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## **Dynamics of Legal Politics and Power Contestation after Constitutional Court Decision Number 60/PUU-XXII/2024 Concerning the Wholesale Party System in the 2024 Simultaneous Regional Elections**

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**Abstract:** Constitutional Court Decision Number 60/PUU-XXII/2024 has become a critical turning point in the Indonesian legal political landscape, especially regarding the political party system in the implementation of the 2024 Simultaneous Regional Elections. This decision cancels the practice of "wholesale parties" which allows political parties to lend candidacy tickets without substantive involvement in the political process, which has been considered to reduce the quality of democracy and local political accountability. The study analyzes the dynamics of legal politics that emerged after the decision, including the responses of political parties, and election organizers, and their impact on the map of power contestation in the regions. Through a juridical-political approach, this study explores how the Constitutional Court's decision affects the configuration of regional election law, opens up opportunities for party system reform, and at the same time, gives rise to resistance from political actors who have benefited from the practice of wholesale parties. The research results reveal that this decision is not only a correction to legal norms but also an intervention against the oligarchic structure in local democracy. However, the implementation and supervision of the effects of the decision still face challenges, especially in enforcing regulations and the consistency of their derivative regulations. Thus, the dynamics of post-decision legal politics show the tug-of-war between the interests of democratic reform and the power of the status quo in the local political system.

**Keyword:** Legal Politics, Constitutional Court, Wholesale Party, 2024 Pilkada

**Abstrak:** Putusan Mahkamah Konstitusi Nomor 60/PUU-XXII/2024 menjadi titik balik yang krusial dalam lanskap politik hukum Indonesia, khususnya terkait sistem kepartaian politik dalam penyelenggaraan Pilkada Serentak 2024. Putusan ini membatalkan praktik "partai borongan" yang memungkinkan partai politik meminjamkan tiket pencalonan tanpa keterlibatan substantif dalam proses politik, yang selama ini dinilai dapat menurunkan kualitas demokrasi dan akuntabilitas politik daerah. Penelitian ini menganalisis dinamika politik hukum yang muncul pasca putusan tersebut, meliputi respons partai politik,

penyelenggara pemilu, dan dampaknya terhadap peta kontestasi kekuasaan di daerah. Melalui pendekatan yuridis-politis, penelitian ini mengkaji bagaimana putusan Mahkamah Konstitusi tersebut memengaruhi konfigurasi hukum pilkada, membuka peluang reformasi sistem kepartaian, dan sekaligus memunculkan resistensi dari aktor politik yang selama ini diuntungkan oleh praktik partai borongan. Hasil penelitian mengungkap bahwa putusan ini bukan hanya sebagai koreksi norma hukum, tetapi juga sebagai intervensi terhadap struktur oligarki dalam demokrasi lokal. Namun demikian, pelaksanaan dan pengawasan terhadap dampak putusan tersebut masih menghadapi tantangan, terutama dalam hal penegakan peraturan dan konsistensi peraturan turunannya. Dengan demikian, dinamika politik hukum pasca putusan menunjukkan adanya tarik menarik antara kepentingan reformasi demokrasi dengan kekuatan status quo dalam sistem politik lokal.

**Kata Kunci:** Politik Hukum, Mahkamah Konstitusi, Partai Golongan Karya, Pilkada 2024

## INTRODUCTION

Simultaneous Regional Elections are a form of democratic consolidation attempted by the state after the 1998 reforms to realize election efficiency and strengthen a democratic regional government system. Since the implementation of direct regional elections in 2005, the regional head election process has undergone various transformations, until finally the government and the DPR agreed to implement simultaneous regional elections as regulated in Law Number 10 of 2016 (Isnu Harjo Prayitno, 2021). The main objective of holding simultaneous regional elections is to simplify the election stages, reduce political costs, and create government stability by aligning the terms of office of regional heads (Rosana, 2016). The 2024 simultaneous regional elections are an important momentum because they are a continuation of the national cycle which is expected to mature the local democracy system in a more integrated manner institutionally and over time.

In Indonesia's local democracy, the 2024 Simultaneous Regional Elections are significant because they occur during the national political transition period after the 2024 General Election. Regional head elections are not only an electoral competition arena but also an arena for the consolidation of local political power that has a direct impact on people's lives (Sodiki, 2012). Regional elections are a barometer of the quality of democracy at the regional level because this process involves local political actors, including incumbent regional heads, party elites, and civil society organizations. In practice, the quality of regional elections is often determined by the extent to which the local political system can accommodate the aspirations of the people and ensure fair competition. (Agustino & Yusoff, 2014) Therefore, the implementation of the 2024 Simultaneous Regional Elections not only has a procedural dimension but also a substantial one in determining the direction of development and governance of regional governance in the future.

