

Reconstructing Indonesia's 2029 Presidential Election System: Following the Abolition of the Presidential Threshold

Ilham Muhammad Yasir

Faculty of Law, Islamic University of Riau

ilhammyasir_s3@student.uir.ac.id

Abstract

This paper analyzes the constitutional implications of Constitutional Court Decision No. 62/PUU-XXII/2024, which abolished the presidential threshold. This decision represents a critical shift in Indonesia's electoral system, expanding opportunities for smaller parties and independent candidates to participate in the presidential election. While the abolition increases political inclusivity, it also raises significant concerns about political fragmentation and government legitimacy.

The removal of the presidential threshold opens the door for more candidates to run, potentially leading to a fragmented political landscape and a president with minority support. This fragmentation could weaken the legitimacy of the elected government, particularly if no candidate achieves majority backing. To address these challenges, this paper proposes alternative electoral mechanisms such as the two-round system (runoff election), ranked-choice voting (RCV), and cross-regional support requirements for presidential candidates. These mechanisms aim to ensure majority support while maintaining political inclusivity and preventing fragmentation.

In conclusion, while the abolition of the threshold enhances democratic participation, a careful redesign of the electoral system is necessary to balance inclusivity with the effectiveness and stability of Indonesia's presidential system. This reworking is essential to maintaining a stable and legitimate government while expanding opportunities for diverse political voices in the 2029 presidential election.

Keywords: *Presidential threshold, electoral system, political fragmentation, Indonesia, democracy.*

Merekonstruksi Sistem Pemilu Presiden Indonesia 2029: Setelah Penghapusan Presidential Threshold

Ilham Muhammad Yasir

Fakultas Hukum, Universitas Islam Riau

ilhammyasir_s3@student.uir.ac.id

Abstrak

Tulisan ini menganalisis implikasi konstitusional dari Putusan Mahkamah Konstitusi No. 62/PUU-XXII/2024, yang menghapuskan presidential threshold. Putusan ini merupakan langkah penting dalam sistem pemilu Indonesia, yang membuka lebih banyak peluang bagi partai-partai kecil dan calon independen untuk berpartisipasi dalam pemilihan presiden. Meskipun penghapusan ambang batas ini meningkatkan inklusivitas politik, hal ini juga menimbulkan kekhawatiran terkait fragmentasi politik dan legitimasi pemerintahan.

Penghapusan presidential threshold membuka peluang lebih besar bagi calon presiden, yang berpotensi meningkatkan fragmentasi politik dan menghasilkan presiden dengan dukungan minoritas. Fragmentasi ini bisa melemahkan legitimasi pemerintah yang terpilih, terutama jika tidak ada kandidat yang mendapatkan dukungan mayoritas. Untuk mengatasi tantangan ini, tulisan ini mengusulkan mekanisme alternatif seperti sistem dua putaran (pemilu runoff).

Sebagai kesimpulan, meskipun penghapusan ambang batas meningkatkan partisipasi demokratis, diperlukan perancangan ulang sistem pemilu yang hati-hati untuk menyeimbangkan inklusivitas dengan efektivitas dan stabilitas sistem pemerintahan presidensial Indonesia. Perombakan ini penting untuk mempertahankan pemerintahan yang stabil dan sah serta memperluas peluang bagi beragam suara politik dalam pemilu presiden 2029.

Kata Kunci: *Presidential threshold, sistem pemilu, fragmentasi politik, Indonesia, demokrasi.*

I. INTRODUCTION

After the 1999 General Election, the idea emerged to transfer the election of the President and Vice President directly to the people as part of the constitutional reform agenda. This idea was later realized through an amendment to the 1945 Constitution, which reorganized executive powers, thus transferring the mechanism for electing the President and Vice President from the People's Consultative Assembly (MPR) to direct elections by the people (**Ellydar Chaidir & Sudi Fahmi, 2008**).

Ellydar Chaidir (2010) explains that the multidimensional crisis during that period was a key factor driving the amendment of the 1945 Constitution, as it revealed the blurred structure of the state's institutional framework. This condition was triggered by the provisional nature of the 1945 Constitution and the absence of an effective checks and balances principle between state institutions.

According to **Suparto (2020)**, the provisional nature of the 1945 Constitution can be traced from the statements made by members of the BPUPKI during the meeting on July 11, 1945. Historically, every amendment to the constitution in Indonesia has been driven by the need to align the country's basic norms with the dynamics of the times. Meanwhile, the principle of checks and balances is essential, as explained by **Miriam Budiardjo (2010)**, which serves as a mechanism for oversight and balance between state institutions to prevent abuse of power.

