



Legal Reform of Term Limitations for Legislative Members as a Form of Institutional Reform

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ABSTRACT The limitation of the term of office for legislative members in Indonesia is an essential aspect of institutional reform aimed at improving democratic quality. This reform seeks to prevent the abuse of power and promote political regeneration. The research aims to analyze the implementation of term limits for legislative members, focusing on creating a more responsive, transparent, and accountable legislative system aligned with the aspirations of the people. This study employs a normative legal research method by analyzing constitutional provisions, election laws, and comparative practices in other democracies. Data collection involves literature reviews and legal documentation analysis. The research highlights key steps necessary for implementing term limits, such as amending the 1945 Constitution, revising election laws, and formulating detailed implementing regulations. Identified obstacles include resistance from incumbent legislators, political disagreements among parties, and challenges in law enforcement and oversight. Enforcing term limits for legislative members requires comprehensive legal reforms to ensure democratic quality and sustainable political renewal, despite significant political and institutional challenges.			
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INTRODUCTION

The regulation regarding legislative power is stipulated in the 1945 Constitution of the Republic of Indonesia (UUD 1945) (Asadourian dkk., 2023). However, the UUD 1945 does not explicitly regulate the term of office for legislative members and does not include provisions on limiting the period of that office (Bačić dkk., 2023). This also applies to Law Number 17 of 2014 concerning the People 's Consultative Assembly, the People 's Representative Council, the Regional Representative Council, and the Regional People 's Representative Council, which was last amended by Law Number 13 of 2019 (UU MD3).

The MD3 Law only states that the term of office for legislative members is five years, without including provisions that prevent legislative members from running for re-election in the subsequent period (Benoît, 2020). Van Kan defines law as a set of binding and enforceable rules that aim to protect human interests within society. This means that law has a strong connection with society, and in the absence of law, life rules would not be binding. Under such conditions, individuals are free to act in ways not regulated by law. According to the principle of legality, actions that are not regulated by law cannot be regarded as violations of the law.

According to Lord Acton, power tends to corrupt, and absolute power tends to corrupt absolutely (Benoît & Rozenberg, 2020). In other words, unrestrained power is likely to lead to corrupt behavior (Britto & Fiorin, 2020). This issue has persisted without adequate handling or solutions. A notable example of this situation is the Chairman of the People's Representative Council of the Republic of Indonesia (DPR RI) for the 2014-2019 period, Setya Novanto. Setya Novanto had been serving as a member of DPR RI since 1999 until 2019 without interruption, until he was arrested by investigators from the Corruption Eradication Commission (KPK) for his alleged involvement in the E-KTP corruption case in 2017. Had it not been for his arrest, it is highly likely that Setya Novanto would have run for office again as a member of DPR RI for the 2019 -2024 period. If re-elected and continued to serve without interruption, he could have potentially been a member of DPR for 25 years.

The role of law is to protect the interests of all members of society, so positive law in a particular area is influenced by the structure and conditions of the local society (Brown dkk., 2023). However, the performance of DPR RI is perceived as very poor by the public, as reflected by numerous protests in front of the DPR building and many regulations deemed ineffective (Burden & Snyder, 2021). This indicates the inability of the DPR to address abuse, uphold justice, and function as a guiding principle that should be followed in resolving various legal issues. Additionally, many legal products are more influenced by the political interests of dominant power holders (Chiluwa, 2021). Examples of this include the revision of the KPK Law, the Draft Penal Code (RKUHP), and various other legislative regulations.

The establishment of state institutions aims to create a balance of state power by enforcing that power (Coticchia & Moro, 2020). The goal is to limit state power through the division of powers both vertically and horizontally (De Santo & Le Maux, 2023). Power balance is achieved by dividing power among several state institutions that check and balance each other so that no institution holds excessive power. Thus, power is not concentrated in one state body, minimizing the chances of power abuse by those in authority.

This power limitation is intended to prevent the abuse of power and the concentration of power within a single entity, which could lead to arbitrariness and corruption (Freire dkk., 2023). A well-known postulate regarding this comes from Lord Acton, who stated, "power tends to corrupt, but absolute power corrupts absolutely," meaning that power tends to lead to corruption, and absolute power tends to lead to

absolute corruption (Gandhi dkk., 2020). The regulation of state institutions is established through changes governed by the 1945 Constitution of the Republic of Indonesia.

