

---

## THE ADVANCEMENT OF GIBRAN IN POLITICAL CONTESTATION AS VICE PRESIDENT OF THE 2024 ELECTION IN THE PERSPECTIVE OF POLITICAL ETHICS OF THE INDONESIAN NATION

Ngudi Astuti<sup>1</sup>, Dewi Setyarini<sup>2</sup>

Universitas Jayabaya Jakarta, Indonesia

E-mail: allydavian@gmail.com<sup>1</sup>, budewisetyarini@gmail.com<sup>2</sup>

---

### KEYWORDS

contestation, law  
enforcement, and  
political ethics

### ABSTRACT

The advancement of Gibran Rakabuming Raka to become Prabowo Subiyanto's Vice President has indeed become a controversy in the political and democratic life in Indonesia. With the issuance of the Constitutional Court (MK) Decision Number 90/PUU-XXI/2023 concerning the Granting of Additional Ownership Experience in the Minimum Age Requirements for Presidential / Vice Presidential Candidates, submitted by a student named Almas Tsaqibbiru Re A. This application was accepted by the Constitutional Court on 3 August 2023. This research uses the theory of ethics (imperative ethics) according to Immanuel Kant, which states that an action is said to be right if it is in line with the principle of obligation relevant to it. Categorical imperative ethics is an absolute command and applies generally. to be all-inclusive, in Ethics it is very clear that the categorical imperative, acts based on obligation. Act according to universal laws, i.e. laws that tend to be accepted by society. The loss of ethics in political life has implications for political practices that are Machavellistic, namely politics as a tool to do everything, good or bad without regard to decency, and norms and apply as positivistic nuances (value-free) and this is very contrary to the ethical values of Pancasila Democracy which is upheld for the Indonesian nation. If someone is running for public office, they should prioritize polite politics and heed the rule of law so that there is peace in living together as citizens in the community.

---

### INTRODUCTION

Last Sunday night (22 Oct), Prabowo announced Gibran as his Vice Presidential Candidate, ignoring the public outrage and protests against the Constitutional Court's ruling that the chief judge is President Jokowi's brother-in-law. "This is a gamble for Gibran. If he wins, then his political career will rise faster," said a political observer from Gadjah Mada University, Wawan Mas'udi. "If he loses, his career will not end, but he will face many obstacles because he has a negative political-family image. The public in general, the mass media, and civil society organizations see it as part of President Jokowi's efforts to maintain power "(Kiki Siregar, 2023).

A political observer from Indonesia Political Opinion (IPO) Dedi Kurnia Syah also said that although Prabowo had the opportunity to get Jokowi's voters in the previous presidential

election, it was still quite difficult for Prabowo to win. "Given that Prabowo will face aggravating propaganda. First, Prabowo is considered to be perpetuating dynastic or kinship politics and this is certainly not by Prabowo's character so far, who is known to have a strong enough knight ideology," said Dedi in his statement to *Republika*, Tuesday (17/10/2023). Second, Prabowo is also faced with the assumption that he is more concerned with political conditions than the state because he appoints a vice president not from the capacity factor (Fauziah Mursid, 2023).

Kolnself humans as political beings show that political thinking that involves the proposals and results of the political activities of a political system of a government is based on human elsen (nature). This means that human beings must be the criterion or measure and goal. Although in politics people may overlook the fact that humans are ambivalent, so power anywhere and anytime is always not only used well but also abused. Therefore, since time immemorial, human beings have tried to prevent the abuse of power, especially by those who abuse political power. The term *eltika* (moral philosophy) can be used in the sense of the moral values and norms that form the basis of an individual or a group of people in regulating their behavior. *Eltics* provides the moral basis of politics (Hariantati, 2003).

Removing ethics from political life has implications for political practices that are Machavellistic in nature, namely politics as a tool to do everything, good or bad without regard to decency, and norms and applies as if positivistic nuances (value-free) (Magnis Soseno, Frans. 1988. *Etika Politik*. Gramedia. Jakarta, 1987). Political life is one of the improvisational expressions of human social life, although it applies socially, its relationship with the transcendent will not be separated. For this reason, regulating political life, by making morality (ethics) the basis of politics, can be expected to have politics that heed the rules of the game, what must be done, and what must be left alone (F. Iswara, 1999). To judge inner attitudes and outer actions, a tool is needed, namely a moral measure.

Gibran's advancement to become Prabowo Subianto's vice president in the 2024 presidential election is an important political note in the journey of the democratic system in Indonesia. Various problems have arisen, starting from the opinion of PDIP politician Ahmad Basarah that PDIP has endorsed the candidate pair Ganjar Pranowo and Mahfud MD to run in the 2024 Presidential Election. At this point, the decision must be obeyed by all PDIP cadres and members, again including Gibran as a PDIP cadre. If there are cadres and party members who do not comply, said Basarah, then it is the same as if the cadre has violated the rules and ethics (Sabik Aji Taufan, 2023).

In the case of Gibran, as the Mayor of Solo, he has chosen not to obey the party's decision line by advancing as a candidate for vice president. By itself in political ethics, Gibran has left the PDIP membership. According to Hasto, PDIP together with PPP, Perindo, and Hanura as well as volunteers are even more confident in their political path guided by moral values and political ethics. This is because, continued Hasto, politics is driven by dedication to the nation and state, fighting for the people, not for family interests. Furthermore, according to Ahmad Basarah, Chairman of the PDIP DPP, (Saturday, 28/10/2023)(Agus Yulianto, 2023). In his statement, Basarah believed that Gibran knew the bylaws and party mechanisms in making decisions. Basarah explained that General Chairperson (Ketum) Megawati Soekarnoputri has the prerogative to choose the presidential and vice presidential candidates to be promoted by PDIP.

Megawati has also chosen Ganjar Pranowo and Mahfud MD to be carried by the party bearing the Bull symbol. For this reason, all PDIP cadres must support this decision.

In his statement, Basarah believed that Gibran knew the bylaws and party mechanisms in making decisions. Basarah explained that General Chairperson (Ketum) Megawati Soekarnoputri has the prerogative to choose the presidential and vice presidential candidates to be promoted by PDIP. Megawati has also chosen Ganjar Pranowo and Mahfud MD to be carried by the party bearing the Bull symbol. For this reason, all PDIP cadres must support this decision.

The purpose of writing this article is to be useful as public information and for leaders to know the preferred leadership style of the community, from a leader, in this case, the presidential and vice presidential candidates in the upcoming 2024 elections, to be successful in carrying out their vision and mission, of course, based on democratic values, legal procedures, and election laws as the will of the Indonesian Nation to live peacefully in society, nation, and state. In addition, it is also a reference in the scientific field, especially management, regarding a deeper understanding of the preferred leadership style of the Indonesian people, because the President and Vice President are leaders of a country who bring the people they lead forward to build a better country so that they are not left behind by other more advanced countries. A President and Vice President must also be able to lead well to all people from various circles in their country. If they lead their country well, it will also bring a good name in the eyes of the world so that it can be included in the category of top leaders in the world (Nurfaizi, 2020).

## **METHOD RESEARCH**

The method used in this research is a descriptive method with the type of qualitative research used to discuss the advancement of Gibran in political contestation as vice president of the 2024 elections from the perspective of the political ethics of the Indonesian nation. Furthermore, the type of data used is secondary data consisting of primary legal materials, namely regulations related to the research conducted, secondary legal materials in the form of processed opinions or thoughts of experts or experts who study certain fields, in the form of books, papers and scientific journals related to the object of research.

## **RESULTS AND DISCUSSION**

### **The Importance of Ethics in Political Office**

The word 'ethics' comes from the Ancient Greek ethos. In general, it means habit or permanent goodwill (Itma mil wafa, n.d.). Its meaning as a thought is habit, custom, character, disposition, attitude, or way of thinking. In philosophy, the meaning of ethics used is as a way of thinking (Bertens, 1993). The term was first used in philosophy by Aristotle (384-322 BC) to explain moral philosophy (Panggabean, 2020). In this sense, ethics is defined as the science of customs and habits (Murya & Sucipto, 2019). In academia, ethics is one of the main branches of philosophy. Ethics is a specialized scientific discipline within philosophy. Scientifically, ethics falls under the subdisciplinary position of philosophy, namely ontology, axiology, and epistemology.