The role of political parties in nominating regional heads is very crucial in the regional election system, considering that the nomination mechanism through political parties is the main door for individuals or candidate pairs to be able to compete in the contestation. By the provisions of the law, only political parties or coalitions of political parties that meet the threshold of seats in the DPRD can nominate regional head candidates. (Hady, 2019) This condition makes parties the central actors in the selection, development, and recruitment of regional leader candidates. However, in practice, the role of political parties is often distorted due to electoral pragmatism, internal oligarchy, and the emergence of the practice of "wholesale parties" that sell nomination tickets without adequate ideological selection or cadre formation. This situation not only reduces the quality of local democracy but also

weakens the function of parties as the main pillars of a democratic political system (Haryanto, 2011).

The term "wholesale party" refers to the practice of political parties that treat regional head nomination tickets as a commodity that can be traded, without any substantive involvement in the cadre formation, selection, or supervision process of the candidates being nominated. Wholesale parties tend not to pay attention to the ideological quality or integrity of candidates but rather focus more on short-term transactional benefits, such as political dowries or pragmatic agreements (Susanti, 2017). The main characteristics of wholesale parties are weak internal selection, minimal cadre formation, and the tendency to hand over nomination tickets to external figures who have no historical affiliation or political commitment to the party. In this structure, the party no longer plays a role as a guardian of democracy, but rather as a political broker that facilitates nominations with a material and power orientation (Siboy, 2020).

The practice of wholesale parties has become a fairly prominent phenomenon in several previous waves of regional elections. Many regional head candidates have emerged not because of the cadre results formation process but because of their financial capabilities and political networks that allow them to "buy" party support. (Agustino L. , 2010) As a result, local democracy is often reduced to an arena for political transactions that have minimal value and substance. The impact is real in the declining quality of regional leadership, low political accountability, and rampant corruption of regional heads after being elected. Academics, civil society, and election monitoring institutions such as Bawaslu and the KPK have repeatedly voiced criticism of this practice because it is considered to harm the spirit of democracy, strengthen local oligarchies, and close the space for healthy and open political participation for citizens. (Sinaga, 2018) These criticisms then became one of the bases for the Constitutional Court to review the legality and constitutional ethics of wholesale party practices in the local election system.

Background to the norm testing which gave birth to Constitutional Court Decision Number 60/PUU-XXII/2024 stemmed from concerns about political practices that traded regional head nomination tickets by political parties—known as the "wholesale party" phenomenon. Several parties, including civil society groups and independent regional head candidates, filed a judicial review application against the provisions of Law Number 10 of 2016 concerning Regional Elections which were considered to provide loopholes for political parties to nominate candidates without a democratic and transparent internal selection process (Budhiarti, 2021). In his application, the applicant considered that the practice of borrowing party support formally—without any real support from the party structure or involvement in the nomination process—had violated the principle of people's sovereignty and weakened democratic accountability in local elections.

In its ruling, the Constitutional Court stated that political parties cannot nominate regional heads without going through a democratic, accountable internal process under the principle of people's sovereignty as mandated by the Constitution. The Constitutional Court emphasized that nominations must reflect the will and real participation of the political party structure, not just administrative or commercial transactions. The Court also highlighted the significance of a cadre system and internal party mechanisms as part of the constitutional function of political parties in democracy. Thus, the cancellation of the wholesale party practice has major legal implications: parties are now required to demonstrate active involvement in every nomination process, including through evidence of structural support, open recruitment mechanisms, and transparent documentation. This ruling also marks a clear boundary between the constitutional function of political parties as democratic institutions and transactional practices that have so far damaged the integrity of local elections.

Constitutional Court Decision Number 60/PUU-XXII/2024 has had a significant impact on the election legal system and party system in Indonesia. Legally, this ruling emphasizes the obligations of political parties as democratic institutions that not only carry out the nomination function administratively but also substantively through a democratic internal selection process. In the context of election law, this ruling encourages technical revisions to several KPU regulations related to nomination requirements, verification of support, and the requirement for formal documentation proving the involvement of party structures in the nomination process. The paradigm shifts in election law from a formal procedural approach to a substantial approach, which demands a reinterpretation of the role of political parties in creating a representative and accountable democracy. Thus, this ruling indirectly challenges the status quo of the party system which has so far been too loose in upholding ethics and its constitutional function.

