Juris Sinergi Journal (JSJ)
2026, Vol. 3, No. 2
Website https://journal.sinergilp.com/index.php/jsj
DOI: https://doi.org/10.70321/jsj.v3i2.192

The Legal Lacuna Concerning Term Limits for Political Party Chairpersons and the Constitutional Court's Strategic Options

An Analysis of Constitutional Court Decisions Nos. 194/PUU-XXIII/2025 and 191/PUU-XXIV/2026

Ahmad Yani*
Universitas Muhammadiyah Jakarta, Indonesia

Abstract
The absence of statutory provisions prescribing maximum term limits for political party chairpersons raises questions concerning the balance between organizational autonomy and the protection of party members' opportunities to participate in intra-party democracy. This study aims to examine the limits of the Constitutional Court's intervention in Decisions No. 194/PUU-XXIII/2025 and No. 191/PUU-XXIV/2026 and to assess the explanatory strength of doctrinal, procedural, and strategic accounts of the disposition of both cases. Employing a normative juridical research method, this study adopts statutory, case, and conceptual approaches, supplemented by document-based process tracing. The research materials are analyzed by identifying the Court's legal reasoning, reconstructing the development of its arguments, and comparing evidence that supports or constrains each explanation. The findings demonstrate that the limits of judicial intervention operate through two distinct pathways. In the 2025 case, the Court recognized the petitioners' legal standing but rejected the petition on the merits, relying on considerations of political party autonomy, internal regulation through party constitutions and bylaws, and the distinction between the case at hand and precedents concerning professional advocates' organizations. In the 2026 case, the Court declared the petition inadmissible because the petitioners failed to establish a sufficient nexus between the challenged statutory provisions and their alleged constitutional injury, thereby precluding judicial examination of the merits. These divergent dispositions do not constitute a direct substantive contradiction. The publicly available evidence provides stronger support for doctrinal and procedural explanations than for hypotheses concerning the anticipation of institutional consequences, public support, or the restoration of institutional legitimacy. This study concludes that the identical regulatory outcome, namely the absence of legally prescribed term limits, does not establish the existence of identical strategic motivations. Regulatory reform should therefore focus on establishing minimum standards of intra-party democracy that safeguard open access to candidacy, meaningful participation, accountability, and effective remedies for violations of party members' rights, while recognizing term limits as one regulatory instrument requiring independent justification.

Keywords: intra-party democracy; term limits; Constitutional Court; judicial restraint; strategic judicial behavior.

Introduction

Constitutional democracy is shaped not only by the conduct of competitive elections but also by the governance of organizations responsible for preparing prospective public leaders. In this regard, political parties play a crucial role as vehicles for political recruitment and as gatekeepers determining access to candidacy for public office. The regulation of party leadership therefore involves two interests that do not necessarily align. On the one hand, political parties enjoy organizational autonomy as an expression of freedom of association. On the other hand, party members must be

*Correspondence: Ahmad Yani; ahmad.yani@umj.ac.id

afforded fair opportunities to participate, nominate alternative candidates, and influence internal decision-making processes.

This tension becomes particularly evident when procedural openness does not necessarily result in a more equitable distribution of power. Cordero et al. (2022) demonstrate that expanded access to candidate selection may coexist with the persistence of leadership influence through informal mechanisms. Sánchez Medero (2024) likewise finds that the adoption of digital procedures in the selection of party officials and electoral candidates in Spain does not automatically ensure substantive intra-party democratization, as party apparatuses continue to exercise control over significant aspects of these processes.

These studies underscore that intra-party democracy cannot be adequately assessed solely by the existence of electoral forums or the extent of formal participation. Such an assessment must also consider who determines the agenda, establishes candidacy requirements, and controls members' opportunities to propose alternative leadership candidates.

This issue becomes particularly relevant when party leaders can retain office through repeated elections without statutory limitations on the maximum number of terms they may serve. Periodic elections do not necessarily guarantee that alternative candidates enjoy equal opportunities to compete against incumbents. Nevertheless, prolonged tenure does not, in itself, establish that internal political competition has been foreclosed. Accordingly, term limits should be understood as one regulatory instrument capable of influencing the distribution of power and opportunities within an organization, rather than as the sole indicator of intra-party democracy or an automatic guarantee of democratic improvement.

The importance of distinguishing internal competition from its broader implications for democracy is illustrated by Katsourides and Ioannidis (2025). Drawing on cross-national analysis and German panel data, they find no statistically significant relationship between the degree of competition in party leadership elections and party voters' satisfaction with the functioning of democracy. This finding does not diminish the importance of internal competition. However, it cannot be used to draw conclusions regarding the effects of leadership term limits, as such restrictions were not specifically examined in their study.

Accordingly, the present study does not proceed from the assumption that limiting leadership terms necessarily increases public satisfaction with democracy. Instead, its primary focus is on how demands for term limits are addressed as constitutional questions and how the Constitutional Court of the Republic of Indonesia (hereinafter the Constitutional Court or the Court) determines the limits of its authority in responding to such demands.

In Indonesia, the legal framework governing political party leadership combines the requirement that party officials be democratically elected with the delegation of detailed procedural arrangements to internal party regulations. Article 22 of Law No. 2 of 2008 on Political Parties provides that party governing bodies at every organizational level shall be elected democratically through deliberation in accordance with the party's constitution and bylaws (*anggaran dasar dan anggaran rumah tangga*, AD/ART). Meanwhile, Article 23(1) of the Political Parties Law, as amended by Law No. 2 of 2011, leaves the regulation of changes in party leadership at every organizational level to the party's constitution and bylaws (Law No. 2 of 2008). These provisions establish a legal basis for the election and replacement of party officials but

do not prescribe a maximum number of terms that political party chairpersons may serve.

In this study, the term *legal lacuna (rechtsvacuum)* is employed in a restricted sense to refer specifically to the absence of statutory provisions establishing maximum limits on leadership terms, rather than to a complete absence of legal regulation concerning political party governance. The absence of such provisions does not, in itself, establish the existence of a legislative omission that is constitutionally impermissible. The delegation of regulatory authority to party constitutions and bylaws may instead be understood as a legislative policy choice intended to respect political party autonomy.

Nevertheless, this legislative choice may raise constitutional concerns where party members allege that internal mechanisms fail to provide adequate opportunities to challenge incumbent leadership. The central question, therefore, is whether the organizational autonomy preserved under this regulatory framework is accompanied by sufficient safeguards for equality of opportunity and intra-party democracy.

This tension is reflected in Constitutional Court Decision No. 194/PUU-XXIII/2025, arising from a petition filed by Imran Mahfudi, a member and Deputy Secretary of the Aceh Provincial Regional Executive Board (DPW) of the National Awakening Party (PKB). The petitioner alleged that his intention to stand for election as regional chairperson encountered obstacles because he would have to compete against an incumbent who, according to his account, had already served three terms. He associated the incumbent's continued tenure with control over the organizational structure, which he considered to have restricted competitive opportunities and impeded leadership regeneration. These allegations must be distinguished from facts judicially established by the Court. Nevertheless, the petition demonstrates that the demand for leadership term limits was framed as a question of equality of opportunity among party members, rather than merely as an objection to a particular political leader (Constitutional Court Decision No. 194/PUU-XXIII/2025, 2025).

In its decision pronounced on 27 November 2025, the Court considered the petitioner's request that Article 22 be interpreted as prescribing a five-year term of office, with eligibility for re-election to the same position limited to one additional term, whether consecutive or non-consecutive. The petition also challenged the phrase *"tidak tercapai"* ("not reached") in Article 33(1), concerning the resolution of internal political party disputes. The Court recognized the petitioner's legal standing but rejected the petition in its entirety.

In assessing the demand for leadership term limits, the Court distinguished political parties from professional advocates' organizations, thereby concluding that the reasoning adopted in Decision No. 91/PUU-XX/2022 could not be applied directly. The Court further emphasized that party members retained the opportunity to improve procedures for selecting party officials through the formulation and amendment of their party's constitution and bylaws (Constitutional Court of the Republic of Indonesia, 2025).

A similar demand was subsequently advanced in Case No. 191/PUU-XXIV/2026, which concerned the constitutional review of Article 23(1) of the Political Parties Law. The ten petitioners, comprising nine advocates and one university student, sought to limit the tenure of party general chairpersons, or equivalent leadership positions bearing different titles, to a maximum of two terms, whether consecutive or non-consecutive. Unlike the preceding case, the petition was declared inadmissible because the petitioners lacked legal standing. Consequently, the Court did not proceed to

examine the merits of the petition and did not offer any new substantive assessment of whether statutory term limits for political party chairpersons were necessary (Constitutional Court Decision No. 191/PUU-XXIV/2026, 2026).

The different procedural stages at which these two cases were resolved constitute the starting point of the present study. The 2025 case illustrates the limitation of judicial intervention through substantive legal reasoning concerning party governance and organizational autonomy. By contrast, the 2026 case demonstrates the restriction of access to substantive constitutional review through the application of standing requirements.

Neither case resulted in the establishment of statutory term limits through constitutional review. However, this similarity in practical outcome is insufficient to establish that the Court relied upon identical legal grounds or strategic motivations. Any assessment must first account for differences in the statutory provisions under review, the petitioners' relationships with political parties, the formulation of alleged constitutional injuries, and the stages of judicial examination reached in each proceeding.

Both cases also arose within a political environment in which political parties function not merely as autonomous organizations managing their internal affairs but also as integral components of the configuration of state power. Pepinsky (2025) explains the dynamics of Indonesian democracy by examining the relationship between broad governing coalitions, presidential dominance, and weak programmatic differentiation among political parties. Within the context of the present study, this analysis helps explain why changes to the regulation of party leadership may intersect with the interests of actors vested with legislative authority. Nevertheless, this political context does not, in itself, demonstrate that political pressure or specific forms of intervention influenced the Court's disposition of either case.

Scholarship on judicial legitimacy provides a foundation for examining this institutional dimension more systematically. Sternberg et al. (2022), drawing on survey experiments conducted in Germany and France, demonstrate that the capacity of constitutional courts to influence public attitudes toward public policies is associated with their institutional legitimacy. Gandur et al. (2025) further demonstrate that the relationships among public awareness of courts, perceptions of executive influence, and support for judicial independence vary according to the political environments in which courts operate. These studies reinforce the relevance of institutional legitimacy and interinstitutional relations to the analysis of judicial behavior. Nevertheless, neither establishes that reputational considerations determined the outcomes of constitutional cases concerning political party leadership term limits in Indonesia.

