policy.

The following are indicators that must be met in carrying out public policy evaluations:

a. Effectiveness

Effectiveness with regard to whether an alternative achieved the expected results have achieved the intended purpose. Effectiveness that is closely related to technical rationality, is always measured by the product or service unit or its monetary value.

b. Efficiency

Efficiency is related to the amount of effort needed to increase a certain level of effectiveness.

c. Adequacy

Adequacy concerns the extent to which an effectiveness level satisfies a need, value or opportunity that creates a problem. Adequacy criteria emphasize the strong relationship between policy alternatives and expected outcomes.

d. Equity

This indicator is closely related to legal and social rationality and points to the distribution of effects and effort between different groups in society. The

policy which is oriented on equalization is a policy which consequently is distributed fairly.

e. Responsiveness

Responsiveness is related to how far a policy can satisfy the needs, preferences, or values of certain groups of society. Responsiveness criteria are important because analyzes that can satisfy all other criteria - effectiveness, efficiency, adequacy, equality - still fail if they have not responded to the actual needs of the group that should have benefited from a policy.

f. Appropriateness

Accuracy is a criterion that is closely related to substantive rationality, because the question about the appropriateness of policies does not concern individual units of criteria but two or more criteria together. Accuracy refers to the value or price of program objectives and to the strength of the assumptions underlying these goals (Dunn W. N., 1981).

Helmut Wollman's model describes the evaluation of policy implementation in three main types, namely: ex-ante evaluation, on-going evaluation, and ex-post evaluation as follows:

1. Evaluation at the Planning Stage (ex-ante)

Ex-ante is a policy evaluation carried out before the policy is implemented with the aim of choosing and determining the priority scale

of various alternatives and possible ways of achieving the goals that have been formulated previously, the aim is to anticipate and provide an initial assessment of a policy (Diansari, 2016).

2. Evaluation at the Implementation Stage (on-going)

Evaluation at the implementation stage is an evaluation carried out with the implementation of the policy to find out the progress of the processes that were passed. On-going evaluation is generally intended to ensure that the actions carried out in accordance with the plan, not intended to evaluate the final evaluation of the performance achievements of the policy. If mistakes are found, improvements will begin to be made so that the final results will be achieved as intended.

3. Evaluation at the Post-Implementation Stage (ex-post)

Ex-post evaluation is intended to assess the entire process from the beginning of the preparation of the public policy. The ex-post evaluation focused on the final results and the impact of a policy implementation journey (O.Lintjewas, F.Tulusan, M.Egetan, 2016).

Likewise with the existence of Law No 8 Year 2016 concerning the fulfillment of political rights of persons with disabilities, whether through the policy, the goal of fulfilling these political rights can be achieved or even vice versa.

In this thesis, the author takes the evaluation theory by William N. Dunn as the theoretical foundation and guidance in the preparation of this thesis. Understanding the evaluation in general is also equated with the theory of assessment, giving numbers, and also assessment. In a simple sense, evaluation is an attempt to analyze the results of a policy made. In a deeper sense, evaluation also involves making information about the value of benefits along with the results of implementing a policy (Dunn W. , 2007)

Basically, a policy is made to solve a problem that is being faced, and therefore an evaluation needs to be done to assess whether a policy has been running in accordance with the aims and objectives, in other words whether the policy made is able to solve the problem. According to William N. Dunn, evaluations have the following characteristics:

- a. Focus on Value. Evaluation focuses on an assessment regarding the policy made. Evaluation is an effort to determine the achievement of the benefits of a policy not only as monitoring because basically the accuracy of the goals and objectives of the policy becomes an important thing in policy making.
- b. Value-Interdependence Facts. The demands of an evaluation depend on facts and values, to illustrate the fact that a policy has reached the highest or lowest level of performance (value). What determines the evaluation

process is not only the results and benefits obtained by individuals, groups and the wider community, but must also be accompanied by evidence and facts of the results of the policy.

