The Gap in the National Leadership Recruitment Law By Post Reform Political Parties in Indonesia

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Democratic States generally elect a National Leadership to lead a State through the General Election process. In Indonesia itself, post-reform, to determine the position of replacing the National Leadership using the General Election system as stipulated in the constitution with the principles of direct, general, free, secret, honest, and fair which are held every 5 years. Before being elected, the National Leadership in Indonesia must be carried out by political parties in order to become the main spearhead of the people in a Democratic State. However, in determining candidates for National Leadership, it is necessary to carry out recruitment organized by political parties to adjust the vision and mission of political parties and according to the interests and needs of the people. However, there are legal loopholes in the recruitment process for political parties which will have legal ramifications for Indonesia's democratic system. This study uses a normative legal method, with a statutory approach and literature study. This study concludes that there were various legal loopholes contained in the Political Party Law which then collided with the System for Supporting National Leadership Candidates listed in the Election Law which resulted in a regradation of the nature of democracy in Indonesia. Therefore it is necessary to improve...
the legal loopholes contained in the Law on Political Parties and the Law on Elections to provide concrete improvements system in the recruitment and formation of National Leadership. Such improvement is necessary in an attempt to avoid instant with the hope of avoiding instant recruitment which in terms of national leadership results in the depravity of the state system and leads to a recruitment system that runs in accordance with democracy.

A. Introduction

State Life Democracy of a country can be seen through its Constitution. In Indonesia itself, in carrying out the life order of a Democratic State based on the Constitution, namely the 1945 Law of the Republic of Indonesia (1945 Constitution of the Republic of Indonesia). The hallmark of a democratic country, in general, is the implementation of the National Leadership who will lead a country, selected through the General Election process. Previously, the State of Indonesia had experienced a "political transition" which meant "a transition or change of government that occurred in a country" of course, this affected elections in Indonesia. This political transition point took place in 1998, after President Soeharto was demanded to resign by the people and surrender from government power, then was replaced by B.J Habibie.

This political transition has also influenced the post-reform election management model, which was previously democratic because of the mobilization of government to become democratic in a participatory manner. So now every individual has the right to be elected and make choices. This right is in line with the opinion of Joseph A. Schumpeter who expressed the opinion that "The democratic method is an institutional arrangement, in which individuals struggle competitively to gain power, so as to arrive at a political decision-making position". This opinion is also in line with the views of Jimly Ashhiddiqie who stated that "Democracy is nothing but the principle of the people, by the people, for the people, and with the people".

The implementation of post-reform participatory elections in Indonesia to elect the National Leadership has been carried out 5 times, namely in 1999, 2004, 2009, 2014, and 2019. Political parties have a big role in every election violation. According to Sigmund Neuman quoted from Miriam Budiarjo's book, "Political parties are organizations of political activists who seek to control government power and win people's support on the basis of competition with a group or other groups that have different views" (Budiarjo, 1989). To nominate the National Leadership in Indonesia there is a system that has been established in a legal product, in which this legal product is created by political actors. This system is contained in Article 222 of Law Number 7 of 2017 concerning General Elections (UU PEMILU) which reads:

"Candidate pairs are proposed by political parties or Election Contesting Political Parties that meet the requirements for obtaining seats of at least 20% (twenty percent) of the
total seats in the DPR or obtain 25% (twenty-five percent) of valid votes nationally in the election for members of the DPR, previously”.

This article is a threshold reference for nominating pairs of Candidates for President and Candidates for Vice President to advance to electoral contestation. The term threshold is very common in countries that adhere to a democratic system. A threshold can be understood as a system of proportional representation, numbers, and minimum proportions, of the number of voters to become representatives/delegates in parliament or a minimum barrier (limit), this designation regulates the parliamentary threshold and the presidential threshold to be able to take part in elections (presidential threshold).

