

DEMOCRATIC REGRESSION OF DYNASTIC POLITICS IN THE NOMINATION PROCESS FOR THE VICE PRESIDENTIAL ELECTION IN THE 2024

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Abstract

This research examines and understands the practice of dynastic politics and its impact on democracy in Indonesia, focusing on the candidacy of Gibran Rakabuming Raka as a vice presidential candidate in the general election in 2024. This study found that the Constitutional Court's decision to change the age limit of vice presidential candidates unilaterally violates the code of ethics and the judiciary's neutrality principle. This decision is considered to benefit Gibran, the son of President Joko Widodo and the nephew of the Chief Justice of the Constitutional Court, Anwar Usman. In addition, the politicisation of social assistance carried out by Candidate Pair 02 in the 2024 Election yesterday as a campaign tool to attract public votes was also identified as a factor that regressed democracy. These findings show that dynastic political practices and the non-neutrality of judicial institutions can undermine public trust in the democratic and government systems. In addition, this finding confirms that the judiciary and other state actors involved are not entirely neutral, so they cannot guarantee the quality of democracy in Indonesia. This research uses a qualitative method with an interview approach.

Keywords: Regression, democratic, dynasty, election, politics

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Introduction

Political dynamics in Indonesia often cause uncertainty. Positive and constructive political dynamics have an impact on the continued progress of the nation and state. Harmful and destructive political dynamics make a nation weak and regress. In the 1945 Constitution, which reads "then compile the independence of the Indonesian nationality in a Constitution of the State of Indonesia which is based on the sovereignty of the people", this states that the 1945 Constitution is firmly based on democratic government because it is based on the sovereignty of the people. Of course, in Indonesia, political dynamics and the democratic system go hand in hand, but in reality, in a democratic country, dynastic politics have appeared for a long time. Historically, the first political dynasty in Indonesia was started by Soekarno, whose children and descendants held high public positions. Megawati Soekarno Putri served as the fifth president of Indonesia, and then Soekarno's granddaughter, Puan Maharani, has been the Speaker of the House of Representatives since 2019. This was followed by dynastic politics, which was started by the second president of the Indonesian Republic, Soeharto. His family and close relatives, such as children and sons-in-law, as well as selectively chosen political cronies, dominated the power structure in Indonesia. The end of the New Order era saw the end of dynastic politics and the restoration of democracy, but what is currently in the public eye is the political contestation in Jokowi's system of governance. Jokowi's administration began in 2014 as President and was initially well-received by many people. However, the election of Jokowi's eldest son, Gibran Rakabuming Raka, in the simultaneous regional elections in 2020, which made him the Mayor of Solo, received many big question marks from various parties.

Law Number 1 of 2015 is designed to avoid, limit, or stop dynastic politics. Article 7, point q, states that candidates for regional leaders must not have conflicts of interest with incumbents and other politicians. In this case, the law emphasises that candidates for regional leaders must not be related by blood, marriage and have a lineage of one level straight down, up, and side with the incumbent, except if it has passed a break of one term of office. However, in practice, the decision was overturned by the Constitutional Court (MK) Decision Number 34/PUU-XIII/ because it was considered too generalising that all candidates who have family ties will automatically form a political dynasty, which will then damage the order of government. According to MK, this prohibition is assumptive and unfair because it does not consider the capabilities and integrity of individual candidates, as if family ties are the only indicator of a person's poor leadership quality. However, over time, there was one vice presidential candidate, Gibran Rakabuming Raka, whom Prabowo Subianto nominated as his vice presidential candidate. However, according to the applicable laws regarding the age limit of vice presidential candidates, Gibran is not allowed to become President before he is 40. This also generated a lot of controversy and debate. However, the presence of Anwar Usman, Jokowi's brother-in-law and Gibran's uncle, who served as chairman of the Constitutional Court, made it easier for Gibran to run as a vice presidential candidate. Ultimately, the Constitutional Court partially granted the petition that tested Article 169, letter q of Law Number

