



Electoral Democracy and the Imperative of Justice: Protecting Citizens' Political Rights as a Human Rights Issue

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Abstract

Electoral democracy is a key pillar in a democratic state under the rule of law, serving as a means of realizing popular sovereignty and a mechanism for actualizing citizens' political rights. However, the quality of democracy cannot be measured solely by the continuity of periodic general elections, but rather by the extent to which the electoral process guarantees justice and the substantive protection of political rights. This study aims to analyze electoral democracy from the perspective of electoral justice and human rights, by positioning citizens' political rights as a normative element inseparable from the principles of constitutional democracy. The research method used is normative juridical with a statutory, conceptual, and historical approach, to examine the consistency of electoral legal norms with the principles of justice and the protection of political rights. The results show that the practice of electoral democracy still tends to be procedural and does not fully reflect substantive justice. Various electoral violations, both administrative and systemic, are often treated as technical issues, even though they have direct implications for the fulfillment of human rights. Electoral justice has been proven to be a key factor in maintaining the integrity of electoral democracy, as it encompasses procedural, substantive, and social justice, ensuring equal political participation for all citizens. This research confirms that without electoral justice, electoral democracy has the potential to lose its moral and constitutional legitimacy. Therefore, strengthening electoral justice needs to be positioned as a fundamental principle in the implementation of electoral democracy to ensure the ongoing protection of citizens' political rights.

Keywords: Electoral Democracy, Electoral Justice, Citizens' Political Rights

INTRODUCTION

Electoral democracy, in its most general sense, refers to a system of governance in which political authority is derived from the will of the people through regular, free, and fair elections. At this broad level, democracy emphasizes popular sovereignty, political participation, and accountability of leaders to citizens. Elections function as the primary mechanism through which citizens express their preferences, choose representatives, and influence public policy.



Without meaningful elections, democracy loses its substantive character and risks becoming merely symbolic. Therefore, electoral democracy is widely regarded as a foundational pillar of modern democratic governance (Harimurti, 2022). Moving to a more specific understanding, electoral democracy is not limited to the mere act of voting but encompasses a broader institutional framework that ensures competition, inclusiveness, and transparency. This includes the existence of multiple political parties, equal opportunities for candidates to campaign, impartial electoral management bodies, and transparent vote-counting processes. At this level, democracy requires legal and procedural safeguards that prevent manipulation, coercion, and discrimination. The quality of elections thus becomes a key indicator of how well a democratic system functions in practice, rather than just in theory.

At a deeper level, electoral democracy is closely connected to the concept of justice, particularly procedural justice. Justice in electoral processes demands that all citizens are treated equally under the law and that their political voices carry the same weight. This means protecting the principle of “one person, one vote,” ensuring equal access to voter registration, and preventing practices such as voter suppression or electoral fraud. When electoral systems fail to uphold fairness and equality, they undermine public trust and weaken the legitimacy of democratic institutions (Imawan, 2020). Narrowing further, the protection of citizens’ political rights becomes central to understanding electoral democracy as a justice-oriented system. Political rights include the right to vote, the right to be elected, freedom of political expression, and freedom of association. These rights enable individuals not only to participate in elections but also to engage in political life more broadly. When these rights are restricted, whether through legal barriers, intimidation, or unequal access to information, electoral democracy cannot function effectively, and justice is compromised (Estede et al., 2025);(Komnas, 2013).

Participation as a fundamental human right. This recognition places an obligation on states to actively protect and promote political rights, not merely refrain from violating them. Electoral democracy, therefore, becomes a human rights issue, where violations of electoral integrity are also violations of human dignity and equality. (Waworuntu, 2022). At the most specific level, the imperative of justice in electoral democracy highlights the responsibility of the state and society to safeguard political rights in practice. This includes providing effective legal remedies for electoral violations, ensuring independent courts and oversight institutions, and fostering civic education so citizens understand and can claim their rights. Protecting political rights is not only about maintaining democratic procedures but also about affirming the moral and legal commitment to justice as a core human rights principle. In this sense, electoral democracy serves as both a political system and a normative framework aimed at realizing justice

and protecting the fundamental rights of all citizens (Gea & Ariqah, 2024);(Fadhlurrahman, 2024). This situation not only reduces the quality of democracy but also threatens the fulfillment of citizens' political rights, which are fundamental rights that should be maximally protected by the state. This is crucial for positioning electoral democracy not merely as a political system, but as a normative regime imbued with the value of justice. A just democracy demands a balance between popular sovereignty, the rule of law, and the protection of human rights. Without justice, electoral democracy risks becoming an empty procedure that lacks moral and constitutional legitimacy (Abdullah, 2025). Therefore, electoral justice must be understood as a basic principle that animates the entire electoral democratic process, not merely as a corrective instrument when violations occur.

