

Judicialized Political Development: Constitutional Adjudication, Political Education, and the Redesign of Electoral Competition in Indonesia

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Abstract

The development of democracy is not solely determined by electoral competition and institutional reform but also by the capacity of political institutions and citizens to transform institutional changes into meaningful democratic practices. This article examines the role of constitutional adjudication in Indonesia's political development through the process of judicialization of politics, focusing on Constitutional Court Decision No. 60/PUU-XXII/2024 concerning regional head candidacy thresholds. This study employs a qualitative case study approach using document analysis and process tracing of constitutional provisions, electoral regulations, the Constitutional Court decision, institutional documents, and academic literature on political development, judicialization, political education, political literacy, and political efficacy. The findings demonstrate that the Constitutional Court decision transformed the electoral opportunity structure by altering the basis of candidacy requirements from legislative seat ownership toward electoral support. This transformation expanded political access and strengthened electoral inclusion. However, institutional openness does not automatically generate political development because citizens require adequate political capacity to understand, evaluate, and utilize newly created political opportunities. This article proposes the concept of judicialized political development, arguing that judicial intervention contributes to democratic development when institutional change is mediated through political education, political literacy, political efficacy, and democratic participation.

Keywords: Judicialization of Politics, Political Development, Political Education, Political Literacy, Political Efficacy.



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Introduction

Political development has historically been understood as a process through which political institutions become capable of organizing social demands, managing conflicts, and sustaining political order. Huntington (1965, 1968) emphasized that political development is closely associated with institutionalization, where political organizations and procedures acquire

adaptability, complexity, autonomy, and coherence. From this perspective, increasing political participation does not necessarily represent political development when mobilization is not accompanied by institutional capacity.

This theoretical perspective remains relevant in understanding Indonesia's democratic transformation after the Reform era. The expansion of electoral competition, political participation, and democratic institutions has been accompanied by continuous changes in the relationship among political parties, legislative institutions, electoral bodies, and judicial institutions. Consequently, political development in Indonesia cannot be examined only through the relationship between the state and society but must also consider how institutional arrangements determine access, competition, and conflict resolution within the political system.

One of the most significant developments in contemporary constitutional democracy is the increasing involvement of judicial institutions in political decision-making. The phenomenon known as *judicialization of politics* describes the expansion of judicial authority into areas previously dominated by legislative and executive institutions (Tate & Vallinder, 1995). Courts increasingly become arenas where political conflicts are resolved, institutional rules are interpreted, and political opportunities are redistributed.

In Indonesia, the Constitutional Court (*Mahkamah Konstitusi/MK*) has become an important actor in shaping political institutions through its authority to review laws against the 1945 Constitution. Although traditionally positioned as the guardian of constitutional supremacy, the Court's decisions frequently produce broader political consequences because many reviewed laws regulate electoral systems, political representation, and institutional arrangements. Previous research has demonstrated that constitutional review in Indonesia has become a political opportunity structure through which political actors and civil society groups pursue institutional change (Perdana, 2021).

A significant example is Constitutional Court Decision No. 60/PUU-XXII/2024 concerning regional head candidacy thresholds. The case challenged the provisions of Law No. 10/2016 on Regional Elections, particularly the requirement that political parties must possess a minimum number of legislative seats or electoral votes to nominate candidates. Through this decision, the Constitutional Court modified the interpretation of Article 40 paragraph (1) and declared Article 40 paragraph (3) unconstitutional. The Court established a candidacy threshold based on valid votes and regional population categories, ranging from 6.5% to 10% depending on demographic characteristics (Constitutional Court of the Republic of Indonesia, 2024).

The decision produced substantial consequences for electoral competition. Previously, access to regional head candidacy was strongly associated with legislative representation. Following the decision, political parties participating in elections could nominate candidates based on electoral support even without holding seats in local legislatures. Therefore, the decision transformed the structure of political access by reducing institutional barriers and expanding opportunities for political competition.

However, institutional transformation alone does not automatically generate political development. A fundamental question remains: how can changes in electoral rules become meaningful democratic improvement? The expansion of political opportunities requires citizens

and political actors who possess the capacity to understand institutional changes, evaluate political choices, and participate effectively. In this context, political education becomes an essential mechanism connecting institutional reform with democratic capacity.