Ethics as a scientific discipline of philosophy examines the nature of goodness and morality. Defined attitudes and behaviors have been regarded as something of value to human life. The function of normative ethics is to provide judgment and basic norms for every decision

to take action. These basic norms are presented in the form of general rules and principles of behavior. The benefit of ethics is the existence of individual self-control which can facilitate the fulfillment of the interests of social groups (Tjaronosari dan Herianandita, 2018). The approach used in ethics is a descriptive study of morality. Ethics becomes human social action as its main problem. ethics aims to evaluate human actions and provide recommendations or approval of human actions.

Aristotle then explained the definition of ethics as a science that studies human actions. Its scope only includes procedures or habits that produce actions that are considered good or bad according to human nature (Ekasari, K. dan Nurfitriasih, 2019). Ethics determines the appropriateness of a way of doing things and ethics applies to oneself and others. The nature of ethics is absolutely to be applied. Furthermore, the perspective of ethics views humans completely, thoroughly, and deeply (Hudha & Rahardjanto, 2018).

And in simple terms, ethics is a theory that was born with the realization of the tragedy of anarchy that takes place at various levels whether at the level of individuals, groups, the world, or even the universe. Ethics distinguishes itself from the discipline of philosophy of science which examines problems based on the right-wrong principle. Ethics is also not to be confused with aesthetics which talks about beautiful things and flawed things. But ethics positions itself to discuss the good and the bad, ethics is a matter of policy. Ethics is brought to the fore so that different and possibly conflicting interests can not only be reconciled but also so that the peace process can fulfill the taste of the norms of justice and humanity.

Ethics at the macro or micro level, wants to help guide humans along with science (science) and aesthetics (art), to achieve the goal, which Aristotle called Eudemoni or happiness. To quote Kar Barth *eltika* (from *Elthols*) is comparable to morals (from *Mos*). Second, Political Ethics, both of which are philosophies about customs (*sitten*). The German word *Sitte* (from old German, *situ*) denotes a model (model of human behavior), a constancy (constancy, condition) of human action. Therefore, in general, ethics or morals is a philosophy, science, or discipline about the modes of human behavior or the constancy of human action (Madjid, 1992).

Ethics is relevant today and will always be relevant because human life is continually characterized by an unrelenting battle (conflict) between the forces of good and the forces of evil. Ethics bases itself on reason to determine the moral quality of virtue, hence it is also called a system of philosophy that questions human praxis about its responsibilities and obligations. Or to use the rhetoric of postmodernism (functional), because competition in the game of power or certain economic or cultural groups always desires to seize supremacy to become the most dominant. If ethics is re-examined with enthusiasm, which follows the rhetoric of some ethicists from advanced industrialized countries, there will be a revival (Franz Magnis-museum, 1988).

The study of ethics is often opened from the pages of the history of Western civilization based on the Greco-Roman tradition and later Christian Judaism. As a societal entity, the melting away of Celts, especially because of the continuing existence of terror, whether considered to have originated from fascism, communism, or recently, is recognized by Huntington from the Islamic tradition. In the below-modern era, *eltika* as a discourse was revived when the history of the last century was broken in the French Revolution (1789 and

1884). The idea of progress in the Pellegrini era to build an ideal society was pioneered from the societal movements in England through to Germany, Holland, and various other European countries and culminated in the French Revolution.

In French sociological literature, Emile Durkheim is known as the father of the theory of Social Harmony, which today still dominates the efforts of social scientists to validate the Sociology of Morality needed to form a social order in the concept of the Modern Nation-State with a blend of ethics and morality that supports the ideal of individual or person integration in a nation-state.

Political Ethics belongs to the group of social ethics, which discusses the moral norms that should give rise to attitudes and actions between people because almost all human obligations are coupled with the fact that he is a social beings. Political ethics does not offer a normative system as the basis of the state. Ethics is reflective in that it contributes to thinking about how the problems of life can be faced but does not offer how to solve them. Thus, political ethics questions the responsibilities and obligations of humans as human beings and not as citizens towards the state, towards applicable laws, and so on. Because the goodness of man as a human being and the goodness of man as a citizen are not identical. The function of political ethics is limited to providing theoretical thinking to question and explain political legitimacy in a responsible, rational, objective, and argumentative manner. Therefore, the task of political ethics is subsidiary in the sense that it helps that the discussion of ideological problems can be carried out objectively, meaning that it is based on arguments that can be understood and responded to by all parties who understand the problem.

Political ethics can provide benchmarks, orientation, and normative guidance for those who want to assess the quality of order and democracy of political life and the benchmark of human dignity (Franz Magnis-suseno, 1988). In addition, political ethics can function as a means of critiquing ideology (not the state and the law) in the form of understandings and legitimacy strategies that underlie state administration.

So political ethics can only help society's efforts to translate the country's lofty ideology into concrete political reality. For example, by reflecting on the essence of social justice, how power should be handled by human dignity. Since Aristotle philosophers have contemplated humans as political beings (*zoon political*), and community beings Nietzsche, Max Weber, and Hans Morgenthau were perhaps the first to understand the term political beings (essentially) in other terms as beings who seek power. And if we are to seek and discuss the concept of power then we cannot escape the judgement of power in politics which always depends fundamentally on a particular view of human beings.

In essence, power is seen as something evil. But even that still raises questions: Is every user of political power bad and every unavoidable action bad? The perspective of a true realist is different, where the world is seen as a split reality. Evil and good are mixed up in Political Ethics. If humans are inherently evil, then there can be no government. Then, if all men were good, there would be no need for government. So it must be recognized that true human beings are complex and ambivalent, halfway between the ways of reason and reasonlessness, between good and evil, a mixture of egoism and goodness. With this ambivalence, human beings can use power well or badly, in small things and big things, in private life and politics (Hans Kung, 1999).



According to classical sociologist Max Weber's definition, power is any opportunity to establish one's own will in a social relationship even in the face of resistance, no matter what the basis of that opportunity. Thus, the nature of every person can be understood and every constellation can be understood. With this assumption, it will be easy to direct and position a person according to the determination of his own will in a particular situation.

Thus, political power in a broad sense is an expression of human nature, both of which are subject to ambivalence: That is, on the one hand, human power can be used for good, in a truly humane way, both for the prosperity of those concerned, for those around the power and its environment. On the other hand, human power can also be used for evil, through inhumane and inhumane means, either deliberately to the detriment of those who are interested or to the detriment of those around them and their environment.

At all levels of politics, power should be used to serve, not to dominate, regardless of personal commitments. Power and domination are not synonymous. At all levels of politics, if one can continually see that a politician, group of politicians, or government is using power as a tool to dominate rather than to serve, then power will dominate political thought and action, and will generate hatred and hostility; indeed, power will lead to war, cold or hot.

But where politicians or particular groups or a government seek to see that power is to serve, not to dominate, then in the power struggle they help humanize deadly competition and promote respect and appreciation for others, mediation, understanding, and peace (Hans Kung, 1999). Based on these thoughts, ethics becomes a challenge for politicians, the need for political ethics as a control of political power, and the abuse of power by institutions as a fundamental problem of theories of the State.

DPD RI member, Prof. Jimly Asshiddiqie, S.H., invites the public, especially the younger generation as novice voters to vote intelligently and use the right conscience and logic in assessing prospective leaders. "A good leader is an effective teacher that people can emulate. In the 2024 elections, we are looking for people with the quality of leaders who can be emulated. I also think that the science of state administration is reconstructed into the science of nation administration. Constitutional science is not only constitutional law but ethics. Let us organize our national life," said Jimly Asshiddiqie (Admin, 2023).

Political leadership also cannot be separated from various factors that must be considered, such as influence (influence), style (style), strength/power (power), integrity (integrity), change (change), problem-solving (problem-solving), human relations (human relations) and so on. Besides paying attention to some of the factors above, a person as leadership in an organization is certainly required to have a qualified attitude. In Transformational Leadership, there are several types of leaders related to leader transformation or transformational leadership, namely:

- a. Inspirational Leader means a leader who can inspire, who can channel energy, and drive action or behavior.
- b. Visionary Leader means that being an inspiration is only one step, there is a next step that a leader must have which is having and building a vision known as a visionary leader. As a visionary leader, a leader needs to develop three characteristics, namely risk-taking, listening, and responsibility to realize.

