

BALANCING TECHNOCRACY AND POLITICS IN THE INDONESIA'S MULTI-PARTY PRESIDENTIAL SYSTEM: LEGAL CHALLENGES IN DESIGNING STATE MINISTRIES

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Abstract

The institutional design of state ministries is a central element of Indonesia's constitutional system because it determines how executive authority is organised, coordinated, and made accountable. Although Article 17 of the 1945 Constitution grants the President authority to establish ministries, political practice shows that cabinet formation is shaped not only by technocratic considerations but also by coalition bargaining within Indonesia's multiparty presidential system. This study analyses the legal politics of ministerial design, focusing on the tension between constructing a proportional and efficient cabinet and accommodating the political demands of coalition parties. Using doctrinal legal research, this study examines the formation of the Kabinet Merah Putih under President Prabowo Subianto, which consists of 48 ministries, as its main empirical reference. The analysis is conducted through normative mapping of Presidential Regulation Number 139 of 2024 and Law Number 61 of 2024, as well as functional mapping of overlapping ministerial mandates. The findings show that ministerial design in Indonesia is frequently influenced by political pragmatism, producing institutional expansion that may weaken coordination, accountability, fiscal rationality, and functional clarity. This study evaluates ministerial design through five normative criteria: effectiveness, functional proportionality, accountability, conflict-of-interest prevention, and fiscal rationality. The analysis argues that the decisive constitutional issue is not whether ministers come from partisan or non-partisan backgrounds, but whether they possess substantive competence, integrity, and accountability in performing public functions. This study also examines the relevance and limitations of a technocratic cabinet model in Indonesia by comparing practices in Singapore, Germany, Chile, and Uruguay. It argues that Indonesia requires a hybrid cabinet model that combines political representation with technocratic professionalism. Strengthening the legal framework on state ministries is therefore necessary to create a more rational, effective, accountable, and professional cabinet structure aligned with Indonesia's constitutional objectives while preserving democratic legitimacy and executive coherence in institutional practice.

Keywords: Legal Politics; Ministerial Design; Technocratic Cabinet; Coalition; Presidential System; Multi-Party.

A. Introduction

In examining Indonesia's post-reform constitutional practice, the design of ministries and the formation of the cabinet frequently reflect a persistent conflict between the interests of political coalitions and the demands for professional governance (Sinaga & Machmud, 2024). Although the 1945 Constitution authorizes the President to appoint ministers, it does not provide explicit legal norms governing the principle of proportionality in cabinet composition (Yuliandri et al., 2024). As a result, cabinet formation is often laden with political compromise, driven predominantly by

the interests of supporting political parties. This creates a dilemma between the need for political representation and the principles of technocratic governance (Wasisto, 2023). This situation has direct implications for governmental effectiveness and the accountability of public policy, as ministerial appointments are not always based on professional capacity and integrity (Busroh & Khairo, 2023). From a legal perspective, this raises constitutional concerns, given that the principles of meritocracy and efficiency in state administration are often neglected.

The legal politics of state ministerial design fundamentally concerns the direction of state policy in the formation, regulation, and structuring of governmental institutions to achieve constitutional objectives effectively and democratically. In Indonesia, the legal politics of ministerial design faces a structural paradox between the need to build a professional cabinet and the demand to maintain political stability within a multi-party presidential system (Madjid, 2022). On the one hand, there is a drive to form a competency-based cabinet, often termed a *zakenkabinet*, that emphasizes competence, bureaucratic effectiveness, and the quality of governance. On the other hand, the President also faces the need to make political compromises with coalition parties to maintain parliamentary support for the government's agenda. This condition triggers cabinet formation to consider not only administrative efficiency but also political calculations of power. As a consequence, the design of state ministries often evolves into an oversized cabinet that potentially creates overlapping authority, institutional fragmentation, and an expansion of the state's fiscal burden. In the long term, such a model can reduce bureaucratic effectiveness, weaken the consistency of public policy, and diminish the state's capacity to respond to global economic challenges. Therefore, the legal politics of ministerial design needs to be directed toward institutional reconstruction based on the principles of effectiveness, functional rationalization, and good and clean governance, to ensure a sustainable balance between political stability and governmental professionalism.

In empirical practice, this phenomenon is evident in the formation of the *Kabinet Merah Putih* under President Prabowo Subianto, which has been widely labeled a "bloated cabinet" due to extensive accommodation of coalition political interests (Hosen, 2024). This characterization reflects growing public concern over the expansion of ministerial structures and the potential decline in performance resulting from the dominance of partisan agendas. Both public and academic critiques have intensified, particularly regarding the politicization of ministerial appointments, which is seen as undermining the spirit of bureaucratic reform (Campbell & Danar, 2025.). Simultaneously, debates continue over how to balance legitimate political representation with the imperative of bureaucratic professionalism (Lumbanraja et al., 2025). The legal issue at stake is not merely a matter of formal authority; it also concerns the substantive legitimacy of ministry formation as a fundamental pillar of executive power.

Scholarly evidence further confirms that the structural tension described above is not incidental but systemic, as the misalignment between the presidential system, the national electoral system, and the multi-party system adopted in Indonesia has contributed to persistent instability in the government (Muhammad & Baidawi, 2020). This instability is further compounded by the President's insufficient consideration of quality, competence, and capacity in selecting ministerial candidates who must understand leadership and fathom the needs of the Indonesian people (Kristian, 2023). These findings are consistent with previous research showing that presidential approval and the individual profiles of ministers significantly affect the dynamics of cabinet reshuffles, as heads of government tend to retain or replace technocrats, partisan ministers, or foreign ministers based on loyalty and policy performance with the primary aim of maintaining continuity and stability in governance (Camerlo & Pérez-Liñán, 2015).

Furthermore, other studies highlight the increasing number of ministries. The expansion of ministerial posts has direct implications for the state's fiscal capacity to support them, which in turn affects the effectiveness of government apparatuses and the infrastructure necessary for public

administration. Additionally, it may further complicate coordination and the delineation of authority among ministries (Yuliandri et al., 2024).

One study specifically highlights the phenomenon of “oversized” coalitions in Indonesia, revealing that such coalitions tend to undermine the role of the opposition in the legislature, thereby disrupting checks and balances. Moreover, the formation of these large coalitions fosters transactional and clientelistic relationships between the President and coalition parties. In practice, the President allocates and distributes material incentives to coalition members, resulting in loyal political support from these parties for the President's policy agenda. This condition reflects a consolidation of power that hinders democratic dynamics and undermines robust political oversight (Susanto et al., 2025). This study is supported by other research findings suggesting that the shorter and less comprehensive a coalition agreement is, the greater the alignment between a party's policy priorities and the portfolio allocations it receives (Krauss & Kluever, 2023).

Furthermore, previous research has also examined the technocratic or *zakenkabinet* model, demonstrating that the inclusion of independent figures and/or technocrats has a significant impact on downsizing the number of cabinet members (Albala et al., 2024). This issue becomes increasingly relevant when linked to findings from a European study, which show that government performance declines as the number of cabinet members increases and improves when the cabinet is reduced. This evidence is based on detailed measurements of overall government effectiveness, including stability, policy formulation quality, and the human development index (Klimek et al., 2009). These findings underscore the importance of designing a cabinet structure that is not only efficient in terms of size but also functionally ideal.

Another finding emphasizes that an ideal cabinet must consider proportionality through an approach that integrates political, strategic, technocratic, and public dimensions, supported by a well-coordinated institutional design (Ansori, 2023). Some studies even recommend collaboration between a *zakenkabinet* (technocratic cabinet) and a coalition cabinet. First, there must be a shared political agreement among the parties. Second, power must be distributed fairly. Third, political parties should nominate their most competent and qualified cadres. Fourth, ministerial appointments may be made through a combination of party-affiliated cadres and non-partisan professionals, as exemplified in the *zakenkabinet* model (Fahlevi & Mustaqim, 2020). This view is further supported by a study from post-democratization South Korea, which found that strategic positions that influence the government's public image are more likely to be held by nonpartisan professionals who are ideologically aligned with the president. In contrast, positions related to legislative affairs are more frequently assigned to senior politicians from the president's party (Lee, 2018).

Previous studies highlight the instability of Indonesia's government, stemming from the incompatibility among the presidential system, the proportional electoral system, and the multiparty system. This instability is further exacerbated by the lack of consideration for quality, competence, and capacity in the formation of the cabinet and the selection of its ministers. Other research has also drawn attention to the expansion of ministries under the *Kabinet Merah Putih*, arising from a large coalition formation. Such a coalition tends to weaken the opposition and hinder checks and balances. Conversely, the technocratic cabinet model, in this case the *zakenkabinet*, has proven effective at streamlining cabinet structures and enhancing governmental efficiency by including independent, nonpartisan professionals.

Although these studies have provided more insights into political dynamics and cabinet effectiveness, a more fundamental problem remains insufficiently addressed in the existing literature: the structural tension arising from Indonesia's adoption of a presidential system within an extreme multiparty configuration. Recent research has demonstrated that the oversized governing coalitions and the dominant presidency that characterize Indonesian democracy are not incidental outcomes but structural products of the presidential system itself, when combined with proportional representation, in a highly fragmented multiparty context (Tomsa, 2022; Mietzner,

2024; Pepinsky, 2025). Yet the legal and constitutional implications of this structural problem, particularly as they manifest in the institutional design of state ministries, have received insufficient scholarly attention.