On the other hand, from a political rights perspective, this ruling also has consequences for the right to nominate and be nominated. Although in principle it still guarantees the right of every citizen to nominate themselves in the Pilkada, with the strengthening of internal party procedures, new challenges arise for non-cadre candidates or independent figures who have so far relied on the "party loan" route to obtain nomination tickets. Political parties' reactions to this ruling are varied; some welcome it as an opportunity to improve their image and internal consolidation, but not a few show resistance through efforts to minimize the impact of the ruling in derivative technical regulations. On the side of the election organizers, both the KPU and Bawaslu are required to immediately adjust the regulations and supervision mechanisms to be in line with the spirit of the Constitutional Court's decision. This task is not without challenges, considering that implementation in the field often clashes with pragmatic political practices and weak supervisory capacity in the regions.

The Constitutional Court Decision Number 60/PUU-XXII/2024 directly shakes the political comfort of several actors who have so far benefited from wholesale party practices. Resistance comes from party elites, local politicians, and political brokers accustomed to using instant channels in nominating regional heads without a clear process of cadre formation and political accountability. For them, this decision is considered a threat to the established pattern of patronage and control of power. Several parties have secretly tried to find new legal loopholes or postponed updating their internal mechanisms to maintain flexibility in determining candidates. It reflects the struggle between the interests of reform that encourages party democratization and strengthening the local political system, with the power of the status quo that is still rooted in pragmatic and oligarchic practices.

However, this decision also opens up space for a shift in political power in the regions. With the increasingly stringent nomination rules and the abandonment of party lending practices, opportunities have emerged for pure party cadres and local figures with good track records and grassroots support to come to the fore. This is a turning point for a healthier local democracy, where the quality of regional leadership is no longer solely determined by the strength of capital, but by integrity and political legitimacy. In this context, the role of civil society becomes critical. Community organizations, academics, independent media, and election monitoring groups are required to continue to monitor the implementation of this Constitutional Court ruling, ensure that political parties comply with the principles of internal democracy, and pressure election organizers to consistently implement the new regulations fairly and transparently. With the active support of civil society, this reform agenda has the potential to survive and bring about real change in Indonesia's local political order.

The legal politics approach is very important in reading the post-Constitutional Court ruling Number 60/PUU-XXII/2024 phenomenon because it can bridge the analysis between formal legal norms and the dynamics of power and political interests that work behind the

legislative process and its implementation. Legal politics not only sees law as a normative text but also as a product and tool of the ongoing power configuration, so that it can reveal how law can be used to strengthen or even correct deviant political practices. In this context, the study of legal politics is relevant to unraveling the complexity of the relationship between political parties, election organizing institutions, and local power actors in responding to the Constitutional Court's decision. It also plays a crucial role in measuring the extent to which law can be an instrument of socio-political change, especially in the agenda of reforming the local political system which has so far been held hostage by transactional and oligarchic practices. Thus, the study of legal politics is not only important academically but also has strategic value in overseeing democratization and strengthening the constitutional foundations in Indonesia's local political life.

## METHOD

This study uses a normative legal method, namely a method that focuses on the analysis of positive legal norms, both in the form of laws and regulations and relevant court decisions, in this case, the Constitutional Court Decision Number 60/PUU-XXII/2024. The approaches used include the statute approach and the conceptual approach. The statutory approach is used to examine the legal provisions governing the mechanism for nominating regional heads in the Pilkada, especially regarding the role of political parties. Meanwhile, the conceptual approach is used to understand basic concepts such as "wholesale parties", internal party democracy, and legal politics to link the philosophical and theoretical basis of party system reform with the prevailing positive legal practices.

The data sources in this study are secondary data consisting of primary legal materials, such as laws, KPU regulations, and Constitutional Court decisions; secondary legal materials, such as legal literature, academic journals, and expert opinions; and tertiary legal materials in the form of legal dictionaries and legal encyclopedias. The data collection technique was conducted through a literature study by tracing relevant legal documents and academic references. The data analysis technique was carried out qualitatively by examining the normative content of laws and regulations, interpreting the legal meaning of the Constitutional Court's decision, and linking it to theoretical concepts in legal politics. The results of this analysis were then systematically compiled to provide a complete picture of the changes in the legal and political structure that occurred after the decision and its implications for the local political system in Indonesia.

