

The Influence of Power on Decisions Constitutional Court (MK) Concerning the Age Limit for Vice Presidential Candidates in 2023

Azhari M. Hadi Putra*, Doni Hendrik & Nilma Suryani

1. Universitas Andalas, Indonesia

Putra, A. M. H., Hendrik, D., & Suryani, N. (2024). The Influence of Power on Decisions Constitutional Court (MK) Concerning the Age Limit for Vice Presidential Candidates in 2023. *Jurnal Hukum Prasada*, 11(1), 37-45

Abstract

There are so many irregularities in the Constitutional Court's decision Number 90/PUU-XXI/2023 regarding the age limit for presidential candidates. The author suspects that there is interference from the ruling elite who have an interest in maintaining the current power status quo. The analysis of this writing will be dissected using an understanding of elite theory and patterns White Collars Criminal. Jokowi and the current ruling elite group have an interest in remaining is within the scope of power. Meanwhile, regulations to continue being in power no longer provide space. Therefore, Jokowi and his group need to extend their hand in the circle of power in the future after he steps down, through legal manipulation so that his son can advance as a state official. Jokowi's efforts together with other elite groups behind this political attitude that is contrary to democratic values, is suspected to be an inevitability that can arise from those in power. The state government's grip on power, which has been going on for almost a decade, is starting to show that it is mentally and psychologically unprepared for its end. This pattern of efforts has led to a series of irregularities in political and legal events over the past year or so. In the end, it all boils down to Gibran's official step forward as vice presidential candidate. This article was written using a qualitative approach with descriptive analysis methods. The data collection technique used is literature study, which is related to theoretical studies and several references.

Keywords: Constitutional court decision; Gibran; white collar crime

Article History

Received: January 18, 2024

Accepted: March 28, 2024

Introduction

Decision Court the Constitution (MK) being assessed despicable, has smoothing Gibran Rakabuming Raka drove as contestant vice presidential candidate (*capres*) in the election general election (election) in 2024. Gibran before shy even firm state no merit his carried as vice presidential candidate Because Not yet Enough age and experience, suddenly the steps be very certain for follow accompanying Prabowo Subiyanto as candidate president (*capres*) without care assumption public nor record footsteps words Alone.

By profile political leadership, already is known together that Gibran is new just plunge to politics in elections head regional (*pilkada*) in 2020 and was successful become mayor Surakarta period 2020-2024. This means, the new Gibran about two years enter the world of politics practical and occupying position public. Record footsteps experience This this is considered minimal If compared to other senior politicians even. Already dabbling since the early days of reform and even Already occupy position public at a far level above Gibran. Although That's how it is, Gibran actually brave self-proceed as vice presidential candidate, even though in the month May 2023 himself state Not yet proper for proceed

Correspondence regarding this article should be addressed to:

Azhari M. Hadi Putra, Universitas Andalas, Indonesia

Email address: 2220832008_azhari@student.unand.ac.id



Published by Universitas Warmadewa. This is an open access article article under the CC-BY SA license

(Alinda, 2023).

Apart from the subject the above, there is Another oddity above Gibran's decision to move forward as vice presidential candidate. Beginning with position in the regional elections Surakarta 2020 promoted by the party democracy Indonesia struggle (PDIP), now Gibran is actually proceeded with No Again with PDIP. PDIP even considered to have stamped Gibran 's decision is a action No proper or Can also called as betrayal ([detik.com team, 2023a](#)). Suite oddity This added Again with time declaration team Coinciding presidential candidate Prabowo Subiyanto moment after the Constitutional Court's decision regarding limitation age presidential / *cawapres* candidate (BBC, 2013). Of course, just in a way logical can assessed that of course connection incident the politics and laws that occur, are a scheme existing interests prepared by the group certain.

So, Lots awkwardness, especially in a way law in the relevant Constitutional Court decision limitation age will candidate president (*bacawapres*). One of the most obvious that is, if pay close attention MK Decision Number 90/PUU-XXI/2023 concerning Age Limits Presidential and Vice-Presidential Candidates, articles submitted by the applicant about limitation age candidate President and vice president Actually involve aspect technical in implementation election general. If when application the submitted to Court Constitution, the judge's decision should be only show is the article in question contradictory with Constitution or No. Court Constitution own right for refers to the institution legislative If the rights listed in Constitution violated. So, institutions legislative will inspect fill Constitution the.