Since the direct election of the President and Vice President was implemented in 2004, Indonesia has also introduced regulations regarding the presidential

nomination threshold. Law No. 23 of 2003 on the Election of the President and Vice President stipulates that only political parties or coalitions of political parties that achieve a certain percentage of seats in the People's Representative Council (DPR) or a certain percentage of valid national votes have the authority to propose presidential and vice-presidential candidates (**Djayadi Hanan et al., 2025**).

From a juridical-normative perspective, this provision, according to **Djayadi Hanan**, was designed to limit the number of candidate pairs, prevent excessive fragmentation in the multi-party system, and ensure the availability of relatively stable political support for the elected president within the framework of a presidential system.

In its implementation, the presidential threshold provision came under scrutiny as it was seen to limit the space for political competition and hinder the emergence of alternative candidates. This rule was considered not fully in line with the principle of popular sovereignty, as stated in **Article 6A, paragraph (2) of the 1945 Constitution**, which emphasizes that presidential and vice-presidential candidates should be proposed by political parties or coalitions of political parties participating in the election. With the implementation of the threshold, only large-capacity parties had the opportunity to propose candidates, while smaller parties lost the chance to play an equal role in the nomination process (**Jamaluddin & Allan, 2019**).

The Constitutional Court (MK), in its early stages, consistently upheld the presidential nomination threshold as a domain of open legal policy for lawmakers, as reflected in Decision No. 51, 52, 59/PUU-VI/2008 (**Constitutional Court, 2008**) and Decision No. 53/PUU-XV/2017 (**Constitutional Court, 2017**). However, Decision No. 14/PUU-XI/2013 (**Constitutional Court, 2013**), which mandated the implementation of simultaneous elections starting in 2019, introduced new tensions: the establishment of the presidential nomination threshold continued to be based on the results of the previous legislative elections, creating anomalies for new parties that, despite being declared legitimate participants in the election, no longer had the constitutional right to propose candidates (**Djayadi Hanan et al., 2025**).

A fundamental change emerged through Decision No. 62/PUU-XXII/2024 (**Constitutional Court, 2024**), which officially abolished the presidential and vice-presidential nomination threshold. This decision not only revised the provisions of Article 222 of Law No. 7 of 2017 on Elections, but also instructed lawmakers to redesign the presidential nomination system to ensure political equality for all political parties participating in the election, without requiring a certain percentage of seats or vote shares. The 2029 Presidential Election will be the first to take place without a presidential threshold, thus opening up a broader space for political inclusivity. However, it also raises concerns about potential candidate fragmentation and the possibility of electing a president with minority support.

Meanwhile, previous studies have focused more on analyzing the impact of the presidential threshold application rather than on designing the electoral system after the threshold rule was abolished. **Gintulangi (2024)** emphasizes that the threshold creates barriers to healthy political competition among political parties. **Anwar & Saleh (2025)** examine the legal consequences of abolishing the presidential threshold, which is considered to potentially create regulatory uncertainty and demands immediate changes to the Election Law. **Arifudin (2024)** proposes an update to the threshold concept through a prism of legal approach, but his idea remains tied to the framework of elections that still use the threshold.

In light of this, there appears to be a significant research gap: there is still very limited comprehensive study that examines the constitutional implications of abolishing the presidential threshold through Constitutional Court Decision No. 62/PUU-XXII/2024, while also proposing a reconstruction model for the 2029 presidential nomination system that is just, inclusive, and still maintains the stability of the presidential governance system. Based on this, this paper aims to: (1) examine the constitutional implications and the legal-political challenges post-Decision No. 62/PUU-XXII/2024 for the presidential nomination system in the 2029 election; and (2) formulate a model for the reconstruction of the 2029 presidential nomination system that guarantees electoral fairness, broadens political inclusivity, and supports the effectiveness of the presidential governance system in Indonesia (Rahmat, 2024).

Literature Review

1. Reform of the Indonesian Electoral System

Studies on the reform of the electoral system in Indonesia generally place the 1998 Reform and the amendments to the 1945 Constitution as the primary foundation for strengthening constitutional democracy. **Ellydar Chaidir (2010)** explains that the amendment to the 1945 Constitution was driven by a multidimensional crisis and the need to reduce the concentration of power in the executive branch, while also reinforcing the design of state institutions. This spirit of reform was manifested, among other things, by the transfer of the presidential election mechanism from the People's Consultative Assembly (MPR) to direct elections by the people. **Suparto (2020)** adds that the provisional nature of the 1945 Constitution and the evolution of the times made constitutional change a natural process, as long as Pancasila remains positioned as the unalterable foundation of the state.