## RESULT AND DISCUSSION

### **Legal Implications of Constitutional Court Decision Number 60/PUU-XXII/2024 on the Regional Head Nomination System in the 2024 Simultaneous Regional Elections**

The decision of the Constitutional Court (MK) has a meaningful position in the Indonesian constitutional system because it is final and binding, as regulated in Article 24C of the 1945 Constitution (Supriyanto D. K., 2013). The final nature means that the decision of the Constitutional Court cannot be challenged by other judicial institutions, including the Supreme Court or District Court. It confirms that the decision of the Constitutional Court is the highest legal decision in terms of testing the constitutionality of laws, and the decision applies as a law that must be accepted and implemented by all parties, including the state, government, and society (Anggraini, 2016). In this context, every decision made by the Constitutional Court has authority that cannot be canceled or revoked by any party, making it one of the most important pillars in the Indonesian legal system (Supriyanto D. , 2007).

As the guardian of the constitution, the role of the Constitutional Court is very strategic in maintaining the supremacy of law and the sovereignty of the people. The Constitutional Court is tasked with ensuring that all legal products produced, both by the



legislature and the executive, do not conflict with the constitution, including the values contained in Pancasila (Iwan Satriawan, 2012). In the case of Decision Number 60/PUU-XXII/2024, the Constitutional Court acted to correct practices that were considered inconsistent with the spirit of democracy and people's sovereignty, namely the practice of wholesale parties in nominating regional heads. The Constitutional Court, with its ability to test legal norms, has the authority to make corrections to practices that are considered detrimental to the quality of democracy, even though these norms have been regulated by higher laws (Muchamad Ali Safa'at, 2010). Therefore, the role of the Constitutional Court in maintaining the constitutionality of laws is vital, especially when there is potential for abuse of power or injustice in the political process (Nugraha, 2016).

Furthermore, as a guardian of democracy, the Constitutional Court also has a role in protecting the political rights of the community, especially in terms of access and participation in general elections (Zoelva, 2013). Through its decisions, the Constitutional Court ensures that ongoing political practices do not harm citizens' rights to vote and be elected fairly and equally. The Constitutional Court's decision on the wholesale party system also reinforces the importance of the existence of political parties not only as electoral vehicles but also as entities that must be responsible for maintaining the integrity of the democratic process (Yonata Haref, 2020). Thus, the Constitutional Court's decision serves as a correction to the shift in democratic principles that are increasingly dependent on transactions and oligarchic power in the local political system, ensuring that democracy is not only based on procedural principles but also substantial ones.

As the guardian of the constitution and democracy, the Constitutional Court also plays an important role in renewing and strengthening the legal system in Indonesia, especially those related to politics and elections. By making decisions based on constitutional values and principles of justice, the Constitutional Court ensures that the Indonesian constitutional system remains in line with the original purpose of the founding of the state, namely to create a just and prosperous society based on Pancasila. Therefore, the legal position of the Constitutional Court's decision in the Indonesian constitutional system is significant to ensure that this country remains based on the principles of true democracy. (Agus Riyanto, 2024)

The Constitutional Court Decision Number 60/PUU-XXII/2024 began with a test of the norms contained in Law Number 10 of 2016 concerning Regional Head Elections (Pilkada), especially those relating to the nomination of regional heads by political parties. The applicant in this judicial review considered that the provisions that allow the practice of wholesale parties, namely the nomination of regional head candidates supported by political parties without any substantial involvement in the selection or cadre formation process, are contrary to the principles of democracy contained in the 1945 Constitution. This practice is considered to reduce the quality of local democracy, reduce political accountability, and hinder people's participation in the political process which should be more open and transparent. The Court then tested the norm using deeper constitutional principles, including those relating to the political rights of citizens to elect and be elected fairly.

In considering the judicial review application, the Constitutional Court identified that wholesale parties, which allow political parties to lend nomination tickets to candidates not directly involved in the party structure, are contrary to the constitutional principle that demands real and substantial participation in the political process. The Constitutional Court's decision states that the nomination of regional heads is not only an administrative or formal matter related to party support quotas but also a matter of principle, namely the existence of a mechanism that reflects the sovereignty of the people and internal democracy within the party. In this case, the Constitutional Court argues that political parties, as institutions that play an important role in the democratic system, must be responsible for organizing a transparent and accountable nomination process, not just carrying out administrative

transactions that do not involve internal party dynamics. Therefore, the Constitutional Court decided to cancel this practice, because it was considered contrary to democratic values and the basic principles of the rule of law.

This decision also reflects the Court's affirmation of the principle of popular sovereignty as the primary basis of the Indonesian democratic system. Popular sovereignty requires active and substantive participation from the community in choosing their leaders, not merely through political practices that ignore the party's internal democratic mechanisms. The Court considers that a nomination mechanism that does not involve a democratic internal selection process has the potential to ignore the people's right to choose quality candidates, as well as open up opportunities for oligarchic practices that can damage the quality of regional head elections. Therefore, the Constitutional Court emphasized the importance of political parties implementing internal democracy by conducting open, accountable selection, and based on the principle of involvement of all party elements. Thus, this decision not only focuses on the cancellation of norms deemed detrimental but also reminds us of the important role of political parties in realizing substantial democracy.

