

Reformulation of Political Party Support Requirements for Presidential Candidacy in Realizing an Aristocratic State in Indonesia

Nana Supriana ¹⁾ & Dini Dewi Heniarti ²⁾

¹⁾ Faculty of Law, Universitas Islam Bandung (UNISBA), Indonesia, E-mail: nanasupriana0406@gmail.com

²⁾ Faculty of Law, Universitas Islam Bandung (UNISBA), Indonesia, E-mail: diniheniarti@unisba.ac.id

Abstract. *This research aims to analyze the urgency of reformulating political party support requirements for presidential candidacy to mitigate oligarchic dominance in Indonesia while realizing a modern aristocratic state. The study employs a normative juridical approach integrated with a socio-legal approach, utilizing a descriptive-analytical research specification. Secondary data, including the 1945 Constitution, Law No. 7 of 2017, and recent Constitutional Court decisions, were analyzed qualitatively through document studies and international institutional comparisons. The findings indicate that the current quantitative presidential threshold has fostered political cartelization and restricted the emergence of competent alternative leaders by prioritizing financial capital over statesmanship. As a primary conclusion, this study offers novelty by proposing the Merit-Based Party Endorsement System (MBPES) as an alternative institutional design. This model reinterprets the concept of modern aristocracy not as hereditary rule, but as governance by individuals possessing superior moral and intellectual virtues. The research's novelty lies in shifting the nomination criteria from mere parliamentary seat counts to qualitative indicators, including internal party meritocracy, deliberative public scrutiny, and an independent epistemic filter. This reformulation is vital to fill the normative vacuum following Constitutional Court Decision No. 62/PUU-XXII/2024, ensuring that presidential candidates are selected based on objective ethical integrity and leadership capacity. Ultimately, this approach is expected to restore constitutional dignity and align the electoral process with the principles of substantive Pancasila democracy in Indonesia.*

Keywords: *Aristocratic State; Meritocracy; Oligarchy; Political Parties; Presidential Threshold.*

1. Introduction

Post-2004 constitutional reforms in Indonesia fundamentally shifted the presidential election system from a representative to a direct mechanism. Nevertheless, the nomination process remains ensnared in a stringent threshold barricade. Pursuant to Article 222 of Law No. 7 of 2017, presidential candidates may only be nominated by political parties or coalitions meeting

the threshold of 20% of parliamentary seats or 25% of the national valid votes (Anwar & Fahrizi, 2024; Lubis et al., 2023). This presidential threshold was originally designed to fortify the presidential system and ensure governmental stability through party simplification (Setiawan, 2023). However, its implementation in the 2019 and 2024 elections has instead triggered sharp polarization and restricted the emergence of competent alternative leaders.

A fundamental issue arises when quantitative thresholds foster political cartelization and reinforce oligarchic dominance within party structures (Myaskur, 2023). Rather than serving as a democratic space for elite circulation, the nomination mechanism has frequently devolved into an arena for power transactions between economic and political elites, ultimately marginalizing citizens' constitutional rights and popular sovereignty (Ari et al., 2025; Djojoatmodjo, 2025). This has led to a recession of substantive democracy, as leadership selection is predicated on resource access rather than leadership capacity and statesmanship (Hapsari & Saraswati, 2023).

Discourses regarding the presidential threshold have been extensively analyzed from various perspectives. Some researchers emphasize that the threshold is an "open legal policy," falling under the discretion of lawmakers (Wijaya & Erwinta, 2020). Conversely, recent studies highlight the Constitutional Court's inconsistency in viewing the threshold's constitutionality, particularly following Decision No. 90/PUU-XXI/2023 and legal dynamics leading into 2025 (Baan, 2025; Djojoatmodjo, 2025). Furthermore, there are growing arguments for the total abolition of the threshold to restore constitutional dignity (Wiraguna & Fakrulloh, 2023).

Despite numerous calls for abolition, political reality reveals a normative vacuum following legal evaluations, which risks being filled by short-term political interests unless grounded in a robust conceptual framework (Aven, 2025). A significant research gap exists where previous studies tend to be trapped in the dichotomy of retaining or abolishing the threshold, yet few have offered a reformulation model for party support requirements based on qualitative indicators or political meritocracy.