Even though the interpretation of the presidential threshold at the time of the formation of the law saw it as a good arrangement with arguments, according to Saifulloh as follow:5 1) The importance of developing a presidential system that has ruled from the start of the nomination, 2) The Presidential threshold intends to capture the presidential and vice presidential candidates from the start (a kind of preliminary election) before the election, 3) The importance of developing an efficient government At least get 20% support in the DPR, the goal of the strategy that will be taken by the elected president and vice president will be to get strong support in parliament, 4) Presidential threshold to reduce the party system. It is also believed that the habit of joining parties is in accordance with Indonesia's political culture which prioritizes cooperation.

So that the provisions of the presidential threshold are technical rules that have been stipulated by the legislators by taking into account political needs and public interest and public orders. The existence of this system of political party institutions as a means of channeling prepares national leadership candidates for the success of holding elections. It is not an easy thing for political parties to do this. Great efforts need to be made to participate in political contestation which will bear fruit later. Starting from preparing prospective National Leadership candidates to carrying out campaigns. As the efforts made in 2019 by political parties have resulted in the acquisition of votes in the people's representative order as follows:

### Table 1. Vote and Seat Acquisition

<table>
<thead>
<tr>
<th>No</th>
<th>Political parties</th>
<th>Vote</th>
<th>Vote Presentation</th>
<th>Seat</th>
<th>Seat Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>PKB</td>
<td>13,570,097</td>
<td>9.69%</td>
<td>58</td>
<td>10.09%</td>
</tr>
<tr>
<td>2</td>
<td>Gerindra</td>
<td>17,594,839</td>
<td>12.57%</td>
<td>78</td>
<td>13.57%</td>
</tr>
<tr>
<td>3</td>
<td>PDI-P</td>
<td>27,053,961</td>
<td>19.33%</td>
<td>128</td>
<td>22.26%</td>
</tr>
<tr>
<td>4</td>
<td>Golkar</td>
<td>17,229,789</td>
<td>12.31%</td>
<td>85</td>
<td>14.78%</td>
</tr>
<tr>
<td>5</td>
<td>NasDem</td>
<td>12,661,792</td>
<td>9.05%</td>
<td>59</td>
<td>10.26%</td>
</tr>
<tr>
<td>6</td>
<td>Garuda</td>
<td>702,536</td>
<td>0.50%</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>7</td>
<td>Berkarya</td>
<td>2,929,495</td>
<td>2.09%</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>8</td>
<td>PKS</td>
<td>11,493,663</td>
<td>8.21%</td>
<td>50</td>
<td>8.70%</td>
</tr>
<tr>
<td>9</td>
<td>Perindo</td>
<td>3,738,320</td>
<td>2.67%</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>10</td>
<td>PPP</td>
<td>6,323,147</td>
<td>4.52%</td>
<td>19</td>
<td>3.30%</td>
</tr>
<tr>
<td>11</td>
<td>PSI</td>
<td>2,650,361</td>
<td>1.89%</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>12</td>
<td>PAN</td>
<td>9,572,623</td>
<td>6.84%</td>
<td>44</td>
<td>7.65%</td>
</tr>
<tr>
<td>13</td>
<td>HANURA</td>
<td>2,161,507</td>
<td>1.54%</td>
<td>0</td>
<td>0.00%</td>
</tr>
</tbody>
</table>

In addition to efforts to obtain votes and seats for people's representatives, political parties certainly need to prepare national leadership candidates who will occupy strategic positions. Strategic positions have major implications for the sustainability of political parties and a country. Starting from the country's economy and state welfare, as well as the quality of law on the wisdom of government power, and so on. The following is a comparison of the country's economy in the last 3 presidential periods and a comparison of the country's welfare in the last 2 different periods:

**Table 2. Central Government Financial Report on 3 (Three) National Leadership Periods in the Post-Reform Era**

<table>
<thead>
<tr>
<th>No</th>
<th>financial statements Central government</th>
<th>National Leadership President H. Susilo Bambang Yudhoyono, M.A</th>
<th>National Leadership President Joko Widodo</th>
<th>National Leadership President Joko Widodo</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>APBN realization</td>
<td>PN &amp; H</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>995, 27</td>
<td>1.21</td>
<td>0.60</td>
</tr>
<tr>
<td></td>
<td></td>
<td>BN</td>
<td>1.04</td>
<td>2.12</td>
</tr>
<tr>
<td></td>
<td>Surplus (Deficit)</td>
<td>(46, 85)</td>
<td>(84,</td>
<td>(153,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>91,5</td>
<td>5</td>
<td>130, 95</td>
</tr>
<tr>
<td></td>
<td></td>
<td>SiIPA</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>44,7</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>Balance</td>
<td>Total</td>
<td>2.42</td>
<td>3.69</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Assets</td>
<td>1.79</td>
<td>6,08</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Liabilitie</td>
<td>627, 61</td>
<td>1.07</td>
</tr>
</tbody>
</table>

**Note**
PN & H: State Income and Grants
BN: State Spending

**Source:** Central Government Financial Report 2010 – 2020 and news.ddtc.co.id, and processed by the author.
The summary data above illustrates economic conditions and welfare during different periods of national leadership. It can be seen in the tables and figures that the output quality of the economy and welfare have different outputs. In line with Campbell's view that “public policy determined by the national leadership does not appear by itself in a vacuum, of course, the policy choices chosen by the national leadership define the political environment, the capacities that shape it, political interests, and beliefs”. The existence of legal loopholes in the recruitment of national leadership that has been determined by political actors will result in policy outputs that have legal implications for society in the next 5 years. This is because National Leadership is inseparable from the interference of political parties and interests. It is very interesting to study further the legal gaps in the recruitment of political parties in Indonesia which have an impact on the democratic system.

This study uses normative research methods. Normative research helps “to find legal rules, legal principles, and legal doctrines to address the legal problems at hand”. The object of study of theoretical aspects of law is carried out by looking at the development of existing legal concepts whose essence sees the object of assessment of legal norms is the law itself. According to Marzuki's view, “the results of normative research are in the form of arguments, theories, or new concepts as recipes in solving the problems faced”. The legal materials used in this study are primary, secondary, and tertiary legal materials. The approach used in this research is a statutory and conceptual approach.

B. Discussion

A political party is a group of people in a country, as representatives of people's interests, then these interests will be accommodated and conveyed by people's representatives, and carried out by people's representatives who become National Leaders (Public Officials) who have power in a government. Determination of public officials according to political science uses the term political recruitment. Political party recruitment is certainly carried out by political party actors. Stock's view of political parties is endemic because of the existence of a

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8 Peter Mahmud Marzuki, *Penelitian Hukum* (Jakarta: Kencana, 2006).
democratic system, but formally it is not part of the formal definition of democracy, the Constitution determines the existence of political parties. Schattschneider was of the view that "political parties create democracy, and democracy is unthinkable except in terms of the Party". In line with this view, John H. Aldrich stated that democracy cannot be implemented except in the case of the Party.

In line with the view of Schattschneider, who cited Dahl's opinion, the character of democracy is the continuation of government based on the will of the people. Of course, the will of the people is above all else, this concept is rooted in the sovereignty of the people or the rule by the people. In Indonesia itself, the concept of popular sovereignty is contained in the State Constitution. Having enshrined this concept in the Constitution, according to Asshidiqie, there has been a general agreement or agreement (consensus) among the majority of the people regarding the ideal building about the state. So high power must be exercised by the people as well as possible.

The Indonesian Constitution implicitly conveys the concept of people's sovereignty in article 1 paragraph (2) of the 1945 Constitution of the Republic of Indonesia which reads "(2) Sovereignty is in the hands of the people and implemented according to the Constitution.)". Then the basic rules for implementing people's sovereignty regarding this article are contained in Law Number 2 of 2008 concerning Political Parties which have been amended once in Law Number 2 of 2011 concerning Amendments to Law Number 2 of 2008 concerning Political Parties (PARPOL Law) and Law Number 7 of 2017 (Election Law) concerning General Elections. These two regulations are closely related to each other with people's sovereignty in a real form.