On the other hand, the cancellation of this bulky-party practice also provides a clear signal regarding the importance of internal democracy in political parties. Political parties are expected not only to be a tool for achieving power through pragmatic calculations but also to be institutions that reflect the will of the people honestly and openly. Thus, the Constitutional Court underlines the importance of fulfilling citizens' political rights through a more transparent nomination system, as well as encouraging deeper reforms to the party system in Indonesia, so that it is more responsive to the demands of a healthy democracy.

Constitutional Court Decision Number 60/PUU-XXII/2024 has a direct impact on the legal provisions governing the requirements for regional head nominations in the Pilkada. Previously, in a system that allowed wholesale party practices, regional head candidates could obtain support from political parties without having to play an active role in the party structure. This practice allows parties to "lend" nomination tickets to candidates who are not involved in the internal party process, which is often driven by pragmatic interests to win elections without regard to the quality and accountability of the candidates. After the Constitutional Court's ruling, this is no longer permitted, so regional head candidates must meet substantial requirements, including active involvement in the political party that supports them. The legal implication of this ruling is the tightening of nomination criteria that will prioritize real participation from candidates in the party structure, to improve the quality of democracy and political accountability. Candidate requirements will now prioritize involvement in the democratic internal cadre and selection process so that candidates supported by the party truly represent party interests and not merely as an electoral tool.

Another significant impact is seen in the KPU technical regulations (PKPU) which regulate the verification and nomination mechanisms for regional head candidates. Along with changes in the nomination provisions, the KPU as the election organizing institution will adjust the existing procedures and regulations to accommodate the implementation of the Constitutional Court's decision. These changes will most likely include stricter provisions in verifying the involvement of candidates in the party structure that supports them. The KPU will tighten administrative requirements, ensuring that each candidate has substantive support from political parties, not just administrative support without active participation. In addition, the candidate verification mechanism will be stricter in evaluating the relationship between candidates and parties, both in terms of political involvement and track record in party organizations. This more transparent nomination process based on internal party democracy aims to prevent a recurrence of manipulative practices that have hampered the quality of elections.

Although the Constitutional Court Decision Number 60/PUU-XXII/2024 provides a strong legal basis for changing the regional head nomination system, major challenges remain the law enforcement at the regional level. One potential loophole that can be exploited is the abuse of authority by political parties or local political actors who try to avoid this new regulation. For example, it is possible that political parties that still want to maintain wholesale party practices can manipulate the nomination process or even use their power to influence election organizers to ignore the new provisions. In addition, in some regions, deep-rooted patronage and transactional political practices can encourage the neglect of democratic principles and transparency in nominations. Therefore, this potential violation can be a major challenge in ensuring that the implementation of the Constitutional Court's decision runs effectively and is not distorted by certain political interests.

To overcome these challenges, the KPU and Bawaslu play a fundamental role in following up on the Constitutional Court's decision and ensuring that its implementation is by legal provisions. The KPU must ensure that every candidate who nominates himself has legitimate legitimacy and is actively involved in the party structure, not just a "borrowed candidate". However, the capacity and authority of the KPU/Bawaslu in overseeing the implementation of this regulation at the regional level are often hampered by various factors, such as limited resources, politicization of election organizers, and pressure from local actors who have political power. On the other hand, if there is a dispute related to the implementation of the Constitutional Court's decision, the Supreme Court and the State Administrative Court (PTUN) have the authority to resolve the legal disputes that arise, especially if there is a lawsuit against administrative actions taken by the KPU or Bawaslu. The Supreme Court can issue a final decision regarding more substantial legal issues, while the PTUN can handle administrative disputes between election organizers and parties who feel aggrieved by KPU policies or decisions. However, the effectiveness of this supervision and law enforcement is highly dependent on the integrity and professionalism of these institutions as well as strong support from civil society in overseeing this process.

