

# ANALYSIS OF THE URGENCY OF MINIMUM EDUCATION STANDARDS FOR LEGISLATIVE CANDIDATES IN ELECTION IN ENSURING THE QUALITY OF LEGISLATION IN INDONESIA

**\*Iman Sejati Zendrato<sup>1</sup>, Tamaulina Br. Sembiring<sup>2</sup>**

<sup>1,2</sup> Program Studi Magister Ilmu Hukum, Universitas Pembangunan Panca Budi Medan

Corresponding Email: [\\*imansejatizendrato01@gmail.com](mailto:*imansejatizendrato01@gmail.com)<sup>1</sup>, [tamaulina\\_sembiring@yahoo.co.id](mailto:tamaulina_sembiring@yahoo.co.id)<sup>2</sup>

Received : 22 May 2025

Publishd : 31 July 2025

Revised : 30 May 2025

DOI : <https://doi.org/10.54443/morfaiv5i2.3752>

Accepted : 20 June 2025

Link Publish : <https://radjapublika.com/index.php/MORFAI/article/view/3752>

## Abstract

Education plays a crucial role in improving the quality of legislative candidates. A good quality education will equip them with knowledge, skills, and a deep understanding of various issues, as well as better analytical skills in making informed decisions for the benefit of the public. This analysis of the urgency of establishing higher minimum educational standards for legislative candidates in elections focuses on the impact on the quality of legislation in Indonesia. Currently, Law Number 7 of 2017 concerning Elections only requires a minimum education equivalent to high school for legislative candidates. However, the legislative function demands a high level of understanding of law, public policy, and government administration. This low educational standard contributes to the poor quality of legislative products produced, as evidenced by the minimal implementation of the National Legislation Program (Prolegnas) and the numerous laws that do not favor the public interest. This research uses a descriptive qualitative method with a normative juridical approach to examine legislative candidacy regulations, as well as the relationship between the educational standards of legislative candidates and the quality of legislation in Indonesia. The study's findings indicate that improving the educational standards of legislative candidates is an urgent need for political system reform and better governance. Essentially, education is not merely a formality, but a crucial foundation for developing qualified legislative candidates capable of effectively carrying out their duties and responsibilities, as well as making positive contributions to regional and national development. Therefore, regulatory reforms related to increasing the minimum educational requirements for legislative candidates can serve as a strategic tool to ensure high-quality, professional, and open-minded legislation.

**Keywords:** *Minimum Education Standards, Legislative Candidates, Election Law, Quality Legislation*

## A. INTRODUCTION

In a state based on the rule of law, appointment to public office is not only based on the principles of transparency and participation, but must also consider the quality and competence of the individuals who will hold those positions. The legislative function in the constitutional system is highly strategic and complex. In addition to drafting laws, legislators also have an oversight function over the government and the authority to formulate the state budget. This means that in addition to possessing legal knowledge, legislators are also required to understand public policy, state administration, and government ethics. Such responsibilities certainly require a considerable intellectual foundation. General elections (Pemilu) are a fundamental instrument in a democratic system, determining the people's representatives who will sit in legislative bodies. Through elections, the people have the sovereignty to choose legislative candidates (caleg) who will represent the aspirations of the community in drafting laws and regulations. However, as elections progress in Indonesia, the quality of legislation produced by parliament, both at the central (DPR) and regional (DPRD) levels, often draws public attention. Many legal products are deemed to fail to meet the principles of justice, conflict with higher-level regulations, or do not favor the interests of the wider community.<sup>1</sup> In line with the recruitment system for legislative candidates in parliament, both at the central (DPR) and regional (DPRD) levels, which is carried out through political parties, the General Elections Commission (KPU) determines which participants have passed the election selection process to become legislative candidates. In reality, the current

<sup>1</sup>Indrayana, Denny, 2020, Indonesia's Legal State: Between Norms and Reality, Jakarta: Kompas.

# ANALYSIS OF THE URGENCY OF MINIMUM EDUCATION STANDARDS FOR LEGISLATIVE CANDIDATES IN ELECTION IN ENSURING THE QUALITY OF LEGISLATION IN INDONESIA

Iman Sejati Zendrato and Tamaulina Br. Sembiring

recruitment of legislative candidates by political parties no longer looks at the quality and abilities of the candidates they no longer support, but rather aims to fulfill the quota determined by the KPU according to their electoral district. Therefore, legislative candidates who participate in the general election, when elected, turn out to lack the capabilities in the fields of state administration and governance, as well as in the fields of law and legislation, and appear to only fulfill the quota without making any desired contribution to conveying the aspirations of the people.<sup>2</sup> Referring to Article 240 paragraph (1) letter (e) of Law Number 7 of 2017 concerning General Elections, it is stated that prospective candidates for members of the DPR, provincial DPRD, and district/city DPRD are Indonesian citizens and must meet the following requirements: having a minimum education of high school, Islamic high school, vocational high school, vocational Islamic high school, or other equivalent school. This does not conflict with existing laws and regulations, however, the regulation is considered to have weaknesses in the institution that has the function and authority to create and produce legislative products.