- c. Presentation & Present Orientation. Evaluation is a retrospective process or after these activities are carried out (ex-post) and is focused on past and present results rather than future results.
- d. Duality of Nilai. Values in evaluation are basically dual, namely as an objective as well as a way. These values are interrelated, reflecting the relative importance and interdependence between goals and objectives.

Table 1.2
Evaluation Indicators

Variable	Indicators	Parameters
Effectiveness	Achievement of Objectives	<ul style="list-style-type: none"> a. Data collection and mapping of disability voters. b. Organizing election education for disability. c. Accessible TPS location. d. Provision of facilities and special needs.

Efficiency	Ratio of the output produced to the input that used	<ul style="list-style-type: none"> a. Holding election socialization. b. Provision of election socialization facilities. c. Holding the Technical Guidance for KPPS.
Adequacy	Measuring the level of effectiveness that satisfies the need.	<ul style="list-style-type: none"> a. A proper program. b. Providing accessibility, facilities, and special needs. c. Additional services
Equity	Distribution of the same benefits to different group	<ul style="list-style-type: none"> a. Accessible TPS location for all types of disability. b. Election materials& Special aids for all types of disability.
Responsiveness	Measurement of the level satisfaction of a group on a policy.	<ul style="list-style-type: none"> a. Right on target. b. Target satisfactions.

Apropriateness	The value that underlies a policy.	<ul style="list-style-type: none"> a. The intended result sre valueable for groups. b. The results achieved are valuable / beneficial to the target.
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Furthermore, according to William N. Dunn, the function of an evaluation is to reveal how far the goals and targets have been achieved.

2. People with Disabilities & Their Political Rights

Persons with disabilities are people with special needs, different from people in general. People with special needs have a very broad definition, including people who have physical disabilities, or low IQ (Intelligence Quotient) abilities, as well as people with very complex problems, so that their cognitive functions are impaired. Persons with disabilities or anyone who has limitations in the long term physically, mentally, intellectually or sensually who in interacting with the environment and the attitudes of the people meet obstacles that make them difficult to participate fully and effectively based on equal rights.³The deficiencies that exist in themselves often lead to

³Konvensi Internasional Mengenai Hak-Hak Penyandang Disabilitas (Convention on the Rights of Persons with Disabilities/ CRPD), Pasal 1.

discrimination in everyday life both in the social and political fields. Discrimination against the political rights of persons with disabilities is an attitude or action that directly or indirectly limits, reduces, complicates, impedes, or interferes with the political rights of persons with disabilities in elections.⁴ Every citizen has the right to follow all processes in government, including persons with disabilities. In Article 43 Paragraph 1 of Law No. 39 of 1999 concerning Human Rights, persons with disabilities is given the same right to vote or be elected in the General Election. Law Number 19 of 2011 has guaranteed the voting rights of persons with disabilities in the election. This law also states that the state has an obligation to realize the rights of persons with disabilities and guarantee the basic equality of rights and freedoms and one of which is the right to obtain protection and services in elections. The government and the KPU as the organizers of elections in Indonesia have shown their commitment to continue to improve the fulfillment of the political rights of persons with disabilities in the conduct of elections in Indonesia. This was marked by the signing of a memorandum of understanding between the KPU and PPUA PENCA (Election Center for People with Disabilities Access) which is an advocacy institution for the political rights of people with disabilities on March 11, 2013. In the memorandum of understanding, the KPU promised to

⁴Muladi, ed., *Hak Asasi Manusia: Hakekat, Konsep dan Implikasinya Dalam Perspektif Hukum dan Masyarakat* (Bandung: Refika Aditama, 2005), 261.

hold every election stage inclusively, accessible and non-discriminatory especially for people with disabilities (Abdillah, 2015). Here us the category & classifying People with disability:

1. Mental Disabilities

Mental disabilities have two categories, namely persons with mental disabilities who are in medical care and supervision and also former persons of mental disabilities, in this case, the exception is person who are psychosis who are homeless, asocial, even unaware of their own existence.