### **Dynamics of Legal Politics that Emerged Post-Decision, especially in the Practice of Wholesale Parties and Resistance from Local Political Actors**

The cancellation of the wholesale party practice by the Constitutional Court through Decision Number 60/PUU-XXII/2024 has had a significant impact on the structure and dynamics of political parties in Indonesia. Previously, this system allowed political parties to lend regional head candidacy tickets to individuals who were not actively involved in the party structure, which was often only used as an electoral tool to gain power. This practice gave rise to ambiguity and injustice in the nomination process, because regional head candidates were chosen based on pragmatic interests, not quality or seriousness in politics. With the cancellation of wholesale parties, political parties are now required to be more selective in nominating candidates, prioritizing internal democracy, and ensuring substantial involvement from the candidates they nominate. This changes the internal work pattern of the party, which previously tended to easily carry out political transactions to gain power, to focus more on more transparent selection, and is based on the quality of candidates who are actively involved in the party's internal process.

This change has a direct impact on the strategy of nominating regional heads by political parties, which previously could rely on pragmatic practices to increase the number of supporters through wholesale parties. Now, political parties are faced with the need to strengthen the process of cadre formation and candidate selection in more depth. Parties must change their approach in seeking and selecting regional head candidates, which is not only based on popularity or mass mobilization ability, but also on integrity, track record, and real involvement in party politics. With the limitation on wholesale party practices, political parties are expected to be able to adjust to more substantial democratic principles, ensuring



that regional head nominations truly reflect the aspirations of the people and a higher quality of democracy. However, the biggest challenge in implementing this reform is ensuring the nomination system reform is procedural with real improvements in the quality of democracy, by minimizing manipulative and oligarchic practices that previously involved political transactions that were detrimental to the democratic process.

The previous wholesale party practice benefited various local political actors, especially local politicians and financiers who had an interest in gaining electoral support in a more practical way and were less involved in a substantive cadre formation or selection process. Local politicians who lack a strong mass base can use wholesale parties to secure nomination tickets without authentic political support, while political financiers gain profits through pragmatic party support transactions. Resistance to the Constitutional Court's decision to annul this practice has emerged in various forms, such as political lobbying efforts to change or revise the decision, or even seeking loopholes in the implementation of the new rules. Several local political actors argue that restrictions on wholesale parties will narrow the space for candidates who do not have access to large political machines, which could worsen inequality in regional head nominations, especially in regions with strongly consolidated political and social structures. They also state that this system provides flexibility for political parties to support candidates who are more likely to win elections, even though they are not actively involved in the party, and argue that the cancellation of this system will strengthen dynastic politics and oligarchies that are more exclusive and difficult to penetrate. Most of these arguments reflect disagreement with changes that are considered to be able to reduce the space for pragmatic political strategies that have so far benefited various groups at the local level.

The dynamics of legal politics after the Constitutional Court's decision Number 60/PUU-XXII/2024 have a significant influence on public participation in the 2024 Simultaneous Regional Elections. With the cancellation of the wholesale party practice, where regional head candidates could previously gain support without substantive involvement in political parties, the public is expected to be more involved in a more democratic election process. This restriction provides an opportunity for candidates who truly have a relationship with the party and are involved in the cadre formation and internal selection process so that the public can see a clearer connection between regional head candidates and the political vision of the party that supports them. It may increase voter participation because the public will be more confident that the candidates chosen are the result of a more open political process and representative. Stronger political participation also has the potential to strengthen public involvement in political decision-making, thereby creating space for people's aspirations to be heard in the regional head nomination process.

However, the impact of this change must also be seen in the context of accountability and transparency in the local political process. The cancellation of wholesale parties has the potential to improve the quality of local democracy by strengthening the control and supervision mechanisms for political parties that nominate regional head candidates. A more democratic nomination process is expected to reduce non-transparent political transactions and prioritize candidate accountability to the community. However, the main challenge lies in how this system is implemented effectively at the local level, where many regions are still characterized by non-transparent and oligarchic political practices. On the other hand, the oligarchic structure previously driven by the wholesale party system has the potential to change after this decision, although resistance from political actors who benefit may still hinder this shift. Evaluation of this change shows that although there is potential to improve the quality of democracy, such changes require time and commitment to ensure that the new system is not merely procedural, but actually has an impact on strengthening participation, accountability, and reducing oligarchic practices in local politics.

Following the Constitutional Court Decision Number 60/PUU-XXII/2024, civil society organizations have an important role in monitoring and encouraging the implementation of the decision, especially regarding the cancellation of the wholesale party practice. Civil society, consisting of NGOs, election monitoring groups, and various democracy activists, can function as external supervisors to ensure that political parties and election organizing institutions, such as the KPU and Bawaslu, implement the Constitutional Court's decision with transparency and accountability. These organizations can directly monitor the nomination process, identify potential manipulation or abuse of power, and voice problems that arise in the implementation of the new rules. In addition, civil society can also encourage the community to be more actively involved in the local political process, provide education about their political rights, and ensure that political parties undergo a more open and fair democratic process in nominating regional heads. With their presence, it is expected that there will be significant changes in the quality of local democracy that is more representative and oriented towards the public interest.