7/2017 on General Elections (Election Law). Granting the Petitioner's application in part. Stating that Article 169 letter q of Law Number 7/2017 on General Elections which states, 'at least 40 (forty) years old' is contrary to the 1945 Constitution of the Republic of Indonesia and has no binding legal force, as long as it is not interpreted as 'at least 40 (forty) years old or has/is currently holding an office elected through general elections including regional head elections'," said Constitutional Court (MK) Chairman Anwar Usman reading out the decision in the Constitutional Court Plenary Session Room. The Constitutional Court's decision at the time, which was approved by the chief justice, Anwar Usman, who is Gibran's uncle, led to accusations of nepotism and ethical violations. The public questioned the objectivity of a decision that directly benefited the family. This certainly makes many people ask why democracy in our country is so weak in the run-up to the nomination of the President and Vice President in the 2024 elections.

Many people oppose the decision of the Chief Justice of the Constitutional Court, which is considered to have violated the code of ethics. Moreover, when the Constitutional Court decided that the requirement to become a vice president was to have been or served as a regional head. This decision is considered to pave the way for Gibran, President Jokowi's son, to become a vice president for the 2024 presidential election. This change in law began when Prabowo Subianto announced that Gibran Rakabuming Raka would be the vice presidential candidate, along with Prabowo, who would be the presidential candidate. However, this caused problems because Gibran's age was insufficient to become a vice president. However, Gibran, with a younger brother named Kaesang Pangarep, the Chairman of PSI, did not run out of ideas. PSI also sued the Constitutional Court to change the age limit for vice presidential candidates. Unfortunately, the lawsuit was rejected by the Constitutional Court. However, it did not stop there; a student from Surakarta University filed a lawsuit similar to PSI, namely regarding the change in the age limit of the vice president. The student also submitted three pieces of evidence with his attorney, but the evidence was less relevant. However, Anwar Usman, who served as chairman of the Constitutional Court at that time, quickly granted the student's petition. Anwar Usman's status as Jokowi's brother-in-law and Gibran's uncle became controversial, and Anwar Usman was considered to have violated the code of ethics. So this research aims to find the causes of democratic regression in the Prabowo-Gibran era and analyse the practice of dynastic politics, politicisation of social assistance and the use of apparatus in the 2024 general election.

Several striking issues are related to dynastic politics and their impact on democracy. One of the main issues is the emergence of Gibran Rakabuming Raka as a vice presidential candidate, which raises questions about neutrality in the selection process. Gibran, who is President Joko Widodo's eldest son, received widespread attention due to his influential family status. This led to accusations of ethical violations, especially when Anwar Usman, Gibran's uncle and the Chief Justice of the Constitutional Court, was involved in a decision favouring Gibran. One piece of evidence that points to unfairness in this process is the Constitutional Court's decision to change the age limit for vice presidential candidates. The Constitutional Court declared that Article 169, letter q of Law No. 7/2017 on General Elections, which states that vice presidential candidates must

be at least 40 years old, is contrary to the 1945 Constitution. Anwar Usman stated, "Granting the Petitioner's request in part". This decision paves the way for Gibran to run despite his age.

Criticism of this decision came from various parties, including the public, who questioned the integrity of the Constitutional Court as a judicial institution. Many thought the decision reflected a larger political interest, namely, maintaining dynastic politics. This is in line with the view that political dynasties in Indonesia have deep roots, starting from the Soekarno and Soeharto eras and continuing in the Jokowi era. History shows that dynastic politics often result in the concentration of power in one family, which is detrimental to democracy. In addition, the practice of politicising social assistance (bansos) is also in the spotlight. Social assistance is often used in elections to attract public votes, especially among the underprivileged. This creates injustice in the electoral process, where people's votes can be influenced by the assistance they receive. Research shows that the politicisation of social assistance can undermine democratic principles, as voters do not vote based on the candidates' vision and mission. In this regard, it is important to underline that a healthy democracy requires active participation from the public and transparency in the electoral process. When important decisions are made without involving the people's aspirations, as in the case of the change in the age limit for vice-presidential candidates, public trust in the democratic system will decline. This can lead to political apathy among the people, which will increase the government's legitimacy. As a way forward, there needs to be reform in the electoral system and strengthening of institutions tasked with maintaining the integrity of democracy. Thus, the democratic regression in the Prabowo-Gibran era can be seen as a combination of dynastic politics, the non-neutrality of the judiciary, and the politicisation of social assistance.