Court Constitution should Act as supervisor so that everyone obeys rule in our country's constitution and legislation for the sake of interests together. No precisely change existing law, there is previously without There is problem mark. Oddities This also supported by a dissenting opinion (different opinion) deputy chairman the panel of judges of the Constitutional Court, namely Saldi Isra, mention court in a way explicit, direct, and firm state that about age in the norms of Article 169 letter q of Law 7/2017 are authority shaper Constitution For change it or open legal policy (CNN Indonesia, 2023) .Oddities the Constitutional Court 's decision closed with hearing assembly honorary MK (MKMK) on November 7 2023 who judged all MK judges have violate code ethics as a Constitutional Court judge ([Editorial team, 2023](#)) . Anwar Usman as Chief Justice of the Constitutional Court at the time hearing this is the end removed his position as chairman of the Constitutional Court ([Nugroho, 2023](#)).

Although so, the judge made a mistake Ethics, no as well as immediately stop validity decision limitation age presidential candidate vice presidential candidate who has changed ([Garjito, 2023](#)). The result clear, Gibran remains strolling as vice presidential candidate accompany presidential candidate Prabowo Subiyanto with number partner candidates (paslon) in order 2. how all This Can happens, doesn't it? the Constitutional Court judge's decision assessed violate ethics meaningful that decision the no ethical? Unethical his A decision public caliber of MK judges in system law and politics scale national, it should be obviously, no worthy For Keep going made as source law.

From various incident like explained above, burst out view controversy to case This. Writer interested discuss from aspect political with assumption that exists mix hand elite interested authorities for maintain the status quo of power moment This. Assumption This present for no other reason exists Lots oddity in the progress of Gibran Rakabuming Raka especially in connection with MK decision Number 90/PUU-XXI/2023 concerning Age Limits Presidential and Vice Presidential Candidates. Plus Again fact that Anwar Usman is husband from his sister President Joko Widodo, his father Gibran!

Situation This in accordance with study scientist C. Wright Mills a American sociologist who wrote The Power Elite in 1956. He bring up understanding about theory elite, that is A draft in studies politics and sociology put forward that power held by a group small person called as elite ([Mawardi, 2019](#)). Elite group This own control on source Power economics, politics, and culture in public. This theory also assumes that power in public centered on groups that have influence big economy and politics. According to theory This is elite will do various strategies for maintain his power. One of the strategies carried out is with manipulating the mass media so that news is broadcast in accordance with interest elite.

Besides, the elite will too control education and influence opinion public For maintain position and influence they in public. In context politics, theory elite assume that decision political No taken in a

way democratic but taken by the group elite who have interest certain. Elite group this is also considered capable influence policy government, manipulating election general, and master institution politics.

Method

Writing article This use approach qualitative with method descriptive analysis. According to Wayan Ardhana, research qualitative must focuses and boils down to effort understanding (understanding) of what is patterned in the form of reasons in the world of meaning of the actors That Can in the form of a frame or pattern think certain, rationality certain, ethical particular, theme or mark culture certain (Ardhana, 2002). Therefore that, writer consider method This suitable with topics discussed, namely about base thinking maker policy. Descriptive method analysis used on reasons for the data and information collected pile up attention to phenomena or problem actual through the process of data collection, compilation, processing and withdrawal conclusion.

Result of That all endeavor for describe something circumstances objective empirical on phenomenon or moderate problem studied Whereas technique data collection used is studies bibliography, that is related with study theoretical and some the reference is not free from literature scientific (Sugiyono, 2010). The literature study in question in context article This is effort writer for search, collect, and study material written form books, articles journals, online and conventional news, and related websites phenomenon the advancement of Gibran Rakabuming Raka as vice presidential candidate as well as the MK decision process Number 90/PUU-XXI/2023 concerning Age Limits Presidential and Vice Presidential Candidates. Research data form statements and attitudes of politicians and observers politics and law have authority and capacity about phenomenon politics and law related.

Discussion and analysis writing This will dissected use Understanding on theory elite and White Collar Criminal patterns. Incident the progress of Gibran Rakabuming Raka as well facts social political other, which gives rise to assumption for writer, that is exists role group ruler in influence MK decision Number 90/PUU-XXI/2023 concerning Age Limits Presidential and Vice Presidential Candidates.