Based on these provisions, concerns arise regarding sufficient capacity to carry out legislative functions effectively. This is different from several other countries that set certain educational requirements for strategic positions in legislative institutions as a form of guarantee of legislative quality.<sup>3</sup> From a historical perspective, there is a logical basis for establishing a minimum high school diploma requirement for legislative candidates. During the early reform era and before, the number of college graduates was limited. Therefore, to increase inclusive political participation, these educational standards were relaxed. However, the situation is now different, with the number of college graduates increasing and access to higher education becoming more open. Therefore, it is only natural that existing regulations be updated to reflect the spirit of meritocracy and the demands of the times. In this regard, we can see that, in terms of educational standards, the requirements for members of the House of Representatives (DPR) are still very low. Yet, the competence and quality of DPR members are among the factors influencing the DPR in carrying out its functions. The lack of minimum educational standards for prospective legislative members raises concerns about the quality of the legislation they produce. In reality, many cases demonstrate that some legislators fail to understand the substance of the legislation they themselves produce. This is certainly not just an individual issue, but also relates to the suboptimal political recruitment system. In other words, the nomination process has become merely a political transactional tool, where a person's selection as a legislative candidate is determined more by financial strength than by intellectual capacity.<sup>4</sup>

Public criticism of poor legislative output cannot be separated from the human resources factor within legislative institutions. With an open nomination system by political parties, the selection process for legislative candidates is often based on popularity, political networks, or financial strength, rather than substantive competence.<sup>5</sup> Without screening in terms of minimum educational standards, it is difficult to guarantee that legislative candidates have the basic skills to read, understand, and formulate legal norms that are appropriate and oriented towards the public interest. Essentially, strengthening legislative institutions can be achieved not only externally through public or media control, but also internally through improving nomination regulations. Therefore, the first step to achieving the nation's goals is to ensure that those in positions of power are truly morally, intellectually, and constitutionally worthy. Therefore, an in-depth and comprehensive study is needed to determine the urgency of implementing minimum educational standards for legislative candidates. This analysis is crucial for finding a balance between improving legislative quality and protecting citizens' political rights. This research will examine the normative, empirical, and comparative aspects of this issue and develop evidence-based policy recommendations that can encourage reforms in Indonesia's political recruitment and legislative systems. Based on the description of the material outlined in this background, the main topic of discussion in this written study is "howanalysis of the urgency of minimum education standards for legislative candidates in elections in ensuring the quality of legislation in Indonesia?"

## B. WRITING METHOD

<sup>2</sup>Firdaus & Rudiadi, "Recruitment of Legislative Candidates by Political Parties (A Study of the Quality and Professionalism of Legislative Members in Parliament)," Execution: Journal of Law, Vol. 5 No. 2, (2023), p. 207.

<sup>3</sup>Norris, Pippa, 2011, Democratic Deficit: Critical Citizens Revisited, Cambridge : Cambridge University Press.

<sup>4</sup>Rikza Anung Andita Putra, "The Urgency of Revising Educational Requirements for Legislative Candidates," Jakarta: Times Indonesia, May 5, 2025,<https://timesindonesia.co.id/kopi-times/537781/urgensi-revisi-syarat-pendidikan-calon-legislatif>. Accessed on May 11, 2025.

<sup>5</sup>Hadiz, Vedi R. & Robison, Richard, "The Political Economy of Oligarchy and the Reorganization of Power in Indonesia," JSTOR Journal, Vol. 10, No. 96, (2013).

The method used in this writing is descriptive qualitative research methods with normative juridical approach. This approach was chosen because the research focuses on the study of applicable legal norms, particularly those related to legislative candidacy regulations, as well as the relationship between the educational standards of legislative candidates and the quality of legislation in Indonesia. Data collection techniques were carried out through Library Research and Document Study (Documentary Study) namely by reviewing and examining existing library materials and documents related to this research field. minimum education standards for legislative candidates in elections to ensure the quality of legislation. Sources of legal materials used in the form of primary legal materials, secondary legal materials, and tertiary legal materials consisting of related laws and regulations, books, journal articles, dictionaries, and encyclopedias. In this study, the researcher used a qualitative research type, where after the data was collected, it was presented using an informal method in the form of description. Descriptive research is a method aimed at describing existing phenomena, both those occurring currently and in the past, which are then analyzed by performing data reduction, data presentation (data display), and drawing conclusions.