Methods

In this research, the author has read several journals related to this research, and studied related matters, such as democratic regression caused by the distribution of social assistance, the use of the apparatus and the loss of freedom of speech. The event of changing the Constitutional Court's rule regarding the age limit for vice presidential candidacy, namely Gibran Rakabuming Raka, who is also the nephew of the Chief Justice of the Constitutional Court, raises much suspicion about the institution of the Constitutional Court in favour of one pair of presidential and vice presidential candidates. The process of democracy in Indonesia is often not smooth from time to time. However, the weakening of democracy in the era of the end of Jokowi's term of office, and the start of the term of office of President Prabowo and Vice President Gibran Rakabuming Raka stole the public's attention, because of its close relationship with the state institution, namely the Constitutional Court, Jokowi, the president in the previous period who is the father of Gibran, and Prabowo, a person who became a military officer in his time. The connection between the elite parties became a big question mark for some people because it triggered the weakening of democracy in Indonesia.

The qualitative method that the author feels is appropriate for this research, the regression of democracy and dynastic politics, which is difficult to

observe using statistical data in quantitative research methods, makes qualitative research methods superior, because it goes through a process of in-depth observation, case studies and the use of appropriate sources. From qualitative methods, the author can also understand public perceptions of the issues in the research. Limit of vice presidential candidates in the context of democracy in Indonesia at the time the decision was passed, do you see dynastic political practices in the nomination of Gibran Rakabuming Raka as a form of weakening democracy, in your opinion, to what extent does the involvement of state actors (such as the military apparatus and the judiciary) affect neutrality, fairness in the 2024 Election and how do you view the rampant politicizationpoliticization of social assistance ahead of the election and do you think this can be categorizedcategorized as democratic regression.

These questions were asked of the interviewees through an interview method conducted offline and online. The collection process was completed from April 17, 2025, to April 23, 2025. The approach that the author chose in this research is an interview, which is sourced from sources in the academic field, such as students and lecturers. From this interview approach method, the author can also find out the perception of neutral academics who can make hypotheses by not taking sides with anyone and understanding the topic well. This interview approach also allows the author to seek knowledge that has not been researched before because it is related to the hypothesis of each party, which is detailed and based on knowledge and always takes sides for the common good. This data collection process uses interview techniques. The author seeks sources who can criticise government policies, are vocal in political matters, and are part of academia, such as lecturers and students, totalling seven people, namely one lecturer and six students. The interview questions totalled six questions: How do you assess the decision made by the Constitutional Court regarding the change in the age

Result and Discussion

Interviewee 1 stated that the decision made by the Constitutional Court was a decision that was taken in a hurry, and indicated that it only benefited certain parties. Furthermore, Interviewee 2 argued that this decision was carried out quickly and was considered to violate the existing code of ethics. Next, Interviewee 3 stated that the decision weakens democracy because it does not involve the people in decision-making. After that, resource person 4 considered this decision very bad, because the authorities did not listen to the people's aspirations. Interviewee 5 explained that this decision was made solely to benefit certain parties. Next, according to resource person 6, this decision was considered wrong because there were protests from the community after the decision was passed. Interviewee 7 also emphasized that this decision violated the code of ethics.