Discussion

Chronology the advancement of Gibran Rakabuming Raka as vice presidential candidate

1. Issue Gibran Rakabuming Raka advances as Vice Presidential Candidate in the General Election Year 2024.

Starting from the month June, to be precise June 23 2023. During Prabowo attend the day's events born Movement The 63rd Indonesian Islamic Students (PMII) in the city of Solo. When will said goodbye leave event location, Prabowo embraced Gibran and called Gibran as future leader. A month after that, Prabowo and Gibran rose by one car together going to Adi Soemarmo Airport. Next, on August 10, 2023, Gibran personally responded gusts news about himself will participate in the vice presidential exchange with state that he Not yet Enough age and worry No will will chosen If proceed (Fallahnda, 2023).

In the moon September, Gibran's issue will be become vice presidential candidate Prabowo the more strong. Hasto Christianto as secretary PDIP general (secretary general) said that Gibran has conveyed at an internal party meeting that himself proposed Prabowo as vice presidential candidate (Pritama, 2023). View tilted start milling about in scene political national, especially connection between PDIP and the cadre Alone namely the following Gibran his father and older brother his brother-in-law is also a PDIP cadre. Although Thus, Gibran's steps are still hindered rule limitation age For proceed as vice presidential candidate Prabowo so Gibran and his father and brother-in-law No make a sound loud respond condition This.

2. MK Decision Number 90/PUU-XXI/2023 Concerning Age Limits Presidential and Vice Presidential Candidates

was only on October 16 2023 that regulations prevented Gibran from proceed as vice presidential candidate removed by the Constitutional Court. In its decision, the MK changed it clause "at least 40 (four twenty) years old" becomes "at least 40 (four twenty) years or ever / currently occupy elected position _ through election general including election head area."

Judge Arief Hidayat (MK member judge) explained chronology decision this: First, on Friday, September 29 2023. The MK Registrar's Office accepts letter retraction lawsuit sent _ power the laws of Almas and Arkaan which are ten University students November (UNS). That letter dated September 26, 2023.

Second, on Saturday, September 30 2023. The MK accepts letter new from power the laws of Almas and Arkaan. That letter dated September 29, 2023. Contains about cancellation letter retraction lawsuit that has been be delivered to MK one day previously. Judge Arief Hidayat explained that in letter that, power two UNS law students explained reason behind cancellation letter retraction lawsuit.

Third, on Tuesday, October 3 2023. The MK held the judge for ensure revocation and cancellation lawsuit filed by Almas and Arkaan. In court those, lawyers second student That convey three points, namely:

a. There is problem miscommunication that arises between team power law in Solo and Jakarta in connection with preparation file application physique. They explained that misunderstanding happen Because obligation for team power law for fulfil 12- fold requirement document lawsuit that has been they repair.

b. As consequence from miscommunication the members team power law feel error and shame. Therefore that, without coordinate with Almas and Arkaan, they send letter retraction lawsuit on September 26, 2023.

c. After do coordination with Arkaan, group power law Then send letter cancellation on retraction lawsuit on September 29, 2023. According to information them, letters the accepted by the officer MK security named Dani on Saturday 30 September at 20:36 WIB (BBC, 2023)

On Monday, October 16 2023, the Court the Constitutional Court (MK) agreed part request for judicial review of Article 169 letter q of the Law Number 7 of 2017 concerning Related General Elections with age limits candidate president (capres) and vice president (cawapres). Lawsuit the registered with number 90/PUU-XXI/2023 above name Almas Tsaqibbirru Re A. Chairman the Constitutional Court Panel of Judges Anwar Usman stated that part application the reasoned in a way law. Application That granted part based on condition alternative that is Once took office as head selected area through election general.

The Constitutional Court stated that " at least 40 years old " is contradictory with the 1945 Constitution and not have strength law binding, throughout No interpreted as " at least 40 years old or ever/currently occupy elected position _ through election general including election head region." (Haryanto, 2023). This decision means for the vice presidential candidate will be follow election must be at least 40 years old or Once serving / being took office head area through mechanism election general (election). so from it's Gibran who hasn't 40 years old, yes follow election as vice presidential candidate Because currently took office as head area!

3. Assembly Honorary MK (MKMK) became potency obstacle for Gibran to go forward, though Already official register to the KPU.

MK Decision Number 90/PUU-XXI/2023 Concerning Age Limits Presidential and Vice Presidential Candidates, got criticism from part big people who think decision This is on purpose For give road for Gibran to go forward as vice presidential candidate with actual conditions _ Not yet fulfilled. Pressure public This Finally form Assembly Honorary MK (MKMK).