## **C. RESULTS AND DISCUSSION**

### **1. The Influence of Legislative Candidates' Education Level on the Quality of Legislation Produced in Indonesia**

Legislation is one of the main pillars of a democratic system of government. The legislative process is a crucial foundation in the formation of laws that serve as the basis for regulating national and state life. The formation of these laws is a crucial element of the Indonesian legal system. In its formation process, legislation must be of good quality to produce laws that meet the needs of society, align with the principles of justice, and guarantee legal certainty. The primary purpose of the legislative institution is to carry out its legislative function, which includes the formation of laws and oversight of their implementation. Furthermore, the legislative institution also aims to strengthen and maintain democracy, represent the voice of the people, and serve as a forum for channeling public aspirations. Legislative quality refers to the success of a legal product (law) in fulfilling legal principles such as clarity of purpose, clarity of formulation, and effective enforcement. Legislative quality is a concept that refers to the excellence or level of perfection of a law in achieving its desired goals and meeting applicable legal standards. It encompasses various aspects such as effectiveness, efficiency, clarity, accuracy, and compliance with legal norms.

Based on the results of a Kompas Research and Development (Litbang) survey, the legislative performance of the House of Representatives (DPR) during the last period, 2019-2024, has been in the public spotlight. Of the 263 proposed bills in the 2019-2024 National Legislation Program (Prolegnas), only 10% were completed. Some bills were discussed very quickly, while others took so long that they remained unfinished even at the end of the 2019-2024 DPR term, despite their importance to the public.<sup>6</sup> Lucius Karus (2024), a researcher at the Indonesian Parliamentary Concern Community Forum (FORMAPPI), revealed that legislative products are minimal in quantity and very low in quality. Several bills passed by the DPR are highly controversial and lack meaningful public participation. Legislative quality refers to the extent to which the resulting laws are effective, efficient, clear, and in line with their intended objectives. Improving the quality of legislation will positively impact various aspects of social and national life. Good legislative quality will produce legal products that benefit society, create legal certainty, and encourage development.

Legislative education also significantly influences the quality of legislation, although it does not guarantee improved quality. Adequate education, particularly regarding law, can help legislators understand legal concepts, the lawmaking process, and the importance of laws' impact on society. A good legislative education can provide legislators with a deeper understanding of the law, the lawmaking process, and the potential impacts of legislation. This can help them make more informed and effective decisions in the legislative process. In Law Number 20 of 2003 concerning the National Education System, it is stated that Education is a conscious and planned effort to create a learning and teaching atmosphere so that students actively develop their potential to have spiritual religious strength, self-control, personality, intelligence, noble morals and the skills needed by themselves and society.<sup>7</sup> Education is a continuous, non-stop process that demands human growth from birth until physical and spiritual maturity is achieved.

<sup>6</sup>Lucian Karus, "Public Views on the Performance of the DPD and DPR 2019-2024," Jakarta: Kompas, September 28, 2024, <https://perpustakaan.dpr.go.id/epaper/index/popup/id/19659>, Accessed July 10, 2025.

<sup>7</sup>Pristiwanti, D., et. al, "Understanding Education", Journal of Education and Counseling, Vol. 4 No. 6, (2022), p. 7912.

<sup>8</sup>In a simple and general sense, the meaning of education is a human effort to grow and develop innate potential, both physical and spiritual, in accordance with the values that exist in society and culture. Education is a conscious and planned effort to create a learning atmosphere and learning process so that students actively develop their potential to have spiritual religious strength, self-control, personality, intelligence, noble morals, and the skills needed by themselves and society.<sup>9</sup>In general, education has functions including developing abilities, forming character and personality so that students can become better individuals. **Mahfud MD** In the 2045 Golden Indonesia Talent Management National Dialogue held online by Andalas University on March 10, 2022, it was stated that education is a key that has its own philosophical meaning. So what is printed is character intelligence, not just brain intelligence, because providing education to enlighten life is character and brain, physical and spiritual, education based on faith, piety, and morals. This is in line with the provisions stipulated in Article 31 paragraph (3) of the 1945 Constitution that the government strives for and organizes a national education system, which increases faith and piety as well as noble morals in order to enlighten the life of the nation. It is clear that education aims to encourage the progress of civilization and the welfare of humanity. To realize this, everyone should continue to deepen their education because education is the main means of achieving these goals. In essence, education plays a crucial role in shaping individuals with a high level of knowledge and skills. Educated individuals are those who are able to accurately understand phenomena, think clearly, and act effectively in accordance with their self-determined goals and aspirations. Educated individuals also respect others regardless of power and status, take responsibility for the results or impact of their actions, and use common sense to meet their personal, family, organizational, and societal needs.<sup>10</sup> Thus, the quality of legislation depends heavily on the competence and capacity of legislators. As legislators, they not only fulfill their representative function but also have the primary responsibility of drafting and overseeing the implementation of laws. Therefore, an understanding of legal aspects, public policy, and the regulatory formulation process is a crucial requirement for legislative candidates who will assume these responsibilities.<sup>11</sup>In this context, the level of formal education can be an indicator that shows the extent of a prospective legislative member's intellectual abilities and technical skills.