In addition, the media plays an equally important role in shaping public opinion regarding the wholesale party practice and local political reform. The mass media, both print and electronic, can provide extensive information to the public about how wholesale party practices undermine the quality of democracy and what the impacts of their cancellation are. Critical media coverage of non-transparent practices can raise public awareness of the importance of a fairer and more accountable political system. The media plays a role in strengthening external oversight, providing space for public discussion on reforms to regional head nominations, and introducing new ideas on improving the local political system. Media efforts to continue educating the public about their role in electing quality leaders, as well as criticizing policies that are considered detrimental to democracy, can increase pressure on political actors who try to maintain an undemocratic system.

### **The Strategic Role of the Legal Politics Approach in Analyzing and Monitoring the Party System and Local Democracy Reform Agenda Post-MK Decision**

The legal politics approach is an analytical framework that combines legal and political perspectives to understand structural changes in the party system, especially after the Constitutional Court Decision Number 60/PUU-XXII/2024. This approach views law not only as a set of rules that regulate the relationship between the state and citizens but also as an instrument that influences political power and party structures in the government system. In the context of party system reform, legal politics helps to analyze how changes in legal norms, such as the cancellation of wholesale party practices, can affect the internal structure of political parties, as well as the relationship between parties and society. Thus, the legal politics approach provides a deeper understanding of how law as an instrument can facilitate or hinder political reform and how these changes can affect broader political dynamics, such as power contestation, policy formation, and power relations at the local level.

The legal politics approach has great relevance in strengthening accountability and transparency in the local political system after the cancellation of wholesale party practices. This cancellation encourages changes in the mechanism for nominating regional heads, which were previously marked by less transparent political transactions, to be more open and based on the integrity and substantial involvement of the nominated candidates. In this case, the legal politics approach provides an analytical tool to understand how the formation of stricter regulations can encourage transparency in nominations and prevent potential political corruption and oligarchic domination in local politics. This approach also facilitates a study of the effectiveness of a more democratic election system, in which political parties are required to involve the community more directly in the nomination process and ensure that parties do not only act as entities that pursue power through less democratic means. In this context, legal

politics is not only a normative theory but also a practical instrument in designing and overseeing a fairer and more representative system.

Monitoring the implementation of Constitutional Court Decision Number 60/PUU-XXII/2024 requires a holistic and integrated strategy. One strategy that can be applied is strengthening regulations and verification procedures that involve all related parties, especially political parties, the General Election Commission (KPU), and Bawaslu. To ensure that changes in the nomination of regional heads are truly implemented effectively, a legal political approach can propose revisions to the laws and regulations and technical regulations of the KPU that regulate the nomination mechanism. The verification and selection process of candidates must be carried out with clear, objective, and transparent standards, prioritizing the principles of democracy, accountability, and public participation. In addition, it is necessary to strengthen the oversight mechanism involving all elements that play a role in the political system, including civil society, to ensure that the implementation of the Constitutional Court's decision is by the new legal provisions and there are no loopholes for restoring wholesale party practices.

In addition to supervision by state institutions, the role of civil society is vital in ensuring the implementation of appropriate decisions and democratic principles. Civil society organizations, including NGOs and election monitoring institutions, can act as external supervisors who directly monitor the nomination of regional heads, as well as identify potential violations or manipulation in the local political process. Legal advocacy by civil society and academics is important to support more democratic and fair policies, including the implementation of people's sovereignty principles and internal democracy in political parties. These organizations can provide legal aid, assist candidates with political capacity, and encourage policies more oriented towards public welfare and social justice. Thus, legal supervision involving collaboration between state institutions, civil society, and academics will ensure that the implementation of the Constitutional Court's decision is not only normative, but can also bring about substantial changes in the local political system that is more open, accountable, and democratic.

The legal political approach plays a significant role in encouraging structural changes in local politics, especially in regional head elections and improvements to oligarchic practices that have so far hampered the progress of democracy at the local level. The Constitutional Court's cancellation of wholesale party practices opens up opportunities for greater transparency and community involvement in the nomination process, where political parties are required to be more responsible for the selection process of the candidates they nominate. The legal political approach allows for the restructuring of the internal structure of political parties, encourages improvements in more inclusive internal party democracy, and ensures that regional head nominations are no longer a means for political elites or financiers to dominate without substantive involvement in governance. With this reform, it is hoped that there will be changes in the relationship between political parties and the community, which can reduce the practice of money politics and political transactions that are detrimental to the quality of democracy.