Political education contributes to political development by strengthening citizens' knowledge of institutions, rights, electoral mechanisms, and political evaluation skills. Existing studies have demonstrated that political knowledge and political efficacy are important determinants of meaningful political participation (Campbell et al., 1954; Delli Carpini & Keeter, 1996). Nevertheless, the relationship between judicialization and political education remains insufficiently explored. Studies on judicialization generally focus on institutional power shifts and the role of courts in political decision-making, while studies on political education emphasize citizens, literacy, and participation. These two analytical traditions are rarely integrated into a single framework.

This article addresses this gap by examining political education as a mediating mechanism between judicial intervention and political development. It argues that judicialization contributes to political development through three sequential mechanisms. First, judicial decisions transform political opportunity structures by modifying institutional rules. Second, political education enables citizens and political actors to understand and evaluate these institutional changes, strengthening political literacy and political efficacy. Third, enhanced political capacity facilitates democratic participation, accountability, and institutionalization.

Based on this argument, this article introduces the concept of *judicialized political development*, referring to a form of political development in which judicial intervention contributes to democratic transformation through the interaction between constitutional adjudication, institutional restructuring, political education, and citizen capacity. The article contributes to political development studies by demonstrating that democratic institutional change should not be measured solely through formal legal reform but also through citizens' ability to understand, utilize, and oversee newly created political opportunities.

Method

This study employs a qualitative research approach with a single case study design to examine how constitutional adjudication contributes to political development through the process of judicialization of politics. A qualitative case study is appropriate when research seeks to understand complex social and institutional phenomena within their real-world contexts and explain the mechanisms underlying particular events (Creswell & Creswell, 2023; Yin, 2018). The selected case is Constitutional Court Decision No. 60/PUU-XXII/2024 concerning regional head candidacy thresholds in Indonesia, as the decision represents a significant institutional intervention that reshaped the structure of electoral competition. The analysis focuses on three interconnected dimensions: the legal-normative dimension, which examines the constitutional basis and substance of the Court's decision; the institutional-political dimension, which analyzes changes in electoral opportunity structures; and the citizen-capacity dimension, which explores the role of political education, political literacy, and political efficacy in transforming institutional changes into meaningful democratic participation.

The study utilizes **document analysis and process tracing** as the primary analytical methods. Document analysis is a systematic procedure for reviewing and interpreting written materials to generate understanding of institutional practices, legal frameworks, and social processes (Bowen, 2009). The data sources consist of primary legal documents, including the 1945 Constitution of the Republic of Indonesia, Law No. 10 of 2016 concerning Regional Elections, and Constitutional Court Decision No. 60/PUU-XXII/2024, as well as institutional documents and academic literature related to political development, judicialization of politics, political institutionalization, political education, political literacy, and political efficacy. Process tracing is employed to identify the causal mechanisms connecting political conflict, constitutional litigation, judicial intervention, institutional transformation, and the development of citizen political capacity (Beach & Pedersen, 2019). Through this approach, the study examines how constitutional adjudication produces institutional change and how such change requires political education to become meaningful democratic capacity.

The analytical process follows a sequential framework consisting of constitutional litigation, constitutional adjudication, institutional change, political education, political literacy, political efficacy, and democratic participation. This framework enables the research to move beyond examining the Constitutional Court's decision merely as a legal outcome and instead analyze its broader implications for political development and democratic institutionalization. Since the study relies exclusively on publicly available legal documents, institutional publications, and scholarly sources, it does not involve human participants or personal data collection. Therefore, formal informed consent was not required. Nevertheless, the research follows principles of academic integrity by maintaining accurate interpretation, transparent analytical procedures, and appropriate citation practices in accordance with scholarly research standards (Creswell & Creswell, 2023).

Results and Discussion

Constitutional Adjudication and the Redistribution of Political Access

The findings demonstrate that Constitutional Court Decision No. 60/PUU-XXII/2024 significantly transformed the structure of electoral competition in Indonesia by modifying the basis of regional head candidacy requirements. Before the decision, Article 40 of Law No. 10 of 2016 emphasized political party representation in local legislatures as one of the main requirements for nominating candidates. Through its constitutional interpretation, the Court shifted the emphasis from legislative seat ownership toward electoral support by allowing political parties to nominate candidates based on valid vote acquisition thresholds. This transformation reduced institutional barriers for political parties, including those without seats in regional legislative bodies, provided that they fulfilled the required electoral threshold (Constitutional Court of the Republic of Indonesia, 2024).

