Abstract

This research analyzes the problems of democratic and aspirational recruitment models and mechanisms for legislative candidates by political parties, aiming at formulating cadre-based recruitment arrangements that best represent democratic ideals. Using normative legal, conceptual, statutory and comparative approaches, this article argues that there are two principal recruitment problems. First, legal arrangement pertaining to methods, procedures, and requirements for the recruitment is generally absent from the statutory regulations. Second, the internal process of decision-making
within the political party is generally undemocratic, owing partly to the pragmatism and power-oriented calculation of the elites within the party. Recommendation for ideal recruitment arrangements is thus proposed to ameliorate these problems. Among others, the recruitment by political parties must consider aspects of representativeness, ideological consistency, internal political party flow, development of career path-based cadre systems, and quota fulfillment. Additionally, political party cadre needs training to boost their skills in carrying out main duties and functions as a member of the Board People’s Representatives.

Keywords: Recruitment and Cadre Formation Patterns; Candidates for Legislative Members; Political Parties

A. Introduction

Political parties are actually the heart of democracy¹ because the functioning of “...democracy in modern countries requires the role of political parties.”² In this respect, there are at least two main roles of political parties, namely representation and articulation of aspiration.³ In terms of representation, political parties function to represent structures, orientation, worldviews and interests of the society.⁴ In this context, it is not uncommon for political parties to manifest in certain ideologies whose orientation comes from the ideological understanding that develops in society. To put it differently, political parties can also be seen as “a reflection of interests and thoughts” in society that develop from times to times.⁵

⁵ Ida Farida Et Al., “Political Parties And Development In Indonesia Political,” International Journal Of Innovation, Creativity And Change 13, No. 10 (2020): 1583–94.
The articulation of aspiration is actually an extension of the role of representation of political parties. This is due to the fact that various groups of people whom the party represents certainly have different aspirations and demands. Political parties accommodated these demands and subsequently channeled them through various mechanisms available for deliberation in various aspirational spaces, one of which is through parliament. Parliament is actually an institution in which political parties fight for the interests of their constituents. By bringing together the conflicting demands and interests of the society into the peaceful deliberation in the parliament, political parties can also reduce and manage the potential conflict in the society. Other important function of political parties in relation to democracy is that they provide shelter to cadres and future leaders of the nation. These cadres and sympathizers alike are actually representatives and “mirrors” of central figures in the society. Through cadre-recruitment system in the party, these figures arise and participate in political contestation as a way of becoming legitimate leaders of their society. 

Even though cadre formation is the most important means for political parties to create professional and responsible DPR member candidates, there are two problems hindering the attainment of such

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11 Brug, “Candidate Selection in Comparative Perspective: The Secret Garden of Politics.”
objective, namely juridical and cultural. The juridical problem related to political cadre formation by political parties is that the provisions of Article 12 of Law no. 2 of 2008 concerning Political Parties (Political Party Law) only generally protect the rights of political parties along with the mechanisms for establishing political parties. However, the Political Parties Law does not yet emphasize how political parties can exist and be empowered to run the wheels of democracy in Indonesia. More importantly, the law has not yet regulated and facilitated the ideal arrangements for optimal political cadre formation that can produce DPR members who are capable of representing both party ideology and the interests of their constituents.

From a sociological point of view, the inefficacy of the political party recruitment process is also influenced by the predominantly feudalistic political culture of Indonesian society. Such culture places society not as constituents of political parties, but rather as clients in a non-accommodative patron-client relationship. Apart from that, feudalistic political culture also reflects in the domination of political parties by certain elites and figures. Thus, it is common in Indonesia

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that Party A is always associated with figure E and Party B is always associated with figure F. This figure orientation makes political parties seem to be owned by certain powerful “figures”, “elites” or “certain circles” within the party itself.  

From the philosophical perspective, political party recruitment is the absolute domain and territory of political parties in which they determine the recruitment policies and mechanisms that are appropriate for their own circumstances. By being completely left out to the internal political party, the political party recruitment model is not only different at a practical level from one party to another, but also dissimilar in its orientation. Therefore, it is not uncommon for political parties to have populist recruitment model by which they accommodates grass-root participation, on the one hand, and to have elitist model by which the recruitment process is carried out by a handful of political party elites or by the special authority of the general chairman, on the other. This phenomenon is also partly caused by the formulation of political party provisions in the constitution that are intended to be “political vehicles” for certain Presidential, Vice Presidential, and legislative member candidates. Juridically speaking, as can be seen from the Law on Political Parties, the regulation on patterns, models and ideal standards for political party recruitment in Indonesia is virtually absent. This legal vacuum has forced the political parties to determine their own models and ideal standards from various aspects through the political party’s internal Articles of Association and Bylaws (AD and ART). This arrangement, in turn, has the tendency to create injustice and legal uncertainty because each political party will have their own models and ideal standards that may or may not compatible with the principles

of equality and democratic fairness.