This view aligns with the thinking of **Jimly Asshiddiqie (2006)**, who sees the 1998 Reform as a pivotal moment in Indonesia's constitutional journey towards a more democratic system. In line with this, **Sri Soemantri (2006)** emphasized that constitutional change is inevitable, as one generation cannot impose binding rules on future generations. In the context of elections, this literature underscores that the implementation of direct presidential elections is part of the process of democratic consolidation aimed at strengthening the legitimacy of national leadership before the people.

1.2. Presidential Threshold

Based on various studies, the presidential threshold was initially introduced as an instrument to strengthen political stability within the context of a multi-party system in Indonesia. However, over time, this policy has faced significant criticism. **Gintulangi (2024)** argues that the threshold provision has become a barrier for smaller parties to compete in the presidential election, leaving only larger parties with a real chance to propose candidate pairs. This condition narrows political choices for voters and fosters the formation of a political configuration that tends toward oligarchic dominance. He emphasizes that, although it was normatively intended to filter

candidates with strong legislative support, in practice, the system reduces diversity and hinders political dynamics.

Furthermore, **Arifudin (2024)** proposes an update to the threshold system using a prism of legal approach, aimed at harmonizing the principles of democracy, political equality, and the effectiveness of the presidential government system. He suggests that the threshold be adjusted to align with the evolving political constellation and revised to better reflect the demands of an inclusive democracy.

Anwar & Saleh (2025) examine the juridical implications of abolishing the presidential threshold through Constitutional Court Decision No. 62/PUU-XXII/2024. They conclude that while the abolition of this provision does indeed expand the rights of smaller parties to propose candidates, it also carries the potential to create legal uncertainty and challenge government stability, especially if the electoral system design is not carefully structured. Therefore, they emphasize the importance of reworking the electoral system model to be more inclusive while still maintaining the effectiveness of the presidential government system.

1.3. Constitutional Court Decision No. 62/PUU-XXII/2024 and Its Implications

The Constitutional Court Decision No. 62/PUU-XXII/2024, which abolished the presidential threshold, marks a significant milestone in the evolution of Indonesia's electoral system. This decision reaffirms the application of a more inclusive principle of popular sovereignty, which had previously been hindered by the requirement of the presidential nomination threshold. The threshold of 20% of seats in the People's Representative Council (DPR) or 25% of valid national votes, as stipulated in Law No. 7 of 2017 on Elections, was initially intended to maintain political stability by limiting the number of candidate pairs competing in the presidential election. However, in practice, this policy created access inequality for smaller parties and tended to form a political structure that favored larger parties. As emphasized by **Gintulangi (2024)**, this rule narrowed the space for healthy political contestation, as only large-capacity parties could effectively compete in the nomination process.

Although the abolition of the threshold is seen as a progressive step towards expanding democratization, it still presents substantial challenges regarding

government stability. **Anwar & Saleh (2025)** caution that while the removal of the threshold broadens the nomination access for smaller parties and independent candidates, it could lead to excessive political fragmentation. They emphasize that without an adequate electoral system design, a more open system could result in numerous scattered candidates, potentially leading to a president with minority legitimacy. Therefore, an electoral arrangement is required that can accommodate these changes without compromising the effectiveness and stability of the presidential government system, which has been the foundation of Indonesia's constitutional system.

In this context, **Arifudin (2024)** proposes solutions for post-threshold electoral system design, including the use of a multi-round or ranked-choice voting (RCV) system as a mechanism to ensure that the elected candidate receives majority support. This alternative is seen as a way to preserve political inclusivity while minimizing the risk of government instability. The discussion on the abolition of the presidential threshold thus becomes more complex, as it relates to the potential restructuring of the electoral system design to align more closely with the principle of popular sovereignty. Arifudin emphasizes the importance of balancing expanded political access with the need to maintain the resilience and effectiveness of the presidential government system.

From these various studies, it is evident that although the literature has extensively discussed the normative and political aspects related to Constitutional Court Decision No. 62/PUU-XXII/2024, there is still a lack of comprehensive research offering a reconstruction model for the presidential nomination system for the 2029 Election that simultaneously fulfills the principles of popular sovereignty, electoral justice, political inclusivity, and the stability of the presidential system. This is the main contribution that this paper seeks to address.

II. PROBLEM STATEMENT

Based on the background description and the previous literature review, the main issues to be addressed in this study can be formulated as follows:

1. *What are the constitutional implications and challenges that emerge after Constitutional Court Decision No. 62/PUU-XXII/2024 on the design of the presidential nomination system in the 2029 Election?*
2. *How can the reconstruction model of the presidential nomination system ensure electoral justice, enhance political inclusivity, and simultaneously strengthen the effectiveness of the presidential governance system in Indonesia?*

III. RESEARCH METHODS

This study is classified as normative legal research, as it focuses on examining the positive legal norms that regulate the administration of elections and the presidential nomination mechanism in Indonesia. According to **Morris L. Cohen & Kent C. Olson (2013)**, legal research is a process of tracing and discovering the legal rules that govern society, both those codified in laws and those understood through the study and analysis of these regulations. In this context, the primary focus of the research is to test the alignment of the regulation of the presidential threshold and its abolition with constitutional principles, especially the sovereignty of the people, electoral justice, and the design of the presidential government system.