As a forum for people's representation in the electoral arena. Political parties need to perform a screening function for National Leadership candidates who will become national leaders. Fadjar views political parties as having 4 (four) roles, namely a). political education process; b. As a source of recruitment for national leaders to fill various positions in the life of the nation; c. As an institution that seeks to represent the interests of society; and d. As a liaison between the rulers and the people. This National Leadership Recruitment is by the mandate in Article 29 of the Political Party Law, which reads:

“(1) Political parties recruit Indonesian citizens to become: a. members of political parties; b. nominees for members of the People's Legislative Assembly and Regional People's Legislative Council; c. prospective regional head and deputy regional head candidates; and D. candidates for President and Vice President.

(1a) Recruitment as referred to in paragraph (1) letter b is carried out through democratic cadre selection by the AD and ART taking into account at least 30% (thirty percent) of women's representation.

(2) Recruitment as referred to in paragraph (1) letter c and letter d is carried out democratically and openly by the AD and ART as well as laws and regulations.

(3) Determination of the recruitment referred to in paragraph (1), paragraph (1a), and paragraph (2) is carried out by the decision of the management of the Political Party by AD and AR”

Recruitment of political parties has an important role for political parties according to Katz, the nominated candidates play an important role in determining the characteristics of the

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political party concerned in public as well as party typology.\textsuperscript{13} Safa'at, divides the typology of political parties into 3 (three) classifications, including: (1) based on the principles and orientation: of pragmatic political parties, doctrinal political parties, and interest political parties. (2) based on the composition and function of its members: mass parties/protection, cadre parties and catch-all parties and (3) based on the probability of winning the election: the majority party and the minority party.

The recruitment of political parties as a way of selecting, selecting, and appointing citizens to be ordained as potential leaders in the political system in general and government in particular. The three stages for carrying out the Recruitment of Political Parties are as follows:

\textbf{Scheme 1 . Stages of Political Party Recruitment}

\begin{center}
\begin{tabular}{c}
Tahap Sertifikasi \\
Tahap Penominasian \\
Tahap Pemilu
\end{tabular}
\end{center}

Source: secondary legal material (Djojosoekarti & Sandjaja, 2008), \textit{processed by the author}

The certification stage is the stage for defining the criteria for who can enter the nomination, which includes election rules, party rules, and social norms. The nomination stage is a stage that pays attention to the availability of candidates and requests for possible candidate requirements that meet the criteria and be nominated. The third stage is the election, the discovery of political parties to win elections. According to Fitriyah, the stages that are owned entirely by political parties are the stages of certification and nomination, while the election stage, it is the full power of the people.\textsuperscript{14}

According to Hazan and Rahat, important matters in the recruitment of political parties need to be considered, namely (1) who can be nominated as a candidate; (2) who conducts the selection of candidates (selectorate); (3) where candidates are selected; and (4) how candidates are decided. Hazan and Rahat also explained that two patterns of the candidate selection system are nominated, the first is inclusive for anyone to nominate through a political party with eligible conditions, and exclusive (closed) when there are strict conditions that limit people from participating in the election candidate selection.\textsuperscript{15}

Looking at the flow and process of the previous recruitment, at the certification stage in the recruitment of political parties it determines which candidate for the nation's leadership will be nominated according to the needs of the people. Political parties need to examine further whether the nation's leadership candidates are by the vision and mission of the political parties contained in the political parties' bylaws/bylaws. By the mandate of the law, the mechanism for implementing the political recruitment process is regulated in the statutes of political parties.\textsuperscript{16}

In general, the AD/ART of political parties regulates how to implement party ideology, vision, and mission in the form of political activity, so the contents of the AD/ART are very unique.