MKMK was formed

MKMK founded connection with exists report conjecture violation serious crimes committed by the reported party or accused judge. The formation of MKMK was proposed by the Honorary Council follow exists report public. Proposal establishment of an Honorary Council submitted in a way written to Court Constitution, accompanied proposal judge's acquittal or given suspect _ information.

Duties and authorities of MKMK

Following This task from MKMK:

a. Process and study Honorary Council report about conjecture violation severity carried out by the reported judge or accused.

b. Convey decision Committee Honor sent _ to Court Constitution.

MKMK moment This authorized:

- a. Call and examine the reported judge or accused in accordance with Honorary Council recommendation
- b. Call Reporter, witness and/ or collection calls and information party other.
- c. Drop decision form penalty or rehabilitation (Aida, 2023).

MKMK Decision

Assembly Honor Court Constitution (MKMK) dated November 7 2023, decided that nine justices have violate related conjecture violation code ethics decision Minimum age requirements for presidential and vice presidential candidates. In the verdict that was read Chairman of MKMK, Jimly Asshiddiqie, nine judges are mentioned No Can guard information in Meeting Judge's Deliberation (RPH) because must become confidential. According to Jimly, verdict That made based on results inspection, hearing and seeing information reporter, reported, witness, item evidence and documents supporter other (Editorial team, 2023). MKMK also decided dismissed Anwar Usman from his position as Chairman Court Constitution (MK).

Although thus, the MKMK's decision turns out to be No can change previous MK decision. This matter because, Law no. 24 of 2003 concerning Court Constitution (UU MK) and Law no. 8 of 2011 concerning Amendments to Law no. 24 of 2003 concerning Court the Constitution states: " The Constitutional Court's decision is direct obtain strength law still since spoken and not There is effort the law can taken. The nature of finality in decision Court Constitution in Constitution This also includes strength law binding" (Garjito, 2023).

So, clear perhaps from explanation article above can is known that the Constitutional Court's decision No can changed Because its nature is final and binding, which the Constitutional Court's decision is not Can submitted effort law.

The rupture group elite Joko Widodo's government volume two

1. Rift connection Megawati and Joko Widodo politics

As is known together, in 2005 Joko Widodo (Jokowi) became mayor of Surakarta through Regional elections with party bearer namely PDIP and the Party Resurrection Nation (PKB). Jokowi who is also PDIP members, return win Surakarta regional elections in 2010. In 2012, Jokowi returned promoted by PDIP for follow contestation regional elections governor of DKI Jakarta. Regional elections the return can Jokowi won together her partner Basuki Tjahaja Poernama.

Continuing in 2014, Jokowi was again promoted by PDIP as presidential candidate for proceed compete in elections President and vice president face presidential candidate other namely Prabowo Subiyanto. Election this also worked won by Jokowi and PDIP as party with voice most in the election legislative. It hasn't stopped yet until there, at the election next in 2019, Jokowi returned proceed as presidential candidate period 2nd, face presidential candidate others that are nothing else No is Prabowo Subiyanto. Finally, the election president and legislature 2019 will be peak Jokowi's achievements with PDIP as ruler existing Indonesian government lasts 5 years previously.

Such closeness tightly between PDIP and Megawati as chairman generally with Jokowi, apparently start cracked towards the end Jokowi's position as president in term second. Issue extension term of office the president who sticks out at the end Jokowi's leadership, apparently No welcomed good by Megawati (Al Hasan, 2023). It's here apparently beginning start rift connection political That happen. Absence _ Megawati's support through PDIP of course just thwart all discourse extension term of office president. This matter it seems like disturbing attitude elitist from a two- term president.

2. Jokowi started avoid from PDIP and approached to Prabowo

At the end of his term of office as President, Jokowi looks start avoid from PDIP and start approaching to figure his opponent in two elections president previously, namely the current Prabowo Subiyanto took office as his assistant. Proximity between both of them start Lots shown in front of public, with shield coordination between superiors and subordinates, both often seen together attend a formal or non-formal event. At an event Jokowi also had the opportunity convey about allotment president next is Prabowo's turn (Luxiana, 2023).

Rule facts just elections _ allow a president elected and in office during one term of office and that's fine chosen Again For one more term of office in the period next, hindered Jokowi _ For Keep going is at the top as head of state. This matter Of course end existing regime _ almost 10 years This powerful. So from That It seems, Jokowi started prepare alternative to the status quo in power No is lost so just like fate of Susilo Bambang Yudhoyono (SBY) in the period president before himself.