- c. Strategic Leader means what does a strategic leader need to master? Strategic leaders must understand that problem-solving and decision-making require careful and in-depth observation of the situation and conditions, and adapting problem-solving approaches.
- d. Charismatic Leader means speaking charisma a leader must always build connections and attachments / close relationships with others, especially the team.

As expressed by President Jokowi himself about Gibran not being old enough to run in the 2024 Presidential election, the Election Law requires the Presidential and Vice Presidential Candidates to be at least 40 years old, at that time Gibran was only 35 years old, the President also considered making Gibran a Vice Presidential Candidate to be illogical and also based on the analysis of the theories mentioned above, meaning that Gibran must learn more to become a potential leader in the future.

If it is connected with the theory of Ethics according to Immanuel Kant, then Gibran's advancement in political contestation as vice president of the 2024 Election, is very contradictory, whereas Immanuel Kant's theory teaches that an action is right if the action is in line with the principle of obligation that is relevant to it. Then in categorical imperative ethics is an absolute command and applies generally. so that it is all-inclusive, in categorical imperative ethics it is very clear, act based on obligation. Act with a law that is universal, that is, a law whose predisposition is accepted by society, where in the fact of Gibran's advancement in political contestation as vice president of the 2024 Election by changing the decision of the Constitutional Court (MK), then it is very violating, where in the end the judge who made the Constitutional Court decision was dishonorably dismissed.

**Several opinions about Gibran's advancement to become Prabowo's vice president in the 2024 election, ranging from culturalists, academics (observers), politicians, and legal experts to foreign media.**

- a. Renowned Indonesian cultural figures Gunawan Muhammad (GM) and Butet Kartarajasa cried when they saw President Joko Widodo's eldest son, Gibran Rakabuming Raka, finally running as a vice president, after some time earlier the Constitutional Court (MK) decided the case of the age limit for presidential and vice presidential candidates. It is known that on Saturday (21/10) the Mayor of Solo came to the Golkar Rapimnas event. He received the results of the Golkar Rapimnas from Airlangga Hartarto, which included nominating Prabowo and Gibran as a presidential and vice presidential pair. The decision has been debated. Many were angry and disappointed at this political practice. President Joko Widodo is considered the most responsible person and is considered to have made a big mistake at the end of his term. "It is wrong to antagonize Jokowi and forget his achievements. But it is also wrong to ignore his missteps, which could damage the basic joints of our common life - justice", fair play "and honesty" tweeted cultural figure Goenawan Mohamad on his Twitter account @gm\_gm.
- b. Goenawan has indeed spoken quite loudly regarding the Constitutional Court's decision, which is considered to be a way for Jokowi to nominate his son to be Prabowo's vice president. And it was proven, Gibran accepted Golkar's proposal to become Prabowo's Vice. "The most dangerous and troubling thing in the 2024 presidential election is the loss of confidence that the election is honest and fair and that there is an impartial referee. Without

that trust, the winner will not be accepted, the loser will harbor resentment. And the nation can crack," he added. An even harsher statement was made by a cultural figure from Jogja, Butet Kertaradjasa. Butet, who supported Jokowi desperately for two periods, admitted that he cried at Jokowi's actions at the end of his term.

- c. "I got A1 political information and I was shocked. I was crying, really crying", said Butet. She said she participated in winning Jokowi in the 2014 and 2019 presidential elections. She considered Jokowi to be a trustworthy President, working to serve the people and caring about culture. "And his sons at that time only sold Martabak, Fried Banana. There is no political ambition. When he left to deliver Jokowi, his sons were all geeky. I was happy, this is a very cool President. He is a role model of a good leader that the nation desires", he added. But at the end of his term of office, which was only a few months away, Butet continued, Jokowi took actions beyond reason. He used state power to smooth out his son's candidacy for vice president. "The last game was like this. I cried. He insisted on his desire to send Gibran to be Prabowo's vice president," he said. The Constitutional Court continued that Butet was used as a tool to smooth out his desire. And that made him even more sad. He has even sent a letter to Jokowi to remind him of his misguided steps. "The Constitutional Court, which was born from the Reform '98 struggle, which asked for the sacrifice of several lives. How come it's just to mess around with the domestic affairs of a family? Domestic matters are at stake for the nation and state," he criticized. Meanwhile, the Executive Director of the Indonesian Political Indicator, Burhanuddin Muhtadi, believes that if the Constitutional Court grants a lawsuit related to the minimum age of presidential and vice-presidential candidates, it does not necessarily make Gibran Rakabuming Raka a companion to Prabowo Subianto. Gibran's presence could also be a burden. Because issues related to political dynasties will continue to roll until the voting on February 14, 2024. Instead of increasing votes, this has the potential to erode Prabowo's electability, which is already high.

According to Houston, PDIP together with PPP, Perindo, and Hanura as well as volunteers are even more confident in their political path guided by moral values and political ethics. Continued Hasto, politics is driven by a dedication to the nation and state, fighting for the people, not for family interests.

According to Ahmad Basarah, Chairman of the PDIP DPP, (Saturday, 28/10/2023). In his statement, Basarah believes that Gibran knows the bylaws and party mechanisms in making decisions. Basarah explained that the General Chairperson (Ketum) Megawati Soekarnoputri had the prerogative to choose the presidential and vice presidential candidates to be promoted by PDIP. Megawati has also chosen Ganjar Pranowo and Mahfud MD to be carried by the party bearing the Bull symbol. For this reason, all PDIP cadres must support this decision.

"When Mr. Gibran then left the decision scheme that had been taken by Mrs. Megawati and even nominated himself as a vice presidential candidate outside the party's decision line, then according to the party constitution, according to party rules he has committed insubordination," Basarah said at the PDIP School, Jakarta, quoted by CNN Indonesia "He has done something different from the party's decision line. In terms of political ethics, he deliberately wants to leave and or has even left the PDIP membership," he added. Therefore,



Basarah said PDIP was waiting for Gibran's political ethics to return the party's membership card (KTA). "So what we are waiting for is the political ethics of a mas Gibran who has now ventured to run for the vice president of the Republic of Indonesia, so we are waiting for that political ethics to accept the PDIP membership card," further, Basarah also emphasized that his party was waiting for Gibran's political ethics to the party that had raised his family. He then mentioned the role of PDIP for Gibran's family, including his father, Jokowi. "We are waiting for his good intentions to show his political ethics to Mrs. Mega, to the extended family of the party that gave birth to him, and raised him," said Basarah.

#### **foreign media highlights**

Foreign media Al-Jazeera and South China Morning Post (SCMP) for example. Reuters, Associated Press, and ABC to Singapore's Strait Times also paid attention. Al-Jazeera published the headline "Prabowo Picks Jokowi's Son as Running Mate in Indonesia Presidential bid" on Monday. It featured how Prabowo chose Gibran to gain President Joko Widodo's (Jokowi) supporters. "Indonesian Defense Minister Prabowo Subianto has announced that President Joko Widodo's eldest son, known as Jokowi, will be his running mate in next year's election", wrote the Qatar-based media, quoted Tuesday (24/10/2023).

"The election of 36-year-old Gibran, who is currently the mayor of Surakarta, Central Java, could help boost the former general's campaign for the top job while also fueling criticism that Jokowi is trying to create a political dynasty in the government of the world's third-largest democracy," he wrote. It also highlighted how the Constitutional Court (MK) ruled on Gibran's move to run for office. It mentioned how the court upheld the rule that candidates must be at least 40 years old, but made exceptions for those who already hold public office.

The same thing was also published by Hong Kong media, SCMP. The headline "Indonesia election 2024: Prabowo's VP pick of Jokowi's son could be a double-edged sword, analysts warn", mentioned how this choice could be a "boomerang". "Indonesian presidential candidate Prabowo Subianto's attempt to capitalize on incumbent leader Joko Widodo's popularity by choosing his son as his vice president may be a double-edged sword in his third bid for the top job, observers say", the media outlet reported.