The tendency of the answers from resource persons 1,2,5,7 is that this decision is indicated to only benefit certain parties. The ratification of this decision is considered too hasty, and there are violations of the code of ethics. The explanation from sources 3 and 4 is quite relevant, namely that the ratification of

this decision regresses democracy. It does not accept the people's aspirations, which is confirmed by source six, as well as the explanation from sources 3 and 4 that this decision is considered inappropriate and wrong because there are protests from the community.

In the final period of 2023, before the 2024 elections, the Constitutional Court passed a law regarding the age limit of vice-presidential candidates. The Constitutional Court changed the regulation so that the minimum age provision became forty years old (Prima, 2023). The inconsistency in granting decisions raises many questions in the community. According to the statements of Interviewees 1,2,5,7, this decision is considered too hasty and is only used for the benefit of certain parties. This is also related to the explanation of resource persons 3 and 4, because decisions that are implemented without hearing the people's aspirations will regress democracy. The impact of decisions that are too hasty and do not listen to the people's aspirations will also lead to demonstrations from the community.

Interviewee 1 agreed that Gibran's candidacy and the change in the Constitutional Court's ruling showed the existence of dynastic politics, because Gibran's father was the 7th President of the Republic of Indonesia. In addition, Interviewee 2 also emphasized that Gibran's candidacy is classified as dynastic politics because this is contrary to the democratic system, where power is in the hands of the people, not in the bloodline. Furthermore, resource person three also emphasized that Gibran's nomination is included in dynastic political practices because humans have the instinct and drive to maintain their power, leading to tyranny. In addition, resource person 4 revealed that Gibran's candidacy is categorized as dynastic politics because he has a close attachment to his father, the 7th President of the Republic of Indonesia, and his uncle, a former chairman of the Constitutional Court. Interviewee 5 explained that Gibran's candidacy is classified as dynastic politics because it is still affected by his father's power, the 7th President of the Republic of Indonesia. Interviewee 6 considered Gibran's candidacy as dynastic politics that regress democracy due to its lack of public participation. Similarly, Interviewee 7 revealed that this decision is a dynastic political practice that regresses democracy, because the stage of ratification of the decision was too hasty and without going through the House of Representatives as a policymaker.

The pattern of informants 1, 4 and 2's statements is quite harmonious, agreeing that Gibran's nomination is a result of dynastic political practices that have an impact on democratic regression, because it relies on relations from the bloodline, namely Gibran's father who is the 7th President of the Republic of Indonesia and his uncle who is a former chairman of the Constitutional Court. However, Interviewee 3's explanation also correlates with the explanations of Interviewees 1, 4 and 2, namely that Gibran's candidacy, which is classified as a dynastic political practice, is still carried away by Jokowi's power. Interviewee 3's initial narrative also stated that he agreed with Gibran's nomination, which signifies dynastic politics. However, interviewee three also emphasized that dynastic political practices are a human impulse to maintain power, and the results of dynastic politics can lead to tyranny. Interviewees 6 and 7 also showed a congruence of elaboration, namely that Gibran's nomination is a dynastic political practice that can lead to democratic regression, because there is no

participation of the people. Decisions are passed hastily without going through the House of Representatives. The elaboration of all the interviewees is reasonably correlated with a series of political events that exist in reality. Gibran's candidacy is considered a form of dynastic politics that can cause democratic regression, due to the lack of popular participation in ratifying this decision. However, democracy is a system that involves all the people, not just the interests of a group or a lineage.

Contained in the results of the interview, interviewee 1 stated that the neutrality of the military apparatus in the 2024 general election was not apparent because the military apparatus had a relationship with the vice presidential candidate of one of the candidate pairs, namely Prabowo. Interviewee 2 explained that the involvement of state actors with one party raises the assumption of the practice of power intervention. Interviewee 3 stated that the military apparatus and state judicial institutions should be neutral, but personal relationships between them often influence choices during elections. Interviewee 4 continued by explaining that the judiciary is heavily involved in the neutrality and fairness of elections, and the hasty changes to the age limit regulations for vice presidential candidates significantly impact the credibility of the judiciary in the 2024 general election.