Building upon this literature, the present study integrates the study of intra-party democracy and constitutional judicial behavior within a unified analytical framework. Scholarship on intra-party democracy helps elucidate the distinction between procedural openness and the substantive distribution of organizational power. Meanwhile, research on judicial legitimacy provides a foundation for identifying potential institutional incentives confronting courts when determining the limits of judicial intervention.

Accordingly, the research gap addressed by this study does not rest on the claim that term limits for political party chairpersons have never been examined. Rather, it concerns the need to explain how such demands are processed through two distinct

pathways of judicial disposition and the extent to which those differences can be accounted for by doctrinal, procedural, or strategic considerations.

To address this issue, the present study employs the perspective of *strategic judicial behavior* as an explanatory framework to be tested, rather than as a predetermined conclusion. This perspective refers to the possibility that judicial choices are influenced by the anticipation of responses from other actors and by the political, institutional, or reputational consequences of judicial decisions.

Such strategic explanations must be distinguished from judicial restraint that can be fully accounted for by constitutional interpretation, the application of precedent, and jurisdictional limitations. Consequently, judicial deference to political party autonomy or a decision not to formulate new legal norms is insufficient, by itself, to establish the existence of strategic judicial behavior. Such a conclusion requires evidence linking the institutional context to the particular modes of judicial disposition adopted by the Court.

This study examines three potential explanations. First, the Court's judicial restraint may be associated with its anticipation of institutional consequences arising from the judicial establishment of leadership term limits. Second, the limited availability of organized public support for judicial intervention may form part of the environment enabling the Court to preserve the existing regulatory framework. Third, the Court's choice of how to dispose of the cases may be associated with considerations relating to the preservation of institutional legitimacy.

These three possibilities are assessed against alternative explanations grounded in doctrinal consistency, differences in the characteristics of the cases, and deficiencies in the formulation of alleged constitutional injuries. In examining the second hypothesis, this study specifically distinguishes support for leadership term limits from support for the Constitutional Court as the institution responsible for imposing such restrictions, while further differentiating both forms of support from the responses of political party elites.

Against this background, the study addresses three research questions. First, how does the Constitutional Court construct the limits of its intervention in the regulation of political party chairpersons' terms of office through substantive legal reasoning and the application of standing requirements? Second, to what extent does the publicly available evidence from the two cases support institutional and political explanations of the Court's choices of judicial disposition, as compared with doctrinal and procedural explanations? Third, should the relationship between the two decisions be understood primarily as a manifestation of doctrinal inconsistency, a consequence of differences in the characteristics of the cases, or an indication of strategic judicial behavior, and to what extent might these explanations operate concurrently?

This study aims to elucidate the limits of constitutional judicial intervention in matters of intra-party democracy while assessing the explanatory strength and limitations of strategic accounts of the two decisions. Its principal contribution lies in distinguishing among the legal reasons expressly articulated by the Court, the documented political context, and causal relationships that remain to be established through further evidence.

On this basis, the implications for reforming the regulation of political party leadership are formulated as normative recommendations derived from the findings of the analysis, rather than as evidence of judicial motivations. Drawing upon documentary

materials and publicly available evidence, this study seeks to identify the explanations most strongly supported by the available evidence without claiming certainty regarding the individual considerations or motivations of the justices.

Method

This study employs a normative juridical research method incorporating statutory, case, and conceptual approaches, supplemented by document-based process tracing. The normative juridical approach is used to examine the legal framework governing political party leadership, the construction of the Constitutional Court's legal reasoning, and the application of standing requirements in constitutional review proceedings. Document-based process tracing, meanwhile, is employed to reconstruct the development of legal arguments throughout the judicial proceedings and to assess the extent to which the available documentary evidence supports doctrinal, procedural, and strategic explanations of the Court's choices of judicial disposition.

The integration of these two analytical approaches draws upon Riordan (2025), with adjustments made to accommodate the subject matter of the study and the availability of documentary materials. Although explanatory in nature, this study does not proceed from the presumption that the political context caused the judicial outcomes. Such causal relationships are considered only where supported by traceable evidence.

The units of analysis are the judicial proceedings and the construction of legal reasoning in Constitutional Court Decisions No. 194/PUU-XXIII/2025 and No. 191/PUU-XXIV/2026. These cases were purposively selected because both concern demands for limitations on the tenure of political party leaders but were resolved at different stages of judicial examination. The first case proceeded to an examination of the merits and resulted in the rejection of the petition, whereas the second was declared inadmissible on the ground that the petitioners lacked legal standing.

The comparison seeks to explain the legal and institutional significance of these differences rather than treating the two proceedings as entirely identical cases. For doctrinal comparison, this study also examines Constitutional Court Decision No. 91/PUU-XX/2022 concerning leadership term limits in professional advocates' organizations and Decision No. 78/PUU-XIII/2015 concerning the resolution of internal political party disputes. Other precedents are examined insofar as they are referenced in the judicial records and are relevant to the research questions.

The primary legal materials comprise the 1945 Constitution of the Republic of Indonesia, Law No. 2 of 2008 on Political Parties as amended by Law No. 2 of 2011, and the Constitutional Court decisions serving as the principal objects of analysis and doctrinal comparison. To reconstruct the development of the judicial proceedings in greater detail, the study also examines original petitions, amended petitions, hearing transcripts, and official recordings of hearings, insofar as such materials are available.

These documents are used to trace the relationships among the petitioners' arguments, judicial advice or responses, changes in legal arguments during the proceedings, and the Court's final reasoning. Secondary legal materials include scholarly journal articles addressing intra-party democracy, strategic judicial behavior, judicial legitimacy, and process-tracing methodology. Contemporary news reports and official statements by relevant actors are used as contextual sources to understand political developments and institutional responses, rather than as substitutes for judicial reasoning or direct evidence of judicial motivations.

Research materials are collected through library research and documentary analysis, with priority given to official primary sources. Documents are selected according to their relevance to the challenged statutory provisions, the petitioners' legal standing, the development of arguments during hearings, responses to demands for leadership term limits, and the institutional consequences of the Court's choices of judicial disposition.

The documentary inquiry also distinguishes between materials published before and after the relevant decisions. Pre-decision documents are used to assess the context and its potential relationship to the development of the proceedings, whereas post-decision materials are examined to identify responses and institutional implications. This temporal distinction is essential to prevent responses emerging only after a decision from being mistakenly treated as causes of an already rendered judgment. Each document is recorded according to its source, date, actors involved, substantive content, procedural stage, and relevance to the explanations under examination. Documentary evaluation also considers the purpose for which each document was produced, the position of its author or speaker, potential biases, and consistency with other sources, as emphasized by Klein (2025).

Throughout this process, allegations advanced by the petitioners are distinguished from facts accepted or established by the Court. Similarly, statements made by political parties are treated as evidence of those actors' positions, rather than as direct evidence of pressure exerted upon the justices. The volume of media coverage is not used as the sole measure of the intensity of public support or pressure, since the frequency of reporting does not necessarily indicate the degree of public support for a particular policy or for judicial intervention.

The analysis proceeds through three interrelated stages. The first stage consists of doctrinal analysis aimed at identifying the challenged statutory provisions, the constitutional rights invoked, the formulation of the petitioners' alleged constitutional injuries, the interpretations sought, the *ratio decidendi*, and the use of judicial precedents. This analysis seeks to explain how the Court constructs the limits of its intervention, whether through examination of the merits or through the application of procedural requirements governing access to constitutional adjudication. The second stage involves process tracing to reconstruct the development of legal arguments in each case, from the filing of the petition and preliminary examination to the amendment of the petition and the final decision, insofar as supported by the available documentary record.

Following Podestà (2023), process tracing extends beyond the mere establishment of a chronology to assess whether the sequence of documents reveals relationships supporting a particular explanation of the judicial outcome. Where such relationships cannot be adequately traced, the findings are used only to explain the context or sequence of events, rather than to establish causal relationships.

The third stage involves a comparative assessment of the analytical findings to test three strategic hypotheses alongside their alternative explanations. The first hypothesis concerns the possibility that the Court's exercise of judicial restraint is associated with its anticipation of the institutional consequences of establishing leadership term limits through judicial decisions. To assess this hypothesis, the study examines whether evidence exists concerning anticipated consequences or the responses of other actors to the Court's choices. Judicial deference to party constitutions and bylaws, as well as

the refusal to establish new legal norms, is not considered sufficient to demonstrate strategic motivation, since both may also be explained by doctrinal considerations.

The second hypothesis concerns the possibility that organized public support for judicial intervention was limited. Its assessment distinguishes among support for leadership regeneration, support for term limits, support for the Constitutional Court as the institution imposing such restrictions, and mobilization specifically associated with the judicial proceedings. The absence of documentary evidence of mobilization is not automatically interpreted as proof that public support was nonexistent.

The third hypothesis concerns the possibility that the Court's choices of judicial disposition were associated with efforts to preserve institutional legitimacy. This hypothesis is examined through documentary evidence capable of linking concerns regarding the Court's reputation to the development of the proceedings and the disposition of the cases, rather than merely through the existence of prior institutional controversies.

These three hypotheses are subsequently assessed against alternative explanations, namely consistency in the application of legal doctrine, differences in the subject matter and scope of the petitions, and deficiencies in the articulation of alleged constitutional injuries. The alternative explanations are evaluated by examining the consistency with which legal standards are applied, the reasons for distinguishing precedents, the relationship between the petitioners and the challenged statutory provisions, and the Court's responses to issues raised during the hearings. Multiple explanations may operate concurrently; however, such relationships are not presumed in the absence of adequate documentary support.

The findings are organized into a case-specific analytical matrix comprising the explanations under examination, relevant indicators, supporting evidence, countervailing evidence, and limitations on inference. Evidence is classified into three categories: evidence supporting a particular explanation, evidence weakening that explanation, and evidence insufficient to distinguish it from competing alternatives. This approach ensures that similarities in the practical consequences of the two decisions are not automatically treated as evidence of identical underlying motivations.

The assessment of potential doctrinal inconsistency is likewise not based solely on differences in the operative rulings, but rather on whether comparable legal standards were applied differently without adequate grounds for distinction. Meanwhile, the analysis of post-decision institutional responses draws upon Butt and Murharjanti (2022), distinguishing the existence of formal responses from the substantive content of subsequent institutional action.

The reliability of the analysis is maintained through cross-document verification and systematic documentation of evidence inconsistent with the initial hypotheses. Differences in documentary availability between the two cases are also taken into account to ensure that the absence of information is not treated as evidence that a particular mechanism or event did not occur. Since this study does not employ interviews and has no access to the justices' internal deliberations, its conclusions are limited to identifying the explanations most strongly supported by publicly available evidence among the competing alternatives examined, rather than definitively establishing the personal motivations of individual justices (Podestà, 2023; Zaks, 2022).