Research that specifically addresses the legal-political dilemma in the institutional design of Indonesian ministries, particularly the tension between the need for political proportionality and technocratic professionalism, remains limited. Prior studies tend to treat the expansion of ministerial posts and coalition-driven cabinet formation as regulatory problems that are potentially subject to legislative correction, without interrogating the deeper constitutional question of whether Indonesia's presidential framework, as currently structured, is institutionally capable of producing a professional and accountable cabinet (Setiawan & Tomsa, 2023; Wadipalapa et al., 2025). To date, no comprehensive study has examined cabinet proportionality within the *Kabinet Merah Putih's* coalition practices, nor has any research explored the relevance and challenges of implementing a technocratic cabinet (*zakenkabinet*) in a multiparty presidential system. This study, therefore, seeks to fill this gap by critically analyzing the legal-political dilemmas inherent in the design of ministerial structures and situating them within the broader problem of the adoption of a presidential system in Indonesia.

B. Method

As outlined in the legal issues presented in the introduction, this study is categorized as doctrinal legal research, which proposes a legal interpolation based on the principles of justice and proportionality, serving as the analytical basis for examining the distribution of executive power within the political coalition of the *Kabinet Merah Putih*. The normative legal research method is instrumental in analyzing legal doctrines, principles, and norms to construct legal arguments relevant to the approach taken in addressing a particular legal problem (van Hoecke, 2011). The author adopts statutory, conceptual, and comparative approaches to provide an in-depth, overarching analysis of the issues (Taekema, 2018). The elaboration of technocratic theory and the principle of proportionality functions as the analytical framework for recommending a just and effective model of executive power-sharing. Legal materials were collected by selecting primary legal sources (statutes and official documents related to cabinet formation) and secondary legal sources (scholarly references and political studies) to enhance the quality of analysis in identifying the core legal issues. The study applied content analysis to analyze research data. According to Holsti, content analysis helps formulate new insights into legal problems by examining processed materials to generate conceptual integration in the exploration of the research object (Holsti, 1969). With this method, the author focuses on analyzing more dynamic issues by utilizing various forms of conceptual literature on power distribution and political coalitions, as reflected in the legal arguments throughout the analysis.

C. Results And Discussion

1. The Legal Policy of Ministry Design in Indonesia's Multi-Party Presidential System

The constitutional design of Indonesia's presidential system, as originally enshrined in the 1945 Constitution of the Republic of Indonesia (hereinafter the 1945 Constitution), rests upon a foundational proposition that executive authority is vested exclusively and directly in the President as the sole holder of governmental power, who derives legitimacy not from parliamentary confidence but from a direct popular mandate. Under this constitutional model, the President bears full and undivided responsibility for the formation, direction, and composition of the cabinet, without any constitutional obligation to distribute ministerial posts according to the preferences of political parties in the legislature. This normative framework reflects the classical conception of presidentialism as elaborated by Mainwaring (Mainwaring, 1994), wherein the separation of origin and survival between the executive and the legislature constitutes the defining structural

characteristic of presidential governance. The constitutional aspiration, therefore, is defined as a cabinet formed on the basis of presidential judgment, professional merit, and policy coherence, rather than inter-party negotiation.

The historical trajectory of Indonesia's presidential system reveals a persistent and deepening departure from its constitutional ideal, as two structurally opposite pathologies have alternately defined the relationship between executive authority and cabinet design across successive political eras. The first pathology manifested during the Liberal Democracy era from 1950 to 1959, when Indonesia ran under a parliamentary model in which cabinet design was not determined by presidential prerogative but by the configuration of legislative coalitions, resulting in no fewer than seven cabinet formations within a nine-year period, each reflecting the shifting balance of power among competing political parties rather than any coherent executive policy agenda (Bunte and Thompson, 2022). The second pathology emerged in direct contrast, as the Guided Democracy era under President Sukarno and the New Order regime under President Suharto witnessed an excessive concentration of executive power, reducing ministers to extensions of presidential authority rather than independent institutional actors (Mietzner, 2024). It was not until the democratic transition of 1998, known as *Reformasi*, that Indonesia restored its presidential framework through four rounds of constitutional amendments between 1999 and 2002, introducing direct presidential elections while simultaneously opening political space for a highly fragmented multiparty system (Sinaga & Machmud, 2024). This post-reform reconfiguration produced a third and structurally distinct pathology, as the post-reform period generated oversized coalition cabinets in which ministerial appointments function as political currency distributed among supporting parties to secure legislative cooperation, thereby replacing both prior pathologies with a new form of structural deviation from the constitutional logic of presidentialism (Hamid, 2025).

Rather than consolidating the constitutional model of a self-sufficient presidential executive, this post-reform configuration generated a structural paradox: a directly elected president who nonetheless depends upon multiparty legislative coalitions to govern effectively. This combination has produced a recurring structural pattern across successive administrations, as presidents from Yudhoyono to Widodo have consistently relied on oversized coalition cabinets to secure legislative support, resulting in ministerial appointments driven more by political bargaining than by technocratic merit (Hamid, 2025). The critical point, therefore, is not merely that coalition politics influenced cabinet formation, but that such influence represents a structural deviation from the constitutional logic of presidentialism itself, wherein the President's prerogative to appoint ministers should reflect governance needs rather than political reward.

Under the current administration of President Prabowo Subianto, this structural pattern has reached its most expansive expression to date, as the formation of the *Kabinet Merah Putih* comprising 48 ministries is a direct product of a presidential system operating under the pressures of extreme multiparty politics and grand coalition imperatives (Pepinsky, 2025). From a constitutional standpoint, this development warrants critical scrutiny, as it raises a fundamental question regarding the extent to which the Prabowo administration's exercise of ministerial prerogative conforms to the presidential model outlined in the 1945 Constitution, which vests the sole authority in the President to appoint and dismiss ministers with the assumption that such appointments serve the functional needs of governance rather than the distributive demands of coalition partners. While coalition management is an inherent feature of multiparty presidentialism and cannot be entirely avoided, the formation of the *Kabinet Merah Putih* raises concerns insofar as ministerial posts appear to have been allocated across coalition parties in proportion to their political bargaining power rather than on the basis of technocratic merit or institutional necessity (Susanto et al., 2025). The critical issue, therefore, is not the existence of political compromise per se, but rather the extent to which such compromise has been allowed to shape institutional design in ways that tension with the constitutional provisions and statutory framework intended to govern the exercise of presidential prerogative in cabinet formation.

Such a constitutional examination reveals that the expansion of the *Kabinet Merah Putih* to 48 ministries, the systematic division of existing ministerial portfolios, and the dominance of coalition party members collectively reflect a governing pattern that scholars have characterized as coalitional presidentialism, in which cabinet positions risk functioning as instruments of political patronage rather than as expressions of the constitutional imperative of effective governance (Perdana et al., 2024). This pattern is not an aberration unique to the Prabowo administration but rather the most expansive manifestation of a structurally embedded tendency in Indonesian presidential governance, whereby presidents have consistently used cabinet appointments as transactional tools to manage multiparty legislative coalitions (Mietzner, 2025b). The constitutional concern arising from this tendency is that when political accommodation consistently takes precedence over bureaucratic professionalism, presidential accountability to the electorate risks being diluted as vertical accountability to the people becomes increasingly mediated by horizontal accountability to political party elites (Mietzner, 2025a). This concern is further compounded by the risk that the incorporation of nearly all parliamentary parties into the governing coalition may weaken the legislature's oversight function, thereby placing pressure on the system of checks and balances that the post-reform constitutional framework was expressly designed to protect (Mietzner, 2025).

The structural deviation from constitutional presidentialism described above does not, however, occur in a legal vacuum. Positive law in Indonesia has sought to impose normative constraints on the exercise of presidential prerogative in cabinet formation, reflecting a legislative effort to reconcile the realities of coalition politics with the constitutional principles of efficiency, proportionality, and governmental effectiveness. Law No. 39 of 2008 concerning State Ministries, as partially amended by Law No. 61 of 2024, provides detailed regulations regarding the establishment, organization, and functions of ministries. In the context of the formation of the *Kabinet Merah Putih* by President Prabowo, particular attention should be given to Article 13, which mandates that cabinet formation take into account efficiency and effectiveness, the scope and proportionality of ministerial duties, continuity, harmony, and integration in the execution of functions, as well as developments in the global environment. Ideally, conformity with these statutory requirements requires cabinet formation to simultaneously account for political, strategic, technocratic, and public interest considerations through a proportionality-based approach, with the President ensuring that ministries are organized to prevent overlap in duties, authorities, or functions (Ansori, 2023). However, in practice, the composition of ministries within the cabinet is often perceived as a form of political patronage, raising a fundamental empirical question as to whether the structural choices made in forming the *Kabinet Merah Putih* represent conformity with the efficiency and effectiveness principles mandated by Article 13, as the following structural analysis seeks to address.

A closer examination of the structural composition of the *Kabinet Merah Putih* reveals the extent to which these statutory efficiency principles were applied in practice, and the degree to which political considerations shaped institutional design beyond what the normative framework allows. President Prabowo Subianto's *Kabinet Merah Putih* eliminated the Cabinet Secretariat, with its duties and functions integrated into a newly established Ministry of State Secretariat. Nineteen ministries have not changed in terms of nomenclature, duties, and functions, spanning sectors including home affairs, foreign affairs, defense, finance, health, energy, agriculture, and transportation, among others. In addition, several ministries underwent changes in nomenclature, including the renaming of the Ministry of Communication and Informatics to the Ministry of Communication and Digital Affairs, and the Ministry of Investment/Investment Coordinating Board to the Ministry of Investment and Downstreaming/Investment Coordinating Board. These nomenclature changes, while appearing administrative on their surface, represent a broader pattern of institutional reorganization that extends beyond technical ministries and into the structure of executive coordination.