This study offers novelty through the concept of "Merit-Based Support Requirement Reformulation" to realize an Aristocratic State in a modern sense. Modern aristocracy here does not refer to hereditary rule but to governance by individuals possessing moral excellence, intellectual capacity, and integrity (Landa & Pevnick, 2025). The focus of this research is to shift support parameters from mere "seat counts" to "process quality," encompassing internal party democracy and political recruitment transparency (Sistiyawan, 2024).

The urgency of this study lies in the pressing need to reorganize the institutional design of presidential nominations following the dynamics of recent Constitutional Court decisions. The primary goal is to formulate party support indicators capable of filtering the nation's best leaders without stifling political pluralism. The benefit of this research is to provide a theoretical foundation for future revisions of the Election Law to be more adaptive to substantive Pancasila democratic values. If this reformulation is not promptly addressed, it is feared that Indonesia's presidential system will remain ensnared in oligarchic practices,

leading to a decline in public trust in democratic institutions and the birth of national leadership lacking strong moral legitimacy.

2. Research Methods

This study employs normative juridical research integrated with a socio-legal approach to analyze the doctrinal dimensions and political realities of presidential nominations. The research approaches include the statute approach, conceptual approach, and comparative approach. The analysis focuses on the synchronization of norms between the 1945 Constitution of the Republic of Indonesia, Law No. 7 of 2017 concerning General Elections, and the Constitutional Court Decision No. 62/PUU-XXII/2024 to identify an ideal reformulation framework (Wada et al., 2024).

The research specification is descriptive-analytical, utilizing secondary data sources. Primary legal materials consist of the constitution, election regulations, and court decisions, while secondary legal materials include academic literature on meritocracy, oligarchy, and institutional design. Data collection was conducted through library research using systematized document study techniques to ensure information validity in accordance with rigorous research methodology principles (Abdullah et al., 2022).

The data analysis method is qualitative, involving processes of reduction, categorization, and in-depth interpretation of legal and political facts. The analysis is directed at identifying the mechanistic failure of the presidential threshold in filtering national leadership (Syamsul et al., 2023). The analytical results are synthesized to formulate the Merit-Based Party Endorsement System (MBPES) model. All data are systematically processed to generate logical conclusions and provide recommendations for a more accountable and transparent institutional design for presidential nominations.

3. Results and Discussion

The research findings indicate that the presidential nomination mechanism in Indonesia is predominantly governed by the structural power of political parties rather than quality-based selection. Empirical data demonstrate that the 20% parliamentary seat or 25% national vote threshold since the 2009 election has significantly restricted the number of candidate pairs. Myaskur (2023) asserts that this phenomenon fosters "political cartelization," which narrows the space for democratic competition. This is exacerbated by the normative ambiguity in Article 222 of Law No. 7 of 2017, where prior legislative election results are used as a prerequisite for simultaneous elections, which Lubis et al. (2023) argue violates the principle of relevance within a presidential system.

Further findings reveal a normative vacuum following the Constitutional Court Decision No. 62/PUU-XXII/2024, which annulled the threshold. While opening a window for reform, the absence of replacement regulations risks reinforcing party elite dominance through informal mechanisms. Djojoatmodjo (2025) identifies this condition as an "oligarchy barn," where strategic decisions remain centralized under party chairpersons without objective evaluation

standards. Current internal party practices show a lack of independent ethical audits or public policy competence tests, rendering nominations more transactional than meritocratic (Mietzner, 2013; Myaskur, 2023).

Comparatively, this study finds that countries with robust meritocratic systems employ more inclusive and public selection mechanisms. South Korea utilizes open primaries to minimize elite control, while France applies a public endorsement system (*parrainage*) from elected officials as a legitimacy filter (Déloye, 2014; Shin, 2006). In contrast, the absence of an independent verification body in Indonesia to assess candidates' integrity and capacity results in a selection process oriented solely toward instant electability and financial power, which fundamentally contradicts constitutional dignity (Wiraguna & Fakrulloh, 2023).

3.1. Reformulating a Meritocratic and Oligarchy-Free Presidential Nomination Mechanism

The formulation of a progressive presidential nomination mechanism requires the recognition that the primary issue in Indonesia is not merely technical-procedural but structural. Within Winters (2011) oligarchic framework, access to public office is often determined by financial capital rather than leadership capacity. Therefore, following the recent Constitutional Court decision, a paradigmatic reconstruction is necessary to shift away from parliamentary seat count as the determining variable. As emphasized by Baan (2025), the legal shift post-Decision No. 90/PUU-XXI/2023 highlights the need for more substantive electoral justice to prevent democratic recession (Hapsari & Saraswati, 2023).

