

**REVIEW ARTICLE**

# DYNASTY POLITICS IN INDONESIA: TRADITION OR DEMOCRACY?

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## ABSTRACT

The presence of political dynasties that encompassed power struggles at regional to national levels resulted in the substance of democracy itself being difficult to realize. The flourishing of political dynasties - especially in the regions - is inseparable from the role of political parties and regulations on the elections. Oligarchy in the body of political parties causes the mechanism of candidacy and nomination to not run as it should. During this time, there is a tendency for candidates to be nominated by political parties based on the wishes of the party elite - not through democratic mechanisms that take into account the subjective abilities and integrity of candidates. In addition, at the same time, political dynasties continue to build a strong network of power so that they can maintain their power within the party body both at the regional and central levels so that political dynasties are able to dominate and kill democracy in political parties.

Keywords: *Dynasty; Political Parties; Indonesia; Democracy*

## TABLE OF CONTENTS

ABSTRACT .....	531
TABLE OF CONTENTS .....	532
INTRODUCTION .....	532
METHOD .....	533
THE PRACTICE OF DYNASTIC POLITICS IN INDONESIA .....	533
THE DYNASTIC POLITICAL PHENOMENON IN INDONESIA: TRADITION OR DEMOCRACY? .....	534
CONCLUSION .....	537
REFERENCES .....	538

## INTRODUCTION

Since the end of the New Order era, Indonesia started a new era in the implementation of the government system, namely the government that we know by the name of the Reformation. Before the reform era, democracy was a hope that seemed difficult to achieve in the previous era. At that time, under the centralized power and restricting the movement in democracy, we wanted the freedom to express opinions and express, take part in the running of government, and enjoy the fruits of development in an equitable way. We dream of a government formed on the basis of democracy, that is, of the people by the people and for the people. We want democracy and a real republic. But after twenty-one years of living in a democracy, fundamental questions begin to emerge. Is it true that this nation wants democracy, or at least whether the current practice is genuine democracy (Gaffar, 2012: 9).

Discussing the problem of Democracy certainly cannot be separated from dynastic politics which seems to be contrary to the spirit of democracy itself. How can it be that the practice of kinship politics today is a hot topic in the world of politics in Indonesia. Kinship politics or what is often called "dynastic politics" is considered as the impact of weak party institutionalization and the proper functioning of political

parties, giving rise to a tendency to strengthen kinship politics that seems to be a shortcut for political parties to win political contests and ensure the existence of a particular political regime (Harjanto, 2011: 138; Pamungkas & Arifin 2019).

## METHOD

Normative legal research is a type of legal research used in this study. Normative legal research will depend on a method with a focus on library law research using library materials, as well as applicable laws and regulations. In this legal research, a descriptive approach is used where a descriptive approach is carried out by describing the political phenomena of dynasties in Indonesia. Primary legal materials that will be used in the writing, compilation and presentation of legal research are legal provisions in the Law on Human Rights, the Election Law and secondary legal materials relating to books, literature, written results of legal experts and doctrines that are relevant to the discussion of this legal research. The technique of collecting legal material in this study uses document studies (literature studies). Analysis of primary legal materials and secondary legal materials is carried out by the method of systematic interpretation, then interpreted by the formulation of research problems related to the phenomenon of dynastic political traditions in Indonesia

## THE PRACTICE OF DYNASTIC POLITICS IN INDONESIA

The practice of political dynasties in true democracy does not exist because in the constitution it guarantees and upholds every citizen to vote and be elected. The Indonesian state belongs to all its citizens, not dominated by certain groups, groups or families. Thus, every citizen has the right to be elected to sit as a public official as long as the people want it. The practice of dynastic politics in Indonesia emerged in the

form of *aji mumpung*. That is, when the father is in power to become an official, then bequeathed his authority to his son, son-in-law, his wife, sister, brother-in-law and other relatives. So, what develops is patrimonial, meaning that power is only circling around certain family or family circles. Dynasty is a word that defines autocracy as the sensitivity of imaging of ancestors, grandfather, grandmother, father, mother, siblings and relatives is still a bastion of the legitimacy of power. Dynasty in politics creates a circle of power or structuring that occupies the family, children and colleagues (Abdurrahman, 2015: 108).