The approaches used in this normative legal research, as proposed by **Peter M. Marzuki (2007)**, include: (1) statutory approach, by examining the 1945 Constitution, Law No. 7 of 2017 on Elections, and other relevant regulations; (2) case approach, by analyzing Constitutional Court Decision No. 62/PUU-XXII/2024 and previous decisions related to the presidential threshold; and (3) conceptual approach, through exploration and discussion as a basis for evaluating and redesigning the presidential nomination system model.

The type of data used is secondary data obtained through library research, which includes: (1) primary legal materials, such as the 1945 Constitution, election regulations, and Constitutional Court decisions; (2) secondary legal materials, such as books, journal articles, research reports, and other relevant scholarly works; and (3) tertiary legal materials, such as dictionaries, encyclopedias, and online sources that support the analysis.

The collected data is then analyzed qualitatively by interpreting and constructing the meaning of legal norms, assessing their internal consistency and implications on the electoral system and the presidential governance system, and linking them to contemporary political dynamics. The findings of this analysis are then directed toward the development of prescriptive conclusions, which propose a model for reconstructing the 2029 presidential nomination system that is more inclusive and just, while still ensuring the effectiveness and stability of the presidential governance system in Indonesia.

IV. RESEARCH RESULTS AND DISCUSSION

The Constitutional Court Decision No. 62/PUU-XXII/2024, which officially abolished the presidential nomination threshold, marks a significant turning point in the architecture of Indonesia's electoral system. The abolition of the presidential threshold provides a broader space for smaller parties and independent candidates to participate in electoral competition. Although this step is seen as progress towards a more inclusive democracy, the decision also presents new challenges, particularly related to political stability and the legitimacy of the government that will be formed.

For over twenty years, the presidential threshold provision was implemented with the goal of maintaining political stability and preventing excessive fragmentation in Indonesia's multi-party system (**Paramitha & Saraswati, 2023**). However, the policy has faced criticism. The threshold rule was seen as hindering the participation of smaller parties and strengthening the dominance of larger parties, which had greater access to legislative support (**Rafika et al., 2024**). With the abolition of this threshold, an important question arises regarding how the future presidential nomination mechanism should be designed to remain inclusive without compromising political stability or the effectiveness of government administration.

This section then outlines the constitutional implications of the abolition of the presidential threshold and its influence on the design of a more open electoral system while maintaining the balance between expanding political participation and the stability of the presidential government. Additionally, this section aims to propose

several alternative models for the 2029 presidential nomination system that can constructively accommodate these changes.

4.1. Indonesia's General Election

Along with the dynamics of national politics, the regulation of the presidential threshold was applied as a mechanism for filtering presidential candidate pairs that could participate in the election contest, based on the requirement of a certain percentage of seats in the People's Representative Council (DPR) held by a party or coalition of political parties. This provision was first introduced through Law No. 23 of 2003, and was later tightened in Law No. 42 of 2008, which stipulated that only parties or coalitions controlling at least 15% of the seats in the DPR or obtaining 20% of the national valid votes had the right to propose presidential and vice-presidential candidates.

The application of the presidential threshold was normatively intended to strengthen political stability by limiting the number of candidate pairs in the presidential election, while also encouraging the formation of more solid coalitions in the parliament. However, this provision faced criticism as it was seen to create political inequality for smaller parties and hinder the emergence of alternative candidates that lacked strong legislative support. Over time, this inequality became more apparent, especially when several parties with large voter bases still could not propose a presidential candidate without joining a large coalition (**Dian Safitri & Sukardi, 2024**).

With the abolition of the presidential threshold through Constitutional Court Decision No. 62/PUU-XXII/2024, a new challenge emerged in the effort to redesign the electoral system. This policy indeed opens up broader opportunities for smaller parties and independent candidates to compete, but at the same time, it could increase political fragmentation that may affect the effectiveness and stability of the government.

4. 2. Impact of Abolishing the Presidential Threshold

The abolition of the presidential threshold **by the** Constitutional Court through Decision No. 62/PUU-XXII/2024 can be seen as a progressive step in strengthening

democracy in Indonesia. This decision provides broader opportunities for smaller parties and independent candidates to participate in the presidential nomination. Additionally, this policy expands political access for various social groups and encourages increased public participation in the presidential election.