There are state institutions with specific powers, such as the People 's Consultative Assembly (MPR), and state institutions granted powers and functions, such as the People 's Representative Council (DPR), as well as newly established state institutions, namely the Regional Representative Council (DPD) and the Constitutional Court (MK) (Fouirnaies & Hall, 2022). Through political parties, in addition to recruitment and political education functions, individuals undergo political processes and act as leaders (Giger dkk., 2020). This is not only for the benefit of the party but also for the voters, especially in electing leaders, both within the party and at the broader national leadership level. In parliament, the seats obtained by the public are a result of elections for DPR and DPD members conducted by the people. General elections are held every five years, conducted directly, generally, freely, confidentially, fairly, and honestly. Political parties participate in the election of DPR and DPRD members, while individuals are elected directly.

The prevailing uncertainty in the law has created gaps in regulation (Garner & Behal, 1975). A concrete example is the legal void concerning the limitation of the term of office for DPR members, which is not regulated in Article VII regarding the People 's Representative Council in the 1945 Constitution of the Republic of Indonesia, particularly in Articles 19-22B, which do not mention provisions regarding the term of office for DPR members (Gillis, 2022). Similarly, Articles 22B-22C of the UUD NRI also do not discuss the term limitations for DPD members. Law Number 7 of 2017 on General Elections (UU Pemilu) does not regulate the requirements for legislative candidates concerning the maximum term limit. Law Number 2 of 2011 on Amendments to Law Number 2 of 2008 on Political Parties also does not stipulate provisions regarding the term limits of parliament members. Furthermore, Law Number 27 of 2009 regarding the People 's Consultative Assembly, the People 's Representative Council, the Regional Representative Council, and the Regional People 's Representative Council, as well as Law Number 17 of 2014 and Law Number 18 of 2018 on the Second Amendment to Law Number 17 of 2014, do not include regulations regarding the limitation of terms of office. Law Number 13 of 2019 concerning the People 's Consultative Assembly, the People 's Representative Council, the Regional Representative Council, and the Regional People 's Representative Council (UU MD3) also does not address the term limitations for DPR and DPD members.

Therefore, this study will discuss what is meant by the limitation of the term of office for legislative members in institutional reform in Indonesia and what steps need to be taken to effectively implement the limitation of legislative members ' terms of office and the challenges faced in the implementation of these limitations.

RESEARCH METHODOLOGY

In this study, the research method employing the statute approach, also known as the legal normative research, is a process of identifying legal rules, legal principles, and legal

doctrines in order to address legal issues concerning the meaning of term limits for legislative members in the context of institutional reform in Indonesia (Gouglas dkk., 2024). The case approach involves analyzing and examining specific cases that serve as a guide for the legal issues regarding the steps that need to be taken to effectively implement term limits for legislative members and the challenges encountered in such implementation (Hall dkk., 2024). Furthermore, the conceptual approach is based on the views and doctrinal patterns or thoughts developed by legal scholars within the field of law (Inya, 2021). Through the various approaches and legal research discussed, the study will address whether the revitalization program aligns with the offenses related to land issues.

RESULT AND DISCUSSION

Limitations on the Term of Office for Legislative Members in the Context of Institutional Reform in Indonesia

Humans, by nature, are beings with dignity as individuals and simultaneously as social beings who can grow and develop only through interactions with others. Therefore, social justice must be the primary principle in the development of law (Kim & Moon, 2022). This aligns with Pancasila, which is the foundation of the state and the identity of the Indonesian nation. The absence of term limit restrictions for legislative members clearly does not reflect justice for all people of Indonesia. Without such limitations, incumbent officials are granted the freedom to maintain their power, thereby obstructing opportunities for new legislative candidates to secure seats as representatives of the people.

Representative institutions are among the most crucial elements in the administration of the state and require preventive measures to avoid any form of abuse of authority (Kondoh & Miyazaki, 2022). The aim is for every action taken to genuinely reflect the mandate of the people. This institution must fulfill its function as a representative body capable of accommodating the aspirations of the people, which are then translated into various public policies that align with societal expectations.