The protection of citizens' political rights in an electoral democracy cannot be separated from the state's role as the primary duty bearer in the human rights system. The state is not only responsible for providing electoral mechanisms but also for ensuring that all policies and actions related to elections do not create structural barriers that disadvantage certain citizens. The state's failure to guarantee electoral fairness is essentially a failure to fulfill its constitutional and international human rights obligations. General elections are a concrete manifestation of the principle of popular sovereignty, as mandated by the constitution. However, popular sovereignty cannot be reduced to mere vote counts or electoral victories (Bachmid, 2021). Popular sovereignty contains ethical and normative dimensions that demand fairness in the political decision-making process. Therefore, electoral democracy that ignores electoral justice actually betrays the meaning of popular sovereignty itself. Furthermore, the dynamics of electoral democracy in the modern era demonstrate a tendency toward increasing complexity in challenges to electoral justice. Developments in information technology, for example, have opened up new opportunities for public opinion manipulation, disinformation, and political polarization, all of which can impact citizens' freedom of choice. In such a situation, protecting political rights is not sufficient merely by formally guaranteeing the right to vote; it also requires policies that protect freedom of thought and the freedom to access accurate information.

Electoral justice also has a social dimension that cannot be ignored. Social and economic inequality often directly impacts citizens' ability to participate equally in the electoral process. Poor communities, people with disabilities, indigenous peoples, and other minority groups often face structural and systemic barriers to exercising their political rights. A just electoral democracy demands affirmative action policies and inclusive election design to ensure that no citizen is left behind in the democratic process. Thus, electoral democracy and the imperative of justice are

two inseparable concepts (Wiratmaja, 2018). Democracy without justice has the potential to give rise to majority tyranny or the dominance of political elites, while justice without democracy loses the basis of popular legitimacy. Therefore, protecting citizens' political rights must be placed as the primary objective of electoral democracy, not merely a byproduct of the electoral process. Based on this background, this research stems from academic concerns about the tendency to formalize electoral democracy that ignores the dimensions of justice and human rights. This study seeks to place electoral democracy within a broader normative framework, emphasizing the importance of electoral justice as an instrument for protecting citizens' political rights. With a legal approach and a human rights perspective, this research is expected to provide a conceptual contribution to strengthening electoral democracy that is just and oriented toward protecting citizens' political rights.

METHOD

This research was compiled using a normative juridical approach that positions law as a norm that regulates and limits power in the implementation of electoral democracy (Aldi et al., 2019). This approach was chosen because the primary focus of the research lies in analyzing the legal principles governing general elections, electoral justice, and the protection of citizens' political rights as part of the human rights regime. Using a normative juridical approach, this research is not oriented toward statistical measurements or voter behavior, but rather toward a critical examination of the legal construction and values of justice that underlie electoral democracy. The type of research used is normative legal research with a prescriptive-analytical character (Rifa'i, 2023). This research aims not only to describe applicable legal norms but also to assess the extent to which these norms reflect the principles of justice and guarantee the protection of citizens' political rights. With a prescriptive character, this research aims to formulate legal arguments that provide a normative assessment of the practice of electoral democracy, while also offering conceptual ideas regarding strengthening electoral justice from a human rights perspective.

A legislative approach is used to examine various legal provisions governing the implementation of general elections and citizens' political rights. The analysis is conducted on constitutional norms governing popular sovereignty and human rights, as well as laws and regulations in the field of elections that regulate the stages, mechanisms, and enforcement of election law. This approach is used to identify consistencies and potential disharmonies between election legal norms and the principles of justice and the protection of citizens' political rights. Furthermore, this study uses a conceptual approach to examine theoretical ideas regarding electoral democracy, electoral justice, and political