The fact that many public figures who participated in the 2019 to 2024 legislative election did not go through a proper internal party cadre recruitment process actually suggests that there are problems in the recruitment process itself. This research specifically seeks to analyze the problems of cadre-based recruitment of DPR member candidates by political parties and attempts to formulate *ius constituendum* or ideal cadre-based recruitment arrangements. Research on political party recruitment and cadre formation has actually been carried out by three previous researchers, including: (i) research conducted by Al Qarni and Syamsudin (2023) which focused on discussing local Acehnese parties’ role in devising recruitment and cadre system that can increase public trust. The novelty of this research lies in its emphasis that to increase public trust, Aceh local parties could develop cadre recruitment in manners that are responsive, transparent, and accommodative of current societal issues. Further research was conducted by (ii) Danuwidjaja (2023) who focused on studying cadre formation and ideology of a political party. Danuwidjaja demonstrates that the ideal political party cadre formation process must refer to and socialize party ideology so that it is understood as the basis for the actions and movements of political party members. Further research was conducted by (iii) Putri and Wati (2023) who analyzed women’s cadre formation as an effort by political parties

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to prepare for the 2024 general election.\textsuperscript{27} The novelty of Putri and Wati’s research (2023) lies in their insistence that cadre formation for women needs to be carried out in order to implement the principle of gender equality and to fill in the required seat quota for women in the parliament. Of the three previous studies above, research that specifically discusses the problems of cadre-based recruitment of DPR candidate members by political parties and attempts to initiate future ideal cadre-based recruitment arrangements has been generally absent. This is the gap that this article seeks to fill.

This research, which focuses on future arrangements or \textit{ius constitutendum} related to the recruitment of candidates for DPR members based on cadre formation by political parties, is normative legal research. The main characteristic of normative legal research is its focus on studying principles, theories, concepts, and authoritative legal materials such as statutory regulations and court decisions.\textsuperscript{28} The primary legal material in this research is the 1945 Constitution of the Republic of Indonesia, Law no. 2 of 2008 concerning Political Parties (Political Party Law), as well as Law no. 7 of 2017 concerning General Elections (Indonesia: Pemilu). Secondary legal materials are books, journal articles, and research results that discuss political parties and aspects of cadre formation and recruitment. Non-legal materials are language dictionaries. The approaches used are the statutory approach, the concept approach and the comparative approach. Analysis of legal materials is carried out in a qualitative-prescriptive manner which focuses on legal issues to be answered through prescriptions or legal solutions to existing problems.\textsuperscript{29}


B. Current Patterns of Recruitment and Cadre Formation for Prospective Legislative Members by Political Parties

The transition that occurred from the New Order regime to the reform era has brought major changes to the political system in Indonesia and placed political parties as the supporting pillars of the democratic system being implemented. Political parties play a very strategic role as intermediaries between the government administration and citizens. Apart from that, political parties also have various functions which, if carried out properly, can guarantee a healthy and effective democracy. However, political parties in Indonesia today tend to perform functions that are contrary to the expectations of the society they are supposed to represent.

Furthermore, the public has a skeptical view of the ability of political parties to carry out their functions. The emergence of this skepticism is more or less caused by the increasing number of negative media coverage of politicians, especially with regard to their corruption. Two corruption cases at the end of 2020 which involved ministers with political backgrounds, further strengthened the public’s negative view of the image of political parties, especially as the corruption case committed by one of the politicians who get involved in distributing social assistance funds intended for the people who face the economic crisis in the wake of the Covid-19 pandemic.

The results of a study conducted by the Partnership stated that corruption cases involving politicians were not solely due to personal motives or lack of integrity of the politicians themselves but also to political parties’ need for large amount of funds to win elections. Usually, when these parties are in power, they will compensate these funds using public money. Apart from that, recent evidence has shown that political party has been increasingly dysfunctional. For instance, political education for the community, which is one of the functions of political parties, is rarely carried out. The massive dem-

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onstrations against the Job Creation Law that occurred in 2020 also demonstrated the failure of political parties to perform their function as vehicle for articulating and aggregating interests.