According to Miriam Budiharjo, the legislative institution, as a representation of the people in exercising sovereignty, has three primary functions: it is granted the right of initiative, the right to amend draft laws prepared by the government, and budgetary rights to oversee the executive body to ensure that all executive actions align with established policies (Koskimaa & Raunio, 2024). For this purpose, parliament is given specific oversight powers, as well as ratification functions that include approving international agreements made by the executive.

Legislative members occupy positions within the legislative representation through a selection mechanism. In Indonesia, legislative members are directly elected by the people through a general election system held every five years (Landgrave & Weller, 2020). Before the simultaneous general election in 2019, which combined the presidential vice-presidential election and the election of legislative members, the legislative election in 2014 was governed by Law Number 8 of 2012 concerning the Election of Members of the

People 's Representative Council, the Regional Representative Council, Provincial Regional Representative Councils, and District/City Regional Representative Councils. In the 2019 election, where presidential vice-presidential and legislative elections were held simultaneously, the legal umbrella used was Law Number 7 of 2017 concerning General Elections. The legislative members that are the focus of this research are those who are democratically elected through the general election mechanism to occupy seats in the legislative bodies in Indonesia.

The 1945 Constitution of the Republic of Indonesia (UUD 1945) regulates the structure of state institutions, including the legislative institution, through several articles that elaborate on the status, rights, and authorities of the People 's Representative Council (DPR) and the Regional Representative Council (DPD) (Lee, 2020). However, in several relevant articles, the UUD 1945 does not explicitly regulate the limitation of the term or the duration of legislative members, thus providing room for legislators to continuously run for office without term restrictions.

Article 19 of the UUD 1945 governs the status of the People 's Consultative Assembly (MPR) and the rights of the DPR. This article stipulates that DPR members are elected through general elections and hold office for five years. However, there are no provisions in this article that limit how many times a person can serve as a DPR member. This means that there is no mechanism to restrict sitting legislators (incumbents) from running for election again after their five-year term ends.

Furthermore, Articles 22A and 22B of the UUD 1945 elaborate on the mechanisms for selecting members of the DPR and DPD, as well as the procedures for replacing legislative members (Liu, 2023). Article 22A provides a basis for further regulations regarding the election procedures for the DPR and DPD through legislation, while Article 22B regulates the mechanism for replacing members who are removed from their positions. However, both of these articles also do not provide restrictions on how many times a legislative member can serve in the representative institution.

Additionally, Article 22C of the UUD 1945, which regulates the selection of DPD members, emphasizes that DPD members are elected from each province through general elections (Longobardo, 2021). Although this article focuses on the election procedures for DPD members, there are no provisions that regulate term limits or periods for DPD members. This condition is similar to the provisions applicable to DPR members, where there are no constitutional rules limiting how many times someone can be re-elected as a DPD member.

The power held by the DPR as a legislative institution plays a crucial role in Indonesia 's state system. One of the key legislative bodies is the People 's Representative Council (DPR). This institution is directly regulated in the 1945 Constitution of the Republic of Indonesia, particularly concerning its duties and functions. Regulations concerning the DPR can be found in Chapter VII of the UUD 1945, which includes Articles 19 through 22B.

Article 19 of the UUD 1945 stipulates that:

1. DPR members are elected through General Elections.
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2. The composition of the DPR is regulated by law.
3. The DPR is required to convene at least once a year.

Meanwhile, Article 20 of the 1945 Constitution explains the authority of the DPR in the field of legislation. This authority includes:

1. The DPR holds the power to enact laws.
2. Every Draft Law (RUU) is discussed jointly by the DPR and the President to obtain mutual approval. If an agreement is not reached, the RUU may not be resubmitted in the DPR session during that period.
3. The President ratifies the RUU that has been mutually approved to become law.
4. If the President does not ratify the RUU within 30 days after its approval, the RUU shall automatically be deemed valid as law and must be promulgated.

Article 20A of the 1945 Constitution outlines the functions and rights of the DPR, which include:

1. The DPR has three main functions: legislation, budget, and oversight.
2. In carrying out its functions, the DPR also has the rights of interpellation, inquiry, and the right to express opinions.
3. Each member of the DPR has the right to ask questions, submit proposals, and possesses immunity rights.
4. Further provisions regarding the rights of the DPR and its members are regulated by law.