rights as human rights. This conceptual approach allows this study to construct an analytical framework that relies not solely on positive legal texts, but also on legal thought, democratic theory, and human rights doctrine (Gultom, 2025). Through this approach, the research seeks to place electoral democracy within a broader normative perspective, so that electoral justice is understood not only as a procedural aspect but also as a substantive value. A historical approach is also used to a limited extent to understand the development of general election regulations and the protection of citizens' political rights within the context of a democratic rule of law. This approach helps explain the dynamics of changes in electoral norms and policies, as well as the philosophical and sociological backgrounds that influence their formation. Therefore, this research does not view legal norms statically, but rather as the result of a historical process fraught with specific interests and values. The legal sources used in this research consist of primary legal materials, secondary legal materials, and tertiary legal materials. Primary legal materials include the constitution, laws and regulations in the field of elections, and international legal instruments governing human rights, particularly civil and political rights. Secondary legal materials include scientific literature in the form of books, journals, and academic works discussing democracy, electoral justice, and citizens' political rights. Tertiary legal materials are used as supporting sources to clarify terms and concepts relevant to the research object. The technique of collecting legal materials is carried out through literature studies by systematically examining various legal sources and relevant literature (Disemadi, 2022). The process of collecting legal materials is not only descriptive but also accompanied by a critical selection of sources that have conceptual and normative relevance to the research focus. In this way, the research seeks to avoid the use of sources that are repetitive or do not provide significant analytical contributions.

The analysis of legal materials in this study was conducted using a normative qualitative analysis method. The analysis was conducted by interpreting legal norms and legal doctrine systematically and contextually, and linking them to the principles of justice and human rights. Legal interpretation is not only carried out grammatically, but also systematically and teleologically to understand the goals and values intended to be realized by electoral legal norms. With this approach, the study seeks to uncover the substantive meaning of electoral justice within the framework of electoral democracy. Furthermore, the results of this normative analysis are linked to the reality of the implementation of electoral democracy to assess the conformity between legal norms and practice. Although this research is normative in nature, the analysis is not separated from the empirical context as a backdrop for testing the relevance and effectiveness of legal norms. This approach is used to demonstrate the gap between the ideals of law and the practice of electoral democracy, particularly in the protection of citizens' political rights. By using this research method, this study is expected to provide a comprehensive picture of the relationship between electoral democracy, electoral justice, and citizens' political rights

as a human rights issue. This method is also expected to produce coherent and value-based legal arguments, so that it can provide academic contributions in the development of constitutional law and human rights studies, as well as become a normative reference for strengthening the practice of just electoral democracy.

RESULTS AND DISCUSSION

The results of this study indicate that electoral democracy cannot be assessed solely on its periodic continuity, but must also be analyzed in terms of its ability to guarantee justice and protect citizens' political rights substantively. In modern constitutional practice, general elections are often understood as a primary indicator of democracy, but this understanding tends to be procedural and ignores the dimension of justice as a normative value (Rahmatullah et al., 2024). These findings reinforce the view that electoral democracy, which is solely oriented towards procedures, risks obscuring the primary purpose of democracy itself, namely respect for human dignity and rights.

Electoral democracy is essentially an institutional mechanism aimed at transforming the will of the people into the structure of state power. However, studies show that this mechanism does not always operate within a framework of equal justice for all citizens. Inequality in political access, regulatory manipulation, and practices that undermine electoral integrity demonstrate that electoral democracy can be distorted when justice is not a primary principle (Jailani, 2024). Under such conditions, elections no longer function as a means of realizing popular sovereignty but instead become an instrument of legitimizing unequal power. From a human rights perspective, citizens' political rights are fundamental rights that cannot be separated from the individual's existence as a legal subject. The right to vote and be elected is not merely an administrative right, but an expression of freedom, equality, and participation in public life (Permatasari et al., 2025). This study demonstrates that violations of political rights often occur systematically through non-inclusive election policy design, weak election law enforcement, and the lack of neutrality of state actors in the electoral process. This shows that threats to political rights are not always visible, but often operate through legal and political mechanisms that appear formally legitimate.

Electoral justice has emerged as a central concept in bridging electoral democracy and protecting citizens' political rights (Maurisya & Satoto, 2024). Justice in the context of elections cannot be limited to fairness of results, but must encompass both procedural and substantive justice. Procedural justice demands clear, transparent, and consistent rules, while substantive justice requires equal and proportional treatment for all participants and voters. This research's

findings indicate that failure in any of these aspects of justice has the potential to seriously harm citizens' political rights. In election practice, various violations are often treated as technical or administrative issues. However, the analysis shows that this approach tends to underestimate the impact of violations on human rights. Systemic administrative violations, such as inaccurate voter lists or discriminatory campaign restrictions, essentially constitute a restriction on citizens' political rights. Therefore, electoral violations must be understood within a human rights framework so that their handling goes beyond formal aspects to address the substance of rights protection.