This reform must adopt the principles of a Merit-Based Party Endorsement System (MBPES). Meritocracy within the modern aristocratic tradition demands that a well-ordered political community ensure public offices are occupied by individuals with the highest moral virtue and rational capacity (Rawls, 1971). Its implementation requires political parties to transform from mere "political brokers" into "quality gatekeepers" through transparent intra-party primaries and public verification. This step is crucial to breaking the chain of oligarchic dominance that has long held Indonesia's presidential system captive.

3.2. The Extent to Which Modern Aristocracy Provides a Normative Foundation for a Progressive Presidential Nomination System

The concept of modern aristocracy offers a robust normative framework to analyze national leadership quality without falling into the trap of feudalism. Aristocracy here refers to excellence (*areté*) and practical wisdom (*phronesis*) in serving the interests of the polis (Aristotle, 1984). In the Indonesian context, this idea aligns with efforts to restore constitutional dignity, which has been degraded by quantitative thresholds (Wiraguna & Fakrulloh, 2023). Presidential legitimacy must not solely derive from elite endorsement but must result from rational and open public evaluation.

Sandel (2020) critique of competitive meritocracy reminds us that democracy often fails to select the best leaders due to perception manipulation and branding politics. This is where modern aristocracy serves as a normative corrective; it emphasizes that political authority

must be grounded in moral quality and deliberative capacity. Sistyawan (2024) adds that this reformulation must remain aligned with Pancasila Democracy, where popular sovereignty is integrated with inner wisdom to produce leadership with integrity and accountability.

3.3. Institutional Design for Integrating Meritocracy, Transparency, and Public Accountability in Presidential Nomination after the Abolition of the Threshold

The annulment of the presidential threshold via Constitutional Court Decision No. 62/PUU-XXII/2024 creates an institutional opening for reform, yet it does not automatically guarantee a democratic system. In the absence of a clear replacement mechanism, the removal of the threshold risks reproducing elite domination through informal practices. This condition reflects what Pierson (2004) describes as path dependence, where political actors adapt new rules to preserve existing power relations. Consequently, reform must focus on redesigning the institutional architecture governing presidential nominations to prevent it from remaining an "oligarchy barn" (Djojoatmodjo, 2025).

An ideal institutional design must integrate a multi-layered nomination mechanism. The first layer involves a legal mandate for political parties to implement internal meritocratic standards. Parties should be obligated to demonstrate that their nominees have undergone structured evaluations of integrity and public policy competence. Without enforceable standards, parties will continue to prioritize short-term electoral calculations and elite bargaining (Winters, 2011). Hapsari and Saraswati (2023) emphasize that this legal reconstruction is vital to accommodate political pluralism while maintaining national leadership quality in alignment with substantive democratic principles.

The second layer involves institutionalized public scrutiny. Transparency in nominations must shift from mere administrative disclosure toward deliberative openness (Habermas, 1996). Public hearings and policy examinations prior to formal nomination allow voters to evaluate candidate capacity, thereby reducing information asymmetry and limiting elite manipulation. Finally, the establishment of an independent verification body acting as an "epistemic filter" is essential (Estlund, 2008). This body ensures that only candidates meeting objective qualifications enter the contest, responsibly filling the normative vacuum left by the threshold's abolition (Baan, 2025; Sistyawan, 2024).

4. Conclusion

This study concludes that the current presidential threshold mechanism has become an oligarchic instrument distorting constitutional dignity, necessitating a comprehensive reformulation through a Merit-Based Party Endorsement System (MBPES). The concept of an aristocratic state in its modern sense does not represent a democratic retreat but rather a normative corrective to ensure that national leadership is determined by moral and intellectual excellence rather than financial capital or parliamentary seat counts alone. By integrating transparent internal party selection mechanisms, deliberative public scrutiny, and an independent verification body as an epistemic filter, Indonesia can realize a more accountable institutional design for presidential nominations following the Constitutional

Court's decision. This reform is crucial to restoring popular sovereignty while producing national leaders with substantive ethical legitimacy and statesmanship capacity.