However, despite the abolition of the threshold being seen as a positive development from the perspective of political equality, its impact on political stability and the effectiveness of governance still requires serious attention. Several experts, such as **Gintulangi (2024)**, argue that the absence of the threshold could trigger a higher degree of political fragmentation. The large number of presidential candidates could result in an election winner with low or even minority vote support, potentially causing doubts about the legitimacy of the elected government.

It is also important to note that a system that is very open without clear limiting mechanisms could exacerbate political polarization and affect the consolidation of political coalitions, which may be prone to fragmentation. In this context, **Anwar & Saleh (2025)** warn that the removal of the threshold could create legal and political uncertainty, particularly related to the stability of the government coalition and the ability of the elected president to effectively run the government.

Thus, while the Constitutional Court decision expands the space for political participation, the design of the presidential nomination system in the future must be carefully formulated to ensure that the principle of electoral justice remains guaranteed without sacrificing the stability and effectiveness of the presidential governance system.

4.3. Maintaining the Stability of the Presidential Government

The abolition of the presidential threshold through Constitutional Court Decision No. 62/PUU-XXII/2024 brings important consequences for Indonesia's political configuration. One of the most prominent impacts is the increased intensity of competition in the presidential nomination process, which was previously limited by the requirements for legislative support or national vote shares. Without the threshold, the number of figures who can run for president increases, making voter choices more diverse, but also opening up opportunities for wider political fragmentation.

a. Fragmentation and Polarization

With the removal of the presidential nomination threshold, the number of potential presidential candidates for the 2029 Election is expected to increase significantly. This condition could trigger sharper political fragmentation, as presidential candidates may come from many smaller parties, or even from independent figures who lack strong legislative support. While this phenomenon can be seen as a strengthening of inclusivity in the electoral system, excessive fragmentation risks creating a divided government and weakening the legitimacy of the elected president.

b. Legitimacy of the Election and Coalition Formation

One of the crucial issues that arise when the number of presidential candidates increases is the legitimacy of the elected president, particularly in the context of a presidential system combined with a multi-party structure. This combination can result in a president with minority support and a weak legislative base. When there are many candidates and insufficient consolidation among large parties, voters may give their support to a candidate who ultimately fails to secure sufficient legislative support to run the government effectively (**Hapsari & Saraswati, 2023**). This condition could lead to a two-round election or a president with fragmented legitimacy, creating political uncertainty and weakening the authority of the government.

Additionally, a more open electoral system could result in a vulnerable government coalition, especially if the coalition is formed from smaller parties or a mix of large parties with different political agendas. Such an unstable coalition could hinder decision-making processes and reduce policy consistency, which goes against the core principle of a presidential system, which demands clarity in governance direction and political stability (**Fitra, 2017**).

For governance to remain stable and effective, a system design must balance broad political participation with certainty in government formation. Without this balance, Indonesia could face a divided government and be vulnerable to internal political conflicts, thereby weakening the country's ability to address urgent strategic issues.

c. Stability of the Presidential Government

One of the main challenges faced by Indonesia after the abolition of the presidential threshold is how to maintain the stability of the long-established presidential system. Indonesia's presidential system was designed with a clear separation of powers between the executive and legislative branches to ensure effective governance. However, the removal of the presidential nomination threshold could potentially lead to greater political fragmentation (**Eko, 2024**), which could complicate the elected president's ability to run the government optimally.

Therefore, the new electoral system design must be able to balance the expansion of political inclusivity with the need for effective governance. One widely discussed approach is the implementation of a two-round system **or** ranked-choice voting (RCV), which aims to ensure that the elected candidate receives majority voter support. In the RCV system, voter preferences are processed through a series of ranked preferences that resemble a two-round election logic in one vote counting process (**Weaver, 2023**). This mechanism is seen as improving the legitimacy of election results and reducing potential vote distortion, although it still carries technical weaknesses, such as the risk of monotonicity failure, which remains an ongoing academic study (**Dickerson et al., 2024**).

Thus, the implementation of mechanisms such as **RCV** can be considered as a strategic option to strengthen the stability of the presidential government in the future, as it not only improves the legitimacy of the elected leader but also supports the formation of a more consolidated political configuration.

4.4. Alternative Models for the 2029 Presidential Nomination System

The abolition of the presidential threshold by the Constitutional Court through Decision No. 62/PUU-XXII/2024 opens up much greater space for smaller parties and independent candidates to compete in the presidential election. However, this change also raises concerns about increased political fragmentation, which could potentially disrupt the stability of the presidential government (**Hukumonline, 2025; Media Indonesia, 2025**).

