



The Phenomenon of Political Dynasties in Regional Head Elections and Their Impact on Democracy in Indonesia

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Abstract: The aim of this research is to study how dynastic politics affects democratic principles, including fair competition, community participation, and accountability of regional heads to the people. This research uses a qualitative descriptive approach, utilizing secondary qualitative data which is explained descriptively to answer research questions. The results of this research state that dynastic political practices in Indonesia damage the integrity of democracy and regional government by concentrating power in one family, ignoring the qualifications of other candidates, and hindering healthy political competition.

Keywords: Neutrality, State Civil Apparatus, General Elections



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Introduction

Indonesia implements a presidential government system with an indirect democracy. In this system, public participation in determining state policies is not carried out directly but through representatives elected in general elections (Wicaksono et al., 2024). Through elections, Indonesian citizens select their representatives, who are responsible for drafting, enacting, and overseeing the implementation of laws to protect and advocate for public interests. The constitutional foundation in Indonesia is the 1945 Constitution of the Republic of Indonesia (hereinafter referred to as the 1945 Constitution). The concept of popular sovereignty is mentioned twice in the 1945 Constitution: first, in the fourth paragraph of the Preamble, which states, "the independence of the Indonesian nation is structured into a Constitution of the State of Indonesia that is based on popular sovereignty," and second, in Article 1, Paragraph (2), which stipulates that "Sovereignty is in the hands of the people and is implemented according to the Constitution." Thus, the 1945 Constitution supports a democratic government principle based on popular sovereignty, known as the principle of democracy.

Democratic countries are often considered beneficial by their citizens because they reflect the advancement of modern civilization. Therefore, a democratic state must ensure justice in social, legal, political, and economic aspects, among others (Prayitno, Ekawati, & Susanto, 2021). Democracy is also closely linked to human rights (hereinafter referred to as HR), politics, and freedom. In a democratic country, the protection of HR is fundamental, as democracy cannot function properly without it (Rosana, 2016). One of the essential aspects of the relationship between democracy and HR is the right to vote and be elected. The 1945 Constitution guarantees this right through Article 27, Paragraph (1), which states, "All citizens have equal status before the law and the government and must uphold the law and government without exception." Similarly, Article 28D, Paragraph (1), stipulates, "Every person has the right to recognition, guarantees, protection, and fair legal certainty as well as equal treatment before the law." In line with these provisions, Article 28D, Paragraph (3), asserts that "Every citizen has the right to equal opportunity in government." This right is also ensured by Law No. 39 of 1999 on Human Rights, particularly in Article 43, Paragraph (1), which states, "Every citizen has the right to be elected and to vote in general elections based on equal rights through direct, general, free, secret, honest, and fair voting in accordance with the provisions of laws and regulations." To implement this democratic principle, elections play a crucial role in providing citizens with the opportunity to exercise their voting rights (Farika et al., 2023). In Indonesia, there are three types of elections: legislative elections for the House of Representatives, Regional House of Representatives, and Regional Representative Council; presidential and vice-presidential elections; and regional head elections for governors, regents, and mayors. These elections are held every five years under the principles of direct, general, free, secret, honest, and fair voting.

Politics plays a vital role in a nation's progress (Gunanto, 2020). To achieve this progress, political decentralization is applied, granting regional political institutions or bodies the right to manage their affairs in accordance with local values and principles. This decentralization aims to ensure effective democratization by actively involving public participation, thereby representing regional interests in government (Ardika, 2020). One of the tangible implementations of regional autonomy is the election of regional heads (hereinafter referred to as local elections), which allows citizens to choose leaders based on their preferences (Eko, 2017). Like other elections, local elections adhere to the principles of direct, general, free, and secret voting, as stipulated in Article 18, Paragraph (4) of the 1945 Constitution, which states, "Governors, Regents, and Mayors, as the heads of the provincial, regency, and city governments, are elected democratically." However, despite the goal of political decentralization to encourage public participation and reflect local aspirations, new challenges have emerged. One such challenge is the phenomenon of political dynasties, which have become increasingly prevalent in Indonesia's political landscape.