On the basis of these findings, the implications for reforming the regulation of political party leadership are formulated as normative developments derived from the analysis

of the adequacy of safeguards for party members and the limits of the Court's intervention. These recommendations are kept analytically distinct from conclusions concerning the causes of judicial decisions, thereby ensuring that normative evaluation and causal explanation remain grounded in clearly differentiated lines of reasoning.

Results and Discussion

The Limits of Constitutional Court Intervention: Open Legal Policy, Party Autonomy, and Petitioners' Legal Standing

Constitutional Court Decision No. 194/PUU-XXIII/2025 demonstrates that the recognition of the constitutional interests of political party members does not necessarily determine the form of protection that the Constitutional Court (the Court) must provide. In that case, the Court recognized the Petitioner's legal standing, thereby allowing the constitutional issues concerning the regulation of political party leadership to be examined on their merits. Nevertheless, the Court rejected the request to prescribe a five-year term of office for party leaders, with eligibility for re-election limited to one additional term. The decision illustrates that satisfying the requirements for initiating constitutional review does not automatically justify the particular form of term limitation sought by a petitioner. In other words, the right to challenge a statutory provision must be distinguished from any obligation on the part of the Court to grant a specific form of constitutional relief (*Constitutional Court Decision No. 194/PUU-XXIII/2025*, 2025).

This distinction indicates that constitutional review of legislation involves two separate questions that must be assessed independently. First, the Petitioner must establish a connection between the operation of the challenged statutory provision and the constitutional injury allegedly suffered. Second, the Petitioner must explain why the protection of the constitutional right in question requires the Court to prescribe the regulatory arrangement sought in the petition. Satisfaction of the first requirement does not, in itself, justify the relief requested at the second stage. In the 2025 case, the Court agreed to examine the constitutional issues raised but did not conclude that protecting party members' opportunities for participation required the imposition of a specifically formulated limitation on leadership tenure.

This approach is reflected in the Court's reasoning concerning the democratic election of party officials, deliberative decision-making mechanisms, and the delegation of rules governing party leadership to the parties' constitutions and bylaws (*Anggaran Dasar dan Anggaran Rumah Tangga*, AD/ART). These considerations demonstrate the Court's preference for preserving the regulatory autonomy of political parties, consistent with the legislature's discretion in determining the statutory regulatory framework and the autonomy of political parties in governing their internal affairs. This approach may be examined through the doctrine of *open legal policy*. However, judicial deference to the sphere of legislative and organizational discretion does not mean that all matters of political party governance fall outside the scope of constitutional review. The rejection of one form of judicial intervention does not necessarily preclude the constitutional review of other relevant statutory provisions or constitutional arguments.

This regulatory framework reveals two distinct levels of authority. At the statutory level, the legislature does not prescribe a maximum number of leadership terms but delegates the detailed arrangements for leadership succession to internal party rules. At the organizational level, each political party exercises that discretion by formulating

its constitution and bylaws according to its particular needs and organizational characteristics. The use of the term *open legal policy* in this study constitutes an analytical classification of the Court's deference to the chosen regulatory framework, rather than a substitute for examining the decision's *ratio decidendi*. Accordingly, the issue requiring critical examination is not merely the absence of a numerical limitation on leadership terms, but the adequacy of democratic safeguards within the delegated regulatory model upheld by the Court.

In this context, the absence of a statutory maximum on leadership tenure cannot be equated with a complete absence of regulation governing political party leadership. The law continues to require the democratic election of party officials and delegates the detailed regulation of leadership succession to party constitutions and bylaws. Accordingly, the term *normative gap* is used in this study in a limited sense, referring specifically to the absence of statutory provisions establishing a maximum number of leadership terms, rather than to the absence of any rules governing political party leadership. The subsequent question is whether a regulatory model that delegates this matter to political parties provides adequate protection for the rights and opportunities of their members, and whether this limited normative gap warrants correction through constitutional review.

This perspective is consistent with the comparative discussion advanced by Santos Botelho and Garoupa (2023), who refer to Mersel's analysis of the relationship between party autonomy and minimum democratic requirements. The discretion afforded to political parties in regulating their internal affairs must be considered alongside the protection of members' representation, participation, and freedoms, while judicial intervention should be regarded as a measure of last resort. This perspective demonstrates that organizational autonomy and constitutional oversight need not be understood as mutually exclusive interests. Rather, they must be balanced to ensure that political parties' freedom to establish their internal rules does not undermine fundamental democratic principles. Consequently, limitations on the Court's intervention in one aspect of party governance should not be construed as conferring immunity upon political parties from constitutional scrutiny.

Such a balance is particularly important because delegating the regulation of party leadership to party constitutions and bylaws presupposes that members have meaningful opportunities to influence the formulation and amendment of internal rules. This assumption, however, requires scrutiny. The effectiveness of amendment mechanisms depends not merely on the existence of formal procedures, but also on the distribution of power, access to information, and members' capacity to influence organizational decision-making.

Poguntke et al. (2026) distinguish between authority formally established under organizational rules and power exercised in practice (*de facto*). They further explain that direct membership participation may encounter obstacles arising from difficulties in organizing collective action and unequal access to organizational resources and communication channels. Nevertheless, their empirical findings indicate that more inclusive leadership selection is associated with a reduction in leaders' formal powers. These findings demonstrate that the design of internal procedures can influence the distribution of authority, while underscoring the importance of distinguishing powers formally conferred by organizational rules from the influence actually exercised in practice.

This distinction becomes particularly relevant where incumbent leaders control organizational agendas, establish eligibility requirements for leadership candidacy, and influence decision-making processes. Under such circumstances, the formal availability of amendment procedures does not necessarily ensure that members possess the effective capacity to constrain leadership power. This concern is reflected in the Petitioner's allegations in the 2025 case concerning an incumbent who had served three terms within the Aceh Regional Leadership Council of the National Awakening Party (DPW PKB Aceh). The significance of this allegation lies not in the proposition that serving three terms is inherently unconstitutional, but in the Petitioner's attempt to establish a connection between prolonged leadership tenure, control over organizational structures, and restricted opportunities to nominate alternative candidates. However, this alleged relationship must be distinguished from facts judicially established by the Court. The existence of a constitutional issue warranting examination does not, by itself, establish that leadership dominance has occurred (*Constitutional Court Decision No. 194/PUU-XXIII/2025*, 2025).

As a limited empirical illustration, leadership continuity is also observable at the national level. Kompaspedia's profile records that Megawati Soekarnoputri has led the Indonesian Democratic Party of Struggle (PDI Perjuangan) since 1999, while ANTARA's report on the party's Sixth Congress documents her reappointment for the 2025–2030 term (ANTARA News Bali, 2025; Kompaspedia, 2024). These two sources illustrate leadership continuity across successive terms but are not employed to calculate the number of leadership terms across all political parties or to establish the absence of meaningful electoral competition. Nor are these observations equated with the experience of leadership candidacy at the regional leadership council level alleged by the Petitioner. Distinctions concerning organizational level, the starting point of observation, and applicable internal rules are necessary to prevent instances of prolonged leadership from being generalized to all political parties.

Accordingly, the adequacy of internal party regulation must be assessed through a more substantive conception of democracy. Cordero et al. (2022) and Sánchez Medero (2024) demonstrate that procedural openness in candidate selection may coexist with the continued control or influence of party leaders and organizational elites. An assessment of party constitutions and bylaws should therefore extend beyond verifying the formal availability of electoral forums and procedures for amending internal rules. Such an assessment must also examine who determines the organizational agenda, establishes candidacy requirements, controls the stages of candidate selection, and influences electoral outcomes. Thus, the measure of intra-party democracy lies not merely in whether opportunities for participation formally exist, but also in the extent to which such participation enables members to exercise meaningful influence over organizational decisions.

In a study of 47 political parties across ten Western European countries between 1995 and 2019, Marini (2025) adopts a conception of intra-party democracy that extends beyond membership voting. The measurement also encompasses internal pluralism, the involvement of party structures in policy formulation, and the distribution of decision-making authority. Marini finds that parties exhibiting higher levels of internal democracy tend to undergo smaller programmatic changes, although this relationship is not statistically significant across all models. While these findings do not directly examine leadership term limits, they are consistent with the proposition that the involvement of party members and organizational structures may constrain leaders' discretion to alter programmatic positions. In the context of leadership term

limitations, the analytical implication is that democratization should be assessed by reference to the distribution of authority rather than solely by the frequency of changes in party leadership.

This perspective clarifies that party autonomy is not necessarily synonymous with the freedom enjoyed by all party members. On the one hand, organizational autonomy protects political parties against the imposition of uniform rules by the state. On the other hand, the same degree of discretion may perpetuate internal inequalities where members lack sufficient capacity to challenge leadership decisions or advocate institutional change. Bagg and Bhatia (2022) assess intra-party democracy by reference to the capacity of members and supporters to develop collective power capable of resisting domination and agenda control by oligarchic interests. Accordingly, the constitutional issue cannot be adequately framed as a simple conflict between party autonomy and state intervention. The more fundamental question concerns how organizational autonomy can be preserved while simultaneously guaranteeing members meaningful opportunities to organize collectively, propose alternative leadership candidates, and influence internal decision-making.

Nevertheless, the existence of internal inequalities does not automatically establish that limiting leadership tenure to two terms is the only necessary regulatory instrument. Chiru (2025) explains that clientelism may sustain the concentration of power through control over resource allocation, members' career opportunities, and relationships of organizational dependency. These findings indicate that replacing a party chairperson does not necessarily alter the underlying distribution of power if the networks and mechanisms sustaining leadership dominance remain intact. Accordingly, arguments in favor of leadership term limits must explain how such restrictions would mitigate the forms of domination identified and what complementary regulatory arrangements would be necessary to ensure that leadership succession produces substantive institutional change rather than merely a formal change in officeholders.

Niendorf's (2022) study of leadership election reforms within the British Labour Party situates changes in party rules within the tension between democratization and the power interests of internal political actors. The effects of reform at the nomination and voting stages cannot be adequately assessed solely by reference to the formal expansion of the electorate; consideration must also be given to candidacy requirements, nomination powers, organizational resources, and the bargaining positions of actors involved in rule changes. This perspective provides a relevant comparative framework for evaluating the assumption that party members can adequately address governance deficiencies simply by utilizing procedures for amending party constitutions and bylaws. However, the study does not establish that internal party processes in Indonesia follow patterns or produce consequences identical to those observed within the British Labour Party.