2. Physical Disabilities

- a. Tunadaksa or Physical Disability are individuals who have movement disorders caused by neuro-muscular abnormalities and bone structures that are congenital, sick or due to accidents (loss of organs), polio and paralysis. Physical disability derived from the word tuna which means loss or less, while daksa means the body. So disabled people are aimed at those who have imperfect limbs (Pustaka, 2018).
- b. Tunanetra or Visual Disorders divided into two categories, which is total blind or could't see anything, and low vision blind or only can see several colours (Pustaka, 2018).

- c. Tunarungu or hearing disorder (deaf) are individuals who have permanent or non-permanent hearing loss. Because they have a hearing impairment, hearing impaired individuals have a speech impediment, so they are commonly referred as hearing impaired too (Pustaka, 2018).
 - d. Tunawicara or Speech Disorders are individuals who have difficulty expressing thoughts through verbal language, making it difficult or even incomprehensible to others. This speech disorder can be functional in that it might be caused by ambiguity, and organics which are indeed caused by imperfections of the speech organs as well as the disruption in the motor organs associated with speech (Pustaka, 2018).
 - e. Tuna Ganda or Double Disability are people with disabilities who have more than one disability, for example people who are blind with hearing impairment at the same time, persons with disabilities are accompanied by mentally disabled people or even all at once (Pustaka, 2018).
3. Special Need of People with Disabilities in the Election are as follows:
- a. Accessible polling stations (TPS) making it easier for the mobility of people with disabilities.
 - b. Template or tool punch with braille letters.
 - c. Accessible Equipment & Logistics.

- d. A spacious polling booth makes it easy to use a wheelchair.
- e. KPPS members' understanding of the special needs of disabled voters.

G. Conceptional Definition

a. Public Policy.

Public Policy is the basis of solving a problem. Public policy is made by policy makers through programs, activities, actions, and decisions to act carried out by related actors.

b. Public Policy Implementation

Implementation is a follow-up action from planning & formulating policies through certain activities and actions according to plan. Public policy implementation is then interpreted as an action taken by both individuals and government groups that are oriented towards achieving the goals outlined in policy decisions.

c. Public Policy Evaluation

Public policy evaluation is the most important stage of a series of policy implementation, from this evaluation can get an idea related to the success of a policy that has been made. Fulfillment of Political Rights of Persons with Disabilities

Persons with disabilities are people with special needs, different from people in general. But according to Law No. 39 of 1999, the political rights held by persons

with disabilities are the same as the political rights of people in general. However, in practice in the field, persons with disabilities require special treatment and also special attention from the organizer. Political rights possessed by persons with disabilities must always be guarded and upheld for the sake of the prevailing equality of human rights.

d. Policy Evaluation Measurement & Indicators

Understanding the evaluation in general is also equated with the theory of assessment, giving numbers, and also assessment. In a simple sense, evaluation is an attempt to analyze the results of a policy made and also the extent to which the law is able to resolve the problems faced by the society.

e. Special Needs of Persons with Disabilities.

Persons with disabilities are people with special needs, different from people in general. Persons with disabilities have limitations in both movement and communication. Therefore in practice in the field, persons with disabilities need some special needs to facilitate their mobility in giving them the voting rights they have.

H. Operational Definition

Based on the formulation of the problem that has been raised, then to facilitate the researcher, an outline of the operational definition in the study is as follows:

a. Indicators of Public Policy Evaluation

1) Effectiveness

The intended effectiveness is whether the public policy made is fully on target and has succeeded in solving problems in the field.

2) Efficiency

Efficiency in question is related to the amount of effort needed to increase the effectiveness of a public policy.

3) Adequacy

The intended adequacy is to what extent an effectiveness level satisfies the needs, or solves the problem in question. Adequacy criteria emphasize the strong relationship between policy alternatives and expected outcomes.

4) Equity

Equity is an indicator that focuses on the distribution of effects and effort between different groups in society. Policies that are leveling oriented are those policies which consequently are distributed fairly and without discrimination against certain groups.

5) Responsiveness

Responsiveness is related to how far a policy can satisfy the needs, preferences, or values of certain groups of society.