## 2. The Relationship Between Minimum Education Standards for Legislative Candidates and the Complexity of Duties and Responsibilities in the Parliamentary System in Indonesia

The legislature, as an institution with a crucial position within the government system, is also a component of government that ensures the welfare of the people and the interests of the state. The duties and responsibilities of legislative members, such as the DPR (People's Representative Council) or DPRD (Regional Representative Council), are complex and encompass various aspects. Legislative members are tasked with drafting and enacting laws, discussing the budget, and overseeing the administration of government. Furthermore, legislative members are obligated to receive and accommodate public aspirations, advocate for the people's welfare, and maintain the integrity of the state. In carrying out their duties, the legislature has numerous roles and authorities, particularly members of the House of Representatives (DPR), whose legislative function involves creating laws and regulations. As members of the legislature, they should demonstrate proportionality, professionalism, and high integrity. In carrying out their duties and authorities, elected legislative candidates will serve as representatives of the people, conveying the aspirations and desires of the people to government institutions.

The provisions of Article 240 paragraph (1) letter e of Law Number 7 of 2017 concerning Elections, and Article 51 paragraph (1) letter e of Law Number 8 of 2012 concerning General Elections for Members of the People's Representative Council, Regional Representative Council, and Regional People's Representative Council state that prospective candidates for members of the DPR, provincial DPRD, and district/city DPRD must have at least graduated from high school, Islamic high school, vocational high school, vocational Islamic high school, or other equivalent education. The ideal concept of determining educational level as a requirement for membership in the Indonesian House of Representatives is also contained in the fourth principle of Pancasila, which states, "Democracy guided by the wisdom of deliberation/representation," meaning that the

<sup>8</sup>Munthoh, "Education in a Legal Perspective: Between Hope and Reality," *Maddaniyah*, Vol. 1 No. 10, (2016), p. 104.

<sup>9</sup>Abd Rahman BP, et.al, "Understanding Education, Educational Science and Educational Elements", *Al Urwatul Wutsqa: Islamic Education Studies*, Vol. 2, no. 1, (2022), p. 2.

<sup>10</sup>Danim, Sudarwan, 2013, *Student Development*, Bandung: Alfabeta, p. 35.

<sup>11</sup>Asshiddiqie, Jimly, 2006, *Development and Consolidation of State Institutions Post-Reformation*, Jakarta: Constitution Press.

# ANALYSIS OF THE URGENCY OF MINIMUM EDUCATION STANDARDS FOR LEGISLATIVE CANDIDATES IN ELECTION IN ENSURING THE QUALITY OF LEGISLATION IN INDONESIA

Iman Sejati Zendrato and Tamaulina Br. Sembiring

people are led by just and wise individuals. Because the ethical orientation of "wisdom" also requires profound knowledge that transcends time and space regarding the subject matter being discussed. Based on the provisions stipulated in Article 69 of Law Number 17 of 2014 concerning the People's Consultative Assembly (MPR), the People's Representative Council (DPR), the Regional Representative Council (DPD), and the Regional People's Representative Council (DPRD), the legislative functions include legislation, budgeting, and oversight. These three functions are carried out within the framework of people's representation and to support the government's efforts in implementing foreign policy in accordance with statutory provisions. The legislative function as referred to above must be implemented as a manifestation of the DPR as the holder of the power to form laws.<sup>12</sup> The budgetary function is carried out to discuss and approve or disapprove the draft law on the State Budget (APBN) submitted by the President. Meanwhile, the oversight function is carried out through monitoring the implementation of laws and the State Budget (APBN).<sup>13</sup> In the provisions of Article 71 of Law Number 17 of 2014 concerning the People's Consultative Assembly (MPR), the People's Representative Council (DPR), the Regional Representative Council (DPD), and the Regional People's Representative Council (DPRD), the authority of legislative members is regulated as follows:

- a. Forming laws that are discussed with the President to obtain joint approval.
- b. Giving approval or not giving approval to government regulations in lieu of laws proposed by the President to become laws.
- c. Discussing draft laws submitted by the President or the DPR relating to regional autonomy, central and regional relations, the formation and expansion and merger of regions, management of natural resources and other economic resources, and the balance of central and regional finances, by involving the DPD before joint approval is reached between the DPR and the President.
- d. Taking into account the DPD's considerations regarding the draft law on the State Budget and draft laws relating to taxes, education and religion.
- e. Discuss with the President, taking into account the DPD's considerations, and provide approval for the draft law on the State Budget submitted by the President.
- f. Discuss and follow up on the results of supervision submitted by the DPD regarding the implementation of laws regarding regional autonomy, the formation, expansion and merger of regions, central and regional relations, management of natural resources and other economic resources, implementation of the APBN, taxes, education and religion.
- g. Gives approval to the President to declare war and make peace with other countries.
- h. Granting approval to certain international agreements that have broad and fundamental consequences for the lives of the people related to the financial burden on the state and/or require changes or the formation of laws.
  - i. Provide consideration to the President in granting amnesty and abolition.
  - j. Providing advice to the President in terms of appointing ambassadors and accepting the placement of ambassadors from other countries.
  - k. Selecting BPK members by taking into account the DPD's considerations.
  - l. Provide approval to the President for the appointment and dismissal of members of the Judicial Commission.
  - m. Granting approval to candidates for supreme court justices proposed by the Judicial Commission to be appointed as supreme court justices by the President.
  - n. Select 3 (three) constitutional judges and submit them to the President to be inaugurated by presidential decree.

In addition, the provisions of Article 72 of Law Number 17 of 2014 concerning the People's Consultative Assembly (MPR), the People's Representative Council (DPR), the Regional Representative Council (DPD), and the Regional People's Representative Council (DPRD) also regulate the duties of legislative institutions, as follows:

- a. Drafting, discussing, establishing and disseminating national legislative programs.
- b. Prepare, discuss and disseminate draft laws.

<sup>12</sup>Toman Sony Tamnunan, 2019, Glossary of Government Terms, Jakarta: Kencana Prenada Media Group, p. 106.

<sup>13</sup>A. Sakti Ramdhon Syah R., 2020, Indonesian Legislation: A Study of the Science and Theory of Legislation and its Formation, Makassar: Social Politic Genius Sign, p. 54.

- c. Accepting draft laws submitted by the DPD relating to regional autonomy, central and regional relations, the formation and expansion and merger of regions, management of natural resources and other economic resources, and those relating to the balance of central and regional finances.
- d. Conducting supervision of the implementation of laws, the APBN, and government policies.
- e. Discuss and follow up on the results of the audit of state financial management and accountability submitted by the BPK.
- f. Granting approval for the transfer of state assets under its authority based on the provisions of laws and regulations and for agreements that have broad and fundamental consequences for the lives of the people related to the state's financial burden.
- g. Absorbing, collecting, accommodating and following up on community aspirations.
- h. Carry out other duties regulated by law.

Regarding the ideal concept for lawmaking, the current requirements for DPR candidacy, particularly regarding minimum educational standards, must be improved. As Gustav Radbruch stated, lawmaking must incorporate three essential legal aspects: justice (philosophical), certainty (juridical), and utility (sociological), which are then used as core elements in the legal approach to maintain order in society.<sup>14</sup> In the Justice Aspect, the educational requirements need to be improved, because it is to guarantee competence and capability, and also guarantee the placement of DPR members according to their respective portions based on their educational backgrounds so that they are more professional in carrying out their duties and functions. In the Certainty Aspect, by determining the qualifications of DPR member candidates through a clear legal instrument regarding the requirements for DPR member candidates, it will certainly provide legal certainty, if this is designed and determined in accordance with the applicable rules and provisions in the formation of regulations and legislation. In the Benefit Aspect, of course, if the requirements for DPR member candidacy are increased from those that apply or existed previously, then every DPR member's contribution in carrying out their duties and functions will be better. So that the DPR institution, which is the political center in the state administration, can be more productive and better in producing legal products, more critical and sharp in supervising the government or executive institutions, which of course will guarantee the implementation of checks and balances between state institutions. Thus, the minimum educational requirements for prospective members of the House of Representatives (DPR) need to be increased, as DPR members, who will represent and champion the aspirations of the people, must be truly qualified and capable individuals. This will have an impact and encourage each DPR member to pay greater attention to the quality of their proposals, both in content and substance, when making decisions through meetings and consensus, supported by adequate knowledge and insight.