Therefore, in order to maintain the effectiveness of the presidential government system, it is necessary to design alternative models for the presidential nomination

system that not only expand political participation but also preserve legitimacy, stability, and the effectiveness of governance (**Chairiyah, 2025; VoxIndonesia, 2025**).

The following are several alternative models for the presidential nomination system for the 2029 Election:

4.1. Two-Round System Model (Runoff Election)

The two-round system (runoff election) is one of the mechanisms widely used in countries with a presidential system to ensure that the elected president has the majority support of voters (**Perez-Linan, 2006**). In this scheme, if no candidate receives more than 50% of the votes in the first round, the two candidates with the highest votes will compete again in the second round, and voters are asked to choose between only these two candidates (**Bouton & Gratton, 2015**).

Advantages:

- a. **Majority legitimacy** – This system ensures that the winning candidate genuinely receives majority support, thus strengthening the legitimacy of the government.
- b. **Simplification of choices** – The fragmentation of choices in the second round is reduced because only two candidates remain to compete.

Disadvantages:

- a. **Cost and time** – Conducting the second round requires additional time and budget as the election process must be repeated.
- b. **Increased polarization** – The competition narrowing down to two candidates may intensify political polarization within society.

4.2. Ranked-Choice Voting (RCV) Model

The ranked-choice voting (RCV) system is a model where voters are asked to rank their preferences for presidential candidates, rather than just selecting one candidate. In this scheme, if no candidate receives more than 50% of the first-preference votes, the candidate with the lowest number of votes is eliminated. The votes for that candidate are then transferred to the next preferred candidate, and the process is repeated until one candidate receives a majority of the votes (**Center for Effective Government, 2023**).

Advantages:

- a. **More Inclusive Participation** – RCV allows voters to express support for more than one candidate, thus reducing the potential for "wasted votes" and opening up more space for alternative candidates to compete. Several studies show that areas that implement RCV tend to have higher participation rates and stronger campaign intensity compared to jurisdictions that use a plurality system (**Dowling et al., 2024**).
- b. **Potential to Reduce Polarization** – By ranking candidates, voters are encouraged to consider multiple options, while candidates are incentivized to seek support as second or third choices. This encourages candidates to adopt more moderate positions and build coalitions across different voter bases, which, in theory, can help mitigate political polarization.

Disadvantages:

- a. **More Complex Vote Counting** – The RCV tabulation process is relatively complex because it involves repeated rounds of elimination and redistributing votes based on subsequent preferences. As a result, this system requires more advanced election administration infrastructure and longer time to determine official results (**Endersby & Towle, 2025**).
- b. **Voter Education Challenges** – Because the ballot format and the way support is given are no longer as simple as "choosing one candidate," voters need additional education and understanding to ensure they do not make mistakes. If voter education is insufficient, the risk of invalid votes and voter confusion increases. Concerns about voter complexity and administrative burden have also been raised by election administrators in some U.S. states.

4.3. Model of Administrative Requirement for Cross-Regional Support

This model proposes an administrative requirement that presidential candidates must secure minimum support from various regions in Indonesia, rather than just concentrating in major cities or specific areas. This idea aligns with the concept of territorial distribution requirement in electoral system design, which mandates that the winner of the election must have geographically distributed support to truly reflect a

broad national mandate (Pepic, 2023; ACE Electoral Knowledge Network, 2024). For example, a candidate could be required to secure support from a minimum number of provinces or regions to ensure that their support base is spread across different areas of Indonesia (ACE Electoral Knowledge Network, 2024).

Advantages:

- a. **Ensures National Representation** – By requiring cross-regional support, this model encourages presidential candidates to have a more evenly distributed support base across Indonesia. As a consequence, candidates are encouraged to build coalitions that go beyond ethnic or regional boundaries (Pepic, 2023).
- b. **Prevents Regional Dominance** – The requirement for support distribution can prevent a situation where a candidate relies solely on the strength of one region and potentially ignores the interests of other regions, as candidates are required to seek support from diverse areas (ACE Electoral Knowledge Network, 2024).

Disadvantages:

- a. **Increases Administrative Burden** – Implementing this model will increase the complexity of bureaucracy and administrative requirements for presidential candidates, as election organizers must verify not only the total support nationwide but also the fulfillment of the minimum support distribution across various regions (Pepic, 2023; ACE Electoral Knowledge Network, 2024).
- b. **Potential to Marginalize Independent Candidates** – Independent candidates or candidates from small parties who do not have strong networks in many regions may struggle to meet this cross-regional support requirement, which could indirectly favor candidates from larger parties (Pepic, 2023).