The phenomenon of political dynasties in Indonesia refers to situations where political power is dominated by certain families that repeatedly hold positions of authority at various levels of government. In addition to strengthening the dominance of specific groups or families, political dynasties have the potential to undermine democratic principles by obstructing fair competition and limiting opportunities for new candidates who could bring innovation and change. Therefore, this legal essay aims to educate readers about the dangers of political dynasties, particularly in the context of regional elections, by discussing the negative impacts of political dynasty practices on democracy and public welfare, providing an overview of political dynasties across different eras, and examining the implications of Constitutional Court Decision No. 33/PUU-XIII/2015 on the trends of political dynasties in Indonesia.

Methodology

This study employs a qualitative descriptive method, where the researcher utilizes secondary data that is then described descriptively to answer the research questions. This method is often applied to gain an in-depth understanding of events, phenomena, or social conditions. Additionally, the researcher applies an empirical legal research approach, which aims to further examine changes in rights and the use of customary land based on land law regulations. The data used in this study consists of secondary sources obtained from various previous journals, newspapers, and other credible sources.

Result and Discussion

A. The Dynamics of Political Dynasties in Elections in Indonesia

A political dynasty refers to the process of power inheritance from one generation to the next within a family or group. The purpose of a political dynasty is to acquire or maintain power in a country (Yoshi, 2024). In such systems, family members or close relatives serve as instruments to strengthen and preserve power (Fatimah et al., 2022). This situation typically occurs when a regional leader has completed two terms in office and is no longer eligible to run for the same position. In Indonesia, political dynasties can emerge through two main mechanisms: by design and by accident.

In the by-design model, political dynasties are intentionally planned from the beginning, strengthening family ties and familial networks within the government. In this model, relatives are pre-designated to fill specific positions, such as a wife replacing her husband or a child succeeding a parent. Meanwhile, the by-accident model occurs when an individual suddenly nominates a relative as their successor to maintain power once their tenure ends. In this scenario, relatives are often nominated as running mates for primary candidates in regional elections.

The practice of political dynasties contradicts democratic principles, as the system primarily benefits specific groups. Furthermore, political dynasties can undermine democracy by prioritizing lineage over candidates' qualifications and track records. This practice enables certain families to dominate the government for generations, forming what is known as an oligarchy. Oligarchy refers to a political system where power is controlled by a small group of wealthy and influential individuals (Silveria, 2024). Generally, political dynasties are more relevant in monarchies, where power is passed down through generations within a single family. Since political dynasties often focus on succession and the continuation of family control, they tend to prioritize the consolidation of power within one family while neglecting public interest and democratic ideals.

As previously mentioned, regional elections (Pemilukada) serve as an implementation of regional autonomy within Indonesia's unitary state system. Indonesia's unitary government consists of provinces, regencies, and cities, each with its own administrative authority in accordance with the principle of autonomy and assistance duties, as stipulated in Article 18, Paragraph (2) of the 1945 Constitution of the Republic of Indonesia. At every level of regional government—whether provincial, regency, or municipal—elections are conducted through a direct voting mechanism. However, this was not always the case. Before 2004, regional heads were elected by the Regional People's Representative Council (DPRD). The enactment of Law No. 32 of 2004 on Regional Government introduced direct elections for regional leaders, with political parties nominating candidates to compete in regional elections.

B. The Evolution of Political Dynasties from the Past to the Present

The phenomenon of political dynasties in Indonesia dates back to the era of ancient kingdoms. However, it became more evident during President Sukarno's administration when his children—such as Megawati Soekarnoputri, Sukmawati, and Guruh Soekarnoputra—continued his political legacy. During the New Order era, political dynasties were also prevalent at the local level through the concept of "Cendanaisasi," which reflected the dominance of the Cendana family during President Soeharto's 32-year rule. Throughout this period, Soeharto's family members, including his children, in-laws, and other relatives, held strategic positions in government, making them a dominant force in Indonesian politics and economy. This influence became particularly evident when President Soeharto appointed his daughter, Siti Hardiyanti Rukmana, as Minister of Social Affairs.

A similar pattern was observed during President Abdurrahman Wahid's administration, as his siblings and children actively participated in politics. The same trend continued within the Megawati Soekarnoputri family, where her daughter, Puan Maharani,

emerged as a key political figure, eventually becoming the Speaker of the House of Representatives (DPR) (Farida, 2023). Unlike the New Order era, where political dynasties were more prevalent at the national level, the post-reform period saw a surge in dynastic politics at the regional level, particularly in regional elections, due to decentralization and the granting of autonomy to local governments (Fatimah, 2022).