Beyond the restructuring of technical ministries, the structural reconfiguration of the *Kabinet Merah Putih* is further reflected in the significant expansion of coordinating ministries, which constitutes another dimension of the same pattern of institutional reorganization. The President also holds the authority to establish coordinating ministries to ensure the synchronization and coordination of ministerial affairs. In the *Kabinet Merah Putih*, the number of coordinating ministries has increased to seven, comprising the Coordinating Ministry for Political and Security Affairs, the Coordinating Ministry for Law, Human Rights, Immigration, and Corrections, the Coordinating Ministry for Human Development and Culture, the Coordinating Ministry for Community Empowerment, the Coordinating Ministry for Infrastructure and Regional Development, and the Coordinating Ministry for Food Affairs. The first two are outcomes of the division of the former Coordinating Ministry for Political, Legal, and Security Affairs, while the Coordinating Ministry for Human Development and Culture and the Coordinating Ministry for Community Empowerment stem from the division of the former Coordinating Ministry for Human Development and Culture. The Coordinating Ministry for Infrastructure and Regional Development and the Coordinating Ministry for Food Affairs are newly established by President Prabowo Subianto.

In forming his cabinet, President Prabowo issued Presidential Regulation No. 139 of 2024, which governs the organization of the duties and functions of state ministries within the *Kabinet Merah Putih* for the 2024–2029 period. This regulation stipulates that the *Kabinet Merah Putih* comprises 48 ministries, including 7 coordinating ministries and 41 technical ministries, marking a significant shift in the number, nomenclature, and functions of ministries compared to the previous *Kabinet Indonesia Maju*, which consisted of only 34 ministries. A critical juridical examination of this regulatory framework reveals that the functional overlaps produced by the expanded cabinet structure originate from two mutually reinforcing normative sources. First, Presidential Regulation No. 139 of 2024 authorized the division of previously unified ministerial portfolios into multiple separate entities, without establishing explicit mechanisms for jurisdictional delineation between the newly created ministries. The separation of the Ministry of Environment and Forestry into the Ministry of Environment and the Ministry of Forestry, for instance, left the normative boundaries over conservation areas and environmental impact assessments unresolved. A structurally analogous problem arises from the division of the Ministry of Villages, Development of Disadvantaged Regions, and Transmigration, wherein the overlapping territorial mandates of the two successor ministries over resettlement areas classified as disadvantaged regions remain normatively unaddressed. Second, the statutory framework of Law No. 61 of 2024 compounded this problem by removing the previous cap of 34 ministries and replacing it with a need-based standard, which effectively granted the President broad discretionary authority to determine the number of ministries without any statutory obligation to ensure functional coherence or prevent jurisdictional duplication.

The absence of adequate normative safeguards at both the regulatory and statutory levels is further worsened by the lack of binding inter-ministerial coordination mechanisms in practice. Neither Presidential Regulation No. 139 of 2024 nor Law No. 61 of 2024 mandates a systematic functional mapping exercise prior to the division or creation of ministerial portfolios, nor do they impose enforceable coordination protocols obliging ministries with overlapping jurisdictions to harmonize their regulatory outputs. As a consequence, the resolution of functional conflicts between ministries is left entirely to informal inter-ministerial negotiation rather than to legally enforceable mechanisms, rendering the coordination architecture of the *Kabinet Merah Putih* structurally vulnerable to jurisdictional contestation and policy fragmentation. This condition directly contradicts the principles of efficiency and effectiveness mandated by Article 13 of Law No. 39 of 2008, which requires that cabinet formation consider proportionality, harmony, and integration in the execution of governmental functions.

The structural consequences of the portfolio divisions authorized by Presidential Regulation No. 139 of 2024 can be assessed more concretely through a functional mapping of ministerial mandates within the *Kabinet Merah Putih*. Comparative scholarship has established that the division of previously unified ministerial portfolios into separate entities frequently produces jurisdictional configurations in which the boundaries of ministerial authority are insufficiently delineated, creating conditions conducive to functional overlap and inter-ministerial rivalry (Sieberer et al., 2021). In the context of the *Kabinet Merah Putih*, this pattern is empirically observable across multiple pairs of ministries whose substantive mandates overlap due to portfolio divisions authorized by Presidential Regulation No. 139 of 2024, without accompanying normative mechanisms to delineate their respective jurisdictions. Furthermore, scholarship on shared ministerial responsibility confirms that when coalition governments divide portfolios along partisan lines without establishing clear jurisdictional boundaries, the resulting overlap generates transaction costs that impede coherent policy drafting and fragment accountability across institutional boundaries (Klüser, 2024). Table 1.1 presents a functional mapping of the most institutionally significant cases of ministerial overlap within the *Kabinet Merah Putih*, identifying the specific portfolios affected, the nature of the overlapping functions, and the normative source of each jurisdictional conflict as traceable to Presidential Regulation No. 139 of 2024.

Table 1.1.
Functional Mapping of Overlapping Ministerial Mandates in the *Kabinet Merah Putih*
Based on Presidential Regulation No. 139 of 2024

Pair of Ministries		Previous Unified Ministry		Core Overlapping Function	Normative Source of Overlap	Coordination Risk
Ministry of Environment vs. Ministry of Forestry		Ministry of Environment and Forestry		Environmental impact assessment of land use; management of conservation areas and ecosystem services	Presidential Regulation No. 139/2024 (separation without explicit jurisdictional delineation over conservation areas)	Duplication of permitting authority; conflicting regulatory standards for environmental assessment
Ministry of Villages and Development of Disadvantaged Regions vs. Ministry of Transmigration		Ministry of Villages, Development of Disadvantaged Regions, and Transmigration		Rural development programs, community empowerment, and resettlement planning in remote and disadvantaged areas	Presidential Regulation No. 139/2024 (division of integrated rural-resettlement portfolio without territorial delineation)	Overlapping program delivery in transmigration settlements classified simultaneously as disadvantaged regions
Ministry of Primary and Secondary Education vs. Ministry of Higher Education, Science, and Technology vs. Ministry of Culture		Ministry of Education, Culture, Research, and Technology		National curriculum policy, education quality standards, and cultural integration in formal education	Presidential Regulation No. 139/2024 (three-way division without delineation of authority over curriculum and cultural content)	Fragmented authority over national education standards and cultural content in formal education
Coordinating Ministry for		Coordinating Ministry for Human		Coordination of social welfare, poverty	Presidential Regulation No.	Competing coordination

Pair of Ministries	Previous Unified Ministry	Core Overlapping Function	Normative Source of Overlap	Coordination Risk
Human Development and Culture vs. Coordinating Ministry for Community Empowerment	Development and Cultural Affairs	reduction, community development, and cultural programs	139/2024 and Presidential Decrees No. 144 and 146 of 2024 (split coordination mandate without hierarchical authority)	mandates over overlapping social and community programs

Source : Compiled by the Authors based on Presidential Regulation No. 139 of 2024 and Presidential Decrees No. 144 and 146 of 2024

The functional overlaps documented in the table above reflect a broader constitutional problem, as the authority granted to the President under the Constitution to form and appoint ministers potentially carries the risk of abuse when cabinet formation and ministerial appointments are driven solely by political interests (Martínez-Gallardo, 2014), resulting in an inflated cabinet structure and bureaucratic inefficiency (Batista & Lopez, 2020). Indonesia's multiparty system directly reinforces this tendency through the allocation of ministerial quotas to political parties within the ruling coalition, wherein the primary concern lies not in the number of ministries allocated but in the strategic value of those ministries (Bäck et al., 2009). Given that political parties have the authority to nominate presidential candidates, they occupy a central and powerful position in determining cabinet composition, enabling them to exert substantial influence over the cabinet formed by the elected President (Syaputra, 2020). This structural positioning transforms ministerial allocation from a governance instrument into an arena of inter-party contestation, in which the President's independent authority is systematically restricted by the competing interests of multiple coalition parties.

Such contestation manifests through concrete lobbying mechanisms, as coalition parties actively compete to secure strategically important ministries based on factors such as their influence over national policy, their budget capacity, and their authority to appoint political officials (Bäck et al., 2009). Within a multiparty system, cabinet formation frequently involves political compromises among coalition parties, and coalition politics can have adverse effects by undermining the President's prerogative to form a professional cabinet and fostering political pragmatism (Coman, 2015). Each coalition party pursues its own agenda and interests, making the decision-making process more compromise-driven and slow, as it requires inter-party negotiations in which coalition parties are bound by political agreements established during the formation of the government. Consequently, the more satisfied political parties are with the ministerial portfolios they receive, the fewer substantive policy details they tend to negotiate within the coalition agreement, as they perceive themselves as having sufficient control over the sectors under their influence (Krauss & Kluever, 2023). This dynamic implies that coalition agreements often become superficial and symbolic, reinforcing perceptions of political patronage wherein public offices are viewed as political entitlements rather than professional responsibilities, with direct adverse consequences for the quality of public service delivery (Elekwachi & Ufomba, 2024).