As an institution with legislative authority, the DPR has the right to propose Draft Laws (RUUs) which are then included in the National Legislation Program (Prolegnas). The performance of the DPR in terms of legislation is often measured by the number of RUU proposals included in the Prolegnas that are enacted into law (Lublin & Wright, 2024). The more laws that are passed, the better the DPR 's performance is considered; conversely, if the number is low, the performance is deemed inadequate. The DPR 's right to propose RUU is regulated in Article 21 of the 1945 Constitution.

According to the provisions of Law Number 7 of 2017 concerning General Elections, Article 240 paragraph (1) regulates the requirements to become a candidate for members of the People 's Representative Council (DPR) (Makar dkk., 1975). These requirements include the following provisions:

- a. At least 21 (twenty-one) years of age;
- b. Devoted to God Almighty;
- c. Residing within the territory of the Unitary State of the Republic of Indonesia;
- d. Able to speak, read, and/or write in Indonesian;
- e. Having a minimum education level equivalent to high school, madrasah aliyah, vocational high school, or equivalent;
- f. Loyal to Pancasila, the 1945 Constitution of the Republic of Indonesia, the Unitary State of the Republic of Indonesia, and Bhinneka Tunggal Ika;
- g. Not having been convicted of a prison sentence based on a court decision that has permanent legal force for a crime punishable by imprisonment of 5 (five) years or

more, unless the individual openly and honestly discloses to the public that they are a former convict;

- h. In good physical and mental health, and free from drug abuse;
- i. Registered as a voter;
- j. Willing to work full-time;
- k. Resigning from positions as a regional head, deputy regional head, civil servant, member of the Indonesian National Armed Forces, member of the Indonesian National Police, as well as directors, commissioners, supervisory board members, and employees of state-owned or regional enterprises, or other bodies funded by state finances, as declared through an irrevocable resignation letter;
- l. Agreeing not to practice as a public accountant, advocate, notary, land deed official, or engage in work involving the provision of goods and services related to state finances, as well as other occupations that could create a conflict of interest with their duties and authority as a member of the DPR, Provincial DPRD, or Regency/City DPRD according to statutory regulations;
- m. Agreeing not to hold concurrent positions as other state officials, directors, commissioners, supervisory board members, or employees of state-owned or regional enterprises funded by state finances;
- n. Being a member of a Political Party participating in elections;
- o. Nominated for only one representative institution; and
- p. Nominated in only one electoral district.

However, the provisions do not include regulations concerning term limits for DPR members, specifically a requirement that DPR members cannot serve more than two terms (Mast & Ollig, 2023). The regulation regarding term limits for DPR members is also not explicitly stated in Law Number 17 of 2014 (which has been amended by Law Number 13 of 2019). Article 76 paragraph (4) states that "The term of office for DPR members is 5 (five) years and ends when the newly elected DPR members take their oath of office."

The powers of the Regional Representative Council (DPD) are derived from a state institution established following the third amendment to the 1945 Constitution of the Republic of Indonesia in 2001. The establishment of the DPD aimed to replace the roles of regional and group representatives that were previously regulated in the 1945 Constitution before the amendment. Prior to the change, regional representatives were delegates from each province, with four (4) representatives from each province. After the amendment, the DPD became one of the high state institutions within the Indonesian governance system, wherein its members are representatives from each province elected directly through general elections.

The DPD is specifically regulated in Chapter VII-A of the 1945 Constitution of the Republic of Indonesia, which consists of Article 22C and Article 22D (McDowell, 2020). This chapter outlines the position, duties, and authorities of the DPD within the Indonesian government system, making it an institution that has the regional representation function in national decision-making processes.

The new legislative power structure in Indonesia has given rise to the DPD as a result of the reform process in legislative authority (Ouimet dkk., 2024). With strong legitimacy and broad support from its constituents, the DPD is expected to represent the aspirations of the people in the regions, especially at the provincial level, in advocating for their interests at the national level. As provincial representatives, rather than representatives of groups or political parties as is the case with the People's Representative Council (DPR), the DPD is expected to serve as a bridge between the central government and the regions.