The emergence of such terms as political dowry, patronage, and clientelism in various studies and public discourses can be used as indicators for the declining public trust against the political parties. Studies conducted on the performance of political parties in Indonesia have concluded that many political parties have not been able to fulfill the expected roles and functions. The symptoms of this problem include cartel politics, in which the parties and their activities no longer represent the interests of their constituents or the public but their own interests. Other symptoms also include the weakening of party ideology, lack of quality administrative systems, unclear patterns of recruitment and cadre formation, and the fundraising crisis.

The ideology of a political party will provide guidelines and values that guide each cadre and administrator in carrying out political programs and activities in society. Apart from that, ideology also becomes a political framework by which political parties discuss, debate, and resolve various existing societal problems. Viewed from the context of public policy, ideology also determines political parties’ response in approving or rejecting certain proposed policies. Then the most important thing is that the ideology of a political party can attract voters who share the party’s values and beliefs.

This phenomenon described above shows that political parties do not care about developing democracy in general and strengthening their own political parties in particular. They only care about the aspirations of certain individuals and groups. As such, political par-

34 Endro Tri Susdarwono, “Correlation Of The Number Of Participants Of Political Parties In The Election To The Vote Of A Political Party,” Jppol: Jurnal Poros Politik 4, No. 1 (2022): 1–10.
ties have not been able to carry out their various functions as conflict regulators and as means of political communication, political socialization and political recruitment. The importance political parties in a democratic country, especially with respect to recruiting cadres who can be nominated as credible and qualified candidate for DPR member, is actually relevant to the provisions of Article 12 of the Political Parties Law, which states that one of the functions of political parties is as a mean of recruiting professional political party cadres to be nominated for member of the DPR candidature.\textsuperscript{35} Such legal provisions in line with the view of Gabriel A. Almond who states that functions of political parties include recruitment of professional political members who have integrity and being worthy of being nominated as a legislative candidate.\textsuperscript{36}

Effective and professional cadre recruitment as the main function of political parties is also agreed by Afan Gaffar who views that the function of cadre recruitment in political parties is actually related to their leadership function; that is the role of political parties in creating future leaders who share the party’s ideology and who will later occupy various strategic positions in the government.\textsuperscript{37} His view is actually in agreement with Ivancevich’s opinion which states that like a company, a political party also needs militant cadres who do not only understand and are upright with the party’s ideology but also have electoral qualities that make them worthy of being nominated for prospective legislative members.\textsuperscript{38} Referring to the views of Gabriel A. Almond, he and Ivancevich above, suggest that recruitment of political party cadres is an important process because apart from being aimed at selecting political party leaders now and in the

\begin{thebibliography}{9}
\item\textsuperscript{36} Colin Rallings et al., “Parties, Recruitment and Modernisation: Evidence from Local Election Candidates,” \textit{Local Government Studies} 36, no. 3 (2010): 361–79.
\end{thebibliography}
future, it can also be an effort to prepare future national leaders.\textsuperscript{39}

Following Lester Seligman,\textsuperscript{40} the political recruitment pattern itself includes two processes: first, a change in role from non-political to influential political role and; second, the determination and selection of people to hold special political roles. In other words, two recruitment patterns of political parties include recruitment of new party members and recruitment of party members who meet the selection requirements for occupying important positions in political parties and contesting for public political positions through elections. However, what is happening today is that important positions within political parties are filled through election that is dominated by transactional, oligarchic and non-transparent practices. Several current parties, such as Gerindra, Demokrat and PDI Perjuangan, have politicians, who still have close relationships with internal party officials, in high-ranking positions. For example, Agus Harimurti Yudhoyono, Puan Maharani, and Hasyim Djoyohadikusumo are illustrations of the kinship relations within the party.\textsuperscript{41} This political arrangement may hinder aspiring young politicians who are not part of the elite circle to be appointed in strategic governmental posts.

Furthermore, based on the KPU (General Election Commission of Indonesia) data on the 2020 regional head elections, there were at least 25 regions that held elections with a single candidate. The increase in the number of single candidates from time to time in each regional head election period suggests that there is something wrong with the recruitment function of political parties. Given the multi-party system implemented in the country, it is expected that the competition level will be higher as the number of voters is large and their background is plural.