Political dynasties were initially expected to decline following the election of President Joko Widodo, who did not come from an elite political family (Nicky, 2024). However, in reality, dynastic politics has continued to grow, with an increasing number of political dynasties in the 2020 regional elections raising concerns about the integrity of democracy at the local government level. While some argue that political dynasties provide long-term political stability—since successors are often familiar with the political landscape and governance—dynastic politics also brings significant challenges. Although legally and in terms of human rights (HR), political dynasties are considered valid, their growing prevalence risks undermining the fairness of power distribution (Martien, 2017).

The concentration of power within a single family or group can lead to nepotism. This concern is further exacerbated by the fact that political dynasties can facilitate power abuse by regional leaders, fostering corruption within local governments. Such conditions may hinder regional development and negatively impact public welfare.

C. The Legality of Political Dynasties in Indonesia

Efforts to limit the influence of political dynasties were made through Article 7, letter (r) of Law No. 8 of 2015, which amended Law No. 1 of 2015 concerning the Establishment of Government Regulations in Lieu of Law No. 1 of 2014 on the Election of Governors, Regents, and Mayors. This law stipulated that Indonesian citizens wishing to run for governor, deputy governor, regent, deputy regent, mayor, or deputy mayor must not have conflicts of interest with current officeholders. Thus, the law effectively prohibited political dynasties by restricting candidates with familial ties to sitting officials from participating in elections, as such relationships could lead to conflicts of interest.

However, this provision was overturned by the Constitutional Court in Decision No. 33/PUU/XIII/2015, as it was deemed inconsistent with Article 28I, Paragraph (2) of the 1945 Constitution. The Constitutional Court holds the authority to review laws against the Constitution, as stipulated in Article 10, Paragraph (1), letter (a) of Law No. 24 of 2003 on the Constitutional Court. This authority is reaffirmed in Article 29, Paragraph (1), letter (a) of Law No. 48 of 2009 on Judicial Power. These provisions establish that one of the Constitutional Court's primary functions is to adjudicate cases at the first and final instance, issuing binding decisions on whether a law aligns with the Constitution (Yihanes, 2022).

The Constitutional Court ruled that the prohibition in Law No. 8 of 2015 was discriminatory, as it restricted citizens' political rights to run for office and participate in politics. The Court emphasized that human rights in political participation guarantee every citizen's equality before the law and in governance, including those with familial ties to incumbents. With the Court's ruling legalizing political dynasties, concerns have arisen about the increasing difficulty in controlling the expansion of dynastic politics. This concern is validated by the significant rise in political dynasties following the ruling. From 2015 to 2020, the number of regional election candidates with familial ties to sitting officials increased dramatically. In 2015, there were 52 candidates with such affiliations. However, by 2020, this number had surged to 158 candidates. If left unchecked, this trend is expected to persist in the upcoming regional elections scheduled for November 27, 2024 (Nurhadi, 2024).

Conclusion

The practice of dynastic politics in Indonesia has a significantly negative impact on the integrity of democracy and the regional governance system. Dynastic politics, whether deliberately designed or emerging incidentally, undermines democratic principles by concentrating power within a single family or group, disregarding the qualifications of other candidates and the broader interests of the people. The phenomenon of dynastic politics has increased since the reform era, as decentralization and regional autonomy have provided opportunities for certain families to strengthen their political control at the local level. While decentralization is supposed to enhance political participation and regional representation, in reality, it often reinforces the dominance of existing powerful families and undermines fair political competition.

However, the practice of dynastic politics remains legally valid, as the Constitutional Court annulled the anti-dynastic politics provision in Law No. 8 of 2015, deeming it a violation of citizens' political rights. Although this decision supports individuals' rights to participate in politics, it also highlights the challenges in curbing the growing trend of dynastic politics. As a result, the increasing risk of dynastic politics and its impact on democracy continues to be a serious issue in Indonesia's electoral system.

The practice of dynastic politics should not be allowed to persist. In addition to strengthening regulations that limit this practice, active and critical participation from voters is crucial. The public must be aware of the negative consequences of dynastic politics on democracy. In this regard, the media plays a crucial role in raising political awareness by exposing and opposing dynastic politics. Strong and independent investigative journalism can help uncover cases of nepotism and corruption, as well as provide information on the impact of political dynasties on public policy. Furthermore, the media

serves as a platform for grassroots movements to voice their opposition to dynastic politics, thereby creating opportunities for broader public participation.

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