The recruitment process for political parties has a good impact on the progress of party electability and of course influences the order system. However, until now there has been no recruitment of such idealistic political parties.

\begin{itemize}
\item \textsuperscript{15} Hazan & Rahat Hazan, R. Y., “Candidate Selection : Methods and Consequences.,” \textit{Candidate Selection : Methods and Consequences.}, 2006, 109–21.
\end{itemize}

165
Dysfunction in the recruitment of the National Leadership, because the recruitment process so far has been based on political careers in political party organizations and careers in previous public positions, bargaining for interests, and also the money of candidate (dowry) not on the basis of the capability and credibility of the candidate. This action arose due to a legal loophole contained in article 223 paragraph (1) of the Election Law, which reads "The determination of the presidential and/or vice-presidential candidates is carried out democratically and openly in accordance with the internal mechanism of the political party concerned", it is questionable whether the process national leadership recruitment is in accordance with state democracy or the existence of various kinds of interests that have resulted in the occurrence of political oligarchy and economic oligarchy in the system of state government in Indonesia.

What is meant by oligarchy is that leadership is still able to survive in every situation because it is supported by social relations, in this case, the existence of the most dominant capital relations. Dominant in this context is someone who has full power to do anything to fulfill his interests. If the oligarchy has invaded the world of politics and has surrendered to it, then the national leadership as a political actor can be a means of achieving capital (business) or economic-oriented goals. So there is an economic oligarchy, in which the goal changes to merely transactional matters.

Apart from that, the clash between the recruitment of political parties and the threshold system for carrying National Leadership candidates listed in Article 222 of the ELECTION Law has become a polemic problem in Indonesia, which until now has not found a solution. The many pros and cons regarding this threshold are a dark shadow of democracy in the political party recruitment system. This is because the electoral event that should have been a people's party from the people for the people has changed, to become a special place owned by certain elites who have met the support of 20 percent of the combined vote, thus creating a limit on the pairs of candidates who will advance in the National Leadership election. Of course, in practice only certain political actors can manipulate these things so that the goals for existing political interests are realized.

When drawn on the equivalence of the reality of the implementation of Article 223 paragraph (1) of the Election Law with the presence of a threshold system or what is also called the presidential threshold, it makes a complete combination to form a legal gap in the recruitment of political parties. If this is not immediately corrected, it will have implications for the damage to the image of democracy in Indonesia as stated in Article 1 paragraph (2) of the 1945 Constitution of the Republic of Indonesia which reads "Sovereignty is in the hands of the people and implemented according to the Constitution", the ideals the ideal of the nation that wants the people to hold full power but what happens is the opposite, power is fully held by people who have power and the privilege of power relations. Then politically, if this situation is not fully corrected it will create a democratic political climate that changes towards tyranny (authority in the guise of a democracy).

However, if political parties pay attention to the capability and credibility of candidates based on party ideology, vision, and mission, it is possible to form an idealistic party in order to nominate candidates who adhere to party values with the belief to build a nation from the people for the people in accordance with the concept of sovereignty. Political parties that are expected to serve as mentors for the nation's leaders have been given responsibility by law to carry out regeneration for National Leader Candidates as stipulated in Article 2 paragraph (4) letter h of the PARPOL Law which reads "AD, as referred to in paragraph (3), contains at least

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a little: h. cadre system”. The results of regeneration will actually be felt after the nation's leader has become the National Leadership.

According to Tead cited by Kartono, leadership regeneration is the process of preparing someone to become a future replacement leader who will assume important and major responsibilities within an organization.18 Meanwhile, Cholisin views recruitment as a selection and appointment of a person or group to carry out a number of roles in the political system in general and government in particular.19 Harahap's view regarding recruitment patterns and mechanisms, namely "good cadres will produce qualified and capable cadres as well, and vice versa. Then the formation of qualified and capable cadres will highlight the political parties from which these cadres emerge. So, the quality of existing cadres in political parties is greatly influenced by the pattern of recruitment and the party's cadre formation mechanism."