The recruitment process carried out by political parties is in fact

\textsuperscript{39} Gary Marks And Marco Steenbergen, “The Social Bases Of Political Parties: A New Measure And Survey” 1, No. 1 (2022): 5.
\textsuperscript{41} Hevi Dwi Oktaviani, “Regulation Of Political Parties In Legislative And Presidential Elections In Constitutions In Various Countries,” \textit{Hermeneutika: Jurnal Ilmu Hukum} 6, No. 2 (2022).
very far from being selective and democratic and tends to prioritize the principle of symbiotic mutualism. The mushrooming of political dynasties in various regions cannot be separated from the weakness of such recruitment mechanism. Political dynasties and political parties are part of the same coin that influences almost every regional head election. At least, there were 158 regional head candidates in the 2020 regional elections who had political dynasty backgrounds, and the most obvious ones was the son and the son-in-law of President Joko Widodo, namely Gibran Rakabuming and Bobby Nasution respectively.\textsuperscript{42}

This undemocratic and dynastic-leaning recruitment system has closed opportunities for merit-based recruitment process that may give access to high-quality political candidates with less political connection and insufficient resources to assume strategic political positions. Regarding recruitment by each political party, Cholisin believes that political party recruitment activities are oriented towards the regeneration of political parties.\textsuperscript{43} Regeneration of political party cadres here means that recruitment is a mechanism for creating future political party leaders who understand the ideology of political parties and the demands and interests of their constituents.

Referring to Syamsuddin Haris’s view, the recruitment process for political party cadres generally consists of three stages\textsuperscript{44} which include: selection of potential political party cadres, screening of these cadres through certain mechanisms in accordance with political party statutes and/or bylaws, as well as the process of strengthening their qualifications to become contestants in the legislative elections.\textsuperscript{45}


The stage of selection starts with the socialization of political parties and introduction of the ideology, vision, mission and orientation of a political party to the wider audience. This socialization is intended to attract as many candidates as possible, particularly women and younger generation, to participate in the selection process.\textsuperscript{46} The existence of millennial generation and women in the selection can also support the professionalism and representation of a political party.

The next process is screening political party cadre candidates through certain mechanisms in accordance with the political party’s statutes and/or bylaws, where at this stage political parties begin to select candidates that are suitable with and relevant to the political party’s ideology and orientation. The screening is carried out strictly and substantively by referring to the political party’s AD and/ART, including assessment by political party leaders. The next stage is strengthening the qualification of political party cadres so that they can be nominated as contestants in legislative elections. This stage can be said to be an advanced one, as it is the final stage in which the political party cadre is prepared to participate in the legislative election. At this stage, political parties carry out consolidation to ensure that political party cadres have a deep understanding of the ideology and orientation of political parties, including understanding of populist issues that are developing in society.\textsuperscript{47}

Political party recruitment, which is aimed at producing loyal political cadres who understand the ideology and orientation of political parties as emphasized above, is also not the only method of cadre formation available to political parties.\textsuperscript{48} Political parties generally implement two types of recruitment, namely formal and in-


formal recruitment.⁴⁹ Formal recruitment is the one that is general, planned, structured, and strictly regulated in the AD and/ART. One example of formal political party recruitment is the one described by Syamsuddin who emphasized the three stages of recruiting political party cadres, i.e., selecting, screening, and strengthening the qualification of potential political party cadres to compete in the legislative elections.

The political party recruitment process is hereinafter referred to as an informal process. In the informal process, recruitment is not carried out in a planned and specific manners as regulated in the political party’s AD and/ART. The informal recruitment process is carried out in certain ways, the purpose of which is to encourage electable public figures or community leaders to join a political party and to participate in a special cadre training offered by the party.⁵⁰ One example of informal cadre formation carried out by political parties is the training of artists and community figures to contest for legislative elections. Even though it does not go through general recruitment channels, informal political party recruitment also emphasizes the importance of a deep understanding of the ideology and orientation of political parties by each political party cadre. Therefore, the informal recruitment process for political party cadres is also substantively the same as the formal political party recruitment process, even if the method of each approach is different.

Although the informal recruitment process for political party cadres is substantively the same as the formal one, in practice informal recruitment is sometimes not carried out with the aim of creating professional and trustworthy cadres with a deep understanding of the ideology and orientation of political parties.⁵¹ In other words,

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the informal recruitment process is done pragmatically, intended for prioritizing the electability of a DPR member candidate. Although such pragmatic recruitment can cash in votes instantly, it may actually degrades the essence of a political party cadre recruitment that is intended for understanding political parties’ ideology and orientation.\textsuperscript{52}

The informal recruitment generally has three negative impacts

\textsuperscript{52} Zeynep Aydin Et Al., “The Web Of Hate : Fragmentation Of Media Authority And Its Link To Right-Wing Populism And Cyber Islamophobia,” \textit{Jurnal Komunikasi: Malaysian Journal Of Communication} 37, No. 3 (2021): 231–43.
on political parties. First, the existence of “instant and privileged cadres” through pragmatic informal recruitment can have an impact on the solidity of political parties because it may treat cadres who are recruited through formal procedures unfairly and, hence, may lead to internal discontent and conflict among party cadres.\

To make this happen, political recruitment patterns should be built by applying principles good management (good governance), with implementing the Integrity System concept Political Party (SIPP). This will guarantee opportunities in the recruitment process will be better, credible, modern and accountable.