4.4. Coalition Simplification and Nomination Model

This model aims to reduce the level of political fragmentation by encouraging the formation of simpler and more consolidated party coalitions, including by

providing incentives for smaller parties to join larger coalitions. In this framework, a presidential candidate can only run if they gain support from a sufficiently large coalition or meet certain criteria related to the level of support in the legislative body or regional distribution. This coalition simplification approach aligns with the party system theory, which emphasizes that excessive fragmentation can reduce the effectiveness of governance (**Mainwaring, 1993**).

Advantages:

- a. **Prevents Fragmentation** – This model streamlines the presidential nomination process by limiting the number of candidates and ensuring the formation of a stronger coalition in the parliament. Government stability: Larger coalitions tend to produce more stable and coherent governments.
- b. **Increases Government Stability** – A large, consolidated coalition is more likely to support the creation of a stable, consistent government that can easily coordinate policies.

Disadvantages:

- a. **Reduces Political Diversity** – Simplifying coalitions may erode the diversity of representation, as it opens up space for dominance by larger parties.
- b. **Strengthens Cartel Politics** – There is a risk of cartel politics emerging, where large parties lock in benefits for themselves and overlook the interests and aspirations of smaller parties.

5. Comparison of Electoral Systems in Other Countries

Each country with a **presidential system** has its own way of regulating the presidential nomination mechanism, including the use or absence of a presidential threshold. Some countries choose to apply a nomination threshold to limit excessive political fragmentation, while others adopt more open systems through mechanisms such as the two-round system (runoff election) or ranked-choice voting (RCV) to maintain legitimacy based on majority support (**Reynolds et al., 2005**).

This section compares Indonesia's electoral system post-threshold abolition with the systems of two major presidential countries, the United States and Brazil. The

United States does not use a presidential threshold; instead, the country relies on the Electoral College as the mechanism for electing the president—a system that can produce a winner without a national majority vote but requires electoral support distribution across states (Edwards, 2011). In contrast, Brazil applies a two-round system, where a candidate must gather more than 50% of valid votes to be declared the winner; if this requirement is not met, the two candidates with the highest votes will compete again in the second round to ensure majority legitimacy (Mainwaring, 1999).

Through this comparison, various advantages and challenges of more inclusive and open electoral systems can be identified, while also observing how different institutional design variations in other countries can serve as references for reconstructing Indonesia's presidential nomination system after the abolition of the presidential threshold.

5.1. United States: Electoral System Without a Presidential Threshold

The United States conducts its presidential election without implementing a presidential threshold. In this system, the candidate who receives the most votes in the general election is considered the winner, without any requirement for a vote threshold or support from legislative seats. However, the presidential election still takes place through the Electoral College mechanism, in which the presidential candidate must secure a majority of the electoral votes obtained from the results of the election in each state (Edwards, 2011; Keyssar, 2020).

Advantages:

- a. **Simple and Easy-to-Understand Procedure** – The election mechanism based on the plurality vote makes the election process straightforward and relatively clear for voters.
- b. **Inclusive** – Every citizen's vote is counted, and candidates from smaller parties still have a chance to compete, as long as they can win electoral votes in several states.

Disadvantages:

- a. **Potential for a President with Minority Legitimacy** – The Electoral College system allows for the election of a president who does not win the popular vote nationally, as seen in the 2000 and 2016 elections.
- b. **Risk of Political Fragmentation** – Although relatively inclusive, this system can encourage the emergence of many candidates, fragmenting voter support, particularly at the state level.

5.2. Brazil: Presidential Electoral System with a Two-Round System

Brazil, which also adopts a presidential system like Indonesia, implements a relatively loose presidential nomination threshold and uses a two-round system in its elections. If no candidate receives more than 50% of the votes in the first round, the two candidates with the highest votes will compete again in the second round. In this subsequent round, voters choose between the two candidates, ensuring the winner gains majority support nationally (Samuels & Shugart, 2010; Mainwaring, 1999).

Advantages:

- a. **Clear Majority Mandate** – The two-round system guarantees that the elected president has majority legitimacy because voters cast their vote again for the two strongest candidates.
- b. **Limits Excessive Fragmentation** – The elimination of all but two candidates in the second round encourages a simplification of the number of contestants and forces parties to consolidate into more concentrated coalitions.

Disadvantages:

- a. **Requires More Cost and Time** – Conducting a two-round election requires higher administrative costs and extends the election process duration.
- b. **Potential to Increase Polarization** – The competition narrowing down to two candidates, which usually represent opposing political blocs, can intensify polarization and escalate political tensions at the national level.

