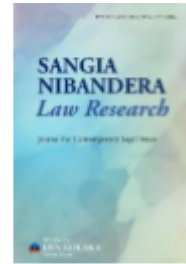


Sangia Nibandera Law Research
ISSN 3064-2000 (Print) 3064-1349 (Online)
Vol. 3 Issue 1 (2026) 1-25
Published by the Faculty of Law,
Universitas Sembilanbelas November Kolaka, Indonesia
Available online since: December 13, 2025



<https://publications.lawusun.or.id/index.php/snlr>

Political Party Control and Candidate Selection: Rethinking Recruitment of Regional Heads in Democratic Elections

Kendali Partai Politik dan Seleksi Kandidat: Meninjau Kembali Rekrutmen Kepala Daerah dalam Pemilihan Umum Demokratis

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Abstract

The study concludes that when the regulation and implementation of the recruitment process are entirely delegated to political parties, the recruitment of prospective regional head and deputy regional head candidates tends to be neither democratic nor transparent. Political parties generally conduct the process exclusively at the level of the party elite. Although some parties organize an initial selection process at the regional level, the final decision is ultimately made by the central party leadership. Furthermore, the recruitment process

Submitted: 16/4/2026 Last Revised: 26/6/2026 Accepted: 29/6/2026 Published: 30/6/2026

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is highly vulnerable to money politics. This vulnerability arises because political parties possess full authority over the recruitment of prospective regional head candidates, placing the process beyond the effective supervision of the General Election Supervisory Agency (Bawaslu) and the General Election Commission (KPU). To address these issues, future reforms should explicitly regulate the recruitment of prospective regional head and deputy regional head candidates in the Regional Elections Law rather than leaving such provisions to the articles of association and bylaws (AD/ART) of individual political parties.

Keywords

Regulatory Reform; Political Party Recruitment; Political Parties

Abstrak

Penelitian ini menganalisis problem rekrutmen bakal calon kepala daerah oleh partai politik secara demokratis dan terbuka. kemudian memberikan gagasan sebagai alternatif solusi. Penelitian ini merupakan penelitian hukum normatif dengan pendekatan peraturan perundang-undangan (statute approach). Teori demokrasi digunakan sebagai pedoman analisis secara kualitatif dan dipaparkan secara deskriptif. Hasil dari kajian ini menyimpulkan bahwa rekrutmen bakal calon kepala daerah/wakil kepala daerah yang diserahkan pengaturan dan pelaksanaannya kepada partai politik, cenderung dilakukan secara tidak demokratis dan tidak terbuka. Partai politik cenderung melakukannya secara eksklusif pada tataran elite partai. Meskipun, di tingkat daerah dilakukan penjaringan bakal calon oleh sebagian partai politik, akan tetapi akhirnya ditentukan oleh pimpinan di tingkat pusat. Di samping itu, pola rekrutmen juga sangat rentan politik uang. Hal ini, disebabkan partai politik memiliki kewenangan penuh dalam melakukan rekrutmen bakal calon kepala daerah, sehingga tidak terjangkau oleh pengawasan Bawaslu dan KPU. Kedepan, perlu dilakukan perbaikan supaya

pengaturan terkait rekrutmen bakal calon kepala daerah/wakil kepala daerah diatur secara tegas dalam UU Pilkada, bukan dalam AD/ART masing-masing partai politik.

Kata Kunci

Penataan; Rekrutmen; partai politik

A. Introduction

One of the primary functions of political parties is political recruitment. Without an effective recruitment process, political parties would lack qualified members and leaders capable of carrying out various political functions.¹ In political science, political recruitment refers to the process through which political parties identify and select qualified individuals to serve as party officials or to compete for legislative and executive offices at both the regional and national levels. Since the introduction of direct regional head elections under Law No. 32 of 2004 on Regional Government, later replaced by Law No. 1 of 2015, political parties have played a central role in nominating candidates for regional head elections. As stipulated in Article 56(2) of Law No. 32 of 2004 and Article 39 of Law No. 1 of 2015, candidates for regional head and deputy regional head may only be nominated by political parties or coalitions of political parties that satisfy the statutory electoral threshold.

Similarly, Law Number 2 of 2011 on Political Parties grants political parties extensive authority in the recruitment of regional head candidates. Article 29 paragraph (1) letter (c) stipulates that political parties recruit Indonesian citizens to become prospective candidates for regional head and deputy regional head. Furthermore, Article 29 paragraph (2) requires that such recruitment be conducted in a democratic and open manner in accordance with the party's Articles of Association and Bylaws (AD/ART) as well as the prevailing laws and regulations. Article 29 paragraph (3) further provides that the determination of the recruitment results shall be made through

¹ Rafael Raga Maram, *Pengantar Sosiologi Politik*, Rineka Cipta, Jakarta, Hal. 89.

a decision of the political party's executive board in accordance with its Articles of Association and Bylaws.

Similarly, Law Number 2 of 2011 on Political Parties provides that political parties are responsible for recruiting prospective regional head candidates. Article 29 paragraph (1) letter (c) stipulates that political parties recruit Indonesian citizens to become prospective candidates for regional head and deputy regional head. Furthermore, Article 29 paragraph (2) affirms that the recruitment referred to in paragraph (1) letters (c) and (d) must be conducted in a democratic and open manner in accordance with the party's Articles of Association and Bylaws (AD/ART) as well as the prevailing laws and regulations. Article 29 paragraph (3) further provides that the determination of the recruitment referred to in paragraphs (1), (1a), and (2) shall be made through a decision of the political party's executive board in accordance with its Articles of Association and Bylaws. Accordingly, the Political Parties Law grants political parties full authority to recruit prospective candidates for regional head and deputy regional head.