The Chart 1 is shown as an illustration of the current flow of recruitment and cadre formation of legislative candidates by political parties.

C. Reconstruction of Cadre-Based Recruitment Patterns for Candidates for Legislative Members by Political Parties (Democratization Efforts)

As a general rule of thumb, political recruitment functions are carried out based on the AD/ART (Memorandum of Association/Articles of Association) of the political party concerned. However, almost all political parties do not regulate the implementation of political recruitment in their party’s AD/ART. Political recruitment has so far been carried out pragmatically or in accordance with the wishes of political party elites. One of the reasons for this is the absence of political recruitment principles as a result of which political parties do not have guidelines for drawing up political recruitment mechanism in the political party’s AD/ART.

The term political recruitment is not clearly mentioned in the constitution or UUD 1945. However, there are articles that regulate the mechanism for filling government positions or selection of state officials. According to J.A.H. Logemann, allocation of government positions is one of the main issues of constitutional law. As vari-

54 Fionna, Ulla. Party Career and Intra-Party Democracy.” Chapter. In The In-
ous actors compete to secure seats in government positions, they become a scarce resource that attracts public attention. Issues surrounding government positions include the procurement and acceptance of positions, how to occupy them, transition, termination and the abolition of the position. Meanwhile, the method of appointing positions includes inheritance, appointment, election and replacement of positions in turns.

From a constitutional law perspective, government positions are known as public positions. Literally, “public office” is nothing other than public position that matters to the general public, that is the people as a whole. However, as a legal term, “public office” in a narrow sense is usually associated with the “state official” whose administrative rights in the form of financial benefits and certain protocols are administrated in accordance with special government regulations.

According to the perspective of state administrative law, public position is a permanent and delimited work environment which is provided to be occupied by appointed office holders and to be represented by them as individuals. The work environment contains certain functions which reflect the goals and work procedures of the organization. Meanwhile, office holders are officials who are individuals (natuurlijkpersoon) sitting in a position with the duties and authority to realize various functions of that position.

The appointment of state officials is not solely due to the nature of their authority, but also because of the legal basis for their formation which assigns them a status of public officials. Unfortunately, statutory regulations do not have consistent standards to be used in determining which institutions belong to the state and which ones do not. The determination is purely based on abstract normative criteria based on Law or PP. Meanwhile, in general, looking at various court decisions in the United States, public office holders are allocated based on their authority to make decisions on behalf of the state or public interest. If the position in question is only “advisory,” which contains non-binding considerations or non-coercive recommenda-
tions in the decision-making process, the position is not considered a “public office”.

In the perspective of political science, term political recruitment is used to refer to the allocation or appointment of public officials. According to Ramlan Surbakti, political recruitment is the selection and appointment of a person or group of people to carry out a number of roles in the political system in general and the government in particular. Recruitment is a part of practice of seeking and maintaining power and also of selecting talented people to actively participate in political activities as members of political parties. The term political recruitment is used by Law No. 2 of 2011 which regulates that one of the functions of political parties is to carry out political recruitment, the purpose of which is to select cadres of state leaders at certain levels and positions. Some of these cadres are elected directly by the people, while others are elected indirectly, such as by the DPR.

Specifically in the political context, political recruitment often refers to selection of candidates for legislative and executive positions. Theoretically, candidate selection is the key and determining stage, because this process will shape who will become the people’s representatives and who will govern. These outcomes, of course, depend on the process used, which usually comprises three stages, namely the certification, nomination and selection stages. According to Pippa Norris, the certification stage includes determining the desired criteria, internal party rules, election rules and social norms. Meanwhile, the nomination stage is related to the availability of party cadres who meet the requirements for filling the positions. The next stage is related to the election process, which is generally related to how to vote, who is involved in voting, and how to determine who wins.

In the process of filling public position, there are only two important qualifications. First, whether or not the allocation of position requires participation or support from the people (public); secondly, whether the filling of the position must be carried out col-

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legally or by certain individuals. These qualifications are related to accountability, supervision and control of the holder of a particular position. Holders of office are called officials and a distinction is made between appointed and elected officials. Elected officials are recruited through the process of: (i) direct election by the people, (ii) direct election by the people but not through a general election, (iii) indirect or semi-direct election, namely through the electoral council, or ‘electoral college’ (iv) indirect election through the DPR. Meanwhile, officials recruited through appointment are civil service officials, both civil and military, as regulated in the laws governing each and in Law Number 5 of 2014 concerning State Civil Apparatus.

