

## Reconstruction of regional election regulation post-1945 constitution amendment in Indonesia based on justice value

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### Abstract

One of the weaknesses of Democracy is that the very concept that supreme power is in the hands of the people themselves. Because as can be seen in Indonesia, this concept makes the election of regional heads also carried out by the community. As can be seen in the general elections held in 2019, where the public was asked to elect leaders from the central to the regions, it actually caused ineffectiveness in terms of time and cost. The problem in this research is What are the weaknesses of the Regulation of the Election of Regional Heads Post-1945 Constitution Amendments at present and How to reconstruct them based on the value of justice. The study was conducted in the perspective of the Constructivism paradigm with the type of socio-legal research and qualitative approach methods. Data used in this research are from interviews and questionnaires supported by literature, legislation and various public documents, while the data analysis was carried out by the method of qualitative critical analysis.

The results showed that there were several weaknesses that were found by the author in the implementation of the post-conflict of Regional election, First, the amount of the Option that must be chosen in the Direct Regional Election. Second, the emergence of tension and social insecurity in the elections. Third, the direct Regional elections gave birth to corrupt regional heads as they are directly chosen by the community, not by the central government. Fourth, when compared to the implementation of regional elections abroad through the Regional People's Representative Council or DPRD, such as Australia, the United Kingdom, or the United States, they were still ineffective therefore Regional Head Election Regulation in Indonesia that is regulated in Perppu No. 1 of 2014 concerning the election of governors, regents and mayors in article 2 which originally contained Elections carried out democratically based on the principle of direct, general, free, secret, honest, and fair, needs to be changed to be carried out Elections democratically based on the direct principle represented by the DPRD, public, free, confidential, honest and fair.

**Keywords:** reconstruction, district head, election, justice value

### Introduction

Looking at the evolution of the democratic systems in Indonesia from Parliamentary Democracy to Guided Democracy, Pancasila Democracy and finally Democracy without Frills since March 21, 1998. Indonesians see that the Indonesian political elite do not have the political patience or political resilience to implement a system of Democracy.

According to Ikrar Nusa Bakti <sup>[1]</sup>, Indonesian citizens could tolerate the implementation of Parliamentary Democracy when President Soekarno and Vice President Mochammad Hatta appointed Sutan Sahrir as Prime Minister as an excuse to prevent the Indonesian government from becoming a Japanese puppet because Sutan Sahrir took non-cooperative action against Japan at that time.

Natsir's appointment as the new Prime Minister on 6 September 1950 ended March 21, 1951, after this motion of no confidence in parliament demonstrated the failure of early liberal democracy. There are several reasons for the fall of Natsir, which is one thing that is real Natsir as the Masumi Party leader based on modernist Islam in urban

areas does not include the PNI Party in his cabinet. Then the Sukiman cabinet government which was also from the Masumi Party but which had Javanese culture at that time included the PNI Party in the cabinet but again this cabinet fell even though PNI had been included in the cabinet. The reason for the dismissal of the Sukiman cabinet was sought for other reasons which did not focus on the cabinet's position but on the work objectives at which time the Minister of Foreign Affairs of the country, Ahmad Soebarjo was considered to have deviated from the political line of the free and active State of Indonesia, and was seen as building an alliance with the United States.

Incidental events which resulted in to an infinite instability cannot be predicted from political actions that show that the change of government in Indonesia until 1998 contains about Political Interaction so briefly. This is due to the Rivalry of power that leads to space in between in terms of Arendt a state where "A state without law, a borderless wilderness that contains fear and suspicion".

Given the fact of the power in Indonesia indicates that "politics is not born to simply die, but to start". However, even though Political actions have a definite prefix, they can never have a predictable end. Efforts to control or predict are always defeated by the nature of political action nothing

<sup>1</sup> Ikrar Nusa Bakti, (2014), DPR Yang Terbelah, Kompas. Source: <https://nasional.kompas.com/read/2014/11/03/20231821/DPR.yang.Terbelah?page=all> taken on september 2016.

can happen. Nature that is nothing happens more often than absolutely unexpected.