Both the Regional Head Election Law and the Political Parties Law fail to regulate in detail the technical procedures for recruiting prospective candidates. These laws merely establish the expectation that the recruitment process be conducted in a democratic and open manner. They do not impose any legal obligation on political parties to demonstrate that the regional head and deputy regional head candidates they nominate have undergone a recruitment process that complies with the principles of democracy and openness. Likewise, when prospective candidates are registered, the Regional General Election Commission (KPUD) is not vested with the authority to verify or clarify whether the political party's recruitment process has been carried out in accordance with the applicable legal provisions.

In practice, the recruitment of prospective regional head candidates by political parties has given rise to numerous controversies. As noted by Election Commission (KPU) Commissioner Ilham Saputra, the preferences of party organizations at the regional level do not always align with those of the national leadership. In many cases, the Central

Executive Board (DPP) of a political party unilaterally determines its preferred candidates without giving due consideration to the nomination and selection processes conducted by the Regional Executive Boards (DPC/DPD).²

One notable example occurred during the 2011 regional head election in Pati Regency. The pair of Imam Suroso and Sundoko had initially been endorsed by the Central Executive Board (DPP) of the Indonesian Democratic Party of Struggle (PDIP). However, this recommendation was subsequently replaced by the Pati Regional Executive Board (DPC),³ which nominated Sunarwi and Tedjo Pramono instead. A similar discrepancy emerged during the 2020 mayoral election in Surakarta (Solo). The Surakarta Regional Executive Board (DPC) of PDIP preferred Achmad Purnomo as its candidate for the 2020–2024 mayoral term, whereas the Central Executive Board (DPP) endorsed Gibran Rakabuming Raka, the eldest son of then-President Joko Widodo.

During the 2018 simultaneous regional elections, several political parties experienced conflicts in which the nomination process was taken over by their Central Executive Boards (DPP) after Regional Executive Boards (DPW) refused to endorse the candidates selected by the national leadership. Political parties involved in such interventions included the Golkar Party, the National Mandate Party (PAN), the National Awakening Party (PKB), the Crescent Star Party (PBB), the United Development Party (PPP), the Democratic Party, the Indonesian Justice and Unity Party (PKPI), the Prosperous Justice Party (PKS), the People's Conscience Party (Hanura), and the Great Indonesia Movement Party (Gerindra). Among these, PAN recorded the highest number of central interventions, with the DPP taking over the nomination process in ten electoral regions.⁴

² Siti Witianti dan Hendra, *Peran Ketua Umum Partai Politik Dalam Pencalonan Kepala Daerah pada Pemilihan Kepala Daerah Serentak Di Indonesia*, Jurnal Wacana Politik, Vol. 4, No. 1, Maret 2019, hlm. 55-67.

³ Balon Kandidat Bupati Pati Diganti, PDIP Polisikan Eks Kader & KPU, (2011). <https://news.detik.com/berita/d-1650129/balon-kandidat-bupat-i-pati-diganti-pdiip-polisikan-eks-kader--kpu> 30 Mei 2011.

⁴ Sammy (ed). (2018). *KPU: DPP PAN Terbanyak Ambil Alih Daftarkan Calon Kepala Daerah*; <https://dialeksis.com/nasional/kpu-dpp-pan-terbanyak-ambil-alih-daftarkan-calon-kepala-daerah/>

In addition to conflicts between the Central Executive Board (DPP) and regional party organizations (DPW/DPD), the recruitment of regional head candidates has also been marked by allegations of *political dowries* (*mahar politik*). According to Donald Fariz, the Indonesian Corruption Watch (ICW) documented several alleged cases of political dowries during the 2018 regional elections. In the East Java gubernatorial election, La Nyalla Mattalitti alleged that he was asked to pay IDR 40 billion by Gerindra Party Chairman Prabowo Subianto in exchange for the party's nomination. Similarly, in the West Java gubernatorial election, Dedi Mulyadi claimed that he was asked to provide IDR 10 billion by individuals associated with the Golkar Party. In the Cirebon regional election, Brigadier General (Police) Siswandi asserted that he failed to secure the nomination of the Prosperous Justice Party (PKS) after being requested to provide a financial payment as a political dowry. Furthermore, internal conflict within the Hanura Party was reportedly triggered, in part, by disputes concerning alleged political dowry practices.⁵

Granting political parties unrestricted authority to regulate and determine prospective candidates for regional head and deputy regional head, without establishing clear legal standards and effective oversight mechanisms, creates significant opportunities for the abuse of power that are inconsistent with democratic principles. As famously observed by Lord Acton, "*Power tends to corrupt, and absolute power corrupts absolutely.*" In the context of regional elections, such an institutional arrangement poses a serious obstacle to the realization of democratic and dignified local electoral processes.