### **3. Analysis of the Implementation of Policies Related to Educational Requirements for Legislative Candidates in the Election System in Indonesia**

General elections (pemilu) are one of the most important instruments in a modern democratic political system. Universally, elections are an instrument for realizing popular sovereignty, aiming to form a legitimate government and as a means of articulating the people's aspirations and interests. General elections are a process held to choose individuals who will occupy government positions. Law Number 7 of 2017 concerning General Elections states that general elections are held as a manifestation of a democratic state and as a concrete implementation of the democratic process itself, one of which is the exercise of the right to vote as citizens in general elections. General elections are defined as a formal decision-making process in which the people elect one or more individuals to hold public or government office.<sup>15</sup> Legislative elections are a general election process aimed at electing members of the People's Representative Council (DPR), the Regional Representative Council (DPD), and the Provincial and Regency/City Regional People's Representative Councils (DPRD). These elections are an important part of Indonesia's democratic system, where the people have the right to elect their representatives who will represent their interests in legislative institutions. Legislative elections provide a means for the people to actively participate in the political and governmental system. Fair, free, and transparent elections are crucial to maintaining the integrity of democracy and ensuring that elected

<sup>14</sup>Hari Agus Santoso, "The Legal Justice Perspective of Gustav Radbruch's Theory in the "PTB" PKPU Decision", Jatiswara Journal, Faculty of Law, University of Surabaya, Vol. 36, No. 3, (2021), p. 328.

<sup>15</sup>Zendrato, IS, et. al, "Analysis of the Implementation of Law Number 7 of 2017 Concerning General Elections Regarding the Problems of the General Election Implementation System in Indonesia", Bureaucracy Journal: Indonesia Journal of Law and Social-Political Governance, Vol. 5 No. 2, (2025), p. 1052.

# ANALYSIS OF THE URGENCY OF MINIMUM EDUCATION STANDARDS FOR LEGISLATIVE CANDIDATES IN ELECTION IN ENSURING THE QUALITY OF LEGISLATION IN INDONESIA

Iman Sejdrato and Tamaulina Br. Sembiring

representatives truly represent the interests of the people. The term for membership of a representative institution elected through elections, therefore, its representative nature is called political representation. This is a manifestation of the principle of popular sovereignty that implicitly animates the Preamble to the 1945 Constitution of the Unitary State of the Republic of Indonesia. In the general election system, particularly regarding education, various categories of legislative candidates are often encountered, including those with a minimum education level of high school graduates, and those who have reached university level. The provisions of Article 240 paragraph (1) letter e of Law Number 7 of 2017 concerning Elections, which states that candidates for members of the DPR, provincial DPRD, and district/city DPRD are Indonesian citizens and must meet the following requirements: having a minimum education of high school, Islamic high school, vocational high school, vocational Islamic high school, or other equivalent school.

Basically, this does not conflict with existing laws and regulations, however, the regulation is considered to have a weakness where the institution that has the function and authority to create and produce a product of laws and regulations may nominate itself as a candidate for DPR members with a minimum educational background of high school or equivalent.<sup>16</sup> The background of duties and education of legislative council members are important attributes for the DPR.<sup>17</sup> By understanding the educational background of DPR members, we can determine the appropriate position for them, enabling them to better carry out their duties and functions as legislative members. The logical consequence of building a DPR that is productive in producing sound legal products is the high level of competence and quality required for DPR members. Education is fundamentally key to a nation's development, and as civilization develops and advances, so should the quality of education improve and improve.<sup>18</sup> The requirements for prospective members of the DPR as contained in Law Number 8 of 2012 concerning the General Election of Members of the People's Representative Council, Regional Representative Council, and Regional People's Representative Council have not fully contributed to the low performance of the DPR's legislative function.<sup>19</sup> This is proven by the findings which suggest that the DPR shows a disconnect between the objectives they wish to achieve (in the Prolegnas) and their efforts to achieve these objectives, so that not only does it fail in terms of quantity, but there is also a neglect of the quality aspect in the process of forming and the substance of legislative products.

To become a member of the legislature, a representative of the people must be truly honest and responsible in their field, possessing extensive knowledge, one of which is through education. Education makes a person better able to face and solve the various problems that arise in today's modern era. With this knowledge, in carrying out their duties and responsibilities, regulations will be formed that benefit the welfare of the Indonesian nation. This aligns with Plato's opinion that a nation should be managed by thinkers or philosophers. Because only philosophers are able to see problems clearly and distinguish between good and evil in life. Therefore, education for legislative candidates is crucial in the context of elections, as it directly impacts the quality of public representation and the functioning of government. With a good education, legislative candidates will be better prepared to understand their duties and responsibilities and more able to effectively respond to the needs of the community.