When complaints about the behavior of the political elite create seeds without common sense, feelings of joy, and frustration that in time will be clashed between the power and violence, so that the peak of national integration is recalculated in response to contemporary political figures according to Plato <sup>[2]</sup> to face this situation needs good people. But actually, a good person is not interested in power, because of the forcing situation, he finally plunges in power which basically means that he does not need to be pursued, but is fought for in the interests of others not because of money or honor. Therefore, how could such a state situation be categorized as an orderly and democratic situation. Such a view will reduce the real value of a system called "Democracy".

According to Campbell <sup>[3]</sup>, the danger of a democratic nation is not from an external threat, but the danger is a condition that happened in its own country. In the theory of democracy, it means that government by the people with the highest power is in the hands of the people and run directly by them or their elected representatives through a free and secret direct election system that is honest and fair.

History has proven that in the implementation of democracy in Indonesia, how Political Rivalry can become a conflict if Indonesian citizens see it in the framework of Mimetic Theory. Especially the Presidential and Vice-President Candidates, because the metaphysical desire of the triangle desire mechanism is not obvious, so unremarkable that many parties can deny that they have been infected by this mimetic outbreak.

This problem attracts the author's interest to examine further into a study with the following main issues

1. What are the weaknesses of the Regional Head Election Regulation after the Amendment of the 1945 Constitution in Indonesia?
2. How is the Reconstruction of Regional Head Election Regulation after the Amendment of the 1945 Constitution in Indonesia based on the value of justice?

### Method of Research

The paradigm that is used in the research this is the paradigm of Constructivism which is the antithesis of the understanding that lay observation and objectivity in finding a reality or science knowledge <sup>[4]</sup>. Paradigm also looked at the science of social as an analysis of systematic against *Socially Meaningful Action* through observation directly and in detail to the problem analyzed.

The research type used in writing this paper is a qualitative research. Writing aims to provide a description of a society or a certain group of people or a description of a symptom or between two or more symptoms.

Approach (approach) the research is to use the approach of *Socio-Legal* <sup>[5]</sup>, which is based on the norms of law and the theory of the existing legal enforceability of a law viewpoint as interpretation.

In this study, researchers uses data collection techniques, namely interview and questionnaire supported with literature study, interviews and documentation. In this study, the researcher is a key instrument that is the researcher himself who plans, collects, and interprets the data <sup>[6]</sup>.

### Research Result and Discussion

#### 1. Weaknesses Of The Regional Head Election Regulation After The Amendment Of The 1945 Constitution In Indonesia

Election of Regional Head and Deputy Regional Head, or often referred to as *Pilkada* or *Pemilukada* is a general election to elect Regional Heads and Deputy Regional Heads directly in Indonesia by local residents who meet the requirements. Previously, the Regional Head and Deputy Regional Head were elected by the Regional People's Representative Council (DPRD). The legal basis for organizing the elections is Law Number 32 of 2004 concerning Regional Government. In this Law, *Pilkada* (Election of Regional Heads and Deputy Regional Heads) has not been included in the General Election (Election) regime <sup>[7]</sup>.

The first local election was held in June 2005. Since the enactment of Law Number 22 Year 2007 concerning Organizers of General Elections, the regional head elections were included in the Election regime, so that they were officially named "General Elections of Regional Heads and Deputy Regional Heads" or "*Pemilukada*".

Based on Law Number 32 of 2004, participants in the General Election are candidates who are nominated by a Political Party or a combination of Political Parties. This provision was amended by Law Number 12 Year 2008 which states that participants in the General Election of Regional Heads can also come from pairs of individual candidates who are supported by a number of people. This law follows up on the decision of the Constitutional Court (MK) which canceled several articles concerning *Pemilukada* participants in Law Number 32 of 2004. Specifically in Tangerang City, Tangerang City Election or Tangerang General Election of Mayor and Deputy Mayor of Tangerang were first held by Tangerang City KPU on Sunday, October 26, 2008 (Election Day) with a total of 3 (three) candidate pairs, namely: 1). Wahidin Halim & Arief Wismansyah (Coalition of Political Party), 2). M Bonnie Mufidjar & Diedy Faried Wadjdi (PKS), and 3). Iset Sadeli Ha-san & KH Mahfud (Individual Candidate Path). After winning the General Election of Tangerang Mayor and Deputy Mayor - based on the Decree of the Minister of Home Affairs - Mr. H. Wahidin Halim and H. Arief R Wismansyah were appointed as Mayor and Deputy Mayor of Tangerang for the period 2008-2013 on Sunday, November 16, 2008 by the Governor of Banten Province, Ibu Hj. Ratu Atut Chosiah in DPRD Plenary Session Room, Gd. Government Center Lt. 3 Jl. Satria Sudirman No. 1, Tangerang City <sup>[8]</sup>.