Based on the foregoing discussion, this study addresses two principal questions. First, what are the major problems associated with the recruitment of prospective regional head candidates by political parties? Second, what alternative institutional and regulatory framework should be developed to

⁵ Ihsanudin.(2018). Ini Daftar Mereka yang Mengaku Diminta Mahar pada Pilkada2018.<https://nasional.kompas.com/read/2018/01/16/12475011/in-i-daftar-mereka-yang-mengaku-diminta-mahar-pada-pilkada-2018>.

ensure that the recruitment process is conducted in a more democratic, transparent, and accountable manner?

B. Method

This study employs a normative legal research method using a statutory approach. The analysis primarily examines constitutional provisions, statutory regulations, and other relevant legal instruments governing the recruitment of regional head candidates by political parties in Indonesia.⁶ Secondary legal materials, including books, journal articles, and scholarly commentaries, are also utilized to support the legal analysis and provide theoretical perspectives on democratic governance and political party institutionalization. The collected legal materials are analyzed qualitatively through legal interpretation and systematic analysis based on democratic theory. The findings are then presented descriptively to identify normative gaps in the existing regulatory framework and to formulate an alternative model for a more democratic, transparent, and accountable candidate recruitment process.

C. Result and Discussion

1. Political Recruitment

Political recruitment is generally understood as the process through which individuals or groups of individuals are involved in active political roles. This definition is relatively broad in scope. More specifically, within the context of politics, political recruitment commonly refers to candidate selection (candidacy), as well as the recruitment of individuals for legislative and executive offices.⁷ In its broader sense, recruitment encompasses the manner in which political parties recruit and develop their membership. However, in the context of political recruitment, the concept is generally associated with the electoral system and the prevailing political system,

⁶ Muhaimin, *Metode Penelitian Hukum*, Mataram University Press, Mataram, 2020, hlm.129.

⁷ Sigit Pamungkas, *Partai Politik: Teori dan Praktik di Indonesia*, Yogyakarta: Institute for Democracy and Welfarism, 2011, p. 91.

particularly with respect to the selection and appointment of candidates for legislative and executive positions.⁸

According to Gabriel Almond, the recruitment process constitutes an opportunity for citizens to participate in the selection of political activities and governmental offices through various means, including public engagement via the media, membership in political organizations, candidacy for public office, as well as political education and training. In this sense, political recruitment serves as a mechanism through which citizens are incorporated into the political process and prepared to assume political roles.⁹ Meanwhile, Jack C. Plano defines recruitment as the process of selecting individuals to perform roles within a social system. More specifically, political recruitment refers to the selection of individuals to occupy both formal legal positions and informal political roles. Formal recruitment includes the selection of candidates for public offices, such as the presidency and membership in parliament, whereas informal recruitment encompasses the mobilization of political activists, campaign workers, and individuals engaged in political advocacy and propaganda.¹⁰

Ramlan Surbakti¹¹ defines recruitment as the process of selection or appointment of an individual or a group of individuals to perform particular roles within the political system in general and within the governmental system in particular. This definition emphasizes political recruitment as an institutional mechanism through which political actors are selected to occupy positions of public authority and responsibility. Accordingly, in the context of this study, political recruitment refers to the process by which political parties or coalitions of political parties determine and nominate prospective candidates for regional head and deputy regional head to be officially registered with the election management

⁸ Lawrence LeDuc, Richard G. Niemi dan Pippa Norris, *Comparing Democracies 2, New Challenges in the Study of Elections and Voting*, (London: Sage Publications, 2009), p. 109.

⁹ Mochtar Mas'ud dan Colin Mac Andrews (Eds.), *Perbandingan Sistem Politik*, Gadjah Mada University Press, Yogyakarta, 1978, hlm.29.

¹⁰ Jack C.Plano, dkk., *Kamus Analisis Politik* (terjemahan), Rajawali, Jakarta, 1985, p. .211.

¹¹ Ramlan Surbakti, *Memahami Ilmu Politik*, Grasindo, Jakarta, 1992, p. .118.

bodies, namely the Provincial General Election Commission (Provincial KPU) or the Regency/Municipal General Election Commission (Regency/Municipal KPU).

The function of political parties as instruments of political recruitment is closely related to the process of leadership selection, both within the party organization and at the broader national level.¹² Internally, every political party requires competent and qualified members, as only through the development of such cadres can it strengthen its institutional capacity and enhance its prospects for political growth. The availability of qualified party members also enables political parties to identify capable leaders from within their own ranks and increases their opportunities to nominate candidates for positions of national political leadership.

Barbara Geddes classifies political recruitment into four models. First, the partisanship model, in which political recruitment is primarily based on loyalty to the political party.¹³ Under this model, parties prioritize the accumulation and maintenance of loyal partisans, while professional competence or technical expertise receives relatively less emphasis. Second, the meritocratic model, in which political recruitment is based on the competence and expertise of individuals, such as technocrats, entrepreneurs, academics, professionals, and other highly skilled persons.

Third, the compartmentalization model, which combines merit-based recruitment with political considerations. Under this approach, individuals are selected on the basis of merit for positions considered strategically important to the effective functioning of government or public administration, while appointments to other positions may be guided by short-term political interests, coalition building, or the cultivation of loyal political supporters. Fourth, the survival model, in which political recruitment is primarily driven by patronage and political expediency. Recruitment under this model is based on reciprocal political support, the resources possessed by

¹² Miriam Budiardjo, *Dasar-Dasar Ilmu Politik*. Gramedia Pustaka Utama, Jakarta, 2008.hlm. 408.