Officials recruited through direct election by the people in Indonesia include President and Vice President in the presidential election, Governors and Deputy Governors for Regional Heads of Provinces other than the Governor of the Special Region of Yogyakarta, Regent and Deputy Regent other than Regent in the Special Capital Region of Jakarta, Mayors and Deputy Mayors, other than Mayors in the Special Capital Region Jakarta, members of the People’s Representative Council (DPR), members of the Regional Representative Council (DPD), members of the Provincial Regional People’s Representative Council (Provincial DPRD), members of the Regency Regional People’s Representative Council (Regency DPRD) except administrative districts in the Special Capital Region of Jakarta, members of the Council City Regional People’s Representatives (City DPRD) except administrative cities in the Special Capital Region of Jakarta, and Village Heads.

Based on Article 22E paragraph (3) of the 1945 Constitution, political parties are contesting participants in the general election of legislative or DPR and DPRD members. Likewise, as regulated in Article 6A paragraphs (1) and (2) of the 1945 Constitution, the selection of President and Vice President candidates in the presidential election is proposed by a participating political party or a combination of participating political parties before the general election is held. Meanwhile, according to Article 22E paragraph (4) of the 1945 Constitution, participants in the general election for electing members
of the DPD are individuals. Participants in the village head election are individuals selected by the Election Committee as regulated in Articles 34 and 35 of Law Number 6 of 2014 concerning Villages.

Articles 223 and 241 of Law no. 7 of 2017 concerning General Elections stipulate that the selection of President and Vice President candidates as well as candidates for members of the DPR and DPRD must be carried out democratically and openly in accordance with the AD/ART and/or internal regulations of the political parties participating in the election. The election of Governors, Regents and Mayors must also be carried out democratically in accordance with Article 18 paragraph (4) of the 1945 Constitution and with Law Number 8 of 2015 concerning Amendments to Law Number 1 of 2015 concerning Perpu Number 1 of 2014 concerning the Election of Governors, Regents and Mayors. The law also stipulates that the election of Governors, Regents and Mayors, hereinafter referred to as Elections, is a direct and democratic implementation of people’s sovereignty in Provinces and Regencies/cities. The nomination of candidates for Governor, Regent and Mayor is also carried out by political parties and individuals.56

Based on the formulation of these regulations, the appointments of members of the DPR/DPRD, President and Vice President and Regional Heads is carried out through direct election with their nomination proposed by political parties. Article 29 paragraph (1a) of Law no. 2 of 2011 stipulates that nomination should be carried out through democratic cadre-based selection on the basis of the party’s AD/ART with at least 30% female representation. As mandated by the Law, the mechanism for implementing the political recruitment is regulated in the AD/ART of political parties. However, the AD/ART of political parties only regulates how to implement the party’s ideology, vision and mission in the form of political activities. Fur-

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thermore, recruitment dysfunction occurs because the recruitment process has so far been predominantly based on political calculation, bargaining over interests, and also the money of the candidate (dowry) but not on the basis of the capability and credibility of the candidate. Therefore, specifically related to political recruitment, clear guidelines or concepts are really needed so that there is a unified perspective and standard that apply to all political parties in recruiting prospective candidates for public office or political office.

Pippa Norris developed a model scheme and described the factors that influence the recruitment process by political parties for candidacy in elections. Norris’ scheme is divided into three stages, namely certification, nomination and election. The certification includes election rules, party rules and informal social norms that define the criteria for nomination of election candidates. Nomination is the process by which the selection committee decided who will be nominated in the election. Elections are the final step in which candidates contest to win public office. The ideal recruitment pattern should be formed because of existing political rights currently emasculated by the party oligarchy political. See the nature of rights politics and the nature of leadership wisdom and wisdom, then proceed recruitment of potential leaders in internal political parties should be leading to the law essence or rechtidee stated in the 4th principle of Pancasila, namely wise leader wisdom.

However, in fact Article 29 paragraph (1a) and paragraph (2) of the Law Number 2 of 2011 concerning Changes to the Law Number 2 of 2008 concerning Parties Politics actually provides opportunities law for discretionary authority and the power of political party elites to determine prospective candidates leader then has implications for authority authoritarian and oligarchic political party elites especially the general chairman as single determinant. That’s when creates un-

certainty and legal ambiguity of both normative and implementation, so it goes against the principle general election, cause the selection of candidates is not based competence and ability as well foster nepotism. The model or scheme offered by Pippa Noris, however, is a recruitment scheme that does not yet offer any form of cadre recruitment by political parties prior to their nomination for public office. Chart 2 is a schematic chart of political recruitment patterns according to Pippa Noris’s views.