While Reuters published an article with the title "Indonesia Presidential Candidate Prabowo Picks Jokowi's Son as running mate". It mentioned how Prabowo chose Gibran amidst the "anger" that has not subsided in the country due to the decision of the Constitutional Court (*Mahkamah konstitusi*)

The same thing was published by the Associated Press (AP) which was also quoted by ABC News. Both articles were headlined "Indonesia's leading presidential election picks Jokowi's son to run for VP in 2024". "He did not meet the age requirement to run at 40, but the Court-led by Jokowi's brother-in-law made an exception in its ruling last week. Now, those who serve or are elected as local leaders can run at a younger age," the court said. "The colonial decision, which paved the way for Gibran to run in the election, has been widely criticized for its non-political nature and analysts fear that the decision could undermine the democratic process," he added.

German media, Handelsblatt, and US Times review Jokowi's dynastic politics; President Jokowi's family political move, especially his son, Gibran Rakabuming Raka, to run as Prabowo Subianto's vice president in the 2024 presidential election is seen as destructive to

democracy. At least that is how foreign media describe and highlight the current conditions in Indonesia. Handesblatt stated that Jokowi was trying to build a completely new dynasty. This condition is also considered a very problematic political development. Handesblatt stated that Jokowi was trying to build a completely new dynasty. This condition is considered a very problematic political development. "The fact that 36-year-old Gibran will soon take a central role at the national level is thanks to the controversial decision of the Constitutional Court last week," Handesblatt wrote. It is not only foreign media Handesblatt that assesses Jokowi's political missteps in leading a democratic country. But Time also glanced at Jokowi's unhealthy style at the peak of his career as President.

Time emphasized that Jokowi had tarnished his good image as a democracy breaker. The US media said Jokowi's process was considered a breakthrough for Indonesian democracy. Jokowi managed to become President with a background as a carpenter from Solo. However, what is being shown to the public now, Jokowi has instead returned to building political dynasties that kill democracy. "If we look at a broader analysis of the last ten years of Jokowi's rule, that has shown a real setback to democracy," said Ian Wilson, a senior lecturer specializing in Indonesian politics at Australia's Murdoch University, quoted by Time (Fitriani, n.d.).

#### **Constitutional Court Decision Controversy: about Gibran's Decision**

"Politiae Legiuss Non-Leges Politi Adoptandae" Politics must be subject to the law, not the other way around, in the case of Gibran Rakabuming Raka who wants to run to be Prabowo's vice president in the Presidential election contest in 2024, it has become a spotlight and controversy in the community both in print and electronic media and is still warm until this article is written down. Monday, October 16, 2023, The Constitutional Court (MK) held a hearing on the decision of the judicial review of Article 169 letter (q) of Law Number 7 of 2017 concerning General Elections related to the minimum age limit of the presidential and vice presidential candidates, case number: 29/PUU-XXI/2023 with the applicant Indonesian Solidarity Party (PSI) requesting that the minimum age limit for presidential and vice presidential candidates be returned to 35 years as previously regulated in Article 5 letter (o) of Law Number 42 of 2008 and Article 6 letter (q) of Law Number 23 of 2003 concerning General Elections for President and Vice President.

In the verdict session, the Constitutional Court rejected the presidential and vice presidential age limit lawsuit to a minimum of 35 years, the decision was read out by the Chief Justice of the Constitutional Court Anwar Usman which was also attended by all constitutional judges in an open session for the public. The verdict stated: Reject the petition of the Petitioners in its entirety. According to the Chairman of the Constitutional Court, the petition does not have a reason according to the law in its entirety. However, what is interesting about this material test verdict hearing is that the Constitutional Court, even though it has rejected the lawsuit for the age limit of the presidential and vice presidential candidates to be at least 35 years old, has granted the applicant's request in part in case number 90 / PUU-XXI / 2023 submitted by a student named Almas Tsaqibbiru, which allows a person who has experience in holding or currently holding positions elected through general elections including regional head elections to become a presidential and vice presidential candidate.

Article 7 paragraph 2 letter (e) of Law Number 10/2016 on the election of Governors, Regents, and Mayors states that the minimum requirement to become a candidate for Mayor

and Deputy Mayor as well as a candidate for Regent and Deputy Regent is 25 years old. With the granting of the decision, it can be said that someone who is still 25 years old is allowed to become a presidential and vice presidential candidate as long as they have experience in holding or currently holding positions elected through general elections including regional head elections.

This political decision also made the Constitutional Court labeled the "Family Court". The reason for labeling the Constitutional Court as a "Family Court" is because the Chief Justice of the Constitutional Court, Anwar Usman, is the brother-in-law of President Joko Widodo who is also Gibran Rakabuming's Uncle, where this application is considered to be prepared for the candidacy of Gibran Rakabuming, President Joko Widodo's eldest son as the Vice President of one of the presidential candidates, but is constrained by his age which is still 36 years old. However, the nickname of MK as the "Family Court" cannot be removed from public opinion because it remembers Gibran who is currently serving as the mayor of Surakarta, in other words, even though Gibran is still 36 years old, he can run for vice president or vice presidential candidate because he is occupying a position elected through general elections.

From a legal perspective, the Applicant (individual or group) who submits an application related to the age limit of the presidential and vice presidential candidates to the Constitutional Court is a constitutional right guaranteed by the Constitution or Law and also the Constitutional Court as a Judicial Institution is an institution authorized to assess the validity of laws or regulations deemed incompatible with the constitution.

The 40-year age limit can ensure that potential leaders have a sufficient level of maturity. By the age of 40, an individual may have accumulated a sufficient amount of experience and have a more mature understanding of the crucial issues facing the country and may also have acquired the appropriate knowledge and integrity to be the right presidential and vice presidential candidate. If there is a requirement to have experience of holding or currently holding positions elected through general elections including regional head elections, it should be based on a holistic consideration of the qualifications and competencies of prospective leaders.

Indonesia as a collective nation needs leaders who understand social, political, and economic issues deeply. Requiring Caprels and Cawaprels to be at least 40 years old may ensure that they have accumulated sufficient experience in various walks of life. This will help Cawaprels or Cawaprels make wise and sustainable decisions while avoiding impulsive policies and exercising leadership with complete awareness. As a whole, the policy of a minimum age limit of 40 years without any other elmbell to become Caprels and Cawaprels is a wise step because this allows us to ensure that our leaders have sufficient experience, the necessary political stability which will all bring progress to our nation.

According to a former Constitutional Court Judge, Mahfud MD also emphasized that such decisions should no longer be issued by the Constitutional Court. This constitutional law expert assessed that several principles were violated in the decision, including judges deciding cases related to their family interests. As is known, the Chief Justice of the Constitutional Court Anwar Usman, who is the uncle of Solo Mayor Gibran Rakabuming Raka, participated in deciding the case. Gibran himself benefited from the Constitutional Court's decision because it gave him the right to run as a presidential or vice-presidential candidate. "This decision could

have happened if the situation of legal development and development was still like now, but this is a lesson for all of us so that in the future it will not happen again," said Mahfud.

**The Honorary Council of the Constitutional Court (*Majelis Kehormatan MK*) was established.**

The Constitutional Court (*Mahkamah Konstitusi*) formed MKMK on Tuesday (24/10) to investigate alleged violations of the code of ethics in last week's Constitutional Court decision regarding the age of presidential and vice-presidential candidates, which was said to be full of interests. The Chairman of the Constitutional Court, Anwar Usman, has denied allegations that he arranged the Constitutional Court's decision on the age limit of the presidential and vice presidential candidates so that his nephew, Gibran Rakabuming Raka, could run as a candidate for vice president in the 2024 presidential election. Apart from the accusations against Anwar Usman, several parties - including constitutional law experts - have questioned the neutrality of MKMK in handling alleged violations of the code of ethics.

It is known that MKMK was formed by former Constitutional Court President Jimly Asshiddiqiel, former Constitutional Court Delwan Eltik member Bintan Saragih, and Constitutional Court judge Wahiduddin Adams. Melrelka will investigate allegations of violations of the electoral college and misconduct of judges about the Constitutional Court Decision Nolmolr 90/PUU-XXI/2023 which is considered to open the door for Gibran Rakabuming Raka to run in the 2024 Pilprels at the age of 36 years from the position of Mayor of Kolta Sollol. The complaints varied, ranging from those against Chief Justice Anwar Usman who is Gibran's uncle, some asking him to resign, some against all judges of the Constitutional Court, some against judges who delivered dissenting opinions (dissenting opinion), and complaints against the establishment of the MKMK.