¹³ Barbara Geddes, (1996), *Politician's Dilemma: Building state capacity in Latin America*, University of California Press. Hlm.78-79.

prospective candidates, and their ability to sustain the political survival of party elites, rather than on merit or professional qualifications.

2. Democratic Recruitment of Prospective Regional Head Candidates

The concept of democracy has traditionally been understood as the government of the people, by the people, and for the people. As a democratic state, Indonesia explicitly recognizes the principle of popular sovereignty in Article 1 paragraph (2) of the 1945 Constitution, which provides that "*sovereignty rests with the people and shall be exercised in accordance with the Constitution.*" Accordingly, the term *democratic* should be understood as reflecting the application of democratic principles in the exercise of governmental functions, including the recruitment of prospective regional head candidates.

Furthermore, Article 18 paragraph (4) of the 1945 Constitution stipulates that governors, regents, and mayors, as heads of provincial, regency, and municipal governments, respectively, shall be elected democratically. The constitutional mandate that regional heads be "*elected democratically*" should be interpreted as encompassing all stages of the regional electoral process, including the recruitment and nomination of prospective regional head candidates by political parties. Rahat and Hazan as cited by Ridho Imawan, identify at least two models of candidate selection. The first is the inclusive (open) model, under which any eligible individual may seek nomination through a political party, provided that he or she satisfies relatively accessible eligibility requirements. This model is intended to broaden political participation, encourage competition, and strengthen the democratic legitimacy of the candidate selection process.

Under the inclusive model, there is no requirement for prospective candidates to be members of the political party through which they seek nomination, nor are they required to share the party's ideological orientation. The second model is the exclusive (closed) model, in which a number of restrictive requirements limit participation in the candidate selection

process. According to Rahat and Hazan, the more inclusive the candidate selection process, the more democratic it is considered to be. Conversely, the more exclusive the selection process, the less democratic it becomes, as decision-making tends to be non-transparent and concentrated in the hands of party elites who exercise exclusive authority to select and determine candidates.¹⁴

Accordingly, a democratic system for the recruitment of prospective regional head candidates should satisfy at least three fundamental criteria. First, there should be clear and uniform recruitment rules that apply equally to all political parties. Second, the recruitment process should be conducted in a transparent and accountable manner, ensuring that candidate selection is subject to objective procedures and public scrutiny. Third, meaningful opportunities for public participation should be provided throughout the recruitment process, thereby strengthening democratic legitimacy and enhancing public confidence in the nomination of regional head candidates.

3. Analysis of the Regulatory Framework for Political Recruitment

The legal framework governing the recruitment of prospective regional head candidates can be identified in several statutory instruments, particularly the Regional Head Election Law and the Political Parties Law. For ease of reference, the relevant provisions are summarized in the following table.

Table 1.
Legal Framework Governing the Recruitment of Prospective
Regional Head and Deputy Regional Head Candidates by
Political Parties

¹⁴ Ridho Imawan Hanafi, (2014). *Pemilihan Langsung Kepala Daerah Di Indonesia: Beberapa Catatan Kritis Untuk Partai Politik*. Jurnal Penelitian Politik | Volume 11 No. 2 Desember 2014|1-16. p.9.

Regulatory Instrument	Article / Paragraph	Regulatory Substance
Law No. 10 of 2016	Article 7 (2)	Prescribes the eligibility requirements for candidates for regional head and deputy regional head..
	Article 40	Regulates the requirements that political parties must satisfy to nominate candidates for regional head and deputy regional head.
	Article 40a	Determines which political party leadership is legally authorized to nominate candidates for regional head and deputy regional head in the event of dual party leadership.
	Article 42	Establishes authority of political parties to register regional head and deputy regional head candidates with the provincial general election commission ... Authorized the central leadership of political party to register regional head and deputy regional head candidate when the party regional failed to do so.
Law No. 2 of 2008	Article 11 (1) e	Identifies political recruitment as one of the principal functions of political parties, namely the recruitment of individuals to fill public offices through democratic mechanisms while ensuring gender equality and equity.
Law No.2 of 2011	Article 2 (4) g	Provides that the Articles of Association of a political party shall contain, at a minimum: <i>"the mechanisms for recruiting political party members and filling political offices."</i>
	Article 29 (1)	Political parties recruit Indonesian citizens to become: prospective candidates for regional head and deputy regional head.
	Article 29 (1a)	Provides that recruitment shall be conducted through a democratic cadre selection process in accordance with the party's Articles of Association and Bylaws, while ensuring that women constitute at least 30 percent of the candidates considered in the recruitment process.
	Article 29 (2)	Recruitment of Prospective Candidates: The recruitment of prospective regional head candidates, as well as prospective presidential and vice presidential candidates, shall be conducted in a democratic and open manner in accordance with the party's article of association and Bylaws and the applicable laws and regulation.
	Article 29 (3)	Provide that determination of the recruitment of the prospective regional head and deputy regional head candidates shall be made by decision of the political party's executive board in accordance with its article of association and Bylaws.
PKPU No.3 of 2017¹⁵	Article 4	Candidate Eligibility Requirements
	Article 35-46	Regulates the registration of prospective candidates. None of the existing provisions requires verification of whether political parties have conducted the recruitment and selection of prospective candidates in a fair and democratic manner.