Beyond the adequacy of internal party mechanisms, the limits of the Court's intervention must also be evaluated through its approach to distinguishing judicial precedents. In Decision No. 194/PUU-XXIII/2025, the Constitutional Court distinguished limitations on the tenure of political party leaders from those imposed on the leadership of professional advocates' organizations under Decision No. 91/PUU-XX/2022. This distinction rested on differences in the purposes and functions of the two types of organization, including the institutional position of advocates' organizations in relation to the judicial branch. On that basis, the Court considered the reasoning adopted in the earlier decision not to be directly applicable to political parties. Nevertheless, the adequacy of the grounds for distinguishing the

precedent remains open to assessment in light of the issues arising in both cases, particularly members' opportunities for participation, leadership renewal, and the risks associated with the concentration of power (*Constitutional Court Decision No. 194/PUU-XXIII/2025*, 2025).

Consistency in the application of judicial precedent cannot be evaluated solely on the basis of differences between organizational categories. Such an evaluation must also examine the relevance of the earlier decision's *ratio decidendi* to the case under consideration. Perry (2023) explains that where a subsequent case remains within the scope of a precedent's *ratio decidendi*, distinguishing that precedent must be justified by considerations present in the subsequent case but absent from the earlier one, and those considerations must be sufficiently compelling to warrant a different outcome while continuing to assume that the earlier precedent was correctly decided. Under this framework, the functional differences between political parties and advocates' organizations must be connected more explicitly to the considerations underlying limitations on the exercise of power. It is insufficient merely to identify differences in organizational characteristics; their relevance to the central constitutional issues under review must also be demonstrated.

The central question, therefore, is whether the functional differences between the two organizations adequately explain why limitations on leadership tenure were considered necessary for advocates' organizations, whereas internal regulatory mechanisms were deemed sufficient for political parties. A critique of the decision need not insist that both types of organization be subjected to identical rules. Rather, it must examine whether their respective characteristics have been sufficiently explained to establish the relationship between organizational functions, the risks of leadership dominance, and the need to protect members' rights. Without such an explanation, the distinction drawn between precedents risks becoming a formalistic justification that does not fully address the substantive issue of constraining power.

The protection of party members is also closely connected to the availability of effective mechanisms for resolving internal disputes. The constitutional review of the phrase *"tidak tercapai"* ("no resolution is reached") in Article 33(1) of the Political Parties Law demonstrates that leadership renewal concerns not only opportunities to stand for election or replace party officials, but also members' ability to obtain effective remedies when internal processes are contested. The right to participate loses much of its practical significance if members lack access to adequate dispute-resolution mechanisms in cases involving alleged procedural violations or obstacles to leadership succession.

In Decision No. 194/PUU-XXIII/2025, the Court maintained the position adopted in Decision No. 78/PUU-XIII/2015 by interpreting Article 33(1) in conjunction with Article 32 of the Political Parties Law. The Court reaffirmed that the resolution of disputes through the Party Tribunal (*Mahkamah Partai*) is subject to a maximum period of 60 days from the date on which the dispute is submitted, and that legal proceedings may be pursued where a resolution is not reached within that period. However, this clarification must be understood with due regard to distinctions between different categories of disputes and to the status of Party Tribunal decisions concerning party leadership disputes, which are final and internally binding. Accordingly, the Court's reasoning cannot be interpreted as authorizing district courts to reconsider all decisions concerning disputes over party leadership (*Constitutional Court Decision No. 194/PUU-XXIII/2025*, 2025).

The establishment of a time limit for dispute resolution may reduce procedural uncertainty, but it does not, in itself, guarantee the availability of effective remedies. Butt and Murharjanti (2022) demonstrate that the existence of constitutional review mechanisms and formal measures taken to implement judicial decisions does not necessarily ensure the effective protection of rights in practice. In this study, their perspective is employed as a framework for normative evaluation in assessing whether political party dispute-resolution mechanisms can overcome barriers to access and provide effective remedies. Such an assessment nevertheless requires further evidence concerning the practical implementation of these mechanisms. Therefore, Butt and Murharjanti's analysis is not treated as empirical proof that the mechanisms involved in the case under consideration have failed, but rather as a basis for evaluating the adequacy of the protections available.

Taken together, the adequacy of internal protections must be assessed through the relationship between participatory rights, opportunities to amend internal rules, and access to remedies when violations occur. These three elements are interrelated but cannot substitute for one another. Electoral forums without openness in candidate nomination may perpetuate internal inequalities; the right to propose amendments may become ineffective in the absence of access to information; and leadership term limits without accessible dispute-resolution mechanisms may prove difficult to enforce. Accordingly, criticism of the delegation of regulatory authority to party constitutions and bylaws should focus on the adequacy of safeguards for participation, institutional reform, and effective remedies, rather than proceed from the assumption that organizational autonomy must be entirely replaced by state-imposed uniformity.

The limits of the Constitutional Court's intervention are evident not only in its assessment of the merits of constitutional petitions but also in its determination of petitioners' legal standing. Decision No. 191/PUU-XXIV/2026 illustrates a different basis for limiting judicial intervention from that adopted in the 2025 case. The Petitioners in the 2026 case did not base their claims on political party membership or on obstacles to internal leadership candidacy that they had directly experienced. Instead, they asserted their interests as citizens concerned with the quality of democracy. This approach raises questions regarding the relationship between the public functions of political parties and the requirement to establish an individualized constitutional injury.

The question of legal standing had already arisen during the preliminary hearing on 11 June 2026. Constitutional Justice Arsul Sani requested that the Petitioners clarify their relationship with political parties, the injuries allegedly arising from the challenged statutory provisions, and the grounds distinguishing their petition from previous cases. In response, through Irpan Suriadiata, the Petitioners stated that they were not members of any political party and based their petition on alleged constitutional injuries suffered in their capacity as citizens. Thus, legal standing had formed part of the judicial examination from the outset, rather than emerging as an issue only when the decision was delivered (Constitutional Court of the Republic of Indonesia, 2026a).

At the hearing on the revised petition on 24 June 2026, the Petitioners refined their arguments concerning the legal standing of citizens who were not political party members, the five requirements for establishing constitutional injury, and the distinctions between their petition and previous cases. They maintained that the public functions performed by political parties rendered internal party governance relevant to the constitutional rights of citizens, including those who did not belong to political parties. These revisions demonstrate an attempt to address the concerns raised by the

Justices during the preliminary examination. However, the submission of revised arguments does not, in itself, establish that the Petitioners had satisfied the requirements for legal standing (Constitutional Court of the Republic of Indonesia, 2026b).

In its decision delivered on 16 July 2026, the Court held that the Petitioners lacked legal standing. The Court considered that constitutional provisions concerning popular sovereignty, the rule of law, and democratic elections were not appropriately invoked as the basis for establishing constitutional injury in the Petitioners' standing arguments. The Petitioners were also found to have failed to explain their connection with political parties or demonstrate a causal relationship between the operation of the challenged statutory provisions and the alleged infringement of their constitutional rights. Consequently, the Court did not proceed to examine the merits of the petition (Constitutional Court of the Republic of Indonesia, 2026c).

The implications of this decision must be understood within appropriate limits. The decision does not establish that all persons who are not members of political parties necessarily lack standing to challenge the constitutionality of the Political Parties Law. A more accurate conclusion is that the arguments presented in this particular case failed to demonstrate a sufficient connection between the operation of the challenged statutory provisions and the constitutional injuries allegedly suffered by the individual Petitioners. Citizens' interests in the quality of democracy may be relevant to debates concerning political party governance, but such interests must nevertheless be linked to constitutional injuries that satisfy the applicable requirements for initiating constitutional review.

A comparison of the two cases reveals that the limits of Constitutional Court intervention operate at two distinct stages of constitutional adjudication. In the 2025 case, the Petitioner's relationship with a political party was sufficient to permit substantive judicial examination, but the request for the judicial establishment of a statutory rule limiting leadership tenure was rejected. By contrast, in the 2026 case, the arguments concerning citizens' interests in democratic quality failed to satisfy the requirements necessary for the Court to proceed to the merits. This distinction does not mean that political party membership guarantees success in constitutional review proceedings. Rather, the determining considerations include the petitioner's connection with the challenged statutory provision, the adequacy of the alleged constitutional injury, and the constitutional justification for the particular regulatory arrangement sought.

Accordingly, efforts to reform political party leadership must address two related but analytically distinct questions. Petitioners must first establish constitutional injury in order to obtain access to substantive judicial review. They must then explain why existing internal party mechanisms fail to provide adequate protection and why the requested limitations on leadership tenure are constitutionally justified. Establishing legal standing does not guarantee that a constitutional petition will be granted, as demonstrated by the 2025 case. Conversely, even compelling criticism of deficiencies in intra-party democracy cannot substitute for the requirement to establish legal standing, as illustrated by the 2026 case.

These two avenues of constitutional adjudication produced the same practical outcome: neither decision resulted in the judicial establishment of a rule limiting political party leadership tenure. However, the similarity of these outcomes does not establish that the Court deliberately relied on procedural or doctrinal grounds to avoid

addressing substantive constitutional concerns. In the 2025 case, the central issue concerned the substantive constitutional justification for establishing a new regulatory rule through judicial decision. In the 2026 case, the decisive obstacle was the Petitioners' failure to satisfy the requirements for legal standing. This distinction provides a more precise analytical starting point for examining judicial restraint, without conflating the ultimate outcomes of the cases with the different grounds upon which those outcomes rested.

Judicial Restraint and the Dilemma of Reform: Testing Strategic Hypotheses and Reforming Political Party Leadership Regulation

Process tracing in this study is conducted by distinguishing the legal reasoning expressly articulated in judicial decisions, the contextual circumstances surrounding the cases, and the evidence connecting those circumstances to the outcomes of judicial proceedings. This distinction is essential to avoid treating the chronological sequence of events as sufficient evidence of causation. Podestà (2023) explains that *process tracing* seeks to identify the causal processes and mechanisms that produce particular outcomes, rather than merely reconstructing a chronology of events.

Similarly, Riordan (2025) demonstrates that document-based *process tracing* can be integrated with doctrinal analysis to investigate the influence of jurisprudence on legislative processes and the institutional relationship between courts and legislatures. Through this approach, the present study not only identifies the legal grounds underlying judicial decisions but also examines whether political and institutional circumstances contribute to explaining the Constitutional Court's decisions.