Until now there has been no candidate for National Leadership who was born purely from the cadre system of a political party or also called instant recruitment. The instant recruitment of political parties employs figures who have career experience and have garnered public enthusiasm for selecting the Nation's Leadership Candidates. Public enthusiasm for this figure is a momentum for political parties to get the people's voices or also called gaining people's votes, so this political party has a very high selling point. The existing figures will gradually form a pattern of political dynasties due to political engineering played by political actors. Political dynasties can also be called power based on kinship. The political dynasty itself has been going on since the beginning of leadership in Indonesia, as follows:

<table>
<thead>
<tr>
<th>No</th>
<th>National Leader</th>
<th>Dynastic Politics</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Soekarno</td>
<td>Successor actor politician: Megawati Soekarnoputri, Sukmawati, dan Guruh Soekarno</td>
</tr>
<tr>
<td>2</td>
<td>KH. Abdurrahman Wahid</td>
<td>Successor actor-politician: Children and siblings</td>
</tr>
<tr>
<td>3</td>
<td>Susilo Bambang Yudhoyono</td>
<td>Successor actor politician: Agus Harimurti Yudhoyono, Eddie Baskoro, hartanto Edhie Wibowo, Agus Hermanto, Sartono Hutomo, Dwi Astuti Wulandari, dan Agung Budi Santosa</td>
</tr>
<tr>
<td>4</td>
<td>Jokowi</td>
<td>Successor actor politician: Gibran Rakabuming dan Bobby Nasution</td>
</tr>
</tbody>
</table>

From the table above it can be seen that dynastic politics in national leadership in Indonesia has been going on since the first president of Indonesia which continues to roll on to the current president. These dynastic politics were built by the national leadership due to a kinship wanting

to retain full power in a country. This is one of the indicators that the process of recruiting political parties to create national leadership actors is not in accordance with the principles of democracy contained in Article 223 paragraph (1) of the Election Law, in which every citizen should have the same right to become a leader national.20

Please, call it "old cadres who are less popular who do not get a stage, if any, will be included as a backup". This condition that continues to recur and is patterned on the recruitment system of political parties, makes Harjanto have the thought "Political parties seem to be more concerned with victory, and less concerned about the effectiveness of power in the medium-long term, so that abnormal or absurd political support is often taken by the big political parties." for the sake of ensuring victory in regional elections, for example”.

This polemic is certainly not entirely a problem in the political party system, there is a legal loophole to do things in such a way as to win the election. This can be seen in the requirements for presidential and vice-presidential candidates in Article 169 of the Election Law, which does not mention any mandate that obliges a presidential and vice-presidential candidate to join a political party and have passed the political party regeneration process to become National Leadership within a certain timeframe. There is only one sentence regarding mass organizations in that article that must be obeyed, namely "not a former member of the banned organization of the Communist party, Indonesia, including its mass organizations, or not a person directly involved in the G.30.S/PKI".

This condition of existing norms means that there are no limiting criteria for political parties wishing to nominate presidential and vice-presidential candidates. So that legally and freely in the corridors of democracy, political parties do everything they can to get the most votes and people's representative seats in the central government order. As a result of this, the national leadership style is not necessarily directly affected by the vision and mission of political parties that have been confirmed in the mature National Leadership. The following is a comparison of the national leadership style according to Nasir Mangnasing and the implementation of the National Leadership Vision and Mission contained in the Medium Term Development Plan (RPJM), as follows:21