3. Gibran as alternative extension Jokowi's power

Gibran Rakabuming Raka is child second Jokowi. Won regional elections

2020 Surakarta city at the same time with older brother his brother-in-law, Bobby Nasution, won regional elections Medan city. About 2 years 6 months took office mayor, Gibran now proceed as vice presidential candidate accompanying Prabowo. If you judge from record footsteps politics, of course just age experience This considered very minimal. Moreover, rules limitation age the vice presidential candidate who doesn't allow citizens of his age For can proceed as contestant.

Main obstacle for step Gibran's advancement as vice presidential candidate ie rule legislation about limitation age presidential and vice presidential candidates, apparently get attention special. Three day approaching closed it registration will candidate president (bacapres) and future vice presidential candidate (bacawapres), the MK decides grant lawsuit about age limits presidential and vice presidential candidates with addition rule new related position vice presidential candidate. There is a clause for citizens of the lower countries 40 years old, eligible submitted as vice presidential candidate with position have / are took office head area, then Already No There is Again constraint for Gibran as Jokowi's son for proceed as vice presidential candidate. Of course just This is Jokowi's chances of extending it his power if Gibran is elected as vice president later.

4. Gibran Rakabuming Raka's realization is progressing as vice presidential candidate Prabowo Subiyanto

Chairman of the Party Gerindra, Prabowo Subianto, official announced on Sunday evening, 22 October 2023. That Gibran Rakabuming Raka, the eldest son of President Joko Widodo, will become candidate vice presidential candidate in the presidential election upcoming. The Forward Indonesia Coalition (KIM) held meeting at Prabowo's residence on Jalan Kertanegara, Kebayoran Baru, South Jakarta (Prabowo, 2023). A day Previously, Party Golkar in a way official announce support they for Gibran as vice presidential candidate Prabowo Subianto through meeting leader national (rapimnas) which will be held on Saturday, 21 October 2023 (Putri, 2023).

Finally! Prabowo Subianto and Gibran Rakabuming Raka officially register as candidate President and vice president to the KPU. The Prabowo-Gibran pair became partner the third to register to the KPU. On Wednesday, October 25 2023, Prabowo and Gibran arrived at the Jakarta KPU with accompanied by the chairmen general party politics in the Advanced Indonesia Coalition (KIM).

Deviation Power by the Ruling Elite

1. Flaws in the Constitutional Court's decision which contains joy however despicable.

Deviation power exercised by attitudes _ political elite, depicted from The Constitutional Court's decision cleared the way Gibran's steps accelerated as vice presidential candidate. This stain looks clear from coloring oddities _ appearance MK decision Number 90/PUU-XXI/2023 concerning Age Limits Presidential and Vice Presidential Candidates.

A number of oddity from aspect law can note, including:

First from facet materially, MK actually follow the wishes of the DPR and the government. This matter seen in decision 90/PUU-XXI/2023 in which the MK has release predicate power the judiciary administers it checks and balances function. As a result, MK was impressed become tool political for the DPR and the President For do changes to the law instant without involve participation public.

Second, attitude Court the Constitution (MK) is inconsistent. This matter caused by change drastic views of previous constitutional judges reject firm application applicant in decision case Numbers 29/PUU-XXI/2023, 51/PUU-XXI/2023, and 55/PUU-XXI/2023 with reason testing No is problem constitutional but rather an open legal policy. However so, deep MK Decision No.90/PUU-XXI/2023 which substance question the same article precisely grant part application applicant and grant addition of new norms to the conditions candidate president and vice presidential candidates (capres-cawapres).

Third, from facet procedures, there are anomaly. Actually, things the Already resolved in Meeting Judge's Deliberation (RPH) after three case First finished checked. However, MK waited second case other namely 90/PUU-XXI/2023 and 91/PUU-XXI/2023 for decided simultaneously. This matter done with the right reason.