5. References

Journals:

- Anwar, M., & Fahrazi, M. (2024). Tinjauan Yuridis Terkait Penerapan Ambang Batas Pencalonan Presiden dalam Pemilihan Umum di Indonesia (Undang-Undang Nomor 7 Tahun 2017). *Mizan: Jurnal Ilmu Hukum*, 12(2), 230–235.
- Aven, G. (2025). Putusan MK dan Evaluasi Ambang Batas Pencalonan Presiden: Arah Revisi UU Pemilu dan Dampaknya terhadap Demokrasi di Indonesia. *Jurnal Hukum Lex Generalis*, 6(10). <https://doi.org/10.56370/jhlhg.v6i10.2054>
- Baan, B. B. (2025). Constitutionality of Presidential Threshold Application in Indonesia's Presidential Election System: Analysis of Constitutional Court Decision Number 90/PUU-XXI/2023. *Research Horizon*, 5(5), 2243–2262. <https://doi.org/10.56370/rh.v5i5.850>
- Déloye, Y. (2014). Candidate Endorsement and Political Legitimacy in France. *French Politics*, 12(2).
- Djojoatmodjo, S. (2025). Politics of Legal Presidential Threshold Dilemma: Pillar of Democracy or Barn of Oligarchy and The Eliminator of Presidential Threshold. *Critical Legal Review*, 2(2), 134–149.
- Hapsari, Y. D. P., & Saraswati, R. (2023). Dampak Pelaksanaan Presidential Threshold pada Pemilu Serentak terhadap Demokrasi di Indonesia. *Jurnal Pembangunan Hukum Indonesia*, 5(1), 70–84. <https://doi.org/10.14710/jphi.v5i1.70-84>
- Landa, D., & Pevnick, R. (2025). Political Meritocracy and Democracy. *Annual Review of Political Science*, 28(1), 253–271.
- Lubis, A. S. S., Damayanti, G. A. R., & Karyati, S. (2023). Ambang Batas Presiden Pada Pemilihan Umum Serentak. *Unizar Law Review*, 6(2). <https://doi.org/10.36679/ulr.v6i2.58>
- Myaskur, M. (2023). Politik Hukum Ambang Batas Pencalonan Presiden dan Wakil Presiden Pasca Reformasi. *Jurnal Riset Hukum*.
- Setiawan, A. H. (2023). Politik Hukum Presidential Threshold 20\% Dalam Undang-Undang Nomor 7 Tahun 2017. *JAPHTN-HAN*, 2(1), 169–186. <https://doi.org/10.55292/japhtnhan.v2i1.64>
- Shin, G.-W. (2006). Democratization and Party Reform in South Korea. *Journal of Democracy*, 17(1).
- Sistyawan, D. J. (2024). Legal Reformulation of Legislative Elections in Realizing Pancasila Democracy in Indonesia. *Jurnal Hukum Progresif*, 12(2), 120–134. <https://doi.org/10.14710/jhp.12.2.120-134>
- Wiraguna, S. A., & Fakrulloh, Z. A. (2023). Legal Reforms in Indonesia Related to “Presidential Threshold” of Presidential Candidate in Law No. 7/2017 Concerning General Elections. *Ius Positum: Journal of Law Theory and Law Enforcement*, 58–69.



Jurnal Daulat Hukum
Volume 9 No. 1, March 2026
ISSN: 2614-560X
SINTA 3 Decree No.
0547/ES/DT.05.00/2024
Dated May 15, 2024

Reformulation of Political Party Support
(Nana Supriana & Dini Dewi Heniarti)

Books:

- Aristotle. (1984). *Politics* (C. Lord (trans.)). University of Chicago Press.
- Habermas, J. (1996). *Between Facts and Norms*. MIT Press.
- Mietzner, M. (2013). *Money, Power, and Ideology in Indonesian Politics*. ISEAS.
- Pierson, P. (2004). *Politics in Time: History, Institutions, and Social Analysis*. Princeton University Press.
- Rawls, J. (1971). *A Theory of Justice*. Harvard University Press.
- Sandel, M. (2020). *The Tyranny of Merit*. Farrar, Straus and Giroux.
- Winters, J. A. (2011). *Oligarchy*. Cambridge University Press.