The concrete manifestation of this patronage dynamic is directly traceable to the political configuration underlying the *Kabinet Merah Putih*, which is the product of the Koalisi Indonesia Maju (KIM) comprising Partai Gerindra, Partai Golkar, Partai Amanat Nasional (PAN), Partai Demokrat, Partai Bulan Bintang (PBB), Partai Gelora, Partai Solidaritas Indonesia (PSI), and Partai Garuda (KPU, 2024). This coalition was later expanded into *KIM Plus*, which included Partai Kebangkitan Bangsa (PKB), Partai NasDem, Partai Persatuan Pembangunan (PPP), and Partai Keadilan Sejahtera (PKS) (Dian, 2024). Therefore, the division of existing ministries into several new entities can be interpreted as a strategic move to accommodate coalition parties within

the structure of government, as President Prabowo Subianto introduced the highest number of Deputy Ministers in Indonesia's history, totaling 56, of which 23 were appointed from political party members and the remaining 33 from non-party professionals, while 29 ministerial positions were filled by party members and 19 by non-party individuals (Biro Pers, Media, dan Informasi & Sekretariat Presiden, 2024). This composition raises fundamental concerns regarding governmental effectiveness, as a cabinet grounded in professional expertise rather than political affiliation is essential to ensure that ministers are not affected by partisan interests when performing their duties (Fahlevi & Mustaqim, 2020).

The dominance of political parties in ministerial appointments demonstrably gives rise to conflicts of interest and undermines bureaucratic effectiveness (Haqiqi et al, 2024). This structural inefficiency is not merely an abstract institutional concern but manifests concretely in the functional overlaps documented in Table 1.1, wherein the division of previously unified ministerial portfolios has produced competing jurisdictional claims that remain normatively unresolved. The separation of the Ministry of Environment and Forestry into two distinct ministries, for instance, has generated unresolved authority disputes over conservation area management, while the division of the Ministry of Villages, Development of Disadvantaged Regions, and Transmigration has produced overlapping mandates for program delivery in resettlement areas. These institutional conflicts may leave direct impacts on citizens, as fragmented policy mandates make it increasingly difficult to deliver public services coherently and efficiently. When ministerial authority is dispersed across a disproportionately large number of institutions, accountability for service outcomes becomes diffuse and difficult to enforce, leaving citizens without a clear point of redress when public services fail to meet their expectations (Moynihan, 2025). The appointment of ministers based on partisan loyalty rather than technocratic merit further worsens this problem, as politically appointed officials tend to prioritize electoral calculations over the substantive quality of policy implementation (Torat, 2024). Moreover, the proliferation of ministries places additional strain on the state budget and reduces fiscal efficiency (Kristian & Nugraha, 2024), thereby leading to budgetary waste that could otherwise be used to improve the welfare of citizens who depend on government services.

The foregoing evidence demonstrates that the presidential system as implemented within Indonesia's multiparty context tends, in practice, to prioritize political interests over the interests of the people. Political parties, which in a democratic system are intended to serve as channels for representing the aspirations of the populace, often function instead as strategic actors that prioritize internal coalition bargaining and intra-party monitoring over the substantive delivery of public policy (Thijm & Fernandes, 2025). This behavioral pattern reflects a fundamental displacement of democratic purpose, in which the institutional role of parties representing the people's will is subordinated to the imperatives of elite political interests (Syaputra, 2020). The consequence of this displacement particularly tarnishes public trust, as empirical research demonstrates that when political institutions are perceived to serve the interests of privileged elites rather than citizens, trust in democratic governance erodes significantly and citizens, thereby increasingly disengaging people from the political process (Kesberg & Easterbrook, 2025). In the Indonesian context, this damaged trust is directly worsened by a cabinet formation process that consistently rewards political elites with ministerial positions, reinforcing public perception that the government is pro-partisan interests rather than prioritizing the collective welfare of the nation.

2. The Proportionality of the *Kabinet Merah Putih*: Between Political Compromise and Professionalism

Article 17, paragraph (2) of the 1945 Constitution sets the legal basis for the President's prerogative to appoint and dismiss ministers. However, this constitutional provision does not guarantee that the allocation of ministerial positions will be determined objectively. Political considerations often influence compromises between the ruling coalition and the executive,

thereby undermining the objectivity of ministerial appointments within the executive branch (Ennsner-Jedenastik, 2014). In fact, the principle of meritocracy plays a fundamental role in the appointment of ministers in a democratic state, as it helps prevent the selection of underqualified public figures who are incapable of effectively performing state functions and contributing to national progress (Lee & Schuler, 2020). Ministerial appointments based primarily on political compromise are often rooted in political patronage and may fail to reflect the competencies required to lead ministerial institutions effectively (Batista & Lopez, 2020). When the executive becomes entangled in political compromises during cabinet formation, the quality of public governance is likely to deteriorate due to the sacrifice of professionalism in state administration (Asmara et al., 2025).

While political coalition-building is an inherent feature of cabinet formation in multiparty presidential systems, the normatively relevant question is not whether political compromise occurs but rather at what point such compromise crosses the threshold from legitimate coalition management into an abuse of institutional design. Comparative scholarship on governance and public administration has proposed five normative criteria for assessing whether cabinet formation remains compatible with democratic governance and constitutional design. These include effectiveness, functional proportionality, accountability, conflict-of-interest prevention, and fiscal rationality. These criteria provide an analytical framework for evaluating whether contemporary cabinet arrangements continue to serve constitutional objectives or reflect an excessive accommodation of coalition interests within presidential governance.

Effectiveness is measured by the coherence of policy outputs and the quality of inter-ministerial coordination, as political elements within the cabinet significantly influence decision-making processes and reduce institutional efficiency when coalition dynamics override governance imperatives (Krauss & Kluever, 2023). Functional proportionality is measured by the rational relationship between the number of ministries and the volume of substantively distinct policy tasks they perform, with empirical research establishing that executive decision-making bodies exceeding 19 to 22 members experience measurable declines in structural efficiency as group size beyond this threshold generates dissociative dynamics that impair collective deliberation and policy coherence (Klimek et al., 2009). Accountability is measured by the clarity of vertical lines of responsibility between ministers and the electorate, such that the substitution of vertical accountability to the people with horizontal accountability to political party elites constitutes a structural deterioration of democratic governance (Mietzner, 2025a). Conflict-of-interest prevention is measured by the presence of structural mechanisms that separate ministerial loyalty from partisan obligations, so that patronage-driven appointments do not constitute a systemic source of institutional integrity failures (Jafari Nia et al., 2023). Fiscal rationality is measured by the demonstrable justifiability of cabinet expansion on governance needs rather than political reward, given that patronage-driven proliferation systematically leads to budgetary inefficiencies that undermine state capacity (Kopecký et al., 2026). These five criteria and their operational definitions are summarized in Figure 1.1.

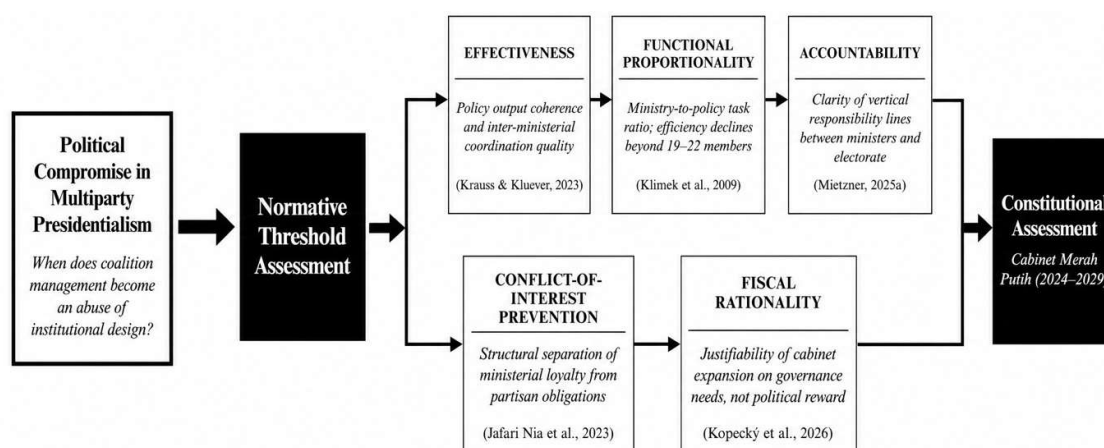


Figure 1.1. Normative Analytical Framework for Constitutional Assessment of Cabinet Formation in Multiparty Presidential Systems

Source: Compiled by the Authors (2026)

Applied to the case of the *Kabinet Merah Putih*, these five normative criteria reveal significant institutional deficiencies in President Prabowo Subianto's cabinet-formation decisions. The politicization of cabinet appointments reflects a recurring political culture among Indonesia's elected leaders, wherein ministerial positions are distributed among all supporting parties (Slater, 2018). Assessed against the five normative criteria outlined above, this pattern raises immediate concerns on two fronts: first, regarding conflict-of-interest prevention, insofar as the distribution of ministerial posts among coalition parties creates structural incentives for ministers to prioritize partisan interests over their constitutional duties; and second, regarding accountability, insofar as the dispersal of ministerial authority across a broad coalition design dilutes the clarity of vertical accountability between ministers and the electorate. Juridically, such cabinet compositions retain legality under Indonesian law (Limbong et al., 2024), yet legal permissibility does not preclude normative concern, as the sizable composition of the cabinet poses potential risks to institutional effectiveness and inter-ministerial coordination, raises concerns over democratic degradation, and triggers increased vulnerability to conflicts of interest, outcomes that directly contradict both the expectations of citizens toward their elected President and the principle of popular sovereignty set out in Article 1, paragraph (2) of the 1945 Constitution (Redhani & Hadin, 2019).