6) Appropriateness

Appropriateness refers to the value or price of program objectives and to the strength of the assumptions underlying these goals.

b. Factors influencing the application of Law No. 8 of 2016:

- 1) Socio-cultural.
- 2) Limited Power.
- 3) Limitation of Logistics & Tools
- 4) Limited Human Resource.

I. Research Methods

1. Research Type

This research is research that will use qualitative research methods. Qualitative research is research that is used to examine the condition of natural objects, where researchers are the key instruments (Sugiyono, 2005). Qualitative research is also research that intends to understand what phenomena are experienced by research subjects such as behavior, perception, motivation, action, holistically, and by means of descriptions in the form of words and language, in a special natural context and by utilizing various natural method (Moleong, 2006). Qualitative research is a series of activities starting from the search, discovery, and processing or writing of data in accordance with the phenomena that occur in the field.

This research was conducted to provide a precise picture of the immediate situation and the relationship between the object of research with the situation of the community in the field. This method is in accordance with the topic chosen

by the author, where the writer describes the Evaluation of the Application of Law No. 8 of 2016 in the 2014 & 2019 elections. Therefore, in this research, the writer will try to find some problems that occur in the field during the election, identify problems regarding the fulfillment of political rights for persons with disabilities with the indicators previously explained, and attach the results of the intended research.

2. Unit Analysis

Table 1.3

Unit Analysis

Type of Data	Source of the Data	Data Required	Data Collection Technique
Primary Data	Head of General Election Commission (KPU) Sleman Regency.	Their opinion as the organizer of the election to the Law No.8 of 2016 concerning the Fulfilment of the Political Right of People with Disabilities about it's: <ol style="list-style-type: none"> 1. Policy Effectivity. 2. Policy Efficiency. 3. Policy Adequacy. 4. Policy Equity. 5. Policy Responsiveness. 	Interview

		6. Policy Appropriateness.	
	Head of BAWASLU Sleman Regency.	Their opinion about the reality that found in the field regarding to the Fulfilment of the Political Rights of People with Disabilities in Sleman Regency that have been done by the General Election Commission(KPU) as follows: <ol style="list-style-type: none"> 1. Policy Effectivity. 2. Policy Efficiency. 3. Policy Adequacy. 4. Policy Equity. 5. Policy Responsiveness. 	Interview

		6. Policy Appropriateness.	
	People with Disabilities in Sidoarum Village.	<p>Their opinion about the Law No.8 of 2016 and the reality during the election process for them as the object of this problems as follows:</p> <ol style="list-style-type: none"> 1. Policy Effectivity. 2. Policy Efficiency. 3. Policy Adequacy. 4. Policy Equity. 5. Policy Responsiveness. 6. Policy Appropriateness. 	Interview
	Family member of People with Disabilities.	Their opinion as the related person of people with disabilities who has the right to participate	Interview

		<p>the election, what are their opinion about:</p> <ol style="list-style-type: none"> 1. Policy Effectiveness. 2. Policy Efficiency. 3. Policy Adequacy. 4. Policy Responsiveness. 5. Policy Appropriateness. 	
	PERTUNI	<p>Their opinion as the related person of people with disabilities who has the right to participate the election, what are their opinion about:</p> <ol style="list-style-type: none"> 1. Policy Effectiveness. 2. Policy Efficiency. 3. Policy Adequacy. 	Interview

		<p>4. Policy Responsiveness.</p> <p>Policy Appropriateness.</p>	
<p>Secondary Data</p>	<p>Government Archives.</p>	<p>1. Region's General Profile.</p> <p>2. Related institutions Profile.</p> <p>3. Voter list of 2014 & 2019 election.</p> <p>4. Disabilities voter list in 2014 & 2019 election.</p> <p>5. Archive & document related to the 2014 & 2019 election.</p>	