To stem the tide of suspicion, Jimly ensured that he would maintain MKMK's independence to restore public confidence in the Court. In particular, Jimly emphasized that his support for Prabowo was less important than restoring the dignity of the Constitutional Court that he worked so hard to establish two decades ago. "It's not important. Everyone has the right to choose, but our problem is not that. This judge is on trial. So don't link it first," Jimly told BBC Indonesia. He also said, "I am the founder of the Constitutional Court. I have a responsibility. We made the Constitutional Court 20 years ago with blood. Now we want to destroy it from within and from outside. Let's get it right. I am not willing to be destroyed like this," Jimly then emphasized that MKMK would move quickly to resolve these cases to restore public trust in the Constitutional Court.

**The Constitutional Court Honor Council (*Majelis Kehormatan MK*) held its first hearing on Thursday (26/10) regarding alleged ethical violations in the Constitutional Court's decision on the age limit for presidential and vice-presidential candidates.**

Ketua MKMK, Jimly Asshiddiqie, memimpin sidang terbuka dengan agenda klarifikasi kepada pihak-pihak pelapor di Gedung II Mahkamah Konstitusi RI pukul 10. 00 WIB. After hearing explanations from each complainant, Jimly revealed that the trial process would take 30 days and MKMK needed to move quickly in examining the reports. "Then the trial schedule will be determined later, we will arrange the trial schedule. The minimum call is three days. That means we have to be ready.

"That means Tuesday (October 31, 2023) there will be a hearing. But who comes first, we will organize it first," Jimmy said. Bintan Saragih, a member of MKMK, added that in the next hearing, the complainants can bring evidence and immediately notify the witnesses who will be present. "So that it can be rotated. This is only until November 24. This is serious, people are waiting.

The MKMK hearing related to alleged ethical violations in the Constitutional Court's decision on the age limit for presidential and vice presidential candidates will be held openly, except during the examination of the reported party. There were nine reporting parties present in the meeting room, both online and offline, including Furqan Jurdi, DPP. ARUN, Ahmad Fatoni (LISAN Advocate), Perekat Nusantara & TPDI, PBHI, Denny Indrayana, LBH Ciptakayara Keladilan, Gagum Ridhol Putra, et al., Jolhan Imanuell, et al., Nur Rahman, and others.

### **Law academic reports Chief Justice to MKMK alleges violation of code of ethics**

Representatives of Constitutional Law (*Hukum Tata Negara*) and State Administration Law (*Hari Anak Nasional*) academics reported Constitutional Court Chief Justice Anwar Usman for allegedly violating the ethics and behavior of constitutional judges. ICW researcher Kurnia Ramadhana considered that the Constitutional Court's decision some time ago was not by the law. "First, the argument presented by Anwar Usman a few days ago which said that the examination of the law was an abstract test, not related to certain individuals, for us it was a ridiculous argument," Kurnia told reporters at the Constitutional Court Building, Jalan Medan Merdeka Barat, Central Jakarta, Thursday (26/10/2023).

"Why? Because if you read the application clearly, it specifically mentions the name of the Mayor of Solo, Gibran Rakabuming Raka, who is the nephew of Anwar Usman," he continued. Meanwhile, HTN and HAN representative Viola Relininda revealed several points of reporting to the Constitutional Court. One of them is because of the conflict of interest when examining and adjudicating the case. The first is regarding the potential conflict of interest when examining and adjudicating case number 90, which provides space or privileges to the nephew concerned to run for vice president, namely Solol Mayor Gibran Rakabuming Raka and this has been confirmed by the person concerned registering to accompany Presidential Candidate Prabowo Subianto," Viola said. The next two relate to the leadership of the Chief Justice of the Constitutional Court, Anwar Usman. According to him, there is no judicial leadership in examining and also deciding cases regarding testing the age requirements for presidential and vice presidential candidates. "Why? Because one, it does not comply with the procedural law as it should, because there is a process that is carried out in a hurry and also not by procedures, especially in connection with not investigating irregularities in the form of withdrawing the application," he said. "Then also, the absence of judicial leadership is related to his leadership when facing the concurring opinion of two constitutional judges whose substance turns out to be a dissenting opinion. So that it also creates an oddity in the decision of the constitutional court", continued Viola. In addition, regarding Anwar Usman's comments when the case had not been decided, namely when he gave a public lecture in Semarang some time ago. In the public lecture, Anwar commented on the substance of the judicial review of the law on the age requirement to become a presidential candidate and vice president "We hope that this case can be examined objectively by the honorary panel of the constitutional court,



then we also encourage a cooperative attitude from potential constitutional judges to be presented as witnesses in this case," concluded Viola. The 16 academics are:

1. Prof. H. Denny Indrayana, S. H., LL. M., Ph. D.
2. Prof. Dr. Hj. Hesti Armiwulan, S. H., M. Hum, C. M. C.
3. Prof. Muchamad Ali Safaat, S. H, M. H.
4. Prof. Susi Dwi Harijanti, S. H., LL. M., Ph. D
5. Dr. Aan Eko Widiarto, S. H., M. Hum.
6. Dr. Auliya Khasanofa, S. H., M. H.
7. Dr. Dhia Al Uyun, S. H., M. H.
8. Dr. Herdiansyah Hamzah, S. H., LL. M.
9. Dr. Herlambang P. Wiratraman, S. H, M. H.
10. Iwan Satriawan, S. H., MCL., Ph. D.
11. Richo Andi Wibowo, S. H., LL. M., Ph. D.
12. Dr. Yance Arizona, S. H., M. H., M. A.
13. Beni Kurnia Illahi, S. H., M. H.
14. Bivitri Susanti, S. H., LL. M.
15. Feri Amsari, S. H., M. H., LL. M.
16. Warkhatun Najidah, S. H., M. H.

Based on reports from academics, legal experts, and elements of society, the Constitutional Court Honor Council (MKMK) decided that the Chief Justice of the Constitutional Court Anwar Usman (Reported Judge) committed violations as stated in the Sapta Karsa Utama Principles of Impartiality, Principles of Integrity, Principles of Proficiency and Equality, Principles of Independence and Principles of Decency and Decency. As a result, MKMK dismissed Constitutional Judge Anwar Usman from the position of Chief Justice of the Constitutional Court "Imposing sanctions of dismissal from the position of Chief Justice of the Constitutional Court to the Reported Judge". This was said by MKMK Chairman Jimly Asshiddiqie, accompanied by MKMK Members Wahiduddin Adams and Bintan R. Saragih, in the MKMK Decision Number 02/MKMK/L/11/2023 which was held in the Plelnol Geldung I Courtroom of the Constitutional Court on Tuesday (7/11/2023). Furthermore, in the verdict, MKMK instructed the Vice President of the Constitutional Court within 2x24 hours after this verdict was pronounced, to lead the implementation of the election of new leaders by the laws and regulations. Furthermore, Anwar Usman does not have the right to run or be nominated as the Chief Justice of the Constitutional Court until his term of office ends. Anwar is also not allowed to be involved in the examination and decision-making in the disputes over the results of the Election of Candidates and Deputy Candidates, the Election of Members of the DPR, DPD, and DPRD, as well as the Election of Governors, Regents and Mayors who have.

In the MKMK Decision Number 02/MKMK/L/11/2023, MKMK Member Bintan R. Saragih gave a dissenting opinion. Bintan stated the dishonorable dismissal of Anwar Usman as a Constitutional Judge. In the view of this academic who has been a lecturer since 1971, Anwar has been proven to have committed serious violations. Only dishonorable dismissal should be imposed for serious violations. "My basis for giving a different opinion is "dishonorable dismissal" to the Reported Judge as a Constitutional Judge, in this case Anwar

Usman, because the Reported Judge has been proven to have committed a serious violation. The sanction for "serious violations" is only "dishonorable dismissal" and there are no other sanctions as stipulated in Article 41 letter c and Article 47 of the Constitutional Court Regulation Number 1 of 2023 concerning the Honorary Council of the Constitutional Court," said Bintan R. Saragih delivering a different opinion. Previously, MKMK had received 21 reports of alleged violations of the Code of Ethics and Behavior of Constitutional Judges regarding the Constitutional Court Decision Number 90/PUU-XXI/2023 concerning the Examination of Law Number 7 of 2017 concerning General Elections (Election Law). Based on these reports, MKMK held an examination session. Finally, a decision was made. MKMK divided the 21 reports into four decision classifications, namely MKMK Decision Number 02/MKMK/L/11/2023 on the alleged violation of the Code of Ethics and Behavior of Constitutional Judges on the Report of Chief Justice Anwar Usman reported by Denny Indrayana et al.; MKMK Decision Number 03/MKMK/L/11/2023 on the Report of Deputy Chief Justice Sadi Isra reported by People's Advocacy for the Archipelago (ARUN), et al; MKMK Decision Number 04/MKMK/L/11/2023 on the Report of Constitutional Judge Arief Hidayat reported by Cipta Karya Keadilan Legal Aid Institute, et al.; and MKMK Decision Number 05/MKMK/L/11/2023 against the Reporting Constitutional Judges Manahan M.P. Sitompu, Enny Nurbaningsih, Wahiduddin Adams, Suhartoyo and Daniel Yusmic P. Foekh and M. Guntur Hamzah (Constitutional Judges) reported by the Indonesian Legal Aid and Human Rights Association (PBHI), et al.