The circle of power includes strategic positions that are one line of instruction and coordination and strategic positions obtained through elections such as elections to become leaders in a region. Political Dynasty according to the understanding (Agustino 2011: 130) is a "political empire" where the elite places their family, siblings and relatives in several important posts of government both local and national, or it can be said, the elite forms strategies such as a structured and systematic royal network (Agustino 2011: 31; Arifin & Hidayat 2019; Arifin & Putri 2019). With this network, it will be easier for certain families or relatives to continue the chain of power.

## THE DYNASTIC POLITICAL PHENOMENON IN INDONESIA: TRADITION OR DEMOCRACY?

The names of the two sons of Indonesian President Joko Widodo appeared, Gibran Rakabuming and Kaesang Pangarep, in the Surakarta Mayor Election exchange period 2020-2025, causing various kinds of public reactions. Even though it was only a preliminary survey, Gibran and Kaesang were said to be the start of the Jokowi's family's political dynasty. Gibran and Kaesang are considered to be alternative figures. In addition to having a high popularity, both of them also have an identity to represent

"youth" as a leadership style today. Coupled with the existence of his father as RI 1. "Like it or not, our politics are the basis of the clan.

Jokowi has a large capital to build it in terms of legal basis regarding dynastic politics as if it was increasingly open, especially on July 8, 2015, when the Court finally" allow "political dynasties. In the trial presided over by the then Chief Justice of the Constitutional Court, Arief Hidayat, this institution officially canceled Article 7 letter (r) of Law Number 8 of 2015 concerning Regional Election or *Pilkada*, which states that the requirements for Regional Head candidates (Governor, Regent or Mayor) does not have a conflict of interest with the incumbent, that means not having blood relations, marriage ties and/or bloodline one level straight up, down, sideways with incumbent (father, mother, in-laws, uncles, aunts, brothers , sister, brother-in-law, child, son-in-law).

Constitutional Justices argue that ideally in the implementation of democracy is the involvement of as much community participation as possible in participating in the political process as the implementation of democracy. Although restrictions are needed to ensure that public office holders fulfill their capacity and capability, they must not limit the constitutional rights of citizens.

Thus, family members, relatives, and groups close to incumbent can participate in the simultaneous local elections in December 2015, without having to wait for a gap of five years or one term of office. In its consideration, the Constitutional Court stated that the provisions prohibiting conflicts of interest with incumbents make meaningful differences in terms of treatment based solely on one's birth and kinship status.

In fact, in this case the constitution guarantees that every citizen is free from discriminatory treatment in anything and has the right to receive protection against discriminatory treatment including in the case of being elected and elected. The prohibition of discrimination is also emphasized in Law No. 39 of 1999 concerning Human Rights Article 3 paragraph 3 which emphasizes that every person has the right to the protection of human rights and basic human freedoms without discrimination.

Then the Constitutional Court saw that Article 7 letter (r) of Law No. 8/2015 was also not easy to implement by the election organizer. That is because the meaning of the phrase "does not have a conflict of interest with the incumbent" is left to the interpretation of each person according to his interests that can lead to legal uncertainty.

Now we see the performance and capacity of the politicians who were dynasties of the politicians before they started from the political dynasty in Banten. Former Banten Governor Ratu Atut Chosiyah placed his relatives in the Banten government. Atut is a suspect in a number of corruption cases with his younger brother, Tubagus Chaeri Wardana alias Wawan. Among them were bribery cases against former MK Chief Akil Mochtar in the Lebak district election dispute in a corruption case in the procurement of medical devices in Banten.

Then in the Kutai Kartanegara dynasty, the case of the Kutai Regent Kertanegara Rita Widiasari showed that political dynasties in an area were closely related to corruption. Before Rita was involved in a corruption case, Rita's father, who had served as the Regent of Kutai Kertanegara, Syaokani Hassan Rais was first determined as a convicted of corruption in the misuse of funds stimulating natural resource levies (oil and gas), funds for feasibility studies in the Kutai Airport, and funds for the construction of the Kutai Airport, and misuse of public welfare budget post funds. While his daughter Rita, is a suspect of three corruption cases. The first case is related to the bribery of providing operations for the core and plasma needs of oil palm plantations in Kupang Baru Village, Muara Kaman District to PT Sawit Golden Prima. In this case, he received a bribe of Rp 6 billion. The next case is that Rita is suspected of receiving gratuity related to her position Rita is also suspected of disguising gratification worth Rp 436 billion. He also became a money laundering suspect for disguising gratification.