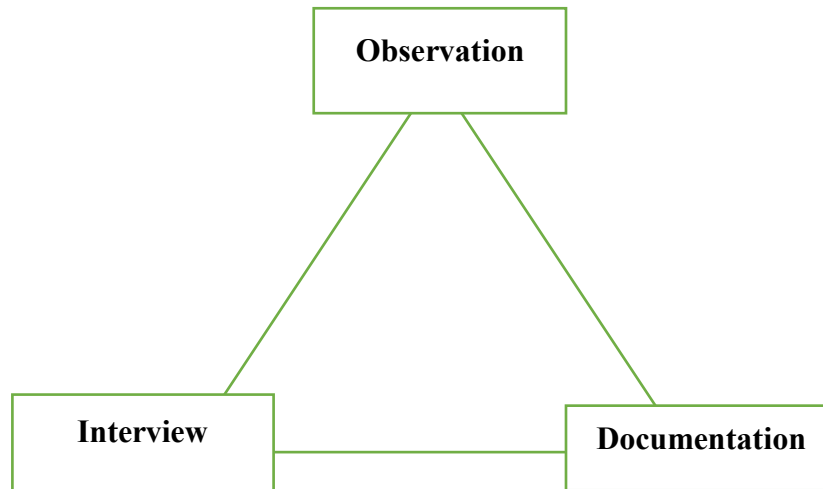
	Book, Journal, Article.	Reading all the books, journal, and article relating to the fulfillment of political rights for persons with disabilities and making it the basis or reference in writing this thesis.	
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3. Data Analysis Technique

Data analysis is the process of systematically describing and compiling data obtained from interviews, literature studies, documentation, and other data sources so that it is easy to understand. The data analysis technique used by this researcher uses a qualitative descriptive technique based on the researchers' reasoning ability in linking theory to the facts and information found in the field. In this study, researchers are going to use a combination of triangulation methods. The method is done by comparing information or data in several different ways. In qualitative research, researcher used interview, observation and survey methods. To obtain the correctness of suitable information and a complete picture of certain information, researcher can use interview and observation or

observation methods to find out the truth. In addition, researchers can also use different informants to check the truth of the information. Then will use the method of triangulation of data sources, which is exploring the truth of certain information through various methods and sources of data acquisition. For example, besides from interviews and observations, researcher can use participant observation, written documents, archives, historical documents, official records, personal notes or writings and pictures or photographs. Each of these methods will produce different evidence or data, which in turn will provide different views about the phenomenon under the case of Evaluation of the Application of Law No.8 Year 2016 Concerning the Fulfillment of Political Rights of Persons with Disabilities in the 2014 elections & 2019 elections.

Here is the technique of Triangulation Methods:



a. Observation

The observation that the author made in the initial step was to find out the problems that occurred during the election. Observations were made through social media and also directly KPU, observations made included determining the location to be used as a place of research based on locations prone to violations of the rights of persons with disabilities or locations with the most problems in Sleman Regency. In making observations, the author also began to search for data related to the number of voters with disabilities in Sleman Regency to be used as a resource in interviews that the writer will do. In the case of the selection of sources, the author limits the disability categories that

will be used as sources. Persons with disabilities that the authors chose to be the resource persons are persons with physical disabilities and visual disorders. That is because of the limited means and ability of the writer to conduct interviews together with persons with hearing and speaking disorders.

b. Interview

After making observations as a first step, the authors then conducted interviews with sources that the authors had determined including the Head of General Election Commission (KPU) of Sleman Regency, the Head of BAWASLU Sleman Regency, persons with disability in Sidoarum Village, and the Head of Disability Community. In conducting interviews, the authors attach several different questions to the informants who will provide different views at the end of the study. Interviews were conducted to find out what actually happened in the field of FSN then make it as a result of findings and provide suggestions and input for the future.

c. Documentation

Documentation is a data collection technique through several media such as document and archive retrieval, taking pictures, videos, and audio recordings. In the documentation that the author does, the author documents several KPU archives in the form of disability voter data. Whereas when conducting interviews, the authors documented through audio recording to facilitate the

authors in the preparation of findings in the field. In addition to audio documentation, the author also took some documentation in the form of election props, and also documentation when conducting interviews with each informant for the complete completeness of the attachment as one of the requirements in writing this thesis.