In the 2025 case, the available documentary evidence primarily supports a reconstruction of the relationship between the request for leadership term limits, the recognition of the Petitioner's legal standing, the distinguishing of judicial precedents, and the ultimate rejection of the petition. This sequence provides a substantial evidentiary basis for explaining the Court's legal reasoning, but it does not sufficiently establish whether political responses influenced the formulation of that reasoning.

Meanwhile, in the 2026 case, the issue of legal standing was raised during the preliminary examination, addressed through amendments to the petition, and ultimately remained the basis for the Court's determination that the Petitioners lacked legal standing. This sequence supports a procedural explanation of the case's outcome but does not provide direct access to the Justices' internal deliberations. Accordingly, the findings of this study are confined to relationships that can be traced through the available judicial records (Constitutional Court of the Republic of Indonesia, 2026a, 2026b, 2026c).

Distinguishing judicial reasoning from the potential influence of institutional circumstances becomes particularly important when both cases are examined through the lens of judicial restraint. Musella and Rullo (2024) explain that constitutional courts confront competing pressures. On the one hand, courts are expected to address political dysfunction and safeguard democracy. On the other hand, judicial intervention in majoritarian decisions or politically sensitive policies may expose courts to risks of delegitimation. This *courts under stress* framework helps explain why courts may encounter institutional dilemmas when determining the appropriate limits of their involvement in political questions.

Nevertheless, this framework does not, in itself, establish that such considerations influenced any particular judicial decision. This study therefore distinguishes institutional circumstances that may generate potential costs from evidence demonstrating that judges actually anticipated those costs. In this way, strategic theories can be employed to investigate possible explanations underlying the Court's decisions without treating every instance of judicial restraint as evidence of strategic judicial behavior.

The first strategic hypothesis conceptualizes the Court's restraint as a possible response to the institutional consequences of judicially establishing new legal norms. If leadership term limits were prescribed through a judicial decision, the Court would have to determine the duration of each term, the maximum number of terms, the organizational levels to which the restrictions would apply, and the manner in which they would operate across political parties with differing internal rules. Such choices could generate controversy concerning the boundaries of judicial authority and the regulatory discretion constitutionally entrusted to the legislature. Tanjung et al. (2025) identify necessity, proportionality, systemic coherence, and accountability as parameters for assessing the constitutional limits of judicial norm creation, while emphasizing restraint in technical and polycentric policy matters. These parameters offer a doctrinal framework for assessing the requested intervention, rather than evidence that the Court expressly applied them in this case. From this perspective, preserving the authority of political parties to regulate leadership matters through their constitutions and bylaws (*Anggaran Dasar dan Anggaran Rumah Tangga*, AD/ART) may be understood as one means of limiting the Court's involvement in determining the institutional design of political party governance.

Nevertheless, potential institutional consequences must be distinguished from consequences that the Court can be shown to have anticipated. The Court's reasoning concerning party constitutions and bylaws and the different characteristics of political organizations demonstrates that it limited the scope of its intervention, but it does not sufficiently establish the motivations underlying that choice. The Court may have adhered to a doctrinal assessment of legislative discretion and party autonomy, or it may also have considered broader institutional consequences. Without evidence connecting those considerations to the Court's decision, these alternative explanations cannot be reliably distinguished.

Hager and Uribe-McGuire (2024) provide a comparative perspective for understanding the possible relationship between interinstitutional pressure and judicial behavior. In their examination of the relationship between the United States Congress and the Supreme Court, they develop a theory of *guardian behavior*, referring to conduct through which the Supreme Court seeks to protect the legitimacy of the judiciary as an institution. Within this framework, an increase in proposed legislation intended to restrict judicial power (*court-curbing bills*) is understood as a signal of pressure on institutional legitimacy, even though such bills are rarely enacted.

Their findings indicate that, as the number of court-curbing bills increases, the United States Supreme Court becomes more likely to reverse lower federal court decisions declaring federal statutes unconstitutional and subsequently uphold the constitutionality of those statutes. These findings demonstrate that judicial responses to legislative pressure do not necessarily take the form of avoiding constitutional questions.

Under certain circumstances, such responses may instead involve affirmative judicial action to reverse decisions rendered by lower courts. For the purposes of this study, these findings help formulate questions concerning the relationship between interinstitutional pressure, the protection of judicial legitimacy, and judicial decision-making. Their relevance, however, remains comparative. The mechanisms identified in the relationship between Congress and the United States Supreme Court cannot automatically be assumed to explain the behavior of the Indonesian Constitutional Court without evidence of institutional pressure and corresponding responses in the cases under examination.

The available documentary materials do not, at present, provide sufficient evidence of threats, communications, or patterns of institutional responses connecting the interests of political party elites to changes in the Court's position. Consequently, the Court's caution in limiting judicial intervention can be identified as a characteristic of its decisions, whereas the proposition that such caution constituted a strategic response to institutional pressure remains insufficiently distinguishable from a doctrinal explanation. Comparative findings help identify possible mechanisms requiring examination, but they cannot substitute for empirical evidence concerning the cases under investigation.

This institutional dilemma can be understood by comparing the potential consequences of the available judicial choices. If the Court imposed leadership term limits, its decision could establish uniform standards for protecting political party members. However, the Court would also have to determine the offices covered by the restrictions, the duration of terms, the method of calculating successive terms, and transitional arrangements not previously specified in the statutory provisions under review. Tanjung et al. (2026) explain that conditional and additive rulings may alter the operation or normative content of statutory provisions and propose constitutional grounding, remedial necessity, restraint toward *open legal policy*, and implementability as criteria for evaluating such remedies. This framework clarifies the questions that would arise from a judicially prescribed term-limit rule, without implying that either decision under examination employed a conditional or additive ruling. Conversely, if the Court preserved regulatory authority through party constitutions and bylaws, organizational diversity and autonomy would remain protected, but the adequacy of members' rights would depend on the effectiveness of each party's internal mechanisms. This comparison constitutes an analytical mapping of potential consequences rather than evidence of the Justices' personal considerations. Accordingly, the term *strategic choice* in this study refers to the hypothesis that the Court anticipated particular consequences when determining the limits of its intervention, rather than merely to the fact that the petitions were unsuccessful.

The second strategic hypothesis concerns the possibility that limited organized public support reduced the incentives for the Court to intervene. Testing this hypothesis requires distinguishing support for leadership renewal, support for limiting leadership tenure to a maximum of two terms, support for the Constitutional Court itself to impose such restrictions through judicial decisions, and public mobilization specifically associated with the judicial proceedings. These four dimensions are not equivalent. Members of the public may favor leadership turnover without endorsing a two-term limit, or they may support term limits while considering legislative amendment a more appropriate means of implementing them. Consequently, the presence or absence of media coverage cannot be treated as direct evidence of the level of public support for judicial intervention.

Documentation concerning the recommendations issued by the Corruption Eradication Commission (*Komisi Pemberantasan Korupsi*, KPK) in April 2026 indicates that the question of limiting the tenure of political party chairpersons attracted responses from political actors. Some parties emphasized the importance of organizational autonomy, while the Prosperous Justice Party (PKS) stated that comparable restrictions had already been incorporated into its internal rules. An official statement issued by the NasDem Party on 24 April 2026 likewise characterized the tenure of party chairpersons as an internal organizational matter and opposed the imposition of uniform regulatory arrangements. This information demonstrates the existence of political debate and divergent positions concerning leadership term limits, rather than an absence of attention to the issue (detikcom, 2026; Partai NasDem, 2026).

However, statements by political party elites cannot substitute for evidence concerning public attitudes. Party statements reflect the positions of particular political actors, whereas claims concerning public support require evidence directly measuring public attitudes or behavior. Similarly, support for leadership term limits does not necessarily entail support for their imposition by the Constitutional Court through judicial decisions. Support for a policy objective may differ from support for a particular legal instrument or the institution authorized to implement it. Accordingly, the positions of party elites, public opinion, and case-specific public mobilization must be treated as distinct dimensions when testing the hypothesis.

The chronology of events also limits the evidentiary significance of political responses. Political reactions in April 2026 cannot explain the causes of Decision No. 194/PUU-XXIII/2025 because they occurred after that decision had been rendered. In the 2026 case, those responses may be used to describe the political context preceding the judicial proceedings, but they do not establish a causal connection with the Court's decision. Furthermore, the available materials are insufficient to measure the intensity of public mobilization on a comparable basis. Accordingly, the proposition that limited public support caused the Court to exercise restraint cannot be regarded as established.

Scholarship concerning the relationship between courts and public opinion must likewise be interpreted with due regard to the direction of the causal relationship being examined. Sternberg et al. (2022), for example, investigate the capacity of constitutional courts to influence public attitudes toward public policies through survey experiments conducted in Germany and France. Their findings indicate that information concerning judicial approval or disapproval of a particular policy can shift public attitudes toward the position adopted by the court. However, this influence depends on institutional legitimacy and is particularly evident among respondents who exhibit higher levels of trust in the judiciary. Institutional legitimacy may therefore serve as a source of judicial influence over public opinion, either increasing or decreasing support for particular policies.

This influence was not observed uniformly across the two countries. At the aggregate level, a statistically significant effect was identified for the German Federal Constitutional Court, whereas the effect of the French Constitutional Council (*Conseil constitutionnel*) on the treatment group, relative to the control group, was not statistically significant. At the individual level, respondents expressing higher levels of trust in the courts in both countries demonstrated stronger responses. These findings underscore that courts' ability to shape public opinion does not arise automatically from their formal constitutional authority, but depends on their institutional legitimacy and the context in which that influence operates.

The direction of the relationship examined by Sternberg et al. (2022) must be distinguished from the strategic hypothesis advanced in this study. Their research investigates how judicial positions influence public opinion, rather than how public support determines judges' decisions. Accordingly, their findings are employed to explain the importance of legitimacy as a source of institutional influence, not as evidence that the Indonesian Constitutional Court's restraint in the leadership term-limit cases constituted a strategy for maintaining public support. Such a conclusion would require independent evidence connecting considerations of legitimacy to judicial decision-making in the cases examined.

The distinction between the existence of political messages and their effects on judicial legitimacy is also evident in Juzgenbayev's (2025) study of the Constitutional Court of the Czech Republic. Using a survey experiment, Juzgenbayev examines whether the political framing of judicial decisions can alter public perceptions of judicial legitimacy. The study compares a legalistic explanation of a judicial decision with three forms of political messaging: a populist message emphasizing judges' status as unelected elites; a partisan message highlighting disadvantages imposed on respondents' preferred political parties; and a message emphasizing alleged procedural irregularities in judicial decision-making. The findings indicate that none of these three framing strategies produced statistically significant changes in perceptions of judicial legitimacy compared with the legalistic explanation. This suggests that exposure to messages potentially undermining judicial legitimacy does not automatically reduce public support for judicial institutions.