¹⁵ General Election Commission Regulation (PKPU) No. 3 of 2017 concerning the Nomination of Governors and Deputy Governors, Regents and Deputy Regents, and Mayors and Deputy Mayors.

As shown in Table 1, none of the existing statutory regulations provides detailed procedural rules governing how political parties are required to recruit and select prospective regional head candidates. Law No. 10 of 2016 regulates only the eligibility requirements for regional head and deputy regional head candidates, the nomination threshold for political parties, and the level of party leadership authorized to nominate candidates. Likewise, the Political Parties Law does not establish detailed procedures for candidate recruitment. Article 2 paragraph (4) letter (g) of Law No. 2 of 2011 merely requires that a political party's Articles of Association and Bylaws include provisions on the mechanisms for recruiting party members and selecting candidates for political office.

While virtually all political parties have expressly regulated the recruitment of party membership in their Articles of Association and Bylaws, the mechanisms governing recruitment for political office, particularly the nomination of regional head and deputy regional head candidates, remain largely undefined. Most party constitutions contain only broad and general provisions without establishing detailed procedural standards, objective selection criteria, or transparent decision-making mechanisms. Consequently, the implementation of candidate recruitment is largely left to the discretion of each political party's leadership. For example, the provisions governing the recruitment of prospective regional head and deputy regional head candidates by the National Awakening Party (PKB)¹⁶ are set out in Article 98 of the Party's Bylaws, which provides:

- 1. The recruitment of party members and officials shall be carried out through a tiered, structured, and systematic cadre development system.*
- 2. Participation in the cadre development system shall constitute a mandatory requirement for any party member or official seeking promotion to strategic positions within the party or in government.*

¹⁶ Bylaws of the National Awakening Party (PKB), as adopted at the Surabaya National Congress, 30 August–1 September 2014.

3. *Cadre development shall form an integral component of the performance evaluation of the Party Executive Board at each organizational level.*
4. *The cadre development system, including its structure, curriculum, and training modules, shall be prescribed by Party Regulations.*

The foregoing provisions indicate that the detailed procedures for the recruitment of regional head and deputy regional head candidates are left entirely to the discretion of political parties. Law No. 2 of 2011 merely establishes broad guiding principles by requiring that the recruitment process be conducted in a democratic and open manner. However, the Law does not prescribe any specific procedural standards or objective criteria for assessing compliance with these principles.

Moreover, no legal provision requires political parties to demonstrate that the regional head and deputy regional head candidates they nominate have been recruited through a democratic and transparent process. Likewise, there is no legal mechanism authorizing the Provincial or Regency/Municipal General Election Commission (KPU) to verify compliance with these requirements or to reject a nomination submitted by a political party on the ground that the recruitment process failed to satisfy the statutory principles of democracy and openness.

4. Practices of Political Party Recruitment of Prospective Regional Head Candidates

Based on the Political Parties Law and the Articles of Association and Bylaws of each political party, several common patterns of candidate recruitment can be identified in practice. These include the following:

A. Centralized Recruitment Model

Titi Anggraeni argues that the candidate recruitment process under the Regional Head Election Law is highly centralized. Although a Regional Executive Board (DPD) of a political party may identify and recommend a candidate, the final decision may be overturned by the party's Central

Executive Board (DPP). A notable example is the nomination of Gibran Rakabuming Raka as the Indonesian Democratic Party of Struggle (PDI-P)'s candidate for Mayor of Surakarta (Solo). The party's Central Executive Board ultimately endorsed Gibran, the eldest son of then-President Joko Widodo, despite the earlier recommendation by the Surakarta City Regional Executive Board of Achmad Purnomo.¹⁷

Similarly, a study conducted by Syafrie Tri Putra on the recruitment of prospective regional head candidates by PDI-P in the 2020 Bontang mayoral election concluded that the party's recruitment process followed a centralized model, as the final decision regarding candidate nomination rested exclusively with the Central Executive Board.¹⁸ A study by Dirwan Kalam on the nomination process for governor and deputy governor candidates by the National Mandate Party (PAN) in the 2017 South Sulawesi gubernatorial election reached a similar conclusion.

Dirwan found that the Provincial Executive Board (DPW) of PAN was responsible only for recruiting, screening, and proposing prospective gubernatorial candidates.¹⁹ The ultimate authority to determine the party's nominees, however, rested exclusively with the Central Executive Board (DPP). Consequently, the recruitment and screening process undertaken by the PAN Provincial Executive Board in South Sulawesi had little practical influence on the final nomination decision. According to Dirwan, had the party's internal rules been consistently observed, the candidates

¹⁷ Titi Anggraini, *Pemerintah Makin Desentralistik, Kok Parpol Kian Sentralistik* Sumber: <https://kabar24.bisnis.com/read/20200729/15/1272627/pemerintah-makin-desentralistik-kok-parpol-kian-sentralistik>, terakhir di akses 29 Juni 2021.

¹⁸ Putra, M. S. T. (2020). A study on the recruitment of prospective mayoral candidates by the Indonesian Democratic Party of Struggle in the 2020 Bontang regional election. *eJournal Ilmu Pemerintahan*, 8(3), 805–816.

¹⁹ Sahirsan, D. K. (2017). *Party autonomy at the local level in determining regional head candidates in South Sulawesi* (Undergraduate thesis, Faculty of Social and Political Sciences, Department of Political Science and Government, Hasanuddin University, Makassar), p. 49.

proposed by the provincial party organization should have received support from the Central Executive Board.