## D. CONCLUSION

Appointment to public office is not only based on the principles of transparency and participation, but also requires careful consideration of the qualities and competencies of the individuals who will hold those positions. The legislative function in the state system is highly strategic and complex. In addition to being responsible for formulating laws that serve as the legal basis for society, it also plays a crucial role in overseeing government policies

<sup>16</sup>AJ Priafuddin, 2020, Legal Analysis of the Requirements for Prospective Legislative Members Who Are High School Graduates (According to the Perspective of Law Number 7 of 2017 Concerning General Elections), Thesis, Undergraduate Program in Law, Islamic University of Kalimantan, p. 6.

<sup>17</sup>Zaitul, Welly Jefrita, et. al., "Characteristics of Legislative Members and Regional Government Performance," Journal of Accounting and Finance Studies, Faculty of Economics and Business, University of Mataram, Vol. 4, No. 1, (2021), p. 77.

<sup>18</sup>Akbar, Muhammad R., "Legal Politics of Determining Education Level as a Requirement to Become a Member of the People's Representative Council in Indonesia from the Perspective of the Draft Law on General Elections," JOM Faculty of Law, University of Riau, Vol. 10 No. 2, (2023), p. 3.

<sup>19</sup>Isharyanto & Dian Rosita, "Requirements for Prospective Council Members Linked to Efforts to Improve the Performance of the Legislative Function of the House of Representatives," RES PUBLICA: Journal of Public Policy Law, Vol. 1 No. 2, (2017), p. 141.

## ANALYSIS OF THE URGENCY OF MINIMUM EDUCATION STANDARDS FOR LEGISLATIVE CANDIDATES IN ELECTION IN ENSURING THE QUALITY OF LEGISLATION IN INDONESIA

Iman Sejati Zendrato and Tamaulina Br. Sembiring

and actions. Furthermore, legislators have the authority to draft the state budget, which is a crucial instrument in resource management and national development. Therefore, it is crucial for legislative candidates to have adequate education and competencies aimed at improving the quality of legislation and government accountability, as well as realizing better governance in Indonesia. The level of education of legislative candidates has a significant influence on the quality of the legislation produced. In essence, education plays an important role in shaping humans with a certain level of knowledge and skills. The higher the level of education of a legislative candidate, the greater their ability to understand, formulate and supervise the legislative process substantially and in accordance with legal principles and the needs of society. In this context, the level of formal education can be an indicator that shows the extent of a prospective legislative member's intellectual abilities and technical skills. The minimum educational standards for legislative candidates are closely related to the complexity of their duties and responsibilities within the parliamentary system. Parliament, as the institution that forms laws, oversees the executive, and represents the people, demands a deep understanding that can only be optimally achieved through adequate formal education. Therefore, the minimum educational requirements for prospective members of the House of Representatives (DPR) need to be increased, as DPR members, who will represent and champion the aspirations of the people, must be truly qualified and capable individuals. Policies regarding educational requirements for legislative candidates can be analyzed and designed as a way to improve the electoral system to improve the quality of public representation. This stems from the view that regulations on minimum education can be a strategic instrument to encourage institutional improvement in legislative capacity without neglecting democratic principles. Educational policies for legislative candidates are crucial in the context of elections because they directly impact the quality of public representation and influence the course of government. With a good education, legislative candidates will be better prepared to understand their duties and responsibilities and more able to effectively respond to community needs.

## REFERENCES

A. Sakti Ramdhon Syah R., *Perundang-Undangan Indonesia: Kajian Mengenai Ilmu dan Teori Perundang-Undangan serta Pembentukannya*, Makassar: Social Politic Genius Sign, 2020.

Abd Rahman BP, et.al, *Pengertian Pendidikan, Ilmu Pendidikan dan Unsur-Unsur Pendidikan*, Al Urwatul Wutsqa: *Kajian Pendidikan Islam*, Vol. 2, No. 1, 2022, 1-8.

AJ Priafuddin, *Analisis Yuridis Terhadap Syarat Calon Anggota Legislatif Lulusan Sekolah Menengah Atas (Menurut Perspektif Undang-Undang Nomor 7 Tahun 2017 Tentang Pemilihan Umum)*, Skripsi, Program Studi S1 Ilmu Hukum, Universitas Islam Kalimantan, 2020.

Akbar, Muhammad R., *Politik Hukum Penentuan Tingkat Pendidikan Sebagai Syarat Menjadi Anggota Dewan Perwakilan Rakyat Di Indonesia Dalam Perspektif Rancangan Undang-Undang Tentang Pemilihan Umum*, JOM Fakultas Hukum Universitas Riau, Vol. 10 No. 2, 2023, 1-15

Asshiddiqie, Jimly, *Perkembangan dan Konsolidasi Lembaga Negara Pasca Reformasi*, Konstitusi Press, Jakarta, 2006.