In parliamentary systems, the formation of government is typically driven by the political parties that hold a majority in the legislature, inherently leading to cabinet compromises (Whitaker & Martin, 2022). The practice of forming the *Kabinet Merah Putih* through political bargaining reflects a tendency more aligned with parliamentary governance than with the principles of a presidential system. Assessed against the five normative criteria outlined above, this distortion is highly visible in terms of effectiveness, insofar as ministerial appointments driven by coalition bargaining rather than functional necessity undermine the cabinet's capacity to deliver coherent and competent governance. It is also evident when it concerns accountability, insofar as the direct electoral mandate vested in the President by Article 4 of the 1945 Constitution risks being compromised when presidents are under partisan pressures that redirect ministerial loyalty away from the electorate and toward coalition party interests (Hamid, 2025). The presidential system is defined by a clearer separation of powers, and this framework ideally mandates that the President appoint ministers from outside the political party structure to avoid divided loyalties between the President and the party apparatus (Martínez-Gallardo & Schleiter, 2015). However, the current administration's accumulation of political strength through compromise risks dominating the legislature, raising serious concerns regarding the erosion of democratic checks and balances (Sunarto, 2017).

This erosion of checks and balances is not merely a product of political will but is structurally triggered by insufficient legal constraints on cabinet formation. The practice of forming an excessively large cabinet is, in part, enabled by insufficient legal constraints preventing such occurrences (Simabura et al., 2023). Constitutions or statutes that do not explicitly regulate the number and criteria for government institutions grant the executive broad interpretive discretion, thereby allowing the establishment of new institutions at will (Meyerrose, 2023). Assessed against the five normative criteria outlined above, this legislative gap is most directly problematic in terms of functional proportionality. This is because the absence of a definitive legal standard for determining the proportionality or ideal number of ministries leaves such decisions to the President's unilateral interpretation, without any obligation to demonstrate a rational relationship between the number of ministries and the substantive policy tasks they perform. Historically, Law No. 39 of 2008 concerning State Ministries initially attempted to impose limitations, with Article 15 once capping the number of ministries at a maximum of 34. However, the amendment introduced by Law No. 61 of 2024 revised this provision to allow ministries to be established based on "need," effectively granting the President the authority to determine the number of ministries at his discretion without clear objective criteria. This legal ambiguity underlies the rationale for President Prabowo's formation of what is now the largest cabinet in Indonesia's post-independence history, as the lack of rigid criteria for institutional composition has allowed the President to define what constitutes a "proportional" number of ministries according to personal or political preferences.

The formation of a ministerial cabinet based on political compromise not only results in inflated operational costs but also leads to bureaucratic inefficiencies in institutional performance. Assessed against the five normative criteria outlined above, this pattern is most directly problematic in terms of effectiveness, as political elements within the cabinet significantly influence decision-making processes and reduce institutional efficiency and accountability (Krauss & Kluever, 2023). This issue is also related to fiscal rationality, since patronage-driven cabinet expansion generates inflated operational costs that cannot be justified by demonstrable governance needs, thereby diverting public resources from productive policy implementation. This situation arises in part because political parties often exert pressure on ministries, introducing multiple competing interests that can lead to irrational or politically motivated decisions (Kaarbo, 2008). In concrete terms, such inter-party tensions directly impair inter-ministerial coordination, as ministries controlled by different coalition parties tend to pursue divergent policy agendas rather than collectively implementing a unified governmental program. Therefore, this generates transaction costs that slow down the legislative drafting process and weaken policy coherence across sectors (Kluser et al., 2024). Such partisan dynamics render cross-ministerial policy coordination within the *Kabinet Merah Putih* structurally vulnerable to fragmentation, as coalition-affiliated ministers are triggered to exploit executive positions for electoral purposes rather than collective governance imperatives (Bergman et al., 2013).

The root cause of this coordinative fragmentation lies in the absence of meritocratic selection standards in cabinet formation. The controversy surrounding the formation of the *Kabinet Merah Putih*, which is heavily influenced by political patronage, stands in stark contradiction to the principle of meritocracy. Genuine application of meritocratic principles would require that cabinet formation extend beyond public figures with purely political experience to include individuals who possess substantive competence, institutional integrity, and genuine accountability to the public (Tanku & Imeri, 2014). Such a standard applies regardless of whether candidates originate from partisan or non-partisan backgrounds, as the normatively decisive criterion is whether ministerial appointments serve the public interest rather than partisan objectives (Ongaro, 2024; Suzuki & Hur, 2024). The ideal of professional character is essential for fostering vertical loyalty toward the President and the people, rather than horizontal loyalty to political parties or political patrons (Andersen, 2021). This aspiration, however, is not accommodated by Indonesian law, as Article

21 of Law No. 39 of 2008 concerning State Ministries does not stipulate professionalism as a formal requirement for ministerial appointments. This absence, therefore, leaves a legal loophole that allows any sitting President to appoint ministers from any background, including those with purely political affiliations. In practice, the majority of ministers in the *Kabinet Merah Putih* come from political groups that supported President Prabowo during the election campaign—a composition that exemplifies presidential patronage whereby positions are distributed as political rewards for loyalty (Bersch et al., 2023).

Such a strategy is detrimental to democratic governance, as it may serve as a mechanism for consolidating power and weakening the role of the opposition (Cheibub et al., 2024). This notion simultaneously highlights a critical deficiency in Indonesia's legal framework on ministerial appointments, as current legislation does not regulate essential meritocratic standards such as educational qualifications, integrity records, transparent selection processes, fit-and-proper tests, or safeguards against conflicts of interest. This deficiency is particularly problematic given that Article 10(1)(c) and (e) of Law No. 30 of 2014 concerning Public Administration explicitly require that public administration be guided by the principles of professionalism and accountability, creating a normative contradiction within Indonesia's own legal framework that the State Ministries Law has failed to resolve. Thus, the inadequate legal standards set forth in the State Ministries Law have failed to ensure an objective process for recruiting professional candidates. Therefore, it is unsurprising that presidential cabinets in Indonesia have long carried the stigma of political compromise, reflecting a legal system that allows and even facilitates such practices. This permissive legal environment, in turn, creates structural conditions for deeper political fragmentation within the cabinet itself, as ministers appointed through patronage networks are structurally predisposed to divided loyalties that undermine the coherence of executive governance.

A cabinet selection process grounded in substantive criteria of competence, integrity, and accountability is inherently more robust than one driven purely by political compromise, as the critical distinction lies not in whether ministers are drawn from partisan or non-partisan backgrounds but in whether they possess the capacity to govern effectively on behalf of the public (Kim, 2024). The potential for political fragmentation within the *Kabinet Merah Putih* is considerable, given that the ministerial ranks comprise members from multiple political parties, including Gerindra, Golkar, PAN, Partai Demokrat, and PPP. Ministerial appointments based on political bargaining allow for dual leadership dynamics within ministries, in which loyalty may be divided between the President and the political party that supported the minister's appointment (Le Maux & Rocaboy, 2016). This division of allegiance can lead to policy fragmentation and inconsistency with the executive's overall vision. The threat of fragmented authority is particularly salient in the context of the *Kabinet Merah Putih*, where divergent coalition priorities generate overlapping and competing policies across ministries (Auteri & Cattell, 2022). Moreover, such inter-party competition within the cabinet can erode internal solidarity, undermine collective orientation, and blur the lines of public accountability. This poses a significant governance challenge for President Prabowo, who may struggle to consolidate executive control if ministries operate semi-autonomously, driven by the distinct political interests of their respective parties. In this scenario, the coherence and effectiveness of governmental operations are at risk, as party-based agendas overshadow national policy objectives.

Addressing this governance challenge requires looking beyond Indonesia's own institutional experience toward comparative international models that have navigated similar tensions between political coalition demands and technocratic governance imperatives. A comparative examination of international experiences in cabinet formation reveals instructive lessons that must be assessed carefully against the structural specificities of Indonesia's presidential multiparty system before any normative conclusions can be drawn. Singapore represents the most frequently cited model of technocratic-meritocratic governance, wherein the People's Action Party recruits ministers

rigorously from professional backgrounds, including the military, private sector, and academia (Rodan, 2015). However, Singapore operates under a dominant-party parliamentary system with virtually no meaningful coalition bargaining, rendering its model structurally incompatible with Indonesia's fragmented multiparty presidentialism, where no single party commands a legislative majority. Germany similarly incorporates meritocratic considerations into ministerial appointments, yet it functions within a parliamentary framework where coalition agreements are constitutionally embedded and formally binding on all coalition partners, a condition that Indonesia's presidential system does not replicate.

Chile and Uruguay offer comparatively more relevant reference points for Indonesia than Singapore and Germany, as both countries share Indonesia's fundamental structural condition of a directly elected president who must govern through multiparty legislative coalitions and have adopted hybrid cabinet models that balance technocratic appointments with partisan representation. In Chile, evidence drawn from 340 individual cabinet appointments across seven presidential terms from 1990 to 2022 demonstrates that professional criteria can coexist with coalition politics within a presidential multiparty framework, as ministerial tenure is determined primarily by the type of cabinet position and prior experience rather than partisan affiliation alone (Jofré et al., 2024). In Uruguay, presidents have similarly developed strategic patterns of ministerial appointments that balance partisan representation with governance imperatives within institutionalized multiparty coalitions (Olivares L., 2022). Nevertheless, even in Chile and Uruguay, the degree of party system institutionalization is substantially higher than in Indonesia, where political parties frequently lack internal cadre development mechanisms and coherent programmatic platforms, rendering direct institutional transplantation inadvisable without simultaneous legal reforms to the statutory framework governing ministerial appointments (Mirayanti et al., 2025).