This finding is consistent with the view expressed by Syarief Hidayat,²⁰ who argues that political parties in Indonesia during the post-Reformasi era have increasingly adopted a centralized organizational structure, particularly in determining candidates for legislative elections and regional head elections. According to Hidayat, although regional party branches may nominate or recommend local party cadres, the final decision on candidate nomination ultimately rests with the party's central leadership.

Hidayat illustrates this tendency by referring to the 2008 Lampung gubernatorial election. Although the regional branches of the Indonesian Democratic Party of Struggle (PDI-P) and the Golkar Party had each identified their preferred candidates—Sjachroedin ZP (the incumbent Governor of Lampung and Chair of the PDI-P Regional Executive Board) and Alzier Dianis Thabranie (Chair of the Golkar Regional Executive Board), respectively—the central leadership of both parties had not yet finalized their nominations. At the same time, individuals from outside the party structure also emerged as potential gubernatorial candidates, including Andi Achmad Sampurna Jaya, the Regent of Central Lampung, whose administrative achievements led many observers to regard him as a strong candidate for governor.

A similar pattern occurred in the North Sumatra gubernatorial election, where PDI-P ultimately nominated a gubernatorial candidate from outside the party's internal cadre, despite the recommendation of the party's regional leadership that Rudolf Pardede—then Governor of North Sumatra and Chair of the PDI-P Regional Executive Board—be nominated as the party's candidate. These examples demonstrate that, in practice, the authority to determine regional head candidates remains highly

²⁰ Syarief Hidayat, LIPI: *Perilaku Parpol Di Indonesia Mengarah Ke Sentralisasi*, Sumber: http://lipi.go.id/berita/-lipi:-_perilaku-parpol-di-indonesia-mengarah-ke-sentralisasi/2829. Terakhir diakses 29 Juni 2021.

centralized within the national leadership of political parties, while recommendations from regional party organizations carry limited binding effect.

B. Exclusive (*Closed*) Recruitment Model

In addition to being highly centralized, the recruitment process for prospective regional head candidates also tends to be exclusive (closed).²¹ In practice, members of the public in the relevant electoral districts generally have little or no knowledge of how political parties or party coalitions actually conduct the candidate selection process. As observed by Syamsuddin Haris, many community leaders in various regions are unable to determine why a particular political party chooses to nominate a specific individual for the positions of regional head or deputy regional head. This lack of transparency reflects the exclusive nature of the recruitment process, in which candidate selection is largely confined to internal party elites and remains inaccessible to meaningful public scrutiny.

Muhamad Nur²² dalam studinya menyebutkan bahwa dalam banyak kasus, partai politik tidak dalam posisi yang mencalonkan pasangan calon. Peran partai politik dalam pilkada langsung lebih pada posisi menyediakan legitimasi pencalonan, yang biasanya ditransaksikan dengan pihak-pihak yang ingin dicalonkan atau ingin mencalonkan seseorang menjadi calon kepala daerah. Proses ini sering dipresentasikan dengan istilah "beli perahu" yang artinya membeli formalitas partai politik atau istilah "beli tiket" yang artinya memberi tiket pencalonan. Proses pencalonan ini dimanfaatkan oleh sebagian elite partai politik sebagai ajang bisnis dengan

²¹ Haris, S. (n.d.). *Trends in Candidate Nomination and Coalition Formation in Regional Head Elections*. Retrieved July 23, 2020, from <http://www.komunitasdemokrasi.or.id/id/pusat-pengetahuan/artikel/268-kecenderungan-pencalonan-dan-koalisi-partai-dalam-pilkada>. See also: Hanafi, R. I. (2014). *Direct Regional Head Elections in Indonesia: Some Critical Notes for Political Parties*. *Jurnal Penelitian Politik (Journal of Political Research)*, 11(2). <https://doi.org/10.14203/jpp.v11i2.197>

²² Pratikno, "Calon Independen, Kualitas Pilkada dan Pelembagaan Parpol", *Jurnal Ilmu Sosial dan Ilmu Politik*, Volume 10, Nomor 3, Maret 2007, hlm. 415-438, as cited in Ridho Imawan Hanafi.

memasang tarif tertentu bagi kandidat yang akan memakai partainya untuk maju dalam proses pencalonan.²³

C. Elitist

The prevailing practice indicates that decision-making within political parties is concentrated in the hands of a small group of party elites. Ultimate authority over candidate selection typically rests with a single individual or a limited circle of senior party leaders.²⁴ Consequently, only those who have access to or enjoy the support of the party leadership are likely to secure nomination through political parties. This elite-driven decision-making process restricts internal party democracy, limits opportunities for broader participation, and reduces transparency and accountability in the recruitment of prospective regional head candidates.