Law Number 22 Year 2007 concerning Election Organizers mentions that the General Election of Regional Head

<sup>2</sup> Plato, in Michael, Tomy. (2020). BENTUK PEMERINTAHAN PERSPEKTIF OMNIBUS LAW. Jurnal Ius Constituendum. 5. 159. 10.26623/jic.v5i1.1749.

<sup>3</sup> Campbell in, Mohd Nizah, Mohd Azmir. (2020). Demokrasi Perwakilan & Perlembagaan. 5. 82-86.

<sup>4</sup> Faisal, (2010), "Menerobos Positivisme Hukum", Rangkang Education, Yogyakarta.

<sup>5</sup> Johnny Ibrahim, (2005), "Teori dan Metodologi Penelitian Hukum Normatif", Bay media, Surabaya.

<sup>6</sup> L. Moleong, (2002), "Metode Penelitian Kualitatif", PT Remaja Rosdakarya, Bandung.

<sup>7</sup> Hrp, Adewiyatun & Pulungan, Rohayani & Suryani,. (2019). PROSES PEMILU DAN PILKADA. 10.31227/osf.io/kwsvf.

<sup>8</sup> Chaniago, Pangi. (2016). Evaluasi Pilkada Pelaksanaan Pilkada Serentak Tahun 2015. Politik Indonesia: Indonesian Political Science Review. 1. 196. 10.15294/jpi.v1i2.6585.

Election is an " Direct Election of Regional Head and Deputy Regional Head based on the Unitary State of the Republic of Indonesia according to the Pancasila and the 1945 Constitution of the Republic of Indonesia ". However, since the enactment of RI Law No. 15 of 2011 concerning Election Organizers, the term *Pemilukada* is elaborated directly so that it becomes "Election of Governors, Regents, Mayor and vice Mayor chief's election to elect governors, regents and mayors in a democratic fashion in the Republic of the Republic of the Republic Indonesia is based on the Pancasila and the Basic Law of the Republic of Indonesia in 1945 ".

For the implementation of RI Law Number 15 of 2011, specifically regarding the Election of Governors, Regents and Mayors, it has not been followed by changes in other laws and regulations that are closely related to the issue, among others; RI Law Number 32 of 2004 and its amendments, PP Number 6 of 2005 and its amendments, and KPU Regulations. Only one of the KPU regulations on *Pemilukada* in 2012 has been established, namely: KPU Regulation Number 9 of 2012 concerning Technical Guidelines for Nominating Regional Head and Deputy Regional Head Election. In KPU Regulation Number 9 of 2012 concerning Technical Guidelines for Nominating Regional Head and Deputy Regional Head Election.

The definition of *Pemilukada* is as follows: "General Election of Regional Head and Deputy Regional Head hereinafter referred to as *Pemilukada* is General Election to elect the Governor and Deputy Governor or Regent and Deputy Regent or Deputy Regent or Mayor and Deputy Mayor in a democratic manner within the Unitary State of the Republic of Indonesia".

The Fundamental mechanism of the elections is contained in Article 18 paragraph (4) of the 1945 Constitution which states that the Regional Head is democratically elected. This phrase "democratic" is then interpreted by the Constitutional Court as opened legal policy in the DPR, where the elections can be carried out either directly by the people or by the DPRD<sup>[9]</sup>. However, true political policy makers must be able and wisely translate these open policies based on the size and principles of greater democracy between Direct or Indirect Elections although this measure of democratic weight has actually been stated in the Academic Paper (NA).

The NA emphasized that in the context of democracy, the election of Regents and Mayors should be carried out directly by the people (direct democracy). But apparently, the NA which was composed by groups of academics and researchers was ruled out by the majority of members of the DPR.