Table 1.2
Comparative Analysis of Cabinet Formation Models: Singapore, Germany, Chile, Uruguay, and Indonesia

Country	System of Government	Party System	Executive-Coalition Configuration	Ministerial Selection Mechanism	Lesson for Indonesia
Singapore	Parliamentary (Dominant-Party)	Low fragmentation; highly institutionalized single-party dominance	No coalition bargaining; dominant party commands legislative majority	Rigorous vetting based on competence and integrity regardless of party rank	Legally enforceable meritocratic standards in ministerial selection must be embedded in Indonesia's Law on State Ministries
Germany	Parliamentary (Coalition-Based)	Moderate fragmentation; highly institutionalized programmatic parties	Binding coalition agreements formally embed inter-party power-sharing	Competence-based selection within party ranks restricted by coalition treaties	Legally binding coalition governance mechanisms must be developed as a prerequisite for cabinet formation in Indonesia
Chile	Presidential (Multiparty)	Moderate fragmentation; well-institutionalized parties with	Moderate presidential strength; partisan and technocratic appointments	Presidential prerogative guided by party negotiation and	Merit-based criteria can coexist with coalition management within a

Country	System of Government	Party System	Executive-Coalition Configuration	Ministerial Selection Mechanism	Lesson for Indonesia
		coherent cadre development	balanced across presidential terms	technocratic merit	presidential multiparty framework
Uruguay	Presidential (Multiparty)	Moderate fragmentation; highly institutionalized parties with strong factional organization	Moderate presidential strength; strategic appointments sustain coalition governance	Negotiated portfolio allocation combined with merit-based criteria for technical ministries	Institutionalized coalition management and professional ministerial standards can coexist within a presidential framework
Indonesia	Presidential (Extreme Multiparty)	High fragmentation; weakly institutionalized parties lacking programmatic platforms	Weak presidential autonomy; ministerial posts allocated as political rewards without binding agreements	No formal merit-based selection mechanism; presidential prerogative exercised under coalition pressure	Reforms must address party fragmentation, absence of meritocratic standards, and lack of binding coordination mechanisms simultaneously

Source: Compiled by the Authors (2026)

The comparative data presented in Table 1.2 reveal a clear and consistent pattern: countries with stronger party institutionalization and legally enforceable ministerial selection mechanisms, whether through meritocratic vetting as in Singapore, binding coalition agreements as in Germany, or balanced hybrid appointments as in Chile and Uruguay, consistently produce more professionally coherent and accountable cabinets than Indonesia, where the absence of both conditions has allowed patronage-driven coalition politics to dominate cabinet formation without institutional restriction. This comparative analysis yields a critical, converging lesson for Indonesia: the transferability of any cabinet model is fundamentally contingent on the existence of legally enforceable ministerial selection mechanisms that institutionalize meritocratic standards within the statutory framework of cabinet formation. Cross-national empirical evidence consistently demonstrates that merit-based appointments in public administration produce measurable positive effects on service delivery effectiveness and overall governmental performance, while the politicization of appointments systematically erodes state capacity and bureaucratic competence regardless of the formal system of government adopted (Fernandez & Cheema, 2025). This finding carries direct implications for Indonesia, as the absence of explicit professional qualification standards in State Ministries Law effectively permits the perpetuation of patronage-driven appointments that the comparative cases examined above have sought to constrain through various institutional mechanisms.

The urgency of this legal reform is further substantiated by cross-national evidence grounded in mediation analysis, confirming that meritocratic recruitment works through two simultaneous and mutually reinforcing pathways: it enhances the epistemic quality of bureaucratic personnel by prioritizing competence over political performance, and it generates misalignment between bureaucrats and political principals that enables civil servants to resist undue partisan pressure in policymaking (Kolvani & Nistotskaya, 2025). These two mechanisms are precisely what Indonesia's current legal framework fails to institutionalize, as the State Ministries Law neither mandates competency-based selection criteria nor establishes structural safeguards against

partisan interference in ministerial appointments. Therefore, legal reform must embed explicit professional qualification standards, mandatory fit-and-proper evaluations, and periodic performance review requirements into the statutory framework governing ministerial appointments, so that the hybrid cabinet model drawn from comparative experience is anchored in enforceable legal norms rather than remaining entirely dependent upon presidential discretion.

These three statutory requirements may work through three legally enforceable institutional mechanisms drawn from the comparative models examined above, each addressing a distinct dimension of the legal reform agenda identified in the preceding analysis. First, following Singapore's meritocratic vetting principle, the State Ministries Law must be amended to include minimum professional qualification standards, mandatory fit-and-proper evaluations, and periodic performance reviews for all ministerial appointments, regardless of whether candidates are partisan or non-partisan. Second, following Germany's binding coalition agreement mechanism, Indonesia must develop a legally enforceable coalition governance framework that formally binds coalition parties to agreed policy priorities and meritocratic ministerial selection criteria, thereby constraining purely transactional portfolio allocation. Third, following the hybrid appointment models of Chile and Uruguay, Indonesia must institutionalize a cabinet composition standard that balances partisan representation with technocratic merit by reserving strategic technical ministries for professionally qualified candidates while allowing coalition-negotiated appointments in politically representative portfolios, subject to enforceable competence thresholds. Collectively, these three mechanisms constitute a normative framework for hybrid cabinet formation that is both structurally compatible with Indonesia's multiparty presidential system and legally anchored in the statutory framework governing ministerial appointments.

3. The Technocratic Cabinet in Indonesia's Multi-Party Presidential System: Relevance, Limits, and the Challenges of Hybrid Alternative

One concrete institutional model through which such legal reform may be anchored is the technocratic cabinet, commonly known as the *Zakenkabinet*, which prioritizes technical expertise over political credentials in appointing ministers. This concept is regarded as a means of enhancing the effectiveness of public policy, particularly in multi-party presidential systems such as Indonesia's. However, from an empirical perspective, implementing such a model often encounters issues, including pressure from coalition parties, political fragmentation, and entrenched patrimonial political culture. In modern democratic systems, cabinet formation is frequently based on the configuration of political power in the legislature, which often creates pressure to appoint ministers in accordance with party affiliation. Nevertheless, especially during periods of political or economic crisis, the need for a cabinet that is more independent from political interests becomes more pressing. A *zakenkabinet*, composed of technocrats or non-partisan professionals, is increasingly viewed as a viable alternative to improve the quality of governance in multi-party presidential systems.

Zakenkabinet, also referred to as technocratic cabinet, constitutes a model of governance in which ministerial positions are filled by experts, professionals, and individuals possessing specific technical competencies who are neither affiliated with nor representative of political parties. This model prioritizes efficiency, expertise, and evidence-based decision-making grounded in scientific knowledge and data. Furthermore, this model allows independence from partisan pressure, thereby ensuring that policy decisions reflect professional analysis rather than political calculation. The *zakenkabinet* is particularly regarded as a practical response to the inherent weaknesses of politically driven coalition cabinets, as it emerges most prominently during periods of national crisis when political stability deteriorates and public trust in political parties declines significantly (Hamidi & Lutfi, 2011). In modern democratic systems, however, cabinet formation remains fundamentally affected by the configuration of political power in the legislature, which consistently generates pressure to appoint ministers in accordance with party affiliation rather than

technical merit. This structural tension indicates that the relevance and limits of the *zakenkabinet* model must be critically assessed.

Theoretically, the *zakenkabinet* represents a manifestation of the technocratic principle, in which governance is led by individuals with technical expertise and professional qualifications, who are perceived as more capable of managing public policy than politicians who rely primarily on electoral influence and popularity (Centeno, 1993). This approach is grounded in the rational-instrumental theory of public administration, which emphasizes the application of technical rationality to achieve efficient and effective policy outcomes. In contrast, the multi-party presidential system, as elaborated by Mainwaring and Shugart (Mainwaring & Shugart, 1997), presents inherent structural problems due to high levels of political fragmentation, which complicate the formation and stability of governing coalitions. The critical question this theoretical framework fails to address properly is how technocrats actually work once they are embedded in a system already constrained by coalition bargaining, legislative dependence, and partisan loyalty. Empirical evidence consistently demonstrates that technocrats appointed to ministerial positions are rarely insulated from political pressure, as their policy survival depends on maintaining legislative support that is inherently contingent on satisfying coalition partners. Consequently, the *zakenkabinet*, as an ideal type, must be understood not as a self-sufficient governance solution but as a normative aspiration that confronts significant structural resistance in any multiparty presidential system, including Indonesia's.

Historically, the term *zakenkabinet* was first used during the Djuanda Cabinet in Indonesia's era of Liberal Democracy. In the present context, the implementation of a *zakenkabinet* within the current political system differs significantly from that of the Djuanda Cabinet, which ran under a parliamentary system of government in which party influences over cabinet formation were constitutionally embedded and openly acknowledged. In contrast, the current Indonesian political system adopts a presidential model that formally vests cabinet formation authority in the President alone, yet in practice runs under the pervasive influence of multiparty coalition bargaining. This structural inconsistency between formal constitutional design and actual political behavior constitutes the central gap between the theory and practice of the *zakenkabinet* in Indonesia.

The experience of the Djuanda Cabinet is instructive in this regard, as it demonstrated that even a cabinet composed predominantly of technocrats could not sustain its policy agenda without securing meaningful political support from the legislature, ultimately limiting its effectiveness despite the professional competence of its ministers (Grindle, 2004). This historical lesson remains directly relevant to the present context because empirical research confirms that technocratic appointments in multiparty systems are not determined solely by the president's preference for expertise but are instead significantly shaped by coalition composition, legislative fragmentation, and intra-cabinet heterogeneity (Pilet et al., 2024). In democratic systems characterized by competitive multiparty elections, governing structures fundamentally rely on legitimate electoral processes that place political parties as central actors in government formation. Consequently, the formation of the *zakenkabinet* gives rise to persistent tensions between political legitimacy and technocratic autonomy that cannot be resolved through constitutional design alone; rather, they require a systematic institutional framework that bridges the gap between professional governance and the political realities of coalition management.