According to Norris and Lovenduski, recruitment patterns are formed by the relationship between the availability of candidates
seeking a political career and the selection process established by political parties.\textsuperscript{59} There are two patterns of political party recruitment. First, the vertical pattern, namely party recruitment is carried out hierarchically following structural channels in the party organization. With this pattern, party organizations have the power to select who is the right candidate to assume political office. This pattern is usually referred to as a merit system. The merit system is a political party recruitment process that is based on certain standards of cadre selection such level of skills, capabilities and achievements. With this system, the paths of political career are shaped by the achievements or performance of cadres. Second, the lateral pattern, namely recruitment is open to all individuals, both within the party and outside the party. This pattern epitomizes the working of a democratic and a decentralized organizational system of the party. The recruitment process is carried out in a decentralized manner starting from the selection of potential candidates at the lowest local level up to the highest level of the party management.

In connection with the selection above, the process of candidacy is theoretically typified into two, namely exclusive (closed) and inclusive (open). According to Kenig and Rahat, the process of determining closed and open is determined by five actors, namely voters, party members, party delegates, parliamentary party groups, party elites and top party leaders. The word “pattern” as in political recruitment pattern is used to determine the system, working methods and form of each political party in political recruitment to select or select cadres, legislative candidate members, presidential and vice-presidential candidates, as well as regional head candidates. There are three considerations in the political recruitment process. First, political recruitment is a sensitive indicator of the values and distribution of political influence in a political society. Second, political recruitment patterns reflect and influence the interests and demands

of the society. Third, political recruitment patterns are also an important indicator for seeing development and change in a political society.

The emergence of the concept of competition in the world of politics has changed the political map today. Given the existence of plural and multiple contending political parties, any political party must compete for support or votes from the community. This support cannot be earned without putting in the effort and thought. The support from the community or people, which will determine the winner and/or the loser, is the main trophy in the political competition.

In fact, political parties are means for the community to participate in the state administration process. So based on this, to ensure the implementation of the state’s functions, there are political parties that support the government and there are political parties that balance the government. Political parties can simply be divided into two, namely political parties within parliament and political parties outside the parliament. Political parties in the parliament are the ones that have succeeded in placing their cadres in the parliament or representative or legislative institutions. Meanwhile, political parties outside parliament are the ones that operate in the society as a mass-based political organization outside the parliament.

There is a strategic role for political parties as guaranteed by the constitution, namely their role in proposing candidates for public office. This strategic role is regulated again in Article 29 of Law no. 2 of 2011 concerning Political Parties. This strategic role is given in the form of a political party function, that is to carry out political recruitment. Political recruitment is really needed as a way of providing candidates for public office either in the legislative or executive branches. Problems may emerge, however, if political parties themselves distorted the recruitment process for certain political interests. The Political Parties Law which delegates recruitment regulations to the AD/ART of political parties opens the opportunities for such distortions.

As there were problems regarding this political party recruit-
ment, attempts had been made to propose a judicial review at the Constitutional Court. Constitutional Court Decision No. 44/PUU-XX/2022 states that it rejects the applicant’s proposal, underlining that the provisions of Article 29 paragraph (2) of the Political Party Law actually make it clear that the essence of openness and democracy in the recruitment has been regulated by the political party’s AD/ART. This means that the Political Party Law has mandated the political parties to regulate the recruitment rules and mechanism on their own through their AD/ART. In effect, if the substance of a political party’s AD/ART implies undemocratic recruitment procedure, this can only be corrected through the internal mechanism of the AD/ART deliberation in each political party.

While the Constitutional Court Decision may not resolve the problem, it is necessary to have additional regulations outside the party’s AD/ART regarding the ideal model of political party cadre recruitment. These regulations can adopt political party recruitment patterns as proposed by Pippa Norris which comprises three stages, namely certification, nomination and election, that have been described in previous paragraphs. Apart from referring to Pippa Norris, the ideal political party cadre recruitment model can also apply eight principles consist of good character, practicality, ideological consistency, balance of votes, democracy, openness, justice and equality.