Constitutional Judge Prof Arief Hidayat said in his dissenting opinion, cases 90/PUU-XXI/2023 and 91/PUU-XXI/2023 were stated revoked by proxy the law with letter dated 26 September 2023 on Friday, 29 September 2023. But on Saturday, 30 September 2023 at 20.36 WIB, the applicant cancel retraction matter. Based on Arief search, letter cancellation retraction lawsuit the new received on Monday, October 2 at 12.04 WIB via Receipt File Case Meanwhile, as noted by the MK. Arief emphasized that the MK employee who received it letter That not Dani as said _ team power the laws of Almas and Arkaan, but rather Safrizal as listed in the Receipt File Case Temporary. Apart from that, Arief revealed astonished Because the MK Registrar's Office registers letter cancellation retraction lawsuit on Saturday, September 30, which is day holiday, not Monday 2 October as recorded in the Receipt File Case Temporary (Febriansyah & Prayitno, 2023)

Decision Assembly Disappointing Honor MK (MKMK).

Hope will justice to violation the ethics of the judges who decide case decision Number 90/PUU-XXI/2023 concerning Age Limits Presidential and Vice-Presidential Candidates, apparently extinct. This matter because mechanism regulation existing legislation _ ensure Any Constitutional Court decision is final and binding. So that No There is effort law official can _ change it, especially Again in time near. As for the most severe punishment of course dropped to Anwar Usman, with uninstal his position as chairman of the Constitutional Court and prohibited it his for follow in the judge case election in the future. Although So, Anwar Usman on May 25 year then, marry Idayati (sister Jokowi's birth), in fact Already succeed help child Older brother his brother-in-law For can drove as vice presidential candidate.

Influence power in Suite phenomenon progress Gibran as vice presidential candidate.

Jokowi's attitude with let child his new one is 2 years 6 months enter to stage political as area for proceed as vice presidential candidate, of course just assessed No wise by some Indonesian people. Moreover again, some month before the Constitutional Court's decision regarding limitation age vice presidential candidate, Jokowi himself with state Gibran's unfitness to advance as vice presidential candidate (detik.com team, 2023b). However, mid last October 2023, after younger brother his brother-in-law lead trial at the Constitutional Court and decide case decision Number 90/PUU-XXI/2023 concerning Age Limits Presidential and Vice Presidential Candidates circumstances start changed. Attitude Jokowi initially refused Gibran's discourse for proceed as Vice President, now precisely changed as if Jokowi was the one who handed Gibran to Prabowo.

Writer evaluate Situation This in accordance with study scientist C. Wright Mills who wrote The Power Elite. He bring up understanding about theory elite, that is A draft in studies politics and sociology put forward that power held by a group small person called as elite (Mawardi, 2019). Elite group This own control on source Power economics, politics, and culture in public. This theory also assumes that power in public centered on groups that have influence big economy and politics. According to theory This is elite will do various strategies for maintain his power.

Attitude elite by group ruler this, pushing appearance deviation power That Alone. Based on explanation given by Sahetapy _ about EH Sutherland's speech in 1939, regarding white collar crime (violation collar white). At first, he state that action crimes committed by collared people white (individual or groups that have social status high economic, respected, rich, and the like) are action real criminal _ is violation to law positive in effect (Tan, 2022).

Although White collar crime often connected with crimes committed by individuals _ as holder position in the company or legal entity, in fact there are also those White collar crime among government, esp when maintenance government taking place No transparent. The rulers or official government will Keep going try get and keep power politics, fine formally or informally, in order to get profit as much Possible for group they. There are a number encouraging factors _ somebody for do action White collar crime. A number of factor the is condition social the economy is not stable, the government is not transparent, enforcement the law is not yet firm and effective, and management and supervision are lacking Good is a number of the cause (Tan, 2022).

Based on explanation of two theories This writer assume, Jokowi along with group elite ruler

moment this, has interest For is at in scope power. Whereas regulations For Keep going is at in power Already No Again give space, then from that's Jokowi and his group need extension hand in the circumference power forward after He down, through manipulation law for his son Can proceed as state officials. Interest For Keep going is at in circumference power this is what it is application from theory elite with use pattern White collar crime like explained previously. Is at in group elite power It means Can get Lots access to all source existing state power, good economics, politics until law. You get great access This Of course just useful for get guarantee welfare and security in the following times.

On the side otherwise, Prabowo is in office as Jokowi's assistant, has failed 3 times reach chair executive government of this country. With Jokowi's position as president and his position Alone as minister defense. Prabowo must ensure support leader highest to use help himself utilize all resources and facilities elite government other, for can win in election president upcoming. The safest choice possible _ ensure support full the is with bring child president as his companion in the 2024 election.