Table 1.3
The Evolution of the Number of State Ministries (1945-2024)

Presidential Era	Period	Number of Ministries	Information
Seokarno (Juanda)	1957-1959	23	<i>Kabinet Karya Demokrasi Parleментар</i>
Seokarno (Dwikora II)	1964-1966	135	The most numerous cabinet in the history

Presidential Era	Period	Number of Ministries	Information
Soeharto (Pembangunan V)	1988-1993	41-44	The highest record in the New Order
BJ. Habibie	1998-1999	37	<i>Kabinet Reformasi Pembangunan</i>
Abdurrahman Wahid	1999-2001	38	<i>Kabinet Persatuan Nasional</i>
Megawati Soekarnoputri	2001-2004	33	<i>Kabinet Gotong Royong</i>
Susilo Bambang Yudoyono	2004-2014	34	Stable in number for two periods
Joko Widodo	2014-2024	34	Consistent number according to Law/2008
Prabowo Subianto	2024-sekarang	48	109 in total when combined with 55 vice ministers

Source: Compiled by the Authors (2026)

The data presented in Table 1.3 are not merely a record of administrative change; they reflect a deeper constitutional question that has yet to be sufficiently investigated in the Indonesian legal literature: whether the presidential system, as adopted and practiced in Indonesia, is institutionally capable of producing a cabinet that is both professionally experienced and publicly accountable. Recent comparative research has demonstrated that the institutional characteristics of presidential systems, particularly the direct election of presidents and the collective accountability of the cabinet to the president rather than to the legislature, have a structurally detrimental effect on party system institutionalization, thereby weakening the broader conditions necessary for stable and merit-based governance (Olivares & Albala, 2025). Furthermore, empirical evidence from presidential systems across the Americas confirms that non-partisan and technocratic ministerial appointments become significantly less frequent as cabinets grow larger and coalitions become more expansive, a pattern that is structurally embedded in multiparty presidentialism rather than being the product of individual presidential choices (Albala, et al, 2024.) In the Indonesian context, the trajectory presented in Table 1.1 thus reflects not merely successive decisions by different presidents, but the cumulative expression of a constitutional design that structurally privileges political accommodation over bureaucratic professionalism (Pepinsky, 2025). This structural dimension has been systematically overlooked in prior legal analyses of Indonesian ministerial design, which have tended to treat cabinet expansion as a correctable regulatory problem rather than a manifestation of deeper constitutional architecture.

It can be observed that in post-reform era cabinets, such as *Kabinet Indonesia Bersatu*, *Kabinet Kerja*, and *Kabinet Indonesia Maju*, there has been a consistent trend of expansion in the number of ministries accompanied by the appointment of ministers from political circles who do not always possess the technical competencies relevant to their respective fields. This has triggered a domino effect, resulting in weakened policy effectiveness, diminished public accountability, and inconsistencies in national development planning. Conversely, when the President places excessive emphasis on technocratic governance without securing political legitimacy from the legislature, policies become vulnerable to rejection or politicization. A similar situation occurred during the reform era with the role of technocrats, who, despite their professional qualifications, were consistently confined to more technical ministries such as finance and development planning, while strategic portfolios remained firmly under the control of coalition party figures across all five post-reform presidential cabinets. This pattern reflects a structurally embedded dynamic in presidential systems, wherein parties commanding larger legislative shares systematically claim a disproportionate bargaining advantage over coalition partners in the allocation of high-value ministerial portfolios, leaving technocratic appointments as residual concessions rather than deliberate governance choices (Jang, 2024). This phenomenon is not unique to Indonesia, given

that it recurs across presidential systems in the Asia-Pacific region, but what distinguishes Indonesia is the absence of institutionalized mechanisms for political cadre development and ministerial performance evaluation that would otherwise constrain purely transactional portfolio allocation and gradually elevate the quality of partisan ministerial appointments over time.

One of the major challenges in forming a *zakenkabinet* in the current era lies in maintaining a balance between political stability and governmental effectiveness. These two factors constitute the core institutional dilemma in implementing the *zakenkabinet* in Indonesia. The combination of a presidential system and a multiparty framework frequently creates tension for the President, who must choose between accommodating all coalition parties and limiting cabinet appointments to technocrats and professionals. If the primary objective is political stability, accommodating as many political parties as possible may be a feasible option, although it risks slowing down the implementation of the government's strategic programs. Conversely, appointing a cabinet predominantly composed of technocratic professionals may accelerate policy implementation while risking weakening political support. Empirically, technocrats who are appointed to the cabinet tend to possess expertise and competencies in specific sectors such as economics, health, education, or defense. However, they often face issues with political legitimacy and parliamentary support, especially when the policies they propose are not popular.

The composition of ministerial appointments is often used as a means of political reward for supporting parties. As a result, technocrats face significant challenges in competing for cabinet positions, unless they are "seconded" by a political party or possess informal political affiliations. Consequently, professionalism is frequently subordinated to patronage politics (Stange, 2017). Although certain ministers in the past, such as Sri Mulyani, have been recognized as technocrats, they were nonetheless required to work within a highly politicized system. Technocratic ministers lacking formal political affiliations risk being left without a "protective network" when confronted with political pressure or policy opposition. In Indonesia, where the DPR (the House of Representatives) actively exercises oversight and holds budgetary authority, political support is crucial to a minister's effectiveness and policy survival.

One of the main advantages of *zakenkabinet* lies in its potential to produce more consistent and rational policies, insulated from short-term political pressures. In many instances, such cabinets have been viewed as capable of accelerating structural reforms, particularly in economic, health, and education sectors. For example, during periods of economic transition in Italy and Greece, several technocratic governments succeeded in implementing fiscal restructuring and bureaucratic reform measures that had previously proven difficult under politically fragmented coalition cabinets. However, criticisms of the *zakenkabinet* model have emerged from those who regard it as a form of depoliticization that may undermine democratic principles. From this perspective, public policy should reflect the people's preferences as expressed through political parties. When technocrats replace politicians, policy orientations risk becoming more elitist and less responsive to the broader public's aspirations. Such a dynamic can also lead to power imbalances between the bureaucratic elite and the citizenry (Criscitiello, 2022).

The critical limitations of the technocratic cabinet model extend beyond the risk of depoliticization as noted above, given that empirical cross-national evidence demonstrates that the presence of technocrats in government significantly depresses electoral participation, because citizens interpret the increased share of non-elected officials as a signal of party abdication from their representative role, generating broader disengagement from democratic processes (Angelucci et al., 2026). Caramani further establishes that technocratic decision-making is structurally unaccountable insofar as non-elected experts are evaluated by peers rather than by the electorate, thereby undermining the foundational democratic principle that governmental authority must remain answerable to the people through political parties as the legitimate channels of popular mandate (Caramani, 2017). Emanuele confirms that technocratic appointments frequently serve as a partisan strategy to dilute governing responsibility, revealing that technocratic governance does

not transcend politics but merely relocates political accountability away from democratic scrutiny (Emanuele et al., 2023). The normatively appropriate standard for evaluating ministerial appointments is, therefore, neither partisan nor technocratic background in isolation, but whether ministers possess substantive competence, institutional integrity, genuine accountability to the electorate, and the organizational capacity to manage their portfolios in a manner consistent with the public interest.

Indonesia adopts a presidential system within a multi-party framework, in which the President serves as both the head of state and the head of government, elected directly by the people. However, the President must often form coalitions with various political parties to secure legislative support. In this context, cabinet formation often becomes a site of political bargaining, in which coalition parties demand ministerial appointments in exchange for their support. This dynamic poses the risk of diminishing the quality of governance, particularly when ministerial positions are awarded based on political loyalty rather than technical competence.

The relevance and implementation of a technocratic cabinet should ideally emphasize appointing ministers from nonpartisan professional backgrounds with specific expertise in their respective fields (Müller-Rommel & Vercesi, 2024). In Indonesia, although the President holds the constitutional prerogative to appoint ministers under Article 17 of the 1945 Constitution, political practice often reflects a dominance of compromise among political elites in determining cabinet positions (Warren, 2024). In this context, the inclusion of technocrats tends to be selective and symbolic rather than systemic. Ministerial appointments made solely at the President's discretion, without a formal investigative process, hinder the formation of a truly objective technocratic cabinet, as the selection process lacks transparency and accountability.

During President Prabowo Subianto's administration, the implementation of cabinet formation clearly reveals a pattern reflecting either a technocratic or a hybrid cabinet model amid the complexities of Indonesia's presidential system and an extreme multiparty system. The demand for an efficient and professional government has become increasingly prominent. The relevance of a technocratic cabinet is evident in the need to accelerate development, strengthen the bureaucracy, and ensure evidence-based policymaking, particularly in strategic sectors such as defense, food security, and education. However, the implementation of a *zakenkabinet* faces significant structural and political issues. First, strong pressure from coalition parties often leads to ministerial appointments being based more on political calculations than on technical competence. Second, the absence of a merit-based selection mechanism or an independent committee for ministerial appointments weakens the position of technocrats. Third, many technocrats are compelled to affiliate with political parties to secure legislative support, thereby undermining their independence.