After the decision to dismiss the Chief Justice of the Constitutional Court by MKMK, this received a response from the Chairperson of PDI Perjuangan, Megawati Soekarnoputri, during a speech related to the current political dynamics which was broadcast online, on Sunday (12/11/2023). Megawati revealed that MKMK's decision to nine constitutional judges was a bright light amid the darkness of democracy. The General Chairperson of the PDI-P (PDI-P), Megawati Soekarnoputri, appreciated the decision handed down by the Honorary Council of the Constitutional Court (*Majelis Kehormatan MK*) to the nine judges of the Constitutional Court (MK) regarding the Constitutional Court's decision on the age limit for presidential and vice presidential candidates. Megawati said that the decision was a manifestation that politics was still based on truth and common sense. She called the Constitutional Court's decision on the age limit for presidential and vice presidential candidates a constitutional legal engineering. "The MKMK decision has provided a bright light amid the darkness of democracy. The MKMK's decision is proof that moral strength, politics of truth, and politics of common sense still stand strong despite facing constitutional legal engineering," she said in a speech entitled 'After a Long Wait, It's Time to Express Conscience' which was broadcast online on YouTube PDI Perjuangan, Sunday (12/11/2023). Megawati emphasized that the constitution is the institution of the life of the nation and state that must be followed properly. Then, she remembered when she was still serving as the 5th President of the Republic of Indonesia.

Megawati recounted her struggles when establishing this Constitutional Court institution such as making laws to finding a building for the activities of judges and employees. "With its role being so important, I was very serious in working on its establishment. I as President, accompanied by the Minister of State Secretary, looked for the building myself and I decided

near the Palace, which is a very strategic place called Ring One so that the Constitutional Court must be useful, not for individuals, but for the people, nation, and state," Megawati also explained that the ideals of the establishment of the Constitutional Court were a form of people's resistance to face the authoritarian government in the New Order era. "It was not an easy and beautiful process. Because at that time, until now, we should still remember with a sad heart the sacrifices of the people and students through the events of Kudatuli, Trisakti, Semanggi, to various abductions of activists, part of the people and others." "There are many living witnesses who have remained silent until now." However, reflecting on the formation of the Constitutional Court, which she said was full of sacrifices, Megawati regretted the Constitutional Court in the current era. She said there were various legal manipulations carried out in the Constitutional Court. According to her, This is because the government ignores the truth and does politics without conscience. "It is all due to the practice of power that has ignored the ultimate truth, politics based on conscience". Reflecting on the Constitutional Court's decision on the age limit for presidential and vice presidential candidates, Megawati also hopes that the public will guard the 2024 elections wholeheartedly. "We make the 2024 elections a momentum to get the best leader who truly represents the entire will of the Indonesian people, nurturing, so that Indonesia becomes a great nation, superior and stands on its own feet," she said. In general, Megawati emphasized that legal engineering should not happen again in the future. She revealed that the law must be a tool to realize justice, and truth and protect the Indonesian people. "With this justice, prosperity will surely be realized, so continue to hold tightly to the spirit of reform." "Don't forget to continue to guard democracy based on conscience. Do not be afraid to speak out, to have an opinion as long as everything remains rooted in the will of the people," Megawati said

### **The Importance of Cadre and Adherence to Principles in Political Parties**

PDIP has endorsed the candidate pair Ganjar Pranowo and Mahfud MD to run in the 2024 presidential election. At this point, the decision must be obeyed by all PDIP cadres and members, again including Gibran as a PDIP cadre. If there are cadres and party members who do not comply, said Basarah, then it is the same as if the cadre has violated the rules and ethics. Likewise in the case of Gibran. The Mayor of Solo has chosen not to comply with the party's decision line by advancing as a candidate for vice president. By itself in political ethics, Gibran has left the PDIP membership. "The decision that has been taken by Mrs. Megawati Soekarnoputri and even running for vice president outside the party's decision line, then in terms of the party constitution, in terms of party rules he (Gibran) has committed insubordination. Has done something different from the party's decision line," said Basarah at the DPP PDIP Party School, South Jakarta, Saturday (28/10/2023).

Basarah added, without having to issue dismissal sanctions, the public had also assessed that Gibran wanted to leave the PDIP and wanted to compete in the 2024 Pipres contest with Prabowo Subianto. On the other hand, PDIP is also still waiting for Gibran's organizational ethics to submit a letter of resignation and return the PDIP membership card to the Solo PDIP DPC. "So what we are waiting for is the political ethics of Mas Gibran, who is now running for vice president. So we are waiting for political ethics to accept the PDIP KTA. If you borrow the term Mas Rudy (Keltua DPC PDIP Solol), if the eastern people come, their faces appear, their backs appear," said Basarah. Previously, after carrying out the pipes registration stage,

Gibran Rakabuming Raka returned to work as Mayor of Surakarta. Gibran admitted that there were several tasks he wanted to complete after taking leave for vice presidential registration. One of them is meeting the chairman of the Solo PDI-P DPC to submit a PDI-P membership card (KTA) as a sign that he is no longer a PDI-P cadre. The Chairman of the Solo PDI-P DPC, FX Hadi Rudyatmo, requested that Gibran immediately submit his resignation and submit the KTA to the Solo PDI-P DPC. "Sola it (KTA PDI-P) is clear. Yes, later I will meet Mr. Rudy (Chairman of the Solo PDI-P DPC)," said Gibran, Friday (27/10/2023) Kompas TV.

Ahmad Basarah Calls Gibran Dissident, Reported by designers earlier, Ahmad Basarah called Gibran a dissident. According to him, PDIP cadres must be upright with the direction of PDIP Ketum Megawati Soekarnoputri regarding the candidate and vice president being carried. "In terms of party, we also have rules of the game. In terms of state, all Indonesian citizens are bound by national agreements which become the rule of the game for our society, nation, and state," Basarah told reporters at the PDIP Cadre School, Lenteng Agung, South Jakarta. "So PDIP cadres, let alone a cadre like Mas Gibran who has received the party's mandate, the people's mandate in Solo City to become Mayor of Solo, so naturally he is one of the PDIP elites," continued Basarah. He believes Gibran understands the articles of association of the PDIP. He then called Gibran insubordinate. "So in terms of the party constitution, in terms of party rules he has committed insubordination, has done something different from the party's decision line. Then by itself, above the law, there is political ethics. So when Mas Gibran decided to get out of the political decision line for the 2024 Pipres by nominating himself as a vice president," said Basarah (Iman, 2023).

Political parties as one of the pillars of democracy have a very important role, one of which is to prepare national leaders. On this basis, political parties are required to have good recruitment patterns and regeneration mechanisms. However, in reality, the majority of political parties today have not been able to carry out proper recruitment patterns and regeneration mechanisms because political parties are influenced by kinship politics, as well as instant regeneration mechanisms from among artists because they are considered to be able to gain votes due to their popularity. As a result, many party cadres who become national leaders are unable to fulfill the duties and responsibilities given and often abuse them for personal interests and their relatives.

Bung Hatta once stated that regeneration is the framework of nationalism because regeneration is the same as planting seeds to produce future leaders of the nation, leaders in their time must plant. The reason why leadership regeneration is so necessary is because all humans, including those who are now leaders, will one day end their leadership, whether they want to or not.