The relationship between the state and citizens in electoral democracy is often asymmetrical. The state, through its authority to create regulations and control the apparatus, holds a dominant position that can significantly influence the electoral process. When this power is not controlled by the principles of justice and the rule of law, electoral democracy has the potential to be used as a tool to maintain power, rather than as a means to realize the will of the people. This situation demonstrates the importance of establishing electoral justice as a mechanism to limit state power in the democratic process. Research findings also indicate that the protection of citizens' political rights cannot be separated from the quality of election organizing and supervisory institutions. The independence, integrity, and professionalism of election institutions are determining factors in ensuring electoral justice. When these institutions fail to perform their functions impartially, public trust in democracy will erode. This erosion of trust ultimately results in decreased political participation and weakened legitimacy of election results (Kintawan & Kuswanto, 2025). In the context of electoral democracy, justice also has a significant social dimension. Research findings indicate that certain groups face structural barriers to fully exercising their political rights. Economic factors, education, geographic location, and other social conditions often act as barriers to equal political participation (Risal & Pratiwi, 2019). This inequality demonstrates that electoral democracy cannot be separated from the broader social context. Without affirmative action to address this inequality, electoral democracy risks reproducing social injustice in the political sphere. This research also reveals that the development of information technology presents new challenges for electoral justice and the protection of political rights. On the one hand, technology opens up broader spaces for participation, but on the other, it also creates the potential for manipulation through disinformation, hate speech, and the exploitation of personal data. This demonstrates that electoral justice in the digital era requires a more complex and adaptive approach. The state is

required to formulate policies that protect freedom of expression while preventing the misuse of technology that harms citizens' political rights (Andriansyah & Kusnadi, 2024).

General elections are a test of a country's commitment to the principles of the rule of law and constitutional democracy. The constitution not only provides the legal basis for holding elections but also establishes values that must be upheld, including justice and respect for human rights (Cerdas & Afandi, 2019). When the practice of electoral democracy deviates from these values, tension arises between constitutional norms and political reality. This tension demonstrates the need for effective corrective mechanisms to keep democracy within the constitutional framework.

Within the framework of human rights, fair electoral democracy is a prerequisite for the fulfillment of other civil and political rights. Without fair elections, citizens' access to public decision-making is limited, and the space for political participation is narrowed. The results of this study indicate that failure to ensure electoral justice not only impacts a single term of government but can have long-term consequences for the quality of democracy and the protection of human rights overall. Thus, this discussion confirms that electoral democracy, electoral justice, and citizens' political rights are three interrelated and inseparable elements. Electoral democracy without justice will lose its normative legitimacy, while the protection of political rights without fair democratic mechanisms will lose its effectiveness. Therefore, electoral justice must be understood as a conceptual and practical bridge connecting electoral democracy with the protection of human rights.

CONCLUSION

Electoral democracy cannot be understood simply as a procedural mechanism measured solely by the routine of general elections. It must also be assessed by its ability to guarantee justice and the substantive protection of citizens' political rights. This research confirms that when electoral democracy focuses solely on formal and administrative aspects, it has the potential to experience distortions that erode the normative goals of democracy itself, namely respect for human dignity and citizens' human rights. Electoral justice is a fundamental prerequisite for elections to truly function as a means of realizing popular sovereignty, not merely a tool for legitimizing unequal power.

Violations of citizens' political rights are often systemic and hidden behind regulatory design, weak election law enforcement, and the lack of neutrality of state actors. Electoral violations cannot be reduced to merely technical issues but must be understood as human rights issues that directly impact the quality of democracy. Electoral justice, both in its procedural and substantive dimensions,

is a crucial instrument for ensuring equality, proportional treatment, and the guarantee of meaningful political participation for all citizens.

The asymmetrical power relations between the state and citizens, if not controlled by the principles of justice and the rule of law, have the potential to turn electoral democracy into a tool of political domination. In this context, the independence and integrity of election organizers and supervisors play a strategic role in maintaining public trust and the legitimacy of election results. Furthermore, electoral justice cannot be separated from the social context and technological developments, which present new challenges in the form of structural inequalities and the risk of information manipulation. Therefore, fair electoral democracy demands a comprehensive, adaptive legal and policy approach oriented toward the protection of human rights. This emphasizes that electoral democracy, electoral justice, and citizens' political rights are inseparable within the framework of a state based on the rule of law and constitutional democracy. Failure to ensure electoral justice not only undermines democratic legitimacy in the short term but also has the potential to have structural impacts on the quality of democracy and the fulfillment of human rights in the future. Therefore, electoral justice must be positioned as a central principle and corrective mechanism to ensure electoral democracy remains within the constitutional framework and truly supports the protection of citizens' political rights.

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