Conclusion

Gibran's step forward with road The Constitutional Court's decision is odd give stain in system politics and law of this country. Conjecture strong perpetrator desecration This none other than that group elite greedy ruler _ For still maintain the status quo of power. Attitude greedy This even don't hesitate to go through defective mechanism _ in a way normative and overt. The Constitutional Court's decision is correct disabled procedure law in its determination as well as rated very no ethical even by society lay even though. Obviously very thick will interest political President Jokowi, who involved member his family for still is at in circumference elite ruler.

Jokowi's efforts together group elite other behind attitude conflicting politics _ with values democratic This is suspected of course a inevitability _ appear from race holder power. Grip power existing state government walk almost One decade time, start appeared Mental and psychological unpreparedness for ended it's time. Pattern from effort this is what drives it happen series oddity in incident politics and law during around One year this, and at the end comes down to steps Gibran was officially nominated as vice presidential candidate.

Policy arbitrary elites _ For maintain power, as form White Collar Crime. Ended in damage order state laws and values democracy, which has been around for two decades This restored from mentality government in the New Order era. How it's sad fate of this country in the future! If democracy as A system politics already _ arranged like that appearance, held under shade popular sovereignty, guna produce policy for kind together Indonesian society. At the end precisely return back off For only serve interest a handful group elite.

References

- Aida, N. (2023, October 27). Get to know what MKMK is, its duties and authorities. <https://www.kompas.com/tren/read/2023/10/27/181500365/mengenal-apa-itu-mkkm-tas-dan-welawannya>.
- Al Hasan, A. (2023, October 28). PDIP Reveals Reasons for Opening Maneuver Jokowi Asks for 3 Periods. <https://nasional.tempo.co/read/1789688/pdip-besar-alasan-buka-manuver-jokowi-minta-3-periode>
- Alinda, H. (2023, October 23). Gibran's different attitude regarding the 2024 vice presidential candidate, once admitted that he was not appropriate, now he is moving forward with Prabowo. This article was published on Kompas.com with the title "Gibran's different attitude regarding the 2024 vice presidential candidate, he once admitted that he was not appropriate, now he is moving forward with Prabowo", Click to read: [https://www.kompas.com/tren/read/2023/10/23/084500265/beda-sikap-gibran-soal-cawapres-2024-semptakakui-belum-pantas-kini-maju](https://www.kompas.com/tren/read/2023/10/23/084500265/beda-sikap-gibran-soal-cawapres-2024-semptakakui-belum-pantas-kini-maju#google_vignette)
- Ardhana, W. (2002). *The concept of development research in the field of education and learning*. Malang: State University of Malang, Query date: 2023-05-24 15:06:05.
- BBC, R. (2013, October 22). Prabowo announces Gibran as vice presidential candidate, what are the political and legal consequences? <https://www.bbc.com/indonesia/articles/c8vl5n18p5zo>
- BBC, R. (2023, October 17). What are the 'irregularities and strange chronology' of the Constitutional Court's decision regarding the age limit for presidential candidates? <https://www.bbc.com/indonesia/articles/c4n60z000ngo>
- CNN Indonesia. (2023, October 16). MK Judge Saldi Isra Dissenting Opinion: I'm Really Confused Read the CNN Indonesia article "MK Judge Saldi Isra Dissenting Opinion: I'm Really Confused" in full here: <https://www.cnnindonesia.com/nasional/20231016204436-12-1012027/hakim-mk-saldi-isra-dissenting-opinion-I'm-really-confused>. Download the CNN Indonesia App now <https://app.cnnindonesia.com/>. <https://www.cnnindonesia.com/nasional/20231016204436->