5.3. Lessons from the United States and Brazil

Based on the comparison of electoral systems in the United States and Brazil, several important lessons can be drawn as references for the design of Indonesia's electoral system after the abolition of the presidential threshold.

a. Legitimacy and Majority:

The two-round system in Brazil ensures that the elected president receives majority support, which is the foundation of legitimacy in a presidential system (Samuels & Shugart, 2010). In contrast, the United States system, which relies on the Electoral College, allows for the election of a president without winning the national popular vote, thus creating legitimacy issues when the electoral vote results do not align with the majority voter preferences (Edwards, 2011).

b. Stability and Political Fragmentation:

The second-round mechanism in Brazil helps reduce political fragmentation because it leaves only the two strongest candidates, while also encouraging party consolidation and the formation of clearer coalitions (Shugart & Carey, 1992). In contrast, the first-past-the-post system in the United States opens up space for many candidates, particularly in the early stages of competition, which can increase fragmentation and undermine the stability of the presidential government. In the context of Indonesia, the abolition of the presidential threshold could increase the risk of fragmentation unless accompanied by additional mechanisms—such as a two-round system—to simplify the number of candidates and strengthen political stability.

c. Inclusivity and Diversity:

The system in the United States is relatively more open to independent candidates and smaller parties, although this increases the likelihood of fragmentation and less consolidated contests (Schmidt, Shelley & Bardes, 2019). Meanwhile, Brazil, with its combination of a two-round system and a more relaxed presidential threshold, gives smaller parties a chance to compete in the first round but still maintains stability in the second round. Thus, this system offers a compromise between the demands for inclusivity and the need for effective governance.

VI. CONCLUSIONS AND RECOMMENDATIONS

A. Conclusion

The abolition of the presidential threshold through Constitutional Court Decision No. 62/PUU-XXII/2024 is an important step toward a more inclusive democracy, as it opens up more space for smaller parties and independent candidates to compete in the presidential election. However, although this policy expands political access and reinforces the principle of popular sovereignty, the findings of this study show that the abolition of the threshold also presents serious challenges related to political stability and the legitimacy of the government.

The main consequence of removing the threshold is the increased potential for political fragmentation, as reflected in the possible increase in the number of candidates and the emergence of a less consolidated government. This situation increases the risk of electing a president with minority support, which in turn can weaken legitimacy and reduce the capacity of the presidential government to function effectively. The study also indicates that, without an adequate system design, the abolition of the presidential threshold could deepen political polarization and weaken the stability of government coalitions.

Therefore, while the abolition of the threshold opens up opportunities for a more participatory democracy, the balance between expanding political participation and ensuring the sustainability of stable governance must still be maintained. Hence, the next agenda is to formulate alternative models for the presidential nomination system that can simultaneously ensure stability, strengthen legitimacy, and support the effectiveness of the presidential government system.

B. Recommendations for the 2029 Election

1. Implementation of the Two-Round System (Runoff Election)

Given the various challenges arising after the abolition of the threshold, the implementation of a two-round system can be one of the main options to ensure that the elected president has majority support. In this scheme, if no candidate receives more than 50% of the votes in the first round, the two candidates with the highest votes will compete again in the second round.

This mechanism allows the winner to gain majority public support, reduces political fragmentation, and produces a more legitimate government.

2. Implementation of Ranked-Choice Voting (RCV)

The RCV system, or preferential voting, can be an alternative that is both more inclusive and oriented towards stability. In this system, voters do not just choose one candidate but rank several candidates. The votes are then counted based on the order of preferences. This mechanism broadens voter choice without sacrificing election legitimacy, increases the chances of electing a candidate with majority support, and potentially reduces political polarization.

3. Implementation of Administrative Requirements for Cross-Regional Support

The next recommendation is to establish a provision that presidential candidates must obtain minimum support from several regions in Indonesia. This step ensures that the elected candidate has a relatively balanced support base, not just concentrated in a few major regions or urban areas. This model can also reduce the dominance of large parties in specific regions and strengthen the character of truly national political representation.

4. Simplification of Political Coalitions

To reduce the risk of excessive fragmentation, simplification of political party coalition patterns is needed. Large-scale coalitions can be incentivized to form, while smaller parties are still given room to compete within a framework that supports the creation of stable governance. This way, the chances of a fragmented government are minimized, and political cooperation in the parliament can be built in a more solid and sustainable manner.

5. Reform of Coalition Policies and Candidate Number Limitations

One way to reduce the potential instability due to a large number of candidates is by applying a coalition requirement that obligates every presidential candidate to obtain support from a coalition of parties with a

minimum strength in the parliament. This provision will ensure that the candidate has sufficient legislative legitimacy to run the government effectively. On the other hand, limiting the configurations and number of coalitions can also simplify the nomination and election process, making the system more organized and manageable.

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