<table>
<thead>
<tr>
<th>No</th>
<th>Years of Leadership</th>
<th>Leadership Name National</th>
<th>Leadership Style</th>
<th>Vision Implementation - Mission National Leadership on the RPJM</th>
<th>Bearer Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2005 – 2009</td>
<td>Presiden Susilo Bambang Yudoyono</td>
<td>Authentic Leadership is having a firm, courageous soul, and thinking carefully in making a decision so that one can lead an</td>
<td>Reorganizing the Unitary State of the Republic of Indonesia, Building a safe and peaceful, just and</td>
<td>Partai Demokrat, PBB, dan PKP Indonesia</td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>Year 1</th>
<th>Year 2</th>
<th>Policy Focus</th>
<th>Political Support</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010 – 2014</td>
<td>Consolidating the realignment of the Unitary State of the Republic of Indonesia, improving the quality of human resources, building science and technology capabilities to strengthen economic competitiveness.</td>
<td>Partai Demokrat, PBB, PKP Indonesia, PKS, serta beberapa tokoh PAN dan PKB</td>
<td></td>
</tr>
<tr>
<td>2015-2019</td>
<td>Servant Leadership is a leadership style that is oriented towards Blusukan or getting closer to the community, does not want to be complicated, can provide solutions to existing problems, serves the community, emphasizes innovation and is communicative (Sanjaya, 2021).</td>
<td>Consolidating development as a whole by upholding the development of a competitive advantage in the economy based on available natural resources, qualified human resources. As well as science and technology capabilities</td>
<td>PDI-P, PKB, Partai NasDem, Partai Hanura, dan PKP.</td>
</tr>
<tr>
<td>2020-2024</td>
<td>Realizing an Indonesian society that is independent, advanced, just and prosperous, accelerating development in all fields with a solid economic structure based on competitive advantage.</td>
<td>PDI-P, Golkar, Demokrat, PKB PPP, Hanura, PSI, Perindo, PKP</td>
<td></td>
</tr>
</tbody>
</table>
The leadership style possessed by the comparison of 2 presidents in Indonesia is formed based on their education and past events. However, the character of the leadership policies chosen by political parties, of course, has a very large influence from the political parties that also carry them until they are finally elected as Leaders of the Nation. The influence of the supporting political parties on the National Leadership can be seen through the composition of the cabinet which is directly elected by the president. This instant recruitment has the potential to make the government order corrupt due to the lack of integrity of the National Leadership without going through a regeneration system by political parties. It can be seen regarding the corruption index in Indonesia, as follows:

**Figure 2. Corruption Preception Index**

![Corruption Perception Index](https://www.transparency.org/en/cpi/2021/index/idn)

From 2012 to 2019, corruption cases in Indonesia tended to increase, this can prove that the government system has experienced very serious degradation even though in 2020 it has decreased. Of course, political steps are needed to solve this problem. One of them is by cutting the root of the problem from the estuary of legal products formed by political actors, so that they are able to carry out studies and reformulations regarding the formulation of the articles in the Law on Political Parties and the Law on Elections, especially on the system of recruitment of political parties and national leadership candidates who have the right to nominate as President and Vice.

C. Conclusion

National Leadership candidates are crucial and critical because the m-nomination will result in a 5 year legal sanction for all Indonesia people. Of course, it is necessary to go through the process of regeneration and formation of National Leadership Candidates, within a certain period of time, in order to create a National Leadership that has integrity and high benefits for the community. As in article 2 paragraph (4) letter h of the UU General Election, political parties are given the responsibility by law to regenerate candidates for national leaders, but on the other hand the Election Law present a threshold system, various legal loopholes contained in the Political Party Law which the collide with the National Leadership Candidate Support System listed in the Election Law resulting in gradation of the nature of democracy in Indonesia. Therefore, it is necessary to improve the legal loopholes contained in the Political Party Law and the Election Law to provide concrete system improvements in the recruitment and formation of National Leadership. With the hope of avoiding instant recruitment which in value in terms of national leadership results in the depravity of the state system and leads to a recruitment system that runs in accordance with democracy.

D. Suggestion

It is necessary to improve the legal loopholes contained in the Political Party Law and the Election Law to provide concrete system improvements in the recruitment and formation of National Leadership. With the hope of avoiding instant recruitment which in terms of national
leadership results in the depravity of the state system and leads to a recruitment system that runs in accordance with democracy.

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