The 1945 Constitution of the Republic of Indonesia regulates the existence of the DPD with the aim of:

1. Strengthening the bonds of the regions within the framework of the Unitary State of the Republic of Indonesia and reinforcing national unity across the territory.
2. Enhancing the ability to accommodate and aggregate regional aspirations and interests in the formulation of national policies related to the interests of the state and the regions.
3. Encouraging the acceleration of democratization, development, and balanced regional progress.

Third, the Authority of the Regional People's Representative Council (DPRD). After the amendment of the 1945 Constitution of the Republic of Indonesia, one of the ongoing discourses is related to regional autonomy, where local governments, both provincial and regency/municipality, are given broader authority to manage their own affairs (Palanza & Sin, 2020). This principle of regional autonomy is expected to progress in tandem with the democratization process in Indonesia. In the context of these amendments, Indonesia has adopted several new principles in its constitutional system, such as the principle of separation and division of powers, the principle of checks and balances, and the principle of the supremacy of law.

Regarding regional government, the principle of democracy should not be understood narrowly as merely involving decision-making and governance processes that include community participation (Parinandi, 2020). Democracy is not only concerned with the distribution or separation of powers, particularly between central and local governments, but must also take into account public involvement in the overall governance process.

According to Prof. Jimly Asshiddiqie, the DPRD is part of local government administration that plays a crucial role in ensuring that local governance operates as expected. The DPRD has three main functions: the legislative function, the budgeting function, and the supervisory function (Rayment & VandenBeukel, 2020). In addition, the DPRD also serves a representational function, acting as the representatives of the people at both provincial and regency/municipality levels.

Term limits for legislative members hold significant urgency in preventing the abuse of power. Without term limits, the power held by legislative members becomes vulnerable to misuse, which can potentially encourage corrupt practices and endanger the democratization process in Indonesia (Rose dkk., 2020). Currently, such term limits are

not regulated in the 1945 Constitution of the Republic of Indonesia, Law Number 13 of 2019 regarding the Third Amendment to Law Number 17 of 2014 concerning the MPR, DPR, DPD, and DPRD, nor in Law Number 7 of 2017 concerning General Elections, along with other regulations governing the Rules of Procedure in the DPR, DPD, and DPRD.

Obstacles Faced and Efforts in Implementing Term Limits for Legislative Members

Amendments to the 1945 Constitution are a crucial step in efforts to limit the terms of legislative members. The 1945 Constitution, as the highest law in Indonesia, serves as the primary legal foundation regulating all aspects of government, including the position and authority of the legislature. However, to date, the 1945 Constitution does not contain explicit provisions regarding the limitation of terms for legislative members, whether at the level of the People's Representative Council (DPR), Regional Representative Council (DPD), or Regional People's Representative Council (DPRD). Therefore, constitutional amendments are fundamental to establishing a clear and legitimate legal basis for term limits.

In the amendment process, the People's Consultative Assembly (MPR) plays an essential role, as this institution has the authority to amend and establish the constitution. The initial step required is to propose an amendment with the support of at least one-third of the total MPR members. Once the proposal is accepted, thorough discussions among MPR members are needed, involving various factions and interest groups. This amendment must be clearly formulated, specifying how many maximum terms are allowed and the mechanisms for supervision and sanctions if violations occur. The final approval of the amendment requires support from at least two-thirds of the number of MPR members present at the session.

Term limits for legislative members aim to prevent the abuse of power and promote political regeneration. Without clear limitations, re-elected legislative members can accumulate power, which tends to lead to corrupt practices or authoritarian behavior. Therefore, with the amendment to the 1945 Constitution regulating term limits, it is hoped that a healthier, more transparent, and responsive legislative system to public interests will emerge. This limitation is also expected to encourage the emergence of a new generation of competent leaders committed to serving the public.

After successfully amending the 1945 Constitution to regulate term limits for legislative members, the next step is to revise the laws governing the election and position of legislative members. Law Number 7 of 2017 regarding General Elections and Law Number 13 of 2019 concerning the Third Amendment to Law Number 17 of 2014 on the MPR, DPR, DPD, and DPRD must be adjusted to align with the new provisions resulting from the constitutional amendment. This revision is crucial to ensure that the technical rules for holding legislative elections conform to the principles of term limits stipulated in the constitution.

