

HASIL CEK_The Model

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The Model of Organizational Strengthening of the Political Party Wings in The Indonesian Party System

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ABSTRACT

This study aims to evaluate the arrangement and position of the Organization of Political Party Wings in the Law No. 2 of 2011 on Amendments to Law No. 2 of 2008 Concerning Political Parties and to provide a model for improving the Organization of Political Party Wings in the future within the Indonesian party system. This research employs standard legal research methodologies. The legal materials include primary, secondary, and tertiary legal resources. The method used to collect data is a literature review. As part of qualitative data analysis, primary legal documents, such as Law No. 2 of 2011 Concerning Amendments to Law No. 2 of 2008 Concerning Political Parties and Law No. 16 of 2017 Concerning Stipulation of Government Regulations in Lieu of Law No. 2 of 2017 Concerning Amendments to Law No. 17 of 2013 Concerning Social Organizations, are analysed. This research reveals that the regulation and status of the Political Party Wing Organization are extremely limited and are governed by only one article, namely Article 12 letter f of Law No. 2 of 2011 on Amendments to Law No. 2 of 2008 Concerning Political Parties. In the future, it is critical to improve the Organization of Political Parties in a variety of ways, including its status, rights, and responsibilities, as well as its legal obligations.

Keywords: Model; Strengthening; Organization; Political Party Wing; Party

1. INTRODUCTION

The purpose of this research is to determine the structure and position of the Political Party Wing Organization (hereinafter referred to as "OSP" (*Organisasi Sayap Partai*)) in Law No. 2 of 2011 concerning Amendments to Law No. 2 of 2008 concerning Political Parties, as well as to develop a model for strengthening OSP in the future Indonesian Party System.

Citizens can participate in the state management process through political parties. A political party is an organized group of people who share the same beliefs, values, and ideals. There is an OSP that is a member of a political party or has a relationship with one.

In fact, the OSP's function as a political party machine with a central role is incomparable to its ineffective regulation. The OSP arrangement in Positive Law still has flaws because the Elucidation of Article 12 letter J of the Political Party Law states that further OSP arrangements are governed by the Articles of Association and bylaws of each political party, which is widely criticized by the public [1].

2. METHOD

This study employs normative legal research methods with legal materials ranging from primary to secondary to tertiary. A literature study is used to collect data. The data was analysed using qualitative methods, including the examination of primary legal materials from Law No. 2 of 2011 concerning Amendments to Law No. 2 of 2008 concerning Political Parties and Law No. 16 of 2017 concerning Stipulation of Government Regulations in Lieu of Law No. 2 of 2017 concerning Amendments to Law No. 17 of 2013 concerning Social Organizations.

3. RESULT AND DISCUSSION

The OSP is an important source of political party regeneration. Internalization of party ideology and the development of a militancy personality are more easily accomplished than sources of regeneration from other community organization networks. As a complementary factor for running political party organizations, OSP plays a significant role in political parties, both in the implementation, socialization, and implementation of party programs and policies [2].

The existence of OSP in Indonesia is legally recognized and guaranteed by the state through Law No. 2 of 2008 concerning political parties. Article 12 letter (j) of the law states that one of the rights of political parties is to form and own the OSP. It's explanation states that OSP is an organization formed by and/or declaring itself a wing of a Political Party according to the Article of Association and bylaws of each Political Party.

In terms of regulation, the OSP's position is not fully regulated in the Political Party Law. There is no standard definition, terms, or procedures for establishing OSP, rights and obligations, or relationships with political parties. As a result, a clearer arrangement in the Law is required to strengthen the OSP's position in the Indonesian party system.

The above legal issue is a gap in the material that governs the OSP. Currently, there is Law No. 2 of 2008 on Amendments to Law No. 2 of 2011 Concerning Political Parties, which regulates the OSP in Article 12 letter j. However, the article's formulation of OSP regulation is very limiting, lacks a detailed affirmation that regulates political parties regarding the form, type, and model of OSP that the law desires, and lacks a clear legal political direction OSP [3].

Establishing relationships between political parties and their wing organizations is critical because Law No. 2 of 2008 regulates the prohibition of political parties in Article 40 and sanctions for political parties who violate the prohibition in Article 48. The OSP, as an organization with its own structure, management, and program work, can carry out the prohibition outlined in Article 40 of Law No. 2 of 2008. It is a problem, particularly for political parties, because legal, OSP are directly under the Party Political [4].

The purpose of the legal politics that structure the OSP is to provide legal protection and to fulfil the rights of association and assembly within the framework of institutionalizing political parties so that they can carry out their functions and achieve their goals within the context of developing Pancasila democracy.

Kristina Weissenbach [5] divides political parties' roles and functions into three (three) distinct domains: 1) party functions in general elections; 2) the function of political parties as organizations; and 3) the function of political parties in government.

According to Abdulhadi [6,] the following is the content of the arrangement and arrangement of the OSP:

- a. Redefining the OSP to not seem simplistic as stated in the explanation of Law no. 2 of 2008 concerning Political Parties.
- b. Establishment/establishment and position of OSP.
- c. Legal relationship; rights and obligations of OSP and Political Parties.
- d. Legal relations with the State/Government.

- e. The purpose and function of OSP in the life of the nation and state are to have legal alignment with societies organization.
- f. Financial rights.
- g. The responsibility of fostering by the Government/Regional Government
- h. OSP membership rights and obligations

Thus, the OSP is regulated as a subordinate to a political party—either self-proclaimed or formed by a political party. However, the regulation on OSP is not only attached to the regulation on political parties. Several legal provisions other than the provisions regarding political parties still apply to OSP as follows:

1. OSP can be in one of four types, namely:
 - a. OSP is a legal entity with the type of association;
 - b. OSP is a legal entity with the type of foundation;
 - c. OSP is not a legal entity by obtaining SKT;
 - d. OSP is not a legal entity by obtaining data collection;
2. OSP as subordinate to a political party makes provisions attached to political parties that can be imposed on OSP with certain exceptions; and
3. OSP's legal responsibility for corruption is divided into eight variants of possible legal charges for corruption. Provisions for violations attached to political parties can also be applied to OSPs with certain exceptions.

Strengthening the party wing's organization (OSP) will automatically strengthen political parties as the dominant element in the political system. Ideally, the existence of political parties will be stronger if followed by the formation of wing organizations. If a political party is analogous to a bird that has "wings", then the term "wing" indicates that the political party as the main body or parent seeks to spread its "wings" so that it can fly higher. However, no matter how strong the "wings", it may only grow from a strong body. There is an urgency to reorganize the organization of the party wing as a form of the state's constitutional responsibility for the rights of citizens to associate and assemble; that there is a certainty to provide legal protection; clarify socio-political status compared to other organizations. Arrangements are needed in the context of clarifying the legal relationship between party wing organizations and the political parties that form them. Structuring the organization of the party wing is carried out within the framework of strengthening the institutions/institutionalization of political parties so that they are stronger, adaptive, and sustainable in carrying out the function of cadre recruitment and political leadership.

4. CONCLUSION

First, the regulation and position of the OSP is not complete and is only regulated in one article, namely Article 12 letter f of Law No. 2 of 2011 concerning

Amendments to Law No. 2 of 2008 concerning Political Parties. Secondly, it is necessary to revise the Law on Political Parties with the model of organizational strengthening for Political Parties with the addition of articles that need to be regulated in the Law on Political Parties concerning the position, rights and obligations, and legal responsibilities of the OSP.

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