Nevertheless, these findings do not imply that political communication is invariably ineffective. Juzgenbayev (2025) confines the conclusions to the experimental conditions examined and acknowledges that the effects of more intensive and sustained information campaigns require further investigation. The study also distinguishes the descriptive association between populist attitudes and lower support for courts from the causal effects of the messages tested experimentally. In other words, lower levels of support for courts among particular segments of society do not, in themselves, establish that political messaging caused a decline in judicial legitimacy.

For the purposes of this study, these findings reinforce the need to distinguish political controversy, changes in public perceptions, and judicial responses. These phenomena cannot be treated as a causal sequence merely because they arise within the same political context. Juzgenbayev's research focuses on public perceptions rather than judges' decision-making processes. Accordingly, political debate concerning the tenure of party leaders is insufficient to establish that the Indonesian Constitutional Court anticipated a decline in institutional legitimacy or adjusted its decisions to preserve public support. Such a strategic explanation would still require evidence connecting the political context with institutional responses in the cases under examination.

The third strategic hypothesis situates the Court's decisions within the possible institutional objective of maintaining or restoring legitimacy. The controversy surrounding Decision No. 90/PUU-XXI/2023 and the ethical proceedings involving Anwar Usman constitute a relevant reputational context. Fathorrahman et al. (2024) argue that judicial ethics and procedural justice should inform assessments of the legitimacy of Constitutional Court decisions. Their normative analysis identifies a relevant dimension of legitimacy but does not establish that reputational concerns motivated the decisions examined here. Nevertheless, the existence of an earlier controversy does not, in itself, demonstrate that the disposition of the leadership term-limit cases was designed to restore the Court's institutional credibility.

To substantiate such an explanation, evidence would be required connecting reputational concerns with developments in the cases under examination. Temporal proximity alone is insufficient, while claims that the Court adopted a more conservative decision-making approach would require comparison across a broader body of judicial decisions. Since the two cases examined involved different legal questions and stages of judicial review, they are insufficient to establish a comprehensive change in institutional behavior.

Moreover, judicial restraint does not necessarily generate reputational benefits. A decision not to intervene may be perceived as respect for political party autonomy, but it may equally be criticized as providing insufficient protection for party members. Consequently, the relationship between the Court's decisions and its legitimacy must be examined by distinguishing public trust in the judiciary, perceptions of political influence, and support for judicial independence. This distinction is central to Gandur et al. (2025), who demonstrate that these three dimensions represent different forms of public evaluation. Trust concerns citizens' assessments of courts; perceptions of executive influence concern how citizens understand existing power relationships; and support for judicial independence reflects normative judgments concerning the extent to which political influence should be constrained.

This distinction is important because low levels of public trust in courts do not necessarily signify opposition to their existence or authority. Distrust may reflect dissatisfaction with courts perceived as excessively influenced by the executive while simultaneously being accompanied by a desire for greater judicial independence. Drawing on surveys conducted in the United States, Germany, Poland, and Hungary, Gandur et al. (2025) find that perceptions of greater executive influence are correlated with stronger demands for judicial independence. This relationship is particularly pronounced in Poland and Hungary, which their research characterizes as environments less supportive of judicial independence. These findings demonstrate that negative evaluations of existing judicial conditions may coexist with public support for strengthening judicial independence.

In this study, these findings provide a basis for avoiding the inference that the Court obtained legitimacy benefits merely because it refrained from establishing new legal norms. The absence of judicially prescribed leadership term limits constitutes a legal outcome, whereas an increase in institutional legitimacy is a claim concerning changes in public evaluations or support. The relationship between these two phenomena must be demonstrated through independent evidence rather than presumed. For example, the rejection of requests for leadership term limits does not, in itself, establish that the public subsequently placed greater trust in the Court, perceived it as more independent, or expressed stronger support for its constitutional authority.

The quality of judicial decisions must also be distinguished from the potential motivations underlying judges' choices. In his study of *grand chambers*, Kadlec (2025) distinguishes two sources of judicial legitimacy. Procedural legitimacy derives from broader and more representative judicial participation in decision-making, whereas outcome-based legitimacy concerns the doctrinal quality of judicial decisions and their consequences. This distinction demonstrates that the authority of a judicial decision depends not only on who participates in deciding a case and how the decision-making process is conducted, but also on the quality of the legal reasons articulated. Judicial decisions may be evaluated according to the clarity, consistency, coherence, and persuasiveness of their reasoning, including their conformity with applicable legal rules and their relationship with prior jurisprudence.

These two sources of legitimacy do not necessarily increase simultaneously. Kadlec (2025) explains that broader judicial participation may enrich deliberation, but excessively large judicial panels may also complicate deliberative processes and generate compromises that weaken the precision of legal reasoning. Nevertheless, procedural legitimacy and doctrinal quality are not mutually exclusive alternatives. Judicial panels emphasizing participation must still satisfy minimum standards of legal reasoning, just as panels prioritizing doctrinal quality must maintain accountable decision-making procedures. Accordingly, procedural authority does not automatically guarantee the adequacy of judicial reasoning.

In this study, Kadlec's framework is employed to distinguish an evaluation of the Court's reasoning from an explanation of the causes underlying its decisions. The quality of the *ratio decidendi* may be assessed by examining whether the Court addressed the Petitioners' principal arguments, applied precedent consistently, and explained the relationship between its legal reasoning and the operative provisions of its decisions. However, an assessment of the quality of judicial reasoning does not, in itself, establish that the Court was managing its institutional reputation. The proposition that reputational considerations influenced the outcomes of the two cases continues to require evidence connecting institutional interests to judicial choices, rather than relying solely on procedural authority or the absence of newly established legal norms.

The *courts under stress* framework discussed by Musella and Rullo (2024) further clarifies why the restoration of legitimacy cannot simply be equated with reduced judicial intervention. On the one hand, the expansion of judicial involvement in policymaking, the restriction of legislative discretion, and the resolution of politically sensitive questions may raise concerns regarding the legitimacy of institutions that lack a direct electoral mandate. On the other hand, courts are also expected to protect democracy, constrain abuses of power, and respond to dysfunction within political institutions. Consequently, reducing judicial intervention does not necessarily satisfy the competing demands placed upon courts. Under certain circumstances, the effective exercise of constitutional oversight may instead require more assertive judicial involvement.

This tension illustrates that the relationship between judicial intervention and institutional legitimacy does not operate in a uniform direction. Musella and Rullo discuss how courts may face strategies of delegitimation, co-optation, jurisdictional restriction, and noncompliance with judicial decisions. At the same time, political fragmentation and the weakening of representative actors may encourage greater judicial involvement in policymaking. Because institutional pressures and interinstitutional relationships vary across national contexts, evaluating judicial choices requires consideration of the particular issues confronting the court concerned. Judicial intervention does not necessarily undermine legitimacy, just as judicial restraint does not necessarily strengthen it.

In this study, this framework positions the legitimacy-restoration hypothesis as an explanation requiring empirical examination rather than a conclusion inherent in the outcomes of the cases. Earlier controversies may constitute circumstances that render the Court's reputational interests relevant to the analysis. Nevertheless, such circumstances do not establish that the Justices anticipated particular institutional costs and adjusted their decisions to avoid them. This explanation would require evidence connecting the controversies surrounding the Court, considerations concerning its institutional standing, and the choices reflected in its decisions. Accordingly, the outcomes of the two cases cannot be interpreted directly as a strategy for restoring

legitimacy merely because the Court declined to impose the leadership term limits requested by the Petitioners.

The findings indicate that doctrinal and procedural explanations receive more direct evidentiary support than the strategic hypotheses. The following matrix summarizes the strengths and limitations of the available evidence.

Table 1. Evidentiary Assessment of Doctrinal, Procedural, and Strategic Explanations in Constitutional Court Decisions No. 194/PUU-XXIII/2025 and No. 191/PUU-XXIV/2026

Case or Explanation	Indicators and Supporting Evidence	Limiting or Alternative Evidence	Assessment and Limits of Inference
194/2025: Doctrinal explanation	Judicial reasoning concerning party constitutions and bylaws (AD/ART), deliberative decision-making, and the distinction drawn from precedents involving advocates' organizations.	Similar concerns regarding leadership renewal leave room for criticism of the adequacy of the grounds used to distinguish the precedents.	Supports a doctrinal explanation; the quality of judicial reasoning remains open to critical examination.
191/2026: Procedural explanation	Legal standing was addressed during the preliminary examination, the amendment of the petition, and the final decision.	The Petitioners revised their arguments, but the Court nevertheless concluded that the requirements for legal standing had not been satisfied.	Supports a procedural explanation; the decision did not constitute a substantive ruling on leadership term limits.
194/2025 and 191/2026: Anticipation of institutional consequences	Neither decision established a rule limiting leadership terms; the consequences of alternative judicial choices can be analytically mapped.	No sufficient evidence has been identified connecting political consequences to the Court's disposition of the cases.	The hypothesis cannot yet be adequately distinguished from doctrinal and procedural explanations.
194/2025: Public support	The documents examined do not measure public mobilization specifically associated with the case.	Responses to the KPK's recommendations in April 2026 occurred after the decision had been rendered.	Insufficient evidence to establish either an absence of public support or a causal relationship.
191/2026: Public support	Political party responses in April 2026 preceded the judicial proceedings and demonstrate the existence of political debate.	Elite positions do not directly measure public support or support for intervention by the Constitutional Court.	Relevant as contextual evidence, but insufficient to establish an influence on the Court's decision.
194/2025 and 191/2026: Institutional legitimacy	Earlier institutional controversies provide a relevant reputational context.	No sufficient connecting evidence has been identified; two cases cannot establish a comprehensive institutional trend.	Legitimacy restoration remains a hypothesis rather than an established causal conclusion.

Source: Author's analytical synthesis based on Constitutional Court Decision No. 194/PUU-XXIII/2025 (2025), Constitutional Court Decision No. 191/PUU-XXIV/2026 (2026), Constitutional Court of the Republic of Indonesia (2026a, 2026b, 2026c), and the supporting documentary materials and academic literature discussed in this study.

The matrix demonstrates that the available evidence does not provide equivalent support for all competing explanations. The legal reasoning articulated in the 2025 case and the procedural developments documented in the 2026 case can be traced directly.

By contrast, the influence of public pressure and reputational considerations remains theoretically plausible but is not supported by sufficient evidence of causal mechanisms. Accordingly, the conclusions of this study should prioritize explanations most closely supported by the available evidence, while remaining open to alternative explanations should additional information become available.