From the perspective of political development, this change represents a redistribution of political access rather than merely a technical modification of electoral regulations. Political institutions are considered developed when they are capable of organizing participation, managing competition, and providing mechanisms for political inclusion (Huntington, 1965, 1968). The Court's decision illustrates how constitutional adjudication can influence institutional

arrangements by altering who can enter political competition and under what conditions. In this sense, judicial intervention does not only resolve constitutional disputes but also reshapes the political opportunity structure within which democratic competition occurs.

This finding expands previous discussions on judicialization of politics. Tate and Vallinder (1995) argue that judicialization occurs when courts increasingly intervene in areas traditionally managed by political institutions. In the Indonesian context, the Constitutional Court has become an important arena where political conflicts concerning institutional design are negotiated through constitutional mechanisms. Previous research has shown that judicial review in Indonesia provides political opportunities for political actors and civil society groups to challenge existing institutional arrangements (Perdana, 2021). However, this study extends that argument by demonstrating that judicialization can produce political development effects when judicial decisions expand access, strengthen competition, and promote institutionalized conflict resolution.

From Electoral Access to Political Inclusion

The second finding indicates that the expansion of electoral access created by the Constitutional Court decision has the potential to strengthen political inclusion. Democratic competition is not only determined by citizens' ability to vote but also by the availability of meaningful opportunities for political actors to compete for public office. Dahl (1971) emphasizes that democracy requires both participation and contestation; therefore, reducing barriers to political competition represents an important dimension of democratic development.

The change introduced by Constitutional Court Decision No. 60/PUU-XXII/2024 demonstrates that institutional rules significantly influence the distribution of political opportunities. By reducing dependence on legislative seat ownership, the decision potentially enables a wider range of political parties and candidates to participate in regional elections. This condition may increase political pluralism by expanding the number of available political alternatives for voters. However, the findings also indicate that increased access should not be interpreted automatically as democratic improvement.

Political inclusion at the institutional level does not necessarily guarantee substantive democratic participation. Previous studies on democracy emphasize that formal political equality must be accompanied by citizens' capacity to understand political alternatives, evaluate candidates, and engage in meaningful decision-making (Delli Carpini & Keeter, 1996). Therefore, the expansion of candidate access represents only the first stage of political development. The quality of democracy depends on whether citizens possess sufficient political knowledge and efficacy to utilize these expanded opportunities.

Political Education as the Mediating Mechanism Between Institutional Change and Democratic Capacity

The findings reveal that political education functions as the critical mechanism connecting institutional reform with citizen political capacity. The Constitutional Court's decision changed the rules of electoral competition, but citizens cannot benefit from these changes without understanding their implications. Institutional opportunity does not automatically create political capacity; rather, citizens require knowledge and skills to interpret institutional transformations and make informed political choices.

Political education in this context extends beyond procedural electoral knowledge, such as understanding voting procedures or election schedules. Instead, it involves developing citizens' ability to understand political institutions, evaluate candidates, interpret policy choices, and assess the consequences of institutional change. Political knowledge has been identified as a fundamental component of democratic citizenship because citizens with greater political understanding are more capable of participating effectively in democratic processes (Delli Carpini & Keeter, 1996).

Furthermore, political education contributes to the development of political efficacy, referring to citizens' belief in their ability to understand and influence political processes (Campbell et al., 1954). Internal political efficacy allows citizens to feel capable of engaging with political issues, while external political efficacy reflects perceptions that political institutions respond to citizen demands. These dimensions are essential because institutional reforms created through judicial decisions require citizens who are capable of interpreting, monitoring, and utilizing new political opportunities.

Based on these findings, this study proposes that judicialized political development occurs through a sequential mechanism: judicial decisions create institutional opportunities; political education translates these opportunities into political literacy; political literacy strengthens political efficacy; and political efficacy encourages meaningful democratic participation. Therefore, political education is not an additional component outside institutional reform but an essential condition that determines whether judicial intervention contributes to democratic development.