- 12-1012027/hakim-mk-saldi-isra-dissenting-opinion-saya-sebuah-true-confused. <https://www.cnnindonesia.com/nasional/20231016204436-12-1012027/hakim-mk-saldi-isra-dissenting-opinion-saya-sebuah-true-confused>.
- detik.com team. (2023a, May 30). Jokowi calls Gibran illogical as vice presidential candidate. <https://www.detik.com/sumbagsel/berita/d-6745883/jokowi-buat-gibran-tak-logis-jadi-cawapres>.
- detik.com team. (2023b, October 26). Gibran is considered a PDIP traitor because he became Prabowo's vice presidential candidate: It's okay. <https://www.detik.com/jogja/berita/d-7004119/gibran-diconsider-pengkhianat-pdip-gegara-jadi-cawapres-prabowo-nggak-apa>. <https://www.detik.com/jogja/berita/d-7004119/gibran-diconsider-pengkhianat-pdip-gegara-jadi-cawapres-prabowo-nggak-apa>.
- Editorial team, C. (2023, July 11). MKMK Decision: 6 MK Judges Violated Ethics, Sanctioned by Verbal Reprimand. <https://www.cnbcindonesia.com/news/20231107163846-4-487114/angkatan-mk-mk-6-hakim-mk-langgar-atik-disanksi-teguran-lisan>. <https://www.cnbcindonesia.com/news/20231107163846-4-487114/angkatan-mk-mk-6-hakim-mk-langgar-atik-disanksi-teguran-lisan>
- Fallahnda, B. (2023, October 23). Timeline of Gibran's journey from June 23 to becoming vice presidential candidate. "Timeline of Gibran's journey from June 23 to becoming vice presidential candidate", <https://tirto.id/gRm4>
- Febriansyah, F., & Prayitno, S. (2023). Legal Analysis of The Ruling Of The Constitutional Court Number 90/Puu-Xxi/2023 Concerning Age Limits For Presidential And Cawapresidential Capital Courts. *Mitra Journal*, Query date: 2023-12-11 08:46:06. <http://jurnal.mitrasmart.co.id/index.php/jm/article/view/55>
- Garjito, D. (2023, November 16). Can't the Constitutional Court's Decision Be Changed? Here's the explanation. <https://www.voice.com/lifestyle/2023/11/16/121714/bangunan-mk-tidak-bisa-diubah-begini-pengualannya>
- Haryanto, A. (2023, July 11). Results of today's MKMK decision hearing, what are the contents? <https://tirto.id/hasil-sidang-termun-mk-mk-hari-ini-apa-isinya-gRYz>
- Luxiana, K. (2023, August 11). "After this, Prabowo's quota" is assessed as the direction of Jokowi's support in the 2024 presidential election. <https://news.detik.com/pemilu/d-6393595/after-ini-jatah-prabowo-divalu-arah-dukungan-jokowi-di-pilpres-2024>.
- Mawardi, A. (2019). Charles Wright Mills and the Power Elite Theory: Reading the Context and Mapping the Political Sociology Theory of the Power Elite Class. *Journal of Sociology of Humanist Education*, Query date: 2023-03-20 15:13:49. <https://core.ac.uk/download/pdf/287321883.pdf>
- Nugroho, R. (2023, July 11). MKMK Decision: Serious Ethics Violation Anwar Usman Fired as Chief Justice of the Constitutional Court This article was published on Kompas.com with the title "MKMK Decision: Serious Violation of Ethics Anwar Usman Fired as Chief Justice of the Constitutional Court", Click to read: <https://www.kompas.com/tren/read/2023/11/07/185526565/bangunan-mk-mk-langgar-istik-berat-anwar-usman-dismissed-from-chairman-mk>. [https://www.kompas.com/tren/read/2023/11/07/185526565/angkatan-mk-mk-langgar-atik- Berat-anwar-usman-dipecat-dari-ketua-mk](https://www.kompas.com/tren/read/2023/11/07/185526565/angkatan-mk-mk-langgar-atik-Berat-anwar-usman-dipecat-dari-ketua-mk).
- Prabowo, D. (2023, October 22). Prabowo Officially Announces Gibran Rakabuming Raka as Vice Presidential Candidate. <https://nasional.kompas.com/read/2023/10/22/19422101/prabowo-resmi-umumkan-gibran-rakabuming-raka-jadi-cawapres>.
- Pratama, F. (2023, September 30). Gibran Conveys to PDIP about Prabowo's nomination to be Vice President. <https://tirto.id/gibran-besar-ke-pdip-soal-dipinang-prabowo-jadi-cawapres-gQzf>
- Putri, A. (2023, October 21). Gibran Rakabuming Raka Receives Golkar National Conference Decree to Become Prabowo's Vice Presidential Candidate. <https://www.liputan6.com/photo/read/5429483/gibran-rakabuming-raka-Thank-surat-keputusan-rapimnas-golkar-jadi-cawapres-prabowo?page=1>
- Sugiyono, S. (2010). *Quantitative and Qualitative Research Methods and R and D*. Bandung: Alfabeta , Query date: 2023-09-30 08:16:32 .
- Tan, K. (2022). Criminological Review of White-Collar Crime in Indonesia. *Indonesian Journal of Criminal Law*, Query date: 2024-01-18 10:57:11. <https://journal.ilinstitute.com/index.php/IJoCL/article/view/1221>