The two decisions do not demonstrate a direct substantive contradiction because the Court did not examine the relevant issues at equivalent stages of constitutional adjudication. In the 2025 case, the Court considered the merits of the petition and rejected the request for the judicial establishment of leadership term limits. In the 2026 case, the Court did not undertake a new substantive assessment because the Petitioners were found to lack legal standing. Consequently, a decision declaring a petition inadmissible should not be characterized as a second substantive rejection of leadership term limits (*Constitutional Court Decision No. 191/PUU-XXIV/2026*, 2026; *Constitutional Court Decision No. 194/PUU-XXIII/2025*, 2025).

Differences in the Petitioners' legal positions help explain the distinct procedural paths followed in the two cases. The Petitioner in the 2025 case connected the challenged statutory provision to his organizational position and intended candidacy within the political party. By contrast, the Petitioners in the 2026 case based their claims on citizens' interests in the quality of democracy. This distinction does not establish that political party membership constitutes the sole basis for obtaining legal standing to challenge the Political Parties Law. The more limited finding is that the relationship between petitioners and the challenged statutory provisions, together with the adequacy of their allegations of constitutional injury, influences the stage of judicial examination that their petitions may reach.

A finding of inconsistency requires more than differences in the operative provisions of judicial decisions. It must be demonstrated that comparable legal standards were applied differently without sufficient grounds for distinguishing the cases. Similarities in the requests for a two-term limitation, or in the ultimate absence of newly established legal norms, are insufficient to establish such inconsistency. On the available evidence, differences in the characteristics of the cases and the procedural issues involved provide a more direct explanation of their outcomes than the hypothesis that the Court altered its substantive doctrinal position.

The assessment of the Court's distinction between political parties and advocates' organizations operates at a different analytical level. Criticism may legitimately focus on the depth of the reasoning employed to distinguish the two types of organization and on the adequacy of safeguards for their members. However, weaknesses or omissions in judicial reasoning do not automatically establish doctrinal inconsistency. Criticism of the quality of legal reasoning and proof of conflicting doctrinal positions are related but analytically distinct inquiries.

Doctrinal, procedural, and strategic explanations are not necessarily mutually exclusive. Conceptually, a court may apply established legal doctrines while simultaneously considering institutional consequences. However, the possibility of such an interaction does not establish that all these mechanisms operated in the two cases under examination. On the available evidence, the doctrinal reasoning in the 2025 case and the procedural sequence in the 2026 case receive the strongest direct support. The strategic explanation has not yet demonstrated additional explanatory value that can be reliably distinguished from these two explanations.

The limitations of the evidence concerning strategic motivations do not, however, preclude normative criticism of the protection afforded to intra-party democracy. Explaining why a constitutional petition was unsuccessful must be distinguished from assessing whether the regulatory arrangements upheld by the Court provide adequate safeguards. Accordingly, uncertainty concerning the motivations of judges does not require uncritical acceptance of the effectiveness of party constitutions and bylaws, the openness of internal electoral competition, or mechanisms for protecting and restoring members' rights.

These findings qualify the central thesis of this study. Judicial restraint can be identified through the Court's stated reasons and the procedural stages at which the cases were resolved, whereas the strategic rationality potentially underlying that restraint cannot be established solely from similarities in their outcomes. The absence of connecting evidence does not mean that strategic considerations were necessarily absent. A more defensible conclusion is that doctrinal and procedural explanations receive stronger documentary support, while a distinct strategic mechanism with independent explanatory value has not been established. This formulation avoids an overly simplistic dichotomy between inconsistency and rational strategic behavior.

The implications of this study highlight the need to distinguish the objectives of reform from the institutional mechanisms through which reform is pursued. The failure to obtain judicially imposed leadership term limits through constitutional review does not mean that such restrictions cannot be considered through legislative amendments or reforms to internal party rules. Rather, the two decisions primarily demonstrate that constitutional litigation must satisfy the procedural requirements governing access to judicial review and provide an adequate substantive justification for the particular form of intervention requested.

Within the legislative process, the KPK's recommendations provide an entry point for discussing leadership development and political party governance. However, those recommendations do not constitute legally binding norms, nor do they establish that a two-term limitation would necessarily eliminate corruption or prevent the concentration of power. The diversity of political party responses indicates that obstacles to reform must be assessed according to the specific positions and actions of the relevant political actors, rather than on the assumption that all parties share identical interests and attitudes (detikcom, 2026; Partai NasDem, 2026).

The legislative process also warrants attention because political party leadership rules are considered by institutions whose members maintain affiliations with political parties. This situation gives rise to a potential conflict of interest when legislators determine limits on the exercise of power within their own political organizations. Nevertheless, the existence of such a potential conflict does not establish that all political parties oppose reform or that legislative amendments are necessarily destined to fail.

Consistent with Niendorf's (2022) emphasis on the interests of political actors in processes of rule change, the analysis must distinguish between actors proposing reform, actors possessing the authority to obstruct it, the substance of the proposed restrictions, and concrete actions undertaken during the legislative process. Accordingly, political party responses to the KPK's recommendations may provide indications of their policy positions, but they cannot serve as the sole evidence of parliamentary behavior or its possible influence on Constitutional Court decisions.

The reform agenda would be more appropriately directed toward establishing minimum standards of intra-party democracy through amendments to the Political Parties Law, rather than merely introducing a numerical limitation on leadership terms. Based on the problems identified, such standards could encompass transparent candidacy requirements, opportunities to nominate alternative candidates, transparency in the amendment of party constitutions and bylaws, accountability in the use of organizational resources, and effective dispute-resolution mechanisms. These recommendations constitute a normative development drawing upon the approaches advanced by Bagg and Bhatia (2022), Chiru (2025), and Sánchez Medero and Sánchez Medero (2025), rather than requirements expressly mandated by the Constitutional Court in either decision.

In this context, *codification* is understood in a limited sense as the incorporation of minimum standards governing political party leadership and intra-party democracy into statutory law, rather than as a requirement to enact a comprehensive codification of political party law. Minimum statutory standards could provide legal certainty that does not depend entirely on amendments to party constitutions and bylaws, while preserving organizational autonomy in matters falling outside those standards. The multidimensional conception of intra-party democracy developed by Marini (2025) supports the normative argument that regulatory arrangements should account for pluralism, deliberation, and the distribution of decision-making authority. Nevertheless, the decision to impose a two-term limitation would still require a separate justification concerning its appropriateness, necessity, and consequences. Such a numerical limitation cannot be derived directly from scholarship concerning intra-party democracy.

If leadership term limits are adopted as one instrument of reform, their statutory formulation should clearly specify the offices subject to restriction, the organizational levels covered, the method of calculating terms, the treatment of appointments to the remainder of an existing term, transitional provisions, and the legal consequences of noncompliance. Such clarity is necessary to prevent restrictions from being circumvented through the transfer of effective control to other positions or through formal changes in officeholders that leave the underlying distribution of power unchanged. Accordingly, the effectiveness of term limits should be assessed by reference to expanded opportunities for meaningful competition and increased accountability, rather than merely changes in the identities of officeholders.

Amendments to party constitutions and bylaws remain important, but their effectiveness must be evaluated according to members' capacity to influence the amendment process. The mere existence of participatory forums is inadequate where organizational agendas, information, and available alternatives remain entirely controlled by party leaders. Sánchez Medero and Sánchez Medero (2025) emphasize that internal democratization should be evaluated in terms of members' influence over decisions, rather than merely the number of participants or the availability of consultative procedures. Participatory mechanisms may continue to reinforce elite dominance where members are confined to endorsing alternatives predetermined by the leadership. Meaningful participation therefore requires opportunities to propose alternatives, engage in deliberation, and ensure that the outcomes of such participation inform organizational decision-making.

In future constitutional litigation, arguments concerning constitutional injury should be formulated with specificity and distinguished from general criticism of political party governance. Petitioners must demonstrate the relationship between the

challenged statutory provisions and the injuries they allegedly suffer, while also explaining why internal safeguards are inadequate, how the requested legal measures relate to those injuries, and why constitutional intervention is necessary. Where Article 28D(3) of the 1945 Constitution of the Republic of Indonesia is invoked as a constitutional basis, the relationship between that provision and the disputed legal issue must be established through the role of political parties in political recruitment, without directly equating the position of political party chairperson with public office in government.

For the Constitutional Court, the two cases underscore the importance of providing clear reasons concerning the adequacy of alternative protective mechanisms, the relevance of distinctions drawn between judicial precedents, and the application of legal standing requirements. Judicial deference to organizational autonomy can be more effectively evaluated when accompanied by an explanation of the capacity of internal party mechanisms to protect members' opportunities for participation. Transparency in judicial reasoning enables the quality of decisions to be assessed without presuming knowledge of judges' personal motivations in the absence of supporting evidence.

For civil society organizations and political party members, the implications involve combining legislative advocacy with reforms to internal organizational mechanisms and carefully prepared constitutional litigation. Objections to prolonged leadership tenure should be translated into relevant evidence, such as barriers to candidacy, restrictions on access to information, unequal application of eligibility requirements, or failures of remedial mechanisms. For future research, the testing of strategic hypotheses could be strengthened through broader comparisons of judicial decisions, analysis of hearing records, and interviews that distinguish political actors' perceptions from evidence concerning causal mechanisms. In this way, the reform agenda need not depend on certainty regarding judicial motivations, but may instead rest on identifying deficiencies in existing protections and developing defensible institutional reforms.

Ultimately, the success of reform must be evaluated through its implementation rather than merely through formal amendments to legislation or party constitutions and bylaws. Such evaluation should examine whether alternative candidates obtain more equitable opportunities to compete, whether organizational control remains concentrated through other mechanisms, and whether procedural violations give rise to effective remedies. Measured against these criteria, the reform of political party leadership regulation can be directed toward protecting members' rights and improving the quality of intra-party democracy, while conclusions concerning the causes underlying Constitutional Court decisions remain appropriately limited by the strength of the available evidence.