Constitutional Literacy and Democratic Oversight in Judicialized Politics

Another important finding concerns the emergence of constitutional literacy as a necessary dimension of contemporary political education. The increasing role of constitutional courts in shaping political institutions creates new demands for citizens to understand not only electoral procedures but also the constitutional mechanisms behind political change. Citizens need to understand why institutional rules change, which actors benefit from those changes, and how such transformations influence democratic competition.

Constitutional literacy enables citizens to evaluate judicial decisions beyond legal acceptance or rejection. It provides the cognitive capacity to examine the relationship between constitutional authority, political representation, and democratic accountability. In systems where courts increasingly influence political arrangements, democratic legitimacy depends not only on judicial independence but also on citizens' ability to understand and evaluate the consequences of judicial power.

However, the findings also highlight the tension between democratic inclusion and judicial dominance. Hirschl (2004) warns that excessive reliance on judicial institutions in political decision-making may contribute to the emergence of *juristocracy*, where important political choices shift from elected institutions toward courts. The Constitutional Court's decision demonstrates this dual character: on one hand, it expands political inclusion by reducing institutional barriers; on the other hand, it raises questions regarding the appropriate boundaries of judicial involvement in electoral engineering.

Therefore, judicialization should not be understood as inherently democratic or undemocratic. Its contribution to political development depends on whether judicial intervention

strengthens institutional equality, expands political participation, and remains balanced with democratic accountability mechanisms. Political education becomes essential in this context because it enables citizens to critically understand judicial power while maintaining respect for constitutional institutions.

Judicialized Political Development: A Theoretical Contribution

Based on the findings, this study introduces the concept of judicialized political development to explain how judicial intervention can contribute to democratic transformation through the interaction between constitutional adjudication, institutional change, and citizen capacity. Unlike conventional approaches that examine judicialization primarily as the expansion of judicial authority, this concept emphasizes the broader developmental consequences of judicial decisions.

Judicialized political development consists of three interconnected processes. First, constitutional adjudication transforms political institutions by modifying rules and redistributing access to political competition. Second, political education enables citizens to understand these institutional changes and develop political literacy. Third, political literacy strengthens political efficacy, allowing citizens to participate more effectively and demand accountability from political actors.

This conceptualization contributes to political development literature by demonstrating that institutional reform alone is insufficient for democratic consolidation. Democratic development requires interaction between institutional opportunities and citizen capabilities. As Huntington (1968) argued, political stability depends not only on participation but also on institutional capacity. Therefore, judicial intervention can support political development only when accompanied by mechanisms that strengthen citizens' ability to understand, utilize, and oversee democratic institutions.

Conclusion

This study demonstrates that judicialization of politics can become an important mechanism of political development when judicial intervention produces institutional transformation and strengthens democratic capacity. Through the analysis of Constitutional Court Decision No. 60/PUU-XXII/2024, the findings show that constitutional adjudication has reshaped Indonesia's electoral opportunity structure by changing the basis of regional head candidacy requirements from legislative seat ownership toward electoral support. This transformation expands political access, reduces institutional barriers, and creates greater opportunities for political competition. However, the study emphasizes that institutional openness alone does not automatically generate political development because democratic improvement depends on citizens' ability to understand, evaluate, and utilize newly created political opportunities.

The study further argues that political education functions as the essential mediating mechanism between institutional change and democratic participation. Judicial decisions may create new political opportunities, but these opportunities require political literacy and political efficacy to become meaningful democratic practices. Therefore, political education should not be limited to procedural electoral knowledge but should include constitutional literacy, institutional understanding, and the capacity to critically evaluate political processes. Through this mechanism,

citizens are positioned not merely as voters who participate in elections but as democratic actors capable of monitoring institutions, evaluating political choices, and demanding accountability.

Conceptually, this article contributes the framework of **judicialized political development**, which explains political development as an interaction between constitutional adjudication, institutional restructuring, political education, and citizen capacity. The concept highlights that judicialization has a dual character: it may strengthen democracy by expanding inclusion and institutionalizing political conflict, but it may also raise concerns regarding judicial overreach and the concentration of political authority in courts. Therefore, the democratic significance of judicialization depends on maintaining a balance between constitutional authority, institutional accountability, and an informed citizenry. Future research may further examine how judicial decisions influence political behavior at the local level and how political education programs can strengthen citizens' capacity to engage with evolving democratic institutions.

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