Danim, Sudarwan, *Perkembangan Peserta Didik*, Bandung: Alfabeta, 2013.

Firdaus & Rudiadi, *Rekrutmen Calon Anggota Legislatif Oleh Partai Politik (Kajian Tentang Kualitas Dan Profesionalitas Anggota Legislatif Di Parlemen)*, Eksekusi: Journal Of Law, Vol. 5 No. 2, 2023, 203-219.

Hadiz, Vedi R. & Robison, Richard, *Ekonomi Politik Oligarki dan Reorganisasi Kekuasaan di Indonesia*. Jurnal JSTOR, Vol. 10, No. 96, 2013, 35-57.

Hari Agus Santoso, *Perspektif Keadilan Hukum Teori Gustav Radbruch Dalam Putusan PKPU “PTB”*, Jurnal Jatiswara, Fakultas Hukum Universitas Surabaya, Vol. 36, No. 3, 2021, 325-334.

Indrayana, Denny, *Negara Hukum Indonesia: Antara Norma dan Realita*, Kompas, Jakarta, 2020.

Isharyanto & Dian Rosita, *Persyaratan Calon Anggota Dewan Dikaitkan Dengan Upaya Meningkatkan Kinerja Fungsi Legislasi Dewan Perwakilan Rakyat*, RES PUBLICA: Jurnal Hukum Kebijakan Publik, Vol. 1 No. 2, 2017, 133-146.

Lucian Karus, “pandangan masyarakat terhadap kinerja DPD dan DPR 2019-2024,” Jakarta: Kompas, 28 September 2024, <https://perpustakaan.dpr.go.id/epaper/index/popup/id/19659>, Diakses pada 10 Juli 2025.

Muntoha, “Pendidikan Dalam Prespektif Hukum: Anatara Harapan dan Realitas,” *Maddaniyah*, Vol. 1 No. 10, 2016, 90-107.

Norris, Pippa, *Democratic Deficit: Critical Citizens Revisited*, Cambridge University Press, Cambridge, 2011.

## ANALYSIS OF THE URGENCY OF MINIMUM EDUCATION STANDARDS FOR LEGISLATIVE CANDIDATES IN ELECTION IN ENSURING THE QUALITY OF LEGISLATION IN INDONESIA

Iman Sejati Zendrato and Tamaulina Br. Sembiring

Peraturan Dewan Perwakilan Rakyat Republik Indonesia Nomor 1 Tahun 2019 Tentang Pengelolaan Tenaga Ahli dan Staf Administrasi Anggota Dewan Perwakilan Rakyat Republik Indonesia.

Pristiwanti, D., et. al, Pengertian Pendidikan. Jurnal Pendidikan dan Konseling, Vol. 4 No. 6, 2022, 7911-7915.

Rikza Anung Andita Putra, "Urgensi Revisi Syarat Pendidikan Calon Legislatif," Jakarta: Times Indonesia, 5 Mei 2025, <https://timesindonesia.co.id/kopi-times/537781/urgensi-revisi-syarat-pendidikan-calon-legislatif>. Diakses pada 11 Mei 2025.

Toman Sony Tamnunan, Glosarium Istilah Pemerintahan, Jakarta: Kencana Prenada Media Group, 2019.

Undang-Undang Dasar Negara Kesatuan Republik Indonesia Tahun 1945.

Undang-Undang Nomor 2 Tahun 2011 Tentang Partai Politik.

Undang-Undang Nomor 20 tahun 2003 Tentang Sistem Pendidikan Nasional.

Undang-Undang Nomor 7 Tahun 2017 tentang Pemilihan Umum.

Undang-Undang Nomor 8 Tahun 2012 tentang Pemilihan Umum Anggota Dewan Perwakilan Rakyat, Dewan Perwakilan Daerah, dan Dewan Perwakilan Rakyat Daerah

Zaitul, Welly Jefrita, et. al., Karakteristik Anggota Legislatif dan Kinerja Pemerintah Daerah, Jurnal Studi Akuntansi dan Keuangan, Fakultas Ekonomi dan Bisnis Universitas Mataram, Vol. 4, No. 1, 2021, 73-86.

Zendrato, I. S., et. al, Analisis Implementasi Undang-Undang Nomor 7 Tahun 2017 Tentang Pemilihan Umum Terhadap Problematika Sistem Pelaksanaan Pemilihan Umum Di Indonesia, Bureaucracy Journal: Indonesia Journal of Law and Social-Political Governance, Vol. 5 No. 2, 2025, 1048-1063.