Conclusion

The absence of statutory provisions limiting the tenure of political party chairpersons under Law No. 2 of 2008 is not merely a technical matter of regulating party leadership but also has implications for the protection of party members' constitutional rights and the quality of intra-party democracy. Through Decision No. 194/PUU-XXIII/2025 and Decision No. 191/PUU-XXIV/2026, the Indonesian Constitutional Court demonstrated judicial restraint, respectively, by rejecting the petition on its merits and declaring the petition inadmissible for failure to satisfy the requirements of legal standing. These decisions do not necessarily indicate the absence of constitutional

grounds for imposing leadership term limits; rather, they reveal the boundaries of judicial intervention established by the Court in responding to demands for political party leadership reform. From the perspective of strategic judicial behavior, these decisions may be interpreted as potential responses to the institutional consequences of judicial intervention, the extent of organized public support, and the imperative of preserving institutional legitimacy in the aftermath of controversy. However, the available evidence remains insufficient to establish that such strategic calculations determined the outcomes of either case or that organized public pressure was indeed absent. The different procedural dispositions of the two cases are likewise insufficient to demonstrate doctrinal inconsistency, given the differences in the subject matter of the petitions, the formulation of the alleged constitutional injuries, and the stages of judicial examination. Accordingly, the tension between fulfilling the Court's constitutional mandate and preserving institutional legitimacy within a political environment that constrains opportunities for reform constitutes a relevant explanatory framework, rather than an empirically established causal conclusion. Regulatory reform should therefore be directed toward establishing minimum standards of intra-party democracy that safeguard equality of opportunity, openness in leadership candidacy, accountability, and effective remedies for violations of members' rights, with leadership term limits serving as one possible instrument requiring a distinct constitutional justification and a clearly defined framework for implementation.

References

ANTARA News Bali, B. A. (2025, August 1). Megawati kembali dikukuhkan jadi Ketum PDI Perjuangan dalam kongres di Bali. ANTARA News Bali. https://bali.antaranews.com/berita/384269/megawati-kembali-dikukuhkan-jadi-ketum-pdi-perjuangan-dalam-kongres-di-bali

Bagg, S., & Bhatia, U. (2022). Intra‐party Democracy: A Functionalist Account. Journal of Political Philosophy, 30(3), 347‐369. https://doi.org/10.1111/jopp.12270

Butt, S., & Murharjanti, P. (2022). What constitutes compliance? Legislative responses to Constitutional Court decisions in Indonesia. International Journal of Constitutional Law, 20(1), 428–453. https://doi.org/10.1093/icon/moac014

Chiru, M. (2025). Clientelism, Party Organization and Intra-party Democracy. Comparative Political Studies, 58(4), 680–713. https://doi.org/10.1177/00104140241252082

Cordero, G., Coller, X., & Önnudóttir, E. H. (2022). Editorial: Beyond the secret garden of politics: Internal party dynamics of candidate selection. Frontiers in Political Science, 4, 1051376. https://doi.org/10.3389/fpos.2022.1051376

detikcom. (2026, April 27). Respons Dingin Parpol Tanggapi KPK Usul Ketum Parpol Cukup 2 Periode Saja. detikNews. https://news.detik.com/berita/d-8462777/respons-dingin-parpol-tanggapi-kpk-usul-ketum-parpol-cukup-2-periode-saja

Fathorrahman, F., Rambe, M. J., & Fahmi, A. A. (2024). The ethical approach in assessing the legitimacy of Constitutional Court decisions: Urgency and orientation. Indonesian Journal of Administrative Law and Local Government, 1(2). https://doi.org/10.26740/ijalgov.v1i02.36462

Gandur, M., Chewning, T. K., & Driscoll, A. (2025). Awareness of Executive Interference and the Demand for Judicial Independence: Evidence from Four Constitutional Courts. Journal of Law and Courts, 13(1), 122–147. https://doi.org/10.1017/jlc.2024.20

Hager, L., & Uribe-McGuire, A. (2024). Judicial Guardians: Court-Curbing Bills, the Supreme Court, and Judicial Review. Journal of Law and Courts, 12(2), 303–324. https://doi.org/10.1017/jlc.2023.22

Juzgenbayev, A. (2025). Framing the Judiciary: Effects of Partisan, Procedural, and Populist Frames on Apex Court Perceptions in Czechia. Journal of Law and Courts, 13(1), 97–121. https://doi.org/10.1017/jlc.2024.17

Kadlec, O. (2025). Managing Judicial Legitimacy: The Role of Grand Chambers in National and International Courts. International and Comparative Law Quarterly, 74(3), 619–647. https://doi.org/10.1017/S0020589325101115

Katsourides, Y., & Ioannidis, N. (2025). Intra-Party Leadership Contests and Effect on Levels of Satisfaction with Democracy on Party Voters. Government and Opposition, 60(3), 872–893. https://doi.org/10.1017/gov.2024.27

Klein, A. (2025). Finding the needle in the haystack: Archival research in European political science. European Political Science, 24(2), 248–260. https://doi.org/10.1057/s41304-024-00488-3

Kompaspedia. (2024, October 20). Presiden Ke-5 Republik Indonesia Megawati Soekarnoputri. Kompaspedia, Kompas. https://kompaspedia.kompas.id/baca/profil/tokoh/ketua-umum-pdip-megawati-soekarnoputri

Mahkamah Konstitusi Republik Indonesia. (2025). Ikhtisar Putusan Perkara Nomor 194/PUU-XXIII/2025 tentang Kepengurusan dan Penyelesaian Perselisihan Partai Politik (Ikhtisar Putusan 194/PUU-XXIII/2025). Mahkamah Konstitusi Republik Indonesia.

Mahkamah Konstitusi Republik Indonesia. (2026a). Risalah Sidang Permohonan Nomor 191/PUU-XXIV/2026 dan Permohonan Nomor 194/PUU-XXIV/2026: Pemeriksaan Pendahuluan (I) (Risalah Sidang 191/PUU-XXIV/2026 dan 194/PUU-XXIV/2026). Mahkamah Konstitusi Republik Indonesia.

Mahkamah Konstitusi Republik Indonesia. (2026b). Risalah Sidang Permohonan Nomor 191/PUU-XXIV/2026, Permohonan Nomor 194/PUU-XXIV/2026, dan Permohonan Nomor 197/PUU-XXIV/2026: Perbaikan Permohonan (II) (Risalah Sidang 191/PUU-XXIV/2026; 194/PUU-XXIV/2026; 197/PUU-XXIV/2026). Mahkamah Konstitusi Republik Indonesia.

Mahkamah Konstitusi Republik Indonesia. (2026c, July 16). Pemohon Tidak Memiliki Kedudukan Hukum Uji Masa Jabatan Ketua Umum Parpol. Mahkamah Konstitusi Republik Indonesia. https://www.mkri.id/berita/pemohon-tidak-memiliki-kedudukan-hukum-uji-masa-jabatan-ketua-umum-parpol-25429

Marini, S. (2025). Do more inclusive parties change less? Intraparty democracy and programmatic change. West European Politics, 48(2), 270–296. https://doi.org/10.1080/01402382.2023.2272117

Musella, F., & Rullo, L. (2024). Constitutional Courts in turbulent times. European Politics and Society, 25(3), 461–467. https://doi.org/10.1080/23745118.2023.2244394

Niendorf, T. (2022). Leadership election reform in the British Labour party: Democratisation or power struggle? British Politics, 17(4), 386–407. https://doi.org/10.1057/s41293-021-00195-3

Partai Nasdem. (2026, April 24). Saan Mustopa Respons Usulan KPK Soal Batas Masa Jabatan Ketum Parpol. Partai NasDem. https://partainasdem.id/2026/04/24/saan-mustopa-respons-usulan-kpk-soal-batas-masa-jabatan-ketum-parpol/

Pepinsky, T. B. (2025). Cleavages, Institutions, and Democracy in Indonesia: The 2024 Elections in Comparative Perspective. Journal of Current Southeast Asian Affairs, 44(3), 345–365. https://doi.org/10.1177/18681034251349467

Perry, A. (2023). Precedent and Fairness. Legal Theory, 29(3), 185–201. https://doi.org/10.1017/S1352325223000174

Podestà, F. (2023). Combining process tracing and synthetic control method: Bridging two ways of making causal inference in evaluation research. Evaluation, 29(1), 50–66. https://doi.org/10.1177/13563890221139511

Poguntke, T., Scarrow, S., & Webb, P. D. (2026). Party leadership selection and party leaders' powers: Empowered grassroots or leader-centric parties? Parliamentary Affairs, 79(2), 243–262. https://doi.org/10.1093/pa/gsaf020

Putusan Mahkamah Konstitusi Republik Indonesia Nomor 191/PUU-XXIV/2026 (16 July 2026).

Putusan Mahkamah Konstitusi Republik Indonesia Nomor 194/PUU-XXIII/2025 (27 November 2025).

Riordan, R. (2025). A Case Study of Judicial-Legislative Interactions via the Lens of the DSA's Host Liability Rules [Text/html,PDF]. European Papers - A Journal on Law and Integration, 2025 10, 259291. https://doi.org/10.15166/2499-8249/832

Sánchez Medero, G. (2024). Digital models for the selection of party organs and election candidates in Spanish political parties: The impact of intraparty democracy. Frontiers in Political Science, 6, 1442331. https://doi.org/10.3389/fpos.2024.1442331

Sánchez Medero, G., & Sánchez Medero, R. (2025). Impacts and Consequences of Digital Democratic Innovations in Political Parties. Colombia Internacional, (123), 3–29. https://doi.org/10.7440/colombiaint123.2025.01

Santos Botelho, C., & Garoupa, N. (2023). Regulating Parties by Constitutional Rules in Liberal Democracies. German Law Journal, 24(9), 1648–1676. https://doi.org/10.1017/glj.2023.117

Sternberg, S., Brouard, S., & Hönnige, C. (2022). The legitimacy ‐ conferring capacity of constitutional courts: Evidence from a comparative survey experiment. European Journal of Political Research, 61(4), 973 ‐ 996. https://doi.org/10.1111/1475-6765.12480

Tanjung, I. U., Ismaidar, Rambe, M. J., & Ananta, A. (2025). Constitutional limits of the Constitutional Court's interpretation between negative legislators and positive legislators. Proceedings of International Conference on Islamic Community Studies, 2603–2611. https://proceeding.pancabudi.ac.id/index.php/ICIE/article/view/828

Tanjung, I. U., Ismaidar, Rambe, M. J., & Ananta, A. (2026). The normative effects of conditional and additive rulings in Indonesia's constitutional adjudication. International Conference Epicentrum of Economic Global Framework, 2850–2858. https://proceeding.pancabudi.ac.id/index.php/ICEEGLOF/article/view/1865

Undang-Undang Republik Indonesia Nomor 2 Tahun 2008 Tentang Partai Politik, 2008 Lembaran Negara Republik Indonesia 2 (2008).

Zaks, S. (2022). Return to the Scene of the Crime: Revisiting Process Tracing, Bayesianism, and Murder. Political Analysis, 30(2), 306–310. https://doi.org/10.1017/pan.2021.24