The revision of these laws must include clear provisions on how many times a member of the DPR, DPD, or DPRD may run for election or be re-elected. For instance,

the law must state that a legislative member may only serve for a maximum of two consecutive terms or a maximum of two terms in total. This provision needs to be applied consistently to prevent any extension of terms that are contrary to the principles of democracy and political regeneration.

Moreover, this law revision should also regulate transition mechanisms for legislative members who have already served more than two terms before this change is applied. For example, whether members who have served more than two terms can complete their terms or must be replaced immediately. This is essential to avoid power vacuums or legal ambiguities during the transition period.

The revision must also consider provisions related to sanctions and supervision for legislative members who violate the term limits. Oversight can be conducted by the General Election Commission (KPU) as the election organizing body, as well as other supervisory institutions, such as the Election Supervisory Agency (Bawaslu). If a legislative member is proven to have violated the term limit rules, the law should stipulate strict sanctions, such as the annulment of their candidacy or removal from office.

After revising the laws governing the election of legislative members, the next crucial step is the formulation of more technical implementing regulations. These implementing regulations are necessary to detail how the rules on term limits will be practically applied. Such regulations could take the form of Government Regulations (PP), Presidential Regulations (Perpres), or Regulations of the General Election Commission (PKPU), depending on the scope and technical substance addressed.

These implementing regulations should cover various operational aspects of term limits. One aspect is the procedure for nominating legislative members, which regulates how the KPU and related parties will select qualified candidates, especially concerning term limits. For example, candidates for legislative positions who have served two terms previously should not be allowed to register for the next election. This mechanism needs to be clearly outlined in the implementing regulations to ensure no legal loopholes can be exploited.

Furthermore, these regulations must also establish oversight mechanisms for the enforcement of term limits. The role of supervisory institutions like Bawaslu should be clearly defined to ensure that every legislative candidate complies with the term limits. For instance, Bawaslu could be given the authority to verify the term histories of legislative candidates and provide recommendations to the KPU to annul candidates who violate term limits.

Implementing regulations must also stipulate sanctions for violators. If a legislative candidate is proven to have transgressed the term rules by running for a third term, the sanctions that can be applied could include annulment of candidacy, removal from office (if elected), or administrative fines. Enforcing these sanctions is crucial to maintaining the integrity of the rules and preventing abuses of power by individuals or specific groups.

Strengthening oversight and law enforcement is an essential step in ensuring that term limits for legislative members can be effectively and consistently implemented. Without strict oversight mechanisms and firm law enforcement, the rules of term limits

risk non-compliance or even abuse by individuals or specific groups seeking to retain power. Therefore, the involvement of supervisory and law enforcement agencies is critical in this process.

The Election Supervisory Agency (Bawaslu), as the election oversight body, plays a central role in ensuring that the term limit rules are properly enforced. Bawaslu needs to be empowered to oversee the selection process of legislative candidates, particularly in verifying whether a candidate has served more than two terms or not. This verification must be conducted meticulously and transparently, involving audits of candidacy documents and term histories. If violations are discovered, Bawaslu must have the authority to recommend the annulment of candidacies.

In addition to Bawaslu, the Corruption Eradication Commission (KPK) can also be involved in oversight to ensure that there are no corrupt practices or abuses of power related to attempts to illegally extend legislative terms. The KPK can monitor the flow of campaign funds or bribery practices aimed at facilitating candidates who do not meet the term limits. With the involvement of the KPK, the potential for manipulation in the election process can be minimized, thereby safeguarding the integrity of legislative elections.

Alongside administrative oversight and follow-up actions by Bawaslu and KPK, law enforcement must be strengthened through a responsive judicial system for election disputes related to term limits. Specialized election courts or administrative courts could be empowered to handle disputes concerning term limit rules. These courts should have a swift and fair mechanism to decide whether disputed legislative candidates meet the requirements and to issue binding decisions.