A similar pattern can be observed in the 2018 Kerinci Regency regional election, where the Gerindra Party changed its endorsement at the final stage of the nomination process. The Kerinci Regency Branch Executive Board (DPC) had previously conducted the candidate selection process in accordance with the party's internal procedures, and its recommendation had been approved by the Provincial Executive Board (DPW). The Central Executive Board (DPP) subsequently issued an official decree endorsing the Monadi–Edison ticket. However, shortly before the close of the nomination period, the DPP reversed its decision and instead endorsed the Zainal Abidin–Arsal Apri ticket.²⁵

A similar situation arose in the Jambi City regional election, where disagreements emerged over the party's endorsement. Initially, it was widely reported that the National Mandate Party (PAN) supported the incumbent

²³ *Ibid.*

²⁴ Lili Romli, (2011). *Reformasi Partai Politik Dan Sistem Kepartaian Di Indonesia*, Jurnal Politica Vol. 2, No. 2, November 2011 (199-220). p.202.

²⁵ Ikbal Ferdial (ed). (2018). *Alihkan Dukungan ke ZA, Ketua Gerindra Kerinci Ngaku Belum Dapat Pemberitahuan*. <https://www.metrojambi.com/read/2018/01/10/28214/alihkan-dukungan-ke-za-ketua-gerindra-kerinci-ngaku-belum-dapat-pemberitahuan>

mayoral ticket of Syarif Fasha–Maulana. However, as the nomination deadline approached, the party's Provincial Executive Board (DPW) withdrew its initial support and instead endorsed the Abdullah Sani–Kemas Al Farizi ticket. These cases illustrate the exclusive and elite-driven nature of candidate recruitment, in which nomination decisions may be altered by party elites without a transparent process or meaningful participation by regional party organizations or the broader public.²⁶

Another example can be found in the Gerindra Party's nomination process for the West Java gubernatorial election. The nomination of Major General (Ret.) Sudrajat²⁷ was inconsistent with the aspirations and recommendations of the party's regional organization. Through its internal recruitment and screening process, the West Java Regional Executive Board (DPD) had shortlisted three prospective candidates: Deddy Mizwar, Ahmad Syaikhu, and Mulyadi, Chair of the Gerindra West Java Regional Executive Board. However, Major General (Ret.) Sudrajat had not participated in the regional screening process conducted by the DPD. Instead, he was directly appointed by the Chair of the Gerindra Party's Board of Trustees as the party's gubernatorial candidate. This case further demonstrates the dominance of the party's central leadership in determining candidates and highlights the limited influence of regional party organizations in the nomination process, notwithstanding the internal recruitment procedures that had already been undertaken.

D. Susceptible to Money Politics

Although Law No. 1 of 2015, as amended by Law No. 10 of 2016 on the Election of Governors, Regents, and Mayors, criminalizes both the giving and receiving of political

²⁶ Siti Witianti dan Hendra, *Peran Ketua Umum Partai Politik Dalam Pencalonan Kepala Daerah pada Pemilihan Kepala Daerah Serentak Di Indonesia*, *Jurnal Wacana Politik*, (4) 1, Mrch 2019, p. 55-67.

²⁷ Wawan Gunawan , 2018, *Anomali Kewenangan Dewan Pimpinan Pusat Partai Politik dalam Sistem Desentralisasi Pemerintahan di Indonesia*, *Jurnal Academia Praja* (1) 1, February 2018 <http://regional.kompas.com/read/2018/01/07>.

dowries under Articles 187B and 187C, the effectiveness of these provisions remains questionable. According to Reza Syawawi, the recruitment of prospective candidates by political parties is, in practice, largely illusory due to several legal and institutional shortcomings.

First, the offence of political dowry is punishable only when it occurs during the formal nomination process and involves the actual transfer of money or other tangible benefits, rather than a mere promise. Consequently, where compensation is provided after the nomination process has concluded, prosecution becomes considerably more difficult. Second, if financial contributions are made to a political party after the nomination has been finalized, such payments may be classified as campaign contributions, rendering them lawful and effectively immune from legal challenge. Third, the effectiveness of the prohibition is further undermined by the limited capacity and preparedness of law enforcement agencies and electoral management bodies to investigate and respond to allegations of money politics.²⁸

As discussed earlier, the Indonesian Corruption Watch (ICW) reported several alleged cases of political dowry that emerged during the 2018 regional head elections. In the East Java gubernatorial election, La Nyalla claimed that he had been asked to provide IDR 40 billion by Gerindra Party Chairperson Prabowo Subianto in exchange for the party's nomination. Similarly, in the West Java gubernatorial election, Dedi Mulyadi alleged that he had been asked to pay IDR 10 billion by individuals associated with the Golkar Party. In the Cirebon regional election, Brigadier General (Ret.) Siswandi stated that he failed to secure nomination from the Prosperous Justice Party (PKS) after being asked to provide a sum of money. In addition, internal conflict within the Hanura Party was reportedly triggered, in part, by allegations of political dowry practices.

²⁸ Eza Syawawi. (2018). *Ilusi Politik Tanpa Mahar*. Opini Kompas, *Monday, 05 February 2018-00:00*<https://antikorupsi.org/id/article/ilusi-politik-tanpa-mahar>.

These cases provide strong empirical evidence that the recruitment and nomination of regional head candidates by political parties remain highly vulnerable to money politics. They also illustrate how the absence of transparent recruitment procedures and effective oversight mechanisms creates opportunities for transactional politics, thereby undermining the integrity of candidate selection and the democratic principles that should govern regional elections.

The prevailing pattern of candidate recruitment by political parties—characterized by centralized and elite-driven decision-making, the absence of effective oversight by electoral supervisory institutions, and persistent indications of money politics—demonstrates that the recruitment of prospective regional head candidates remains far from democratic in practice. This situation is particularly problematic given that the Political Parties Law expressly requires the recruitment of prospective candidates to be conducted in a democratic and open manner. However, these statutory principles have not been translated into clear procedural standards or effective accountability mechanisms.