The process can occur because of several factors that make why leadership regeneration is very necessary, including (Rivai, 2006): a. The provisions of a person's leadership period in an organization b. The rejection of group members who want a change of leadership, either naturally or unnaturally c. The process of aamiah, namely the age that becomes old and loses the ability to lead (Retirement) d. Fatigue e. Death e. Can form an organization with an estimate of the amount of availability of leaders needed in the future on an ongoing basis.

The next important analysis to discuss is the need for principled regeneration in the party and its influence on the political ethics of national leadership in Indonesia. Especially the

advancement of Gibran as the vice presidential candidate in the 2024 elections. The term regeneration comes from the word "cadre", cadre originally came from a military term or struggle derived from the word *carde* which is defined as the permanent development of a core force that is needed at any time (Nanang Fattah, 2009). In its definition according to the popular scientific dictionary, regeneration is a person who is educated to continue the baton of a party or organization (Partanto, 1994). In other words, cadres are defined as people who are expected to play an important role in an organization.

Cadre and recruitment are two things that are part of the process of producing a leader. In this case, we can see the difference between regeneration and recruitment itself. According to Tead, leadership regeneration is the process of preparing someone to become a future successor leader who will assume important and great responsibilities within an organization. Therefore, this leadership regeneration process refers more to a process of moving a group of people toward a predetermined goal without coercion (Kartono Kartini, 2006). While the definition of recruitment according to Ivancevich recruitment is a set of organizational activities used to attract prospective employees who have the abilities and attitudes needed to help the organization achieve its goals. According to Cholisin, recruitment in political recruitment, for example, is the selection and appointment of a person or group to carry out several roles in the political system in general and government in particular.

Political recruitment usually includes the selection, selection, and appointment of a person or group of people to carry out several roles in the political system in general and the government in particular (Surbakti, 1992). But in reality, the implementation between regeneration and recruitment is still ambiguous in national politics, where there are still many parties that find it difficult to distinguish between the two. In the regeneration process, there are two kinds of processes, namely: informal regeneration and formal regeneration. In informal regeneration, the process can be seen from the daily life of people in the community. This is seen from childhood to adolescence and adulthood as a process of identity formation so that it has an advantage and can compete in every aspect of social life.

In informal regeneration, several criteria or indicators show its advantages, namely (Rivai, 2013):

- a. Positive personality
- b. Persistent
- c. have loyalty
- d. Dedication to the organization
- e. Having the nature and attitude of surrendering to God as the absolute determinant. Formal regeneration, regeneration is more formal in a planned, systematic, directed, and institutionalized way by the rules and laws that apply in the organization.

Political parties are considered to be the only institutions that channel the nation's leaders and state officials because political parties have a role, one of which is political recruitment. As stated, as state institutions that have the same political ideals and stand to be a tool for the nation's struggle, in general, political parties have a role as a means of political communication, political socialization, political recruitment, and conflict management. Furthermore, Azwar melnjellaskan Pelrfolrma pollitik party which delmikian crucial melnyelbabkan mellelmahkan



pelran and function selbagai lelmbaga /olrganisasi nelgara. The weakening of the political party's performance is caused by several factors, such as the low quality of polla relkrutmeln and melanism kadelrisasi within the political party. Instead, what is growing and developing is the strengthening of kinship politics and also the launching of instant candidates. According to the Director of Elkselkutif Poll-Trelking Institute Hanta Yuda, family politics damages the channel of deliberation, disrupts the rhythm of deliberation because it is not conscious, because deliberation is based on the community, as we are currently witnessing in the community, Gibran's advancement to become Cawaprels also cannot be separated from the instantaneous assessment of the community, which cannot be separated from Gibran's belief at the moment (Azwar, 2008).

If the recruitment pattern and regeneration mechanism are good, it will produce qualified and capable cadres as well, and vice versa. The production of qualified and capable cadres will certainly highlight the political parties from which the cadres emerge. So, the quality of cadres in political parties is strongly influenced by the recruitment patterns and regeneration mechanisms of the party. It can be imagined that if political parties as a source of national leaders do not have good recruitment patterns and regeneration mechanisms, this will certainly lead to various problems, one of which is shown by the existence of kinship politics. The growth and development of kinship politics.

When the DPP PDIP assigned Gibran as Mayor, according to the PDIP leadership it was appropriate, there must be regeneration (meris system) in the party. So when Gibran made a decision that was different from the PDIP Party's constitutional line, he was called an Interdisciplinary cadre (insubordinate), Placement carried out by cadres in the form of cadre assignments such as involving cadres in organizational activities that aim to provide direct experience and knowledge. And the last element is the party's obligation to direct the cadre's career by giving responsibilities such as making cadres as regional head candidates or legislative candidates, it can also distribute cadres to strategic positions in government by the potential and abilities possessed by cadres. PDI Perjuangan as a large party certainly has a system.

### **The Importance of Merit in Public Office**

The power to appoint candidates for office by the merit system, the skills system, and based on the competence and moral honesty of candidates, has been known as meritocracy. Meritocracy in office is the inherent power of a person who is the leader and has the right to appoint him. The process of power involving someone who has the right to appoint using the merit system in a government or non-government organization is a routine that we often encounter. A good system is that its realization is very dependent on who is the person who uses the system. If the people are ethical and based on strong religious morals, a true meritocracy will be born and benefit many people.

Meritocracy can result in different practices than it should because it is influenced by other factors. The quality of the leaders in charge of establishing meritocracy has a strong influence. Leaders who love power and whose moral-ethical foundation is weak can undermine meritocracy. Leaders who cleverly use scientific academic studies can use meritocracy to build a modern government that satisfies their ego.

This kind of behavior by leaders must be understood as creating a discriminatory factor. People instead of understanding the legal rules that apply, must find who determines the right place and the appropriate time to fit the solution (Thoha, 2016). A good leader must meet the standards of the merit system theory, which is as follows; The principle of the merit system aligns aspects of competence (competence), qualification (qualification), performance (performance), fair (fairness), and open (open). In the appointment of merit positions, it should be a value that is upheld to obtain professionalism, although the merit system is more used for ASN, prospective public officials must also know that it is important to master the science of bureaucracy and pursue a career either as a state official, or in the party system. In order not to cause social jealousy, the science of meritocracy is equally how to build branding to be a good public servant. In this case, Gibran must master a lot of meritocracy if Gibran wants to become a respected state official and must also be tested by time and space.

## CONCLUSION

Ethics is an intellectual choice of good and right based on ideal and material approaches. If we look closely at the national and international levels, ethics is incarnated as a legal law that has a political impact. While at the individual or communal micro level, ethics has a moral impact. Although in reality they often blend, basically ethics at a high level is a law with concrete sanctions, while at a low-level ethics is morality with mental sanctions.

Criticizing the advancement of Gibran Rakabuming Raka to become Prabowo Subiyanto's vice president in the 2024 presidential election, not judging Gibran as an individual, but Gibran's current status as Prabowo's vice president who has registered with the Indonesian KPU this has caused controversy for the Constitutional Court and the community, as well as political parties (PDIP) who have paved the way for Gibran to become the mayor of Solo who is currently serving (serving) has only been running for 2 years not as long as his duties as mayor, while PDIP with the Party's decision has decided on its presidential and vice presidential candidates, namely; Ganjar Pranowo and Prof. Dr. Mahfud MD. Dr. Mahfud MD. In terms of party and political ethics, Gibran has violated the rules of his party.

With the decision of the MKMK to dismiss the Chief Justice of the Constitutional Court Anwar Usman, it turns out that the institution that is a reference for the Law Courts can still be restored to its dignity in society. The next step is that judges in deciding cases must be independent without being intervened by power, for any reason. Law must be the commander in upholding democracy in Indonesia. Finally, in terms of political ethics, the Indonesian nation violates the values of politeness and propriety, because the Indonesian nation highly upholds the values of propriety, and kindness, in the organization, society, nation, and state. Personal freedom still has social limits, what are the restrictions (social rules)? Social rules are made to maintain the common interests of living peacefully amid society in the nation and state.