In summary, strengthening oversight and law enforcement is essential for ensuring that legislative term limits can be implemented effectively and consistently. Without strict oversight mechanisms and rigorous law enforcement, the term limits risk being ignored or misapplied by individuals or groups seeking to maintain their power. Therefore, it is crucial to involve supervisory and law enforcement agencies in this process.

Obstacles to the implementation of legislative term limits include resistance from sitting legislative members and political parties (Tusalem, 2023). One of the greatest obstacles to implementing term limits for legislative members is the resistance from current legislators and political parties. Long-serving legislators, especially those who are well-established in the power structure, tend to oppose these limitations. They may feel that term limits would hinder their political careers and restrict opportunities to continue programs or political agendas they have initiated. This is particularly true for legislators who have significant influence within their political parties and extensive networks in the government.

Opposition may also come from political parties, which might feel that term limits reduce their control over strategic positions in the legislative body (Strickland, 2022). For parties, veteran cadres with political experience are seen as valuable assets capable of securing re-election and maintaining the party's political strength in parliament. With term limits, parties must continuously seek and prepare new candidates, creating

uncertainty in securing votes in upcoming elections. Additionally, a quicker turnover of positions might reduce internal political stability within the party itself.

This resistance may also arise from concerns about the loss of power and political influence that long-serving legislative leaders possess (Serban, 2024). For these individuals, long terms allow for the building of personal political strength and a wide network of influence, both in government and among voters. If term limits are implemented, long-serving legislators may feel threatened as they will no longer have access to the power they previously enjoyed.

Amending the 1945 Constitution is a complex constitutional process that requires significant effort. This amendment requires the approval of a majority of the members of the People's Consultative Assembly (MPR), which consists of members from the People's Representative Council (DPR) and the Regional Representative Council (DPD) (Schuler, 2020). In this context, broad political support from various factions in the MPR is crucial for ensuring that the amendment can proceed. However, this process is often hampered by differing political interests among MPR members, who come from various political party backgrounds and regions.

The differences in interests within the MPR pose a significant challenge in efforts to amend the constitution (Rouse dkk., 2022). Each political party represented in the DPR and DPD often has its own agenda and political priorities, making it difficult to reach a consensus on constitutional amendments. In the case of limiting legislative terms, political parties with influential long-serving cadres may be reluctant to support changes that would limit term durations, as this could disrupt their political stability and control within the legislature.

Furthermore, the amendment process for the 1945 Constitution requires lengthy formal stages (Rotering & Apollonio, 2022). Proposals for amendments must undergo in-depth discussions within the MPR and be accompanied by comprehensive academic analysis and extensive public consultations. This means that in addition to political support, the process also requires substantial time and resources. Many stakeholders, including academics, legal experts, and civil society, must be involved to provide input and ensure that proposed changes align with the principles of democracy and state governance.

CONCLUSION

The conclusion from the above discussion is that term limits for legislative members are crucial for preventing the abuse of power and maintaining the integrity and sustainability of democracy in Indonesia (Williamson & Magaloni, 2020). Currently, the 1945 Constitution of the Republic of Indonesia and related laws, such as Law Number 7 of 2017 concerning General Elections and Law Number 13 of 2019 concerning the MPR, DPR, DPD, and DPRD, have not explicitly regulated the limitation of terms for legislative members. Implementing term limits is necessary to provide fair opportunities for new candidates to participate in the legislative process, thereby strengthening the function of legislative institutions as representatives of the people. This aligns with the principle of

social justice reflected in Pancasila and Indonesia 's democratic system. In the context of legal renewal and democratization, measures such as amending the 1945 Constitution and revising related laws are essential to incorporate provisions regarding the term limits for legislative members.

The implementation of term limits for legislative members in Indonesia indeed requires clear and detailed steps, considering the complexity of the amendment process to the 1945 Constitution and the potential resistance that may arise (Yosef, 2021). A proposal for amendment must be submitted by at least one-third of the MPR members. This proposal should contain specific provisions regarding the term limits for members of the DPR, DPD, and DPRD. The MPR will discuss the amendment proposal in sessions involving various factions, academics, and legal experts. This process must be carried out comprehensively and transparently. To pass the amendment, support from at least two-thirds of the MPR members present is required. Political consensus among various factions is crucial at this stage.

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