Chart 3. Phase I cadre recruitment process

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The eight principles should be accommodated into the Law of Political Parties and the revision of the law is required if problems of political party recruitment needed to be resolved.\footnote{Maria Silvya E. Wangga Et Al., “Criminal Liability Of Political Parties From The Perspective Of Anti-Money Laundering Act,” \textit{Jils (Journal Of Indonesian}
**Chart 5.** Phase III recruitment of candidates for legislative members

### Phase III Recruitment of Candidates for Legislative Members

**List of legislative candidates**

1. Party requirements
2. Requirements for legislative candidates according to the Election Law

**Certification Requirements**

1. Defined criteria
2. Age qualification (Min 25 years)
3. Education (Master: DPR RI and DPRD Provincial, Bachelor: DPRD City/Regency)
4. Electability and service in the electoral district (Min 1–2 years)
5. Political career while a cadre
6. Financial capability (optional)

**Nomination Requirements**

1. Report on the duties and job description of party administrators as a condition of service
2. Active in the process of winning the party in the election contestation

**Feasibility Competency Test**

1. DPR RI (Chairman of the DPP)
2. Provincial DPRF (Chairman of DPW)
3. District/City DPRD (Chairman of DPC)

**Party Advisory and Advisory Board**

**Party Candidates**

**Legislative Election**

**Ideological, Competent and Representative DPR/DPRD members**

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future, chart 3, 4, and 5 related to the cadre-based recruitment pattern for legislative candidates by democratic political parties.

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To develop cadre-based mechanism for recruiting candidates for members of the People’s Representative Council, political parties should determine the recruitment criteria, especially for evaluating the achievements of cadres who will be nominated as members of the legislature. These criteria include:

1. Recruitment Criteria
   a. Participation: the number of individuals interested and involved in the political party cadre recruitment process.
   b. Diversity: the suitability of candidates to party characteristics, such as educational background, gender, age and ethnicity.
   c. Competency: ability and qualifications of candidates to fulfill the demands of roles and responsibilities in a political party. The quality and capabilities of the recruited political party cadres, including education, political knowledge, ethics and integrity need to be tested.
   d. Loyalty: the level of loyalty and commitment of prospective legislative members to the political party that recruits them.
   e. Contribution: ability and commitment of candidates to make significant contributions to the development of political parties.
   f. Representativeness: the candidate’s ability to adapt and realize the interests of society and/or community groups. This also includes public support for the electoral district.
   g. Party Support: level of support and integration of legislative candidate members in political party networks and structures.

2. Cadre Criteria
   a. Political Education: the level of party members’ knowledge and understanding of political principles and party ideology which are in line with the wishes and duties of members of the people’s representative council.
   b. Political Involvement: the level of involvement of party members in political activities both inside and outside the party, such as campaigns, meetings, or including political communications.
   c. Legislative candidate expertise: namely the ability of party
members to lead, organize and mobilize other people in order to achieve party goals and realize the duties of legislative members. This also includes the cadres’ ability to articulate the will and aspirations of the community.

d. Social Integration: the involvement and networking of party members in groups, organizations and society with the aim of forming a base of support and trust.

e. Political Goals: the level of party members’ desire to occupy political positions, both at the local, regional and national levels.

f. Party Ideological Orientation: the extent to which the nomination of legislative candidates follows the ideological orientation of the political party.

The ideal setting for cadre-based political party (Parpol) recruitment can help build a strong and sustainable foundation for political parties. This is in accordance with the Revision of Law No.2 of 2011 concerning Political Parties. This law is related to the Principles of Cadre Recruitment by Political Parties and the Merit System.

E. Concluding Remarks

Discussion on cadre-based political party recruitment is crucial as far as it concerns with the future leadership of political party and the nation. Therefore, there are various standards of cadre-based political party recruitment such as quality cadres and their sensitivity to public issues, inherent political identity related to electoral districts, orientation towards community interests, understanding of religious norms and values, as well as experience in holding structural positions at the political party level. Apart from that, cadre-based political party recruitment is also intended as evaluation mechanism for prospective people’s representatives proposed by political parties so that they can measure their qualities and capacity to become people’s representatives.

The ideal model for political party cadre-based recruitment can be realized if the recruitment model adopts a merit system that
refers to individual qualities and experience in holding a position within political parties. Apart from being based on a merit system, the recruitment model can be better reflect democratic ideals if it accommodates eight principles of recruitment, namely character, expediency, ideology, balance of votes, democracy, openness, justice and equality. The scheme for regulating the cadre-based recruitment of prospective legislative members can be further proposed through government regulations that serve as technical guidelines for the implementation of the scheme. It is also necessary to stipulate the regulatory parts in the Political Party Law, including the “Book of Laws” contained in the articles of association (political party constitution), the “Organizational Code of Ethics” which is outlined in the household budget, and a “Code of Ethics” as a separate chapter that regulates the behavior of each Political Party cadre.

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