## REFERENCES

- Admin. (2023). *Pemilih Cerdas, Pemilu Demokratis: Pendidikan Politik bagi Kaum Milenial selaku Pemilih Pemula*. Reporter. <https://reporter.uki.ac.id/berita/index/2023060664-pemilih-cerdas-pemilu-demokratis-pendidikan-politik-bagi-kaum-millennial-selaku-pemilih-pemula>
- Agus Yulianto. (2023). *ini alasan PDIP tak keluarkan surat resmi berhentikan gibran*.

- ReJabar. <https://rejabar.republika.co.id/berita/s38792396/ini-alasan-pdip-tak-keluarkan-surat-resmi-berhentikan-gibran>
- Azwar, R. C. (2008). Pengembangan SDM Partai Politik: rekrutmen dan kaderisasi di Partai Golkar. *Pembaharuan Partai Politik*.
- Bertens. (1993). *Etika*. Gramedia Pustaka Utama. <https://onesearch.id/Author/Home?author=K.Bertens>
- Ekasari, K. dan Nurfitriasih, D. M. (2019). *Etika Bisnis*. Polinema Press. [https://www.google.com/search?q=Ekasari%2C+K.+dan+Nurfitriasih%2C+D.+M.+\(2019\).+Etika+Bisnis.+Malang%3A+Polinema+Press.+hlm.+3&oq=Ekasari%2C+K.+dan+Nurfitriasih%2C+D.+M.+\(2019\).+Etika+Bisnis.+Malang%3A+Polinema+Press.+hlm.+3&gs\\_lcrp=EgZjaHJvbWUyBggAEEUYOd](https://www.google.com/search?q=Ekasari%2C+K.+dan+Nurfitriasih%2C+D.+M.+(2019).+Etika+Bisnis.+Malang%3A+Polinema+Press.+hlm.+3&oq=Ekasari%2C+K.+dan+Nurfitriasih%2C+D.+M.+(2019).+Etika+Bisnis.+Malang%3A+Polinema+Press.+hlm.+3&gs_lcrp=EgZjaHJvbWUyBggAEEUYOd)
- F. Iswara. (1999). *Pengantar ilmu politik*. Binacipta. <https://onesearch.id/Author/Home?author=F.Isjwara>
- Fauziah Mursid. (2023). *No Pengamat Sebut Meminang Gibran Penuh Risiko*. *Republika Online*. <https://news.republika.co.id/berita/s2oh9t423/pengamat-sebut-meminang-gibran-penuh-risiko>
- Fitriani, F. F. (n.d.). *Media Asing Sebut Dinasti Politik Jokowi Bakal Rugikan Ekonomi RI*. *Bisnis.Com*. <https://ekonomi.bisnis.com/read/20240118/9/1733403/duh-media-asing-sebut-dinasti-politik-jokowi-bakal-rugikan-ekonomi-ri>
- Franz Magnis-suseno. (1988). *Etika Politik*. Gramedia Pustaka Utama. <https://www.gramedia.com/products/conf-etika-politik>
- Hans Kung. (1999). *Etika Global*. One Search. <https://onesearch.id/Author/Home?author=Hans+Kung>
- Hariantati, R. (2003). Etika Politik dalam Negara Demokrasi. *Jurnal Demokrasi*, 2(1).
- Hudha, A. M., & Rahardjanto, A. (2018). *Etika Lingkungan (Teori dan praktik pembelajarannya)* (Vol. 1). UMMPress.
- Iman, A. N. (2023). *Disebut Membangkang oleh Basarah PDIP, Gibran Bilang Begini*. *Detik Jateng*. <https://www.detik.com/jateng/berita/d-7008260/disebut-membangkang-oleh-basarah-pdip-gibran-bilang-begini>
- Itma mil wafa. (n.d.). *Profesi guru sebagai pendidik profesional* [Universitas Lambung mangkurat]. [https://www.google.com/search?q=Susanto%2C+Heri+\(2020\).+Profesi+Keguruan&oq=Susanto%2C+Heri+\(2020\).+Profesi+Keguruan&gs\\_lcrp=EgZjaHJvbWUyBggAEEUYOTIHCAEQIRigATIHCAlQIRigAdIBBzc0N2owajeoAgCwAgA&sourceid=chrome&ie=UTF-8](https://www.google.com/search?q=Susanto%2C+Heri+(2020).+Profesi+Keguruan&oq=Susanto%2C+Heri+(2020).+Profesi+Keguruan&gs_lcrp=EgZjaHJvbWUyBggAEEUYOTIHCAEQIRigATIHCAlQIRigAdIBBzc0N2owajeoAgCwAgA&sourceid=chrome&ie=UTF-8)
- Kartono Kartini. (2006). *Cover Image Pemimpin dan Kepemimpinan*. One Search. <https://onesearch.id/Author/Home?author=KARTONO%2C+Kartini>
- Kiki Siregar. (2023). *Pengamat: Gibran jadi cawapres menguntungkan Prabowo, tapi merugikan demokrasi*. Channel Newsasia. <https://www.channelnewsasia.com/indonesia/pemilu-presiden-prabowo-subianto-cawapres-gibran-rakabuming-joko-widodo-3868506>
- Madjid, N. (1992). *Islam: Doktrin dan Peradaban*. Yayasan Wakaf Paramadina Jakarta.
- Magnis Soseno, Frans. 1988. Etika Politik. Gramedia. Jakarta, p. 12. (1987). *etika politik*. Gramedia. <https://onesearch.id/Author/Home?author=Magnis-Suseno%2C+Franz%2C+1936->
- Murya, A., & Sucipto, U. (2019). *Etika dan tanggung jawab Profesi*. Deepublish.
- Nanang Fattah. (2009). *Landasan Manajemen Pendidikan / Nanang Fattah*. Remaja Rosdakarya : Bandung. [https://senayan.iain-palangkaraya.ac.id/index.php?p=show\\_detail&id=4946&keywords=](https://senayan.iain-palangkaraya.ac.id/index.php?p=show_detail&id=4946&keywords=)
- Nurfaizi, S. R. (2020). Kepala Negara Dalam Sistem Ketatanegaraan Indonesia Perspektif

- Siyasah Islam. *DIKTUM: Jurnal Syariah Dan Hukum*, 18(2), 233–247.
- Panggabean, H. (2020). *Buku Ajar Etika Dan Hukum Kesehatan*.
- Partanto, P. A. dan M. D. A.-B. (1994). *Kamus Ilmiah Populer*. One Search. <https://onesearch.id/Record/IOS4100.slims-17795>
- Rivai, V. (2013). *Kepemimpinan dan perilaku organisasi*.
- Sabik Aji Taufan. (2023). *Secara Etika Gibran Bukan Lagi Kader PDIP, Begini Penjelasan Lengkapnya*. Jawapos.Com. <https://www.jawapos.com/politik/013167612/secara-etika-gibran-bukan-lagi-kader-pdip-begini-penjelasan-lengkapnya>
- Surbakti, R. (1992). *Memahami Ilmu Politik*, Jakarta: Grasindo, Syarbaini, Syahrial, dkk. 2002. *Sosialisasi Dan Politik. Jakarta: Ghalia Indonesia*.
- Thoha, M. (2016). *Birokrasi dan Dinamika Kekuasaan*. Kencana.
- Tjaronosari dan Herianandita, E. (2018). *Etika Profesi*. Scribd. [https://www.google.com/search?q=Tjaronosari+dan+Herianandita%2C+E.+2018.+Etika+Profesi+\(PDF\).+Pusat+Pendidikan+Sumber+Daya+Manusia+Kesehatan.+hlm.+5.+Diarsipkan+dari+versi+asli+\(PDF\)+tanggal+2021-12-13.+Diakses+tanggal+2021-12-13.&dq=Tjaronosari+dan+Her](https://www.google.com/search?q=Tjaronosari+dan+Herianandita%2C+E.+2018.+Etika+Profesi+(PDF).+Pusat+Pendidikan+Sumber+Daya+Manusia+Kesehatan.+hlm.+5.+Diarsipkan+dari+versi+asli+(PDF)+tanggal+2021-12-13.+Diakses+tanggal+2021-12-13.&dq=Tjaronosari+dan+Her)

### Copyright holders:

Ngudi Astuti<sup>1</sup>, Dewi Setyarini<sup>2</sup> (2024)

First publication right:

JoSS - Journal of Social Science



This article is licensed under a Creative Commons Attribution-ShareAlike 4.0 International