Interviewee 5 went on to state that the dominance of the military and state judiciary in the legal process could perpetuate authoritarianism, and that the neutrality of electoral institutions should be a requirement to safeguard election results. Followed by an explanation from resource person six that the condition of the military apparatus in favour of one pair of candidates, due to the connection and attachment of relationships in the past and the present, it is also challenging to find neutrality in it. The opinion expressed by interviewee 7 is that the conditions of state actors in each region cannot be equated, because of the vastness of Indonesia and the autonomy of each region. However, if viewed broadly, most state actors must tend to side with one of the candidate pairs during the 2024 general election. Then, regarding the politicization of social assistance, resource person 1 explained that democratic regression is not only caused by social assistance, but democratic regression can be caused by dynastic politics, which shows the concentration of power in certain parties. This was followed by an explanation from resource person 2, who said that the politicization of social assistance is often used as a political tool ahead of general elections. When people's choices are based solely on social assistance, the electoral system and democracy lose their essence. Then, the resource person 4 explained that social assistance can regress democracy because it is a political tool that can potentially reduce voter objectivity. Likewise, resource person 5 explained that the practice of politicizing social assistance reflects the regression of democracy, because it takes advantage of the conditions of people in need to direct them to vote for specific candidates. After that, resource person 6 explained that in one condition, social assistance can regress democracy because social assistance can be used as a political tool to direct people to vote for one candidate. Resource person 7 explained that the politicization of social assistance can regress democracy, because someone who receives social assistance tends to be concerned with their immediate needs.

Some of the arguments belonging to the sources are related to each other, such as the arguments belonging to sources 1, 6, and 7, which both mention that the condition of state actors such as the military apparatus and the judiciary has aligned with one of the candidates in the 2024 general election. Then sources 2 and 5, which also have significant statements correlating with the involvement of parties who have relationships with state actors, raise the possibility that powerful intervention and state actors who dominate the legal process can perpetuate authoritarianism. Even so, the neutrality of general election agencies is a requirement to maintain election results. Continued with the explanation of related resource persons 3 and 4 because they state the necessity of neutrality in general elections, but state actors still lean towards specific candidate pairs. Regarding the politicization of social assistance, a resource person stated that the politicization of social assistance is not the only thing that can regress democracy, but the practice of dynastic politics, which shows the concentration of power in certain parties, is also a cause of democratic regression. Another explanation from resource person 2, who also agreed that the politicization of social assistance can regress democracy, but resource person two also emphasized that when people's choices are only based on social assistance, the ELECTION system and democracy will lose their essence. Meanwhile, informants 3,4,5,6,7 have similar statements and are pretty in line regarding the politicization of social assistance, which is often used as a political tool in electoral contestation, in order to gain as many people's votes as possible to elect specific candidates and can regress democracy.

However, in Indonesia, state actors such as the military and the judiciary, which are supposed to be fair and neutral in the 2024 general election, have become formalities. Article 306 paragraph (2) states, among others, that the TNI is prohibited from taking actions that benefit or harm election participants, campaign implementers and campaign teams. However, from the alleged non-neutrality of Major Teddy, who is part of the TNI and the personal secretary of Prabowo because he was present at the presidential debate, he is still an active member of the TNI as well as the former 7th President of the Republic of Indonesia, who is considered to favour the candidate pair 02 during the 2024 general election. Also, in practice, the politicization of social assistance in Indonesia is continuously carried out ahead of the general election to gain high votes. This was proven to be done by candidate pair 02, because the legal teams of candidate pairs 01 and 03 sent their respective legal counsels to report the practice of politicizing social assistance carried out by candidate pair 02 to win in the 2024 presidential and vice presidential elections. Not only that, if drawn to a conclusion, the seven speakers also agreed that the politicization of social assistance is one of the political tools that can regress democracy, aimed at the public to vote for specific candidate pairs.