This conclusion is reinforced by a study conducted by Teguh Anggoro and colleagues on the recruitment of prospective regional head candidates by the Prosperous Justice Party (PKS) in the 2017 Tasikmalaya mayoral election. The study found that the recruitment process failed to reflect democratic principles because it lacked clear and objective selection criteria. As a result, candidate selection was largely based on subjective considerations and carried out through behind-the-scenes politics, with crucial nomination decisions being made by a limited group of party elites outside a transparent and participatory process. Such practices further weaken internal party democracy and undermine the legitimacy of candidate recruitment in regional elections.²⁹

²⁹ Teguh Anggoro, Tina Cahya Mulyatin, Triono, *Rekrutmen Politik Calon Kepala Daerah (Studi Tentang Seleksi Kandidat di Partai Keadilan Sejahtera Dalam Pemilu kada Kota Tasikmalaya Tahun 2017)*. Hlm.33. JIPP: Jurnal Ilmu Politik dan Ilmu Pemerintahan (6) 1 p. 15-35.

E. Proposed Regulatory Framework

As long as the existing legal framework treats the recruitment of prospective regional head candidates as an autonomous prerogative of political parties, it will be difficult to realize a recruitment process that is genuinely democratic and open. The classical doctrine of the separation of powers, developed by Montesquieu and John Locke, emphasizes that democratic governance requires the distribution of power rather than its concentration in a single individual or institution. Accordingly, state power should be divided among the executive, legislative, and judicial branches to prevent the abuse of authority. This principle is reinforced by Lord Acton's well-known maxim that "power tends to corrupt, and absolute power corrupts absolutely." These principles should serve as fundamental guidelines in allocating public authority. Granting political parties virtually unchecked discretion over the recruitment of prospective regional head candidates creates significant opportunities for the abuse of power and undermines democratic accountability.

To promote a more democratic and transparent candidate recruitment process, several institutional reforms are necessary. First, the Regional Head Election Law or the Political Parties Law should establish detailed procedural rules governing the recruitment of prospective candidates, including minimum standards that ensure transparency, fairness, non-discrimination, accountability, and equal opportunity. Second, the recruitment of prospective regional head candidates should be formally incorporated into the official stages of the regional election process. Once recognized as an integral stage of the electoral process, candidate recruitment would fall within the supervisory jurisdiction of the Election Supervisory Body (Bawaslu), enabling effective oversight. Under the current legal framework, Bawaslu has no authority to supervise this stage because candidate recruitment is regarded as an internal affair of political parties.

Third, the role of the Corruption Eradication Commission (KPK) should be strengthened to combat political dowry

practices in candidate recruitment. This includes adopting more proactive investigative measures, in accordance with applicable laws and due process guarantees, to detect and deter illicit financial transactions associated with candidate nomination. Finally, stronger legal sanctions should be imposed on both political parties and prospective candidates found to have violated statutory provisions governing candidate recruitment. Such sanctions may include severe administrative penalties against political parties, as provided by law, and the disqualification of prospective regional head or deputy regional head candidates who are proven to have engaged in prohibited conduct. These reforms would strengthen internal party democracy, enhance transparency and public accountability, and ultimately improve the integrity and legitimacy of regional elections in Indonesia.

D. Conclusion

The ambiguity and absence of clear parameters and procedural mechanisms for implementing the statutory requirement that the recruitment of prospective regional head and deputy regional head candidates be conducted in a "democratic and open" manner have produced several adverse consequences. First, the authority to determine prospective candidates has become concentrated in the hands of political party elites, resulting in an elitist and highly centralized nomination process. Second, candidate recruitment is frequently conducted through opaque and non-democratic procedures, often giving rise to internal party disputes and conflicts. Third, the regional election process has become increasingly costly for prospective candidates, particularly where political parties demand political dowries as a condition for nomination.

Accordingly, reforming the recruitment mechanism for prospective regional head candidates requires comprehensive legal and institutional changes aimed at addressing these recurring deficiencies. The legal framework should provide a clear and operational definition of what constitutes a recruitment process that is "democratic" and "open,"

accompanied by objective procedural standards applicable to all political parties. In addition, meaningful sanctions should be imposed on both political parties and prospective candidates found to have engaged in prohibited practices, including money politics and political dowries in the nomination process. Finally, the supervisory mandates of the Election Supervisory Body (Bawaslu) and the Corruption Eradication Commission (KPK) should be strengthened to ensure effective oversight and enforcement during the candidate recruitment stage. These reforms are essential to enhancing intra-party democracy, improving the integrity of candidate selection, and reinforcing the democratic legitimacy of regional head elections in Indonesia.

D. Acknowledgments

During the preparation of this manuscript, the author(s) used ChatGPT (OpenAI), Elicit, Grammarly, and Turnitin as supportive research and writing tools. ChatGPT was used to assist with language refinement, drafting support, conceptual organization, and academic writing development. Elicit was utilized to support literature discovery, evidence identification, and research synthesis. Grammarly was used to improve grammar, spelling, punctuation, clarity, and overall readability, while Turnitin was employed to evaluate text similarity and support academic integrity.

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