The administration of President Prabowo Subianto, which enjoys broad support from major political parties, faces significant pressure to allocate ministerial positions as political concessions to coalition partners. However, there is strong demand to maintain the credibility of policies in key sectors such as the economy, education, and national defense, requiring the inclusion of technocrats capable of transcending partisan interests. This underscores the relevance of a technocratic cabinet as a balancing mechanism between efficiency and legitimacy. The pressure from coalition parties to secure cabinet posts often leads to political preferences taking precedence over technical qualifications, thereby complicating efforts to form a cabinet grounded entirely in meritocracy (Anggono et al., 2023). In some cases, technocrats who are appointed to public office then affiliate with political parties to secure legislative positions or support. This reflects the inherent dilemma within Indonesia's presidential-multiparty system, which renders the full implementation of a technocratic cabinet highly difficult without generating friction. Systemic problems, including entrenched coalition politics, the need for legislative support, the absence of a robust merit-based selection system, and weak public oversight, remain major obstacles, making a fully technocratic cabinet virtually unattainable. To address this dilemma, the legal design of

ministerial institutions must shift toward a more adaptive hybrid model. This would involve establishing performance-based recruitment and oversight systems for ministers, regardless of their political background. In addition, political parties should be encouraged to develop competency-based cadre systems to eliminate the dichotomy between technocrats and politicians. Professional politicians with domain-specific expertise could serve as a middle-ground solution that satisfies both technocratic demands and the realities of political compromise.

In the context of President Prabowo Subianto's administration, a viable institutional response is to adopt a hybrid cabinet model that balances political legitimacy with meritocratic governance. As illustrated in Figure 1.2 below, this model operates through six interdependent components: political representation, professional competence, strategic portfolios, competency standards, coalition accommodation, and legal safeguards, collectively designed to produce four governance outcomes: effective governance, accountable governance, proportional governance, and institutional stability. Under this model, ministers affiliated with political parties may occupy positions requiring strong political support, while technically oriented portfolios such as finance, health, education, and defense should be held by professionals with demonstrable competence. However, the effective operationalization of this model requires four prerequisites: a strong presidential commitment to meritocracy and professionalism; reform of ministerial selection and evaluation mechanisms, including independent vetting processes; active public and civil society participation in monitoring cabinet composition and performance; and a political consensus among coalition parties that ministerial positions constitute public responsibilities rather than political rewards.

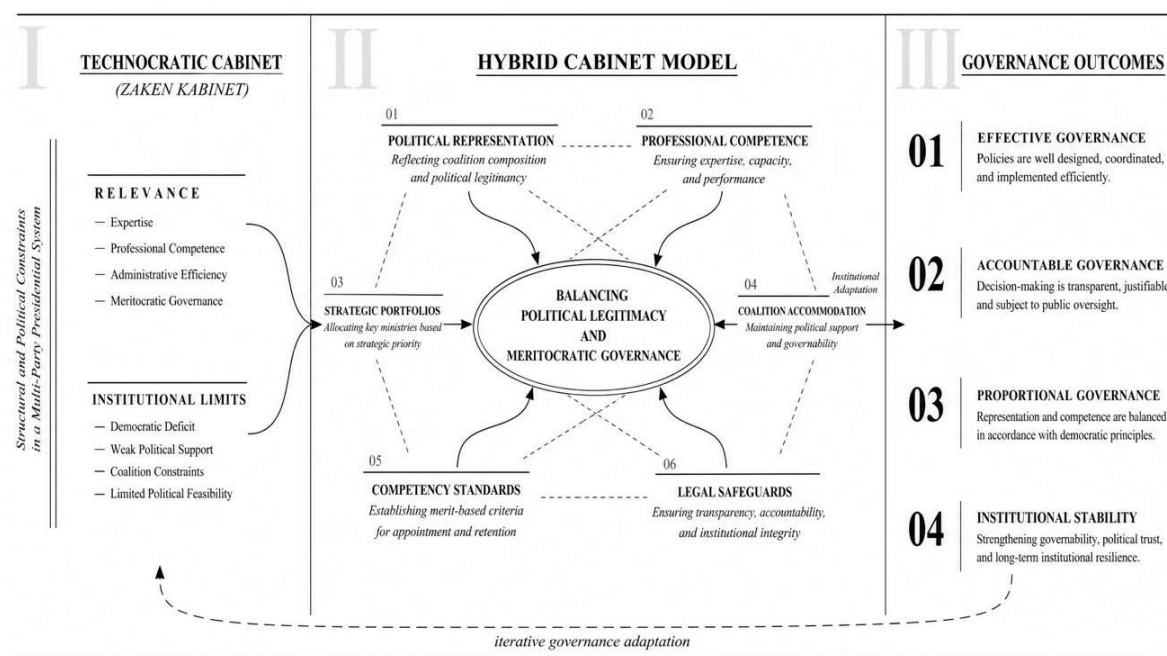


Figure 1.2. The Hybrid Cabinet Model: Balancing Political Legitimacy and Meritocratic Governance in Indonesia's Multi-Party Presidential System

Source: Created by the Authors (2026)

The hybrid cabinet model presented in Figure 1.2 constitutes a realistic and legally grounded alternative to purely partisan cabinet formation in Indonesia. Its effective operationalization requires that the exercise of presidential prerogative be grounded in prudent judgment rather than political expediency, and that ministerial recruitment reforms emphasize transparency, competency-based selection, and enforceable anti-conflict-of-interest standards. A combination of political representation and professional integrity, as depicted in the model, offers a practical path

to mitigate the dominance of partisan interests in cabinet formation while safeguarding public accountability and democratic legitimacy.

The urgency of reforming the State Ministries Law must be seriously considered to establish a more legitimate and constructive legal foundation. Such reform should explicitly set minimum professional qualifications for ministerial appointments and mandate periodic performance evaluations. This would ensure that future cabinet formations are not only relevant but also strategically aligned with the broader context of national development challenges, particularly amid rising demands for bureaucratic efficiency and professionalism. Accordingly, a hybrid or mixed cabinet model, grounded in the principles of selective meritocracy, transparency, and public oversight, emerges as the most rational political-legal option. Furthermore, institutional reforms are essential to promote a political practice that supports the establishment of a cabinet that is both politically robust and technically competent.

D. Conclusion

The institutional design of state ministries in Indonesia reflects a persistent pattern of coalitional presidentialism, in which the formation and expansion of ministries are shaped not only by administrative needs, but also by the political necessity of accommodating coalition actors. In this context, cabinet design becomes a constitutional and institutional issue because the structure of ministries directly affects the effectiveness of executive governance, the clarity of bureaucratic authority, and the accountability of public decision-making. The Kabinet Merah Putih illustrates this problem clearly. Its large ministerial composition reflects the broad political support base of the President, yet it also raises questions about whether ministerial expansion is based on functional necessity or political accommodation. Through normative and functional mapping, the article shows that overlapping ministerial mandates arise from two principal legal developments: the absence of explicit mechanisms for jurisdictional delineation in Presidential Regulation No. 139 of 2024 and the removal of the statutory limit on the number of ministries under Law No. 61 of 2024. These two factors create a legal environment in which the President has wide discretion to establish, divide, or restructure ministries, but without equally strong legal instruments to prevent overlap, duplication, and institutional fragmentation.

The absence of binding inter-ministerial coordination protocols further intensifies this problem. When two or more ministries possess related or intersecting mandates, functional conflicts are often resolved through informal negotiation, political communication, or ad hoc coordination rather than through legally enforceable mechanisms. This weakens administrative certainty because the distribution of authority depends heavily on political relationships and bureaucratic practice rather than clear legal rules. Assessed through five normative criteria—effectiveness, functional proportionality, accountability, conflict-of-interest prevention, and fiscal rationality—the current ministerial design reveals several structural weaknesses. From the perspective of effectiveness, overlapping mandates can delay policy execution and produce fragmented decision-making. From the perspective of functional proportionality, the expansion of ministries may not always correspond to actual administrative necessity. From the perspective of accountability, blurred jurisdiction makes it difficult to identify which ministry should be held responsible for policy success or failure. From the perspective of conflict-of-interest prevention, coalition-based ministerial allocation may create tension between public duties and party interests. From the perspective of fiscal rationality, a larger cabinet structure increases budgetary burdens through additional institutional units, personnel, facilities, and coordination costs.

Although the concept of a *zakenkabinet* offers an important normative aspiration toward professional and expertise-based governance, it cannot operate as an independent solution within Indonesia's multiparty presidential system. The demand for political representation remains structurally embedded in presidential coalition-building, especially because the President requires legislative support to maintain policy stability. Comparative experience from Singapore, Germany,

Chile, and Uruguay shows that the decisive issue is not whether ministers are partisan or non-partisan, but whether they possess substantive competence, integrity, and genuine accountability. A minister from a political party may still perform professionally if supported by clear qualification standards, institutional checks, and transparent accountability mechanisms. Conversely, a non-partisan minister may still fail if appointed without adequate competence, ethical commitment, or public accountability. Therefore, the more appropriate institutional model for Indonesia is a hybrid cabinet model that combines political representation with technocratic professionalism. This model requires at least three legally enforceable mechanisms: mandatory professional qualification standards for ministerial appointments, a binding coalition governance framework that regulates the relationship between political accommodation and public responsibility, and a merit-based cabinet composition standard that ensures ministerial formation is connected to functional necessity rather than merely coalition distribution. Reforming Law No. 61 of 2024 is therefore necessary to strengthen jurisdictional clarity, limit excessive ministerial expansion, and establish a more objective, rational, and professional basis for organising state ministries within Indonesia's constitutional system.

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