The legal political approach improves the quality of democracy and local government that is more transparent and accountable. With stricter rules in the regional head nomination process, the community can now see more clearly who their candidates are and how they are selected. Political parties that were previously involved in wholesale party practices are now faced with the obligation to conduct more open selection based on the credibility of candidates, thereby increasing the accountability of political parties to the public. This process not only provides space for more competent and representative candidates but also allows for stricter supervision of campaign funding and more transparent political activities. This increase in transparency and accountability is essential to improving the relationship between

local governments and the people, thus encouraging the creation of a more responsive government oriented towards the public interest.

However, introducing reforms through a legal political approach is not without challenges. The main obstacles faced include resistance from political actors who benefit from the old system, especially local politicians and financiers who have controlled the nomination process through wholesale parties. They are likely to look for loopholes to maintain their political dominance, even though there are restrictions on this practice. Another challenge is that law enforcement is not yet fully effective at the regional level, where legal apparatus and supervisory institutions such as the KPU and Bawaslu still face resource limitations and less supervisory capacity. To overcome these obstacles, strategic steps are needed, such as political education and increasing the capacity of supervision at the regional level, as well as stronger advocacy from civil society and the media to encourage strict law enforcement against undemocratic political practices. By strengthening coordination between supervisory institutions, civil society, and the central government, it is expected that political reform can be implemented optimally, resulting in a more democratic, just, and accountable political system.

Collaboration between legal practitioners, political actors, and civil society is the main key to strengthening local democracy reform and the party system after the Constitutional Court Decision Number 60/PUU-XXII/2024. Legal practitioners, such as academics and advocates, have an important role in providing a deep understanding of the legal implications of this Constitutional Court decision and how new regulations can be implemented fairly and effectively. They can play a role in formulating and providing recommendations regarding legislative changes needed to ensure democratic principles. Meanwhile, political actors, especially political parties, must be willing to carry out internal transformation to accommodate changes in a more democratic nomination system. In this case, cooperation between legal practitioners and political parties is necessary to ensure that every step in the reform process strengthens transparency, accountability, and community involvement in politics.

Civil society plays a very strategic role in advocating for policies that support democratic transformation, especially in the context of monitoring a more transparent and participatory nomination process. Civil society organizations can exert political and social pressure on political parties and election management institutions to implement better reforms and not only focus on short-term interests. In addition, they play a role in overseeing the implementation of the Constitutional Court's decision by conducting independent monitoring of regional head nominations, identifying potential violations, and educating the public about the importance of openness and fairness in the political process. Civil society can also function as an intermediary between the government and the people, ensuring that every policy taken prioritizes the public interest and does not only benefit a handful of political elites.

The synergy between these actors is essential to ensure the sustainability and effectiveness of reforms in the long term. Close collaboration between state institutions (such as the KPU, and Bawaslu), political parties, and civil society will create a strong oversight system that is not easily influenced by political forces that want to maintain the status quo. Within this framework, there needs to be an open dialogue between stakeholders to address challenges and obstacles that arise in the reform process, as well as to formulate more inclusive and transparent policies. With this synergy, it is expected that the reforms carried out will not only be temporary but can bring about sustainable changes in the party system and local politics in Indonesia, creating a more accountable, people-oriented, and sustainable government system.

## CONCLUSION

The Constitutional Court Decision Number 60/PUU-XXII/2024 has become an important turning point in Indonesia's local political system, especially related to the practice of wholesale parties that have so far reduced the quality of democracy and accountability in the nomination of regional heads. The cancellation of this practice opens up opportunities for a more democratic party system reform, in which political parties are expected not only to function as ticket holders for nominations but also to be actively involved in the political process. However, the implementation of this reform faces major challenges, such as resistance from political actors who benefit from the old system and limited oversight capacity at the regional level. Therefore, a legal-political approach that integrates legal, political, and civil society perspectives is essential to ensure these changes can be realized effectively and sustainably.

The successful implementation of the Constitutional Court's decision and a more democratic party system reform of close collaboration is needed between state institutions, political parties, and civil society. Political parties must be more open to internal changes, while election organizing institutions such as the KPU and Bawaslu need to strengthen their capacity to carry out stricter supervision of the regional head nomination process. Civil society also has a strategic role in conducting policy advocacy and independent monitoring, ensuring that every step taken is in accordance with the principles of democracy and accountability. In addition, a more detailed revision of laws and regulations, as well as the preparation of clear technical regulations, will be key in supporting the creation of a more transparent, participatory, and sustainable local political system.

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