From the case above concerning the dynastic politics of corruption by dynastic politics there are at least a number of possibilities. First, to build a political dynasty to "perpetuate power", certainly not only social capital, but also strong capital. During

this time, the political process, both at the national and local levels is still harmed by deviant practices that are most often done is the practice of money politics or money politics and political dowry.

In this case dynastic politics do not deviate in terms of our positive law, the anti-politic article of dynasty has been rejected and canceled by the Constitutional Court because it is considered to obstruct a person's constitutional right to participate in elections, but the attitude of society that still has a primordial attitude, which continues to trap society into a pattern think that tends to be closed. Difficult to accept new people, even though the choice does not fully promise a change for the better. In the context of local politics, the situation was used by politicians to build their political dynasties because they were considered to have maintained the stability of their regions, even though the original was also questionable when seeing corruption committed by political dynasties. So. it is not surprising, if political dynasties always sell identity politics in every practical political activity

## CONCLUSION

Based on the findings of facts and the legal basis of dynastic political phenomena in Indonesia, the following conclusions can be drawn that legally positive, dynastic politics is certainly not prohibited along with the cancellation of Article 7 letter (r) of Law Number 8 of 2015 concerning Pilkada, which states that the requirements for candidates for Regional Head (Governor, Regent or Mayor) do not have a conflict of interest with the incumbent. Thus, the implementation of dynastic politics is indirectly "permitted" in our positive law Dynasty politics is also a product of human rights regarding political rights, namely the right to be elected and to choose. The dynastic political phenomenon in Indonesia is also part of the culture in Indonesia. Primordial culture is a view or understanding that holds firmly on things brought about as a child, both regarding traditions, customs, beliefs, and everything that exists in this first environment. which are used by incumbent candidates or regional heads to draw votes from the people who reject new things. Difficult to accept new people, even though the choice does not fully promise change for the better, it can reduce the

dynastic politics that also not necessarily good. The many practices of dynastic politics are a consequence of the mistaken evaluation of Indonesian democracy. Therefore, in order to realize true democracy and not pseudo democracy in the name of the people, it is better for Political Parties who have also played a role in dynastic political practices because political parties are the only political vehicle that is possible in the implementation of dynastic politics. In addition, the thing that can be done is to eliminate the behavior of money politics in elections both related to political dowry and to give prospective voters some money to choose one pair of candidates, so that more people can participate in the elections. During this time the candidates who emerged came from dynastic groups who already had a lot of economic resources making it possible to do money politics to get them elected.

## REFERENCES

- Abdurrahman, M. (2015). *Political: Ilmu Politik, Demokrasi, Partai Politik dan Welfare State*. Yogyakarta: Buku Litera.
- Agustino, L. (2011). *Sisi Gelap Otonomi Daerah: Sisi Gelap Desentralisasi di Indonesia Berbanding Era Sentralisasi*. Bandung: Widya Padjadjaran.
- Arifin, R., & Hidayat, S.N. (2019). Organizing Democracy through General Elections in Indonesia: The Challenge of Law Enforcement and State Stability. *SOSPOL: Jurnal Sosial Politik* 5(2), 333-344. <https://doi.org/10.22219/sospol.v5i2.7670> .
- Arifin, R., & Putri, W.O. (2019). Penegakan Hukum Terhadap Anggota Legislatif dalam Kasus Tindak Pidana Korupsi di Indonesia. *Al Daulah: Jurnal Hukum Pidana dan Ketatanegaraan* 8 (1), 1-15.
- Gaffar, J.M. (2012). *Politik Hukum Pemilu*. Jakarta: Konstitusi Press (Konpress).
- Harjanto, N. (2011). Politik Kekerabatan dan Institusionalisasi Partai Politik di Indonesia. *Jurnal Analisis CSIS* 40(2).
- Pamungkas, A.D., & Arifin, R. (2019). 'Demokrasi dan Kampanye Hitam dalam Penyelenggaraan Pemilihan Umum di Indonesia (Analisis atas Black Campaign dan Negative Campaign)'. *DIKTUM: Jurnal Syariah dan Hukum* 17 (1), 16-30. DOI: <https://doi.org/10.35905/diktum.v17i1.641>.