From the results of the vice presidential nomination that changed the vice presidential age limit law passed by the Constitutional Court, as well as from data collection in the form of previous literature studies and the statements given by the interviewees, the vice presidential nomination that changed the vice presidential age limit was considered to regress democracy. This is due to the ruling that was considered too hasty. The use of dynastic political practices through hereditary relationships through Gibran's uncle who is a former

chairman of the Constitutional Court, but still served as chairman of the Constitutional Court when the decision was passed, as well as the seventh president of the Republic of Indonesia, Joko Widodo, who is Gibran's father, who seemed to approve the passing of this decision to perpetuate his power.

The explanations of the interviewees also made important contributions to the results of this research. The interviewees have quite similar explanations, that this decree change was passed in a short time and without hearing the aspirations of the people, even though democracy is the system in Indonesia to determine and approve a matter, democracy also places the people in the highest position. However, in reality, it is not like that in this case. From this, it can be concluded that ratifying the vice presidential age limit law is wrong for the democratic system because it does not involve the people's aspirations. The danger of dynastic politics is real, with the state system using a democratic system, and the Indonesian state in the form of a republic with the highest leader, the President, who is directly elected by all the people through elections, dynastic politics should be prohibited in this case. Dynastic politics began with the proposal of Gibran's name as the vice-presidential candidate of the candidate pair 02. This proposal was easily approved by the Constitutional Court, which Anwar Usman, Gibran's uncle, chaired. This decision led to arbitrariness, so dynastic politics certainly existed.

The product of dynastic politics by Gibran is one of the causes of democratic regression. Analysis of the findings shows that before the 2024 election process, no previous rules suddenly changed the age limit. However, during Gibran's nomination process, the rules regarding the age limit of vice-presidential candidates were suddenly changed through dynastic politics. The neutrality of the military apparatus and state judicial institutions in the 2024 election is quite subtle, because the military apparatus has a past relationship with Prabowo, who is the vice presidential candidate of candidate pair 02, as well as evidence that Prabowo's secretary, who is an active member of the TNI, often participates in campaigns to presidential candidate debates using campaign attributes. In addition, the politicization of social assistance as a political tool to support the campaign process carried out by candidate pair 02 is often found in various regions. However, they carry out evasion after evasion to avoid various kinds of accusations. State judicial institutions have also denied this, even though much evidence has circulated on social media. As a result, the military apparatus that is not neutral and the partiality of state judicial institutions in the 2024 presidential and vice presidential candidate elections have tarnished the democratic system. The democratic system in Indonesia has been imperfect in its implementation process since the beginning. However, the regression of democracy carried out by the candidate pair 02 in the 2024 general election strengthens the damage to democracy in Indonesia through the non-neutrality of the military apparatus and the politicization of social assistance as a campaign tool.

Conclusion

This research reveals dynastic political practices that contaminate government and judicial institutions, with the main finding being the role of the Constitutional Court (MK) in changing the age limit of vice-presidential candidates abruptly in favor of Gibran Rakabuming Raka, President Joko Widodo's son and nephew of the then Chief Justice of the Court, Anwar Usman. The decision, which was deemed a violation of the code of ethics, shows how familial relations in the judiciary can strengthen political dynasties and regress democracy. In addition, other findings show the use of social assistance as a political tool for candidate pair 02 to influence voters from low economic groups, thus reinforcing the phenomenon of social assistance politicization. This research not only confirms the threat of dynastic politics to democracy as has been widely studied before, but also provides new insights into the role of the judiciary in supporting the practice. Despite using qualitative methods with in-depth interviews, the limited number and diversity of interviewees, the focus on the 2024 elections, and the absence of quantitative data are shortcomings that limit the generalizability of the findings. The data collection in April 2025 also makes the analysis of Gibran's post-nomination political development not fully comprehensive.

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