The desire to restore the mechanism of the local elections through the DPRD is at least based on a number of main arguments, namely the savings in regional head elections, avoiding social conflicts, preventing the birth of corrupt regional heads, and comparisons of other countries. However, the basis of this argument does not stand firmly.

First, the amount of the cost of the Direct Regional Head Election can actually be saved up to 44% by holding simultaneous local elections at least for each Province. The simultaneous Regional Head election scheme has actually

also been designed in stages by the Government in collaboration with the KPU and Bawaslu until 2020.

Second, the emergence of social tension and vulnerability in the Direct Local Election cannot be separated from how the candidates for the Regional Head or the elite of the Political Party behave and set an example to their supporters. Therefore, the conviction that voters are not ready to take part in the Direct Regional Head Election is a misdirected accusation. Political Party elites should point their nose first to improve their attitude towards their actions which often provoke the supporters or intervene the bureaucrats. Third, the reason that the direct Regional Head election gave birth to a corrupt Regional Head is also not entirely correct. Citing the results of the study and official data of the Corruption Eradication Commission (KPK)<sup>[10]</sup>, as much as 81% of corruption involving the Regional Head and being handled by the KPK is an act against the law and abuse of authority that cannot be separated from the consequences of the implementation of the Decentralization system. This means that returning the elections through the DPRD also does not guarantee that corruption by the Regional Head will be reduced. On the contrary, the results of the study show that the mechanism of regional head elections through the DPRD will fertilize the potential for structural and collusive corruption between Regional Heads and DPRD members. Because, the fate of electing the Regional Head will move from the people as voters into the hands of the DPRD members fully.

Fourth, comparing the implementation of local elections abroad through the DPRD, such as Australia, the United Kingdom, or the United States, is a forced argument. No simplification of comparisons can be made between Indonesia and the developed countries. The differences in the party system with the two-party system, differences in some Parliamentary systems, differences in the concept and authority of the federal state, and other factors, making the comparison of the two regional elections system is like comparing "oranges with apples". Moreover, some regions in these countries also implement Direct Election. Britain for example, as if there is a change in the local election system, it must be initiated through a local referendum from, for, and by their respective local citizens.

## 2. Reconstruction of Regional Head Election Regulation After the Amendment of the 1945 Constitution in Indonesia Based on the Value of Justice

The most important change in the history of regional head election system is the legalization of Law Number 32 of 2004 as this system admitted the Regional Direct Election (*Pilkada*), which makes the community elect the Governor, Regent and Mayor, together with their representatives, which was the implementation of the Fourth Amendment to the 1945 Constitution.

This assumption is a long-awaited progress that has been warmly welcomed, many say that this is an implementation of real democracy in Indonesia. However, from various implementations carried out by the government in the perspective explained in chapter IV, it turns out that the readiness of the elite and local people is still limited and causes various problems around the Direct Regional

<sup>9</sup> Adi Syaputra, Muhammad & Sihombing, Eka. (2020). Relasi Aspek Sosial dan Budaya dengan Politik Hukum Pemilihan Kepala Daerah Langsung di Indonesia. *Jurnal Penelitian Hukum De Jure*. 20. 205. 10.30641/dejure. 2020.V20.205-220.

<sup>10</sup> Sosiawan, Ulang. (2019). Peran Komisi Pemberantasan Korupsi (KPK) Dalam Pencegahan dan Pemberantasan Korupsi. *Jurnal Penelitian Hukum De Jure*. 19. 517. 10.30641/dejure. 2019.V19.517-538.

Election, until the simultaneous Local Election policies have been implemented causing a large-scale horizontal conflict with the emergence of new patterns of gaining votes, namely the use of the ethnicity, religion, race and class division hence known as Sara Political<sup>[11]</sup> method and the emergence of methods of panning with religious intolerance, such as the Regional Election in DKI 2017. The tendency to increase disputes at the beginning and after the elections drains the energy of national unity. The new provisions on the simultaneous local elections are still seen as the dynamics and learning of democracy, but if this system is left and maintained as learning, the direction of democracy is displaced by anarchy of voice panners. If not, then the direction of the development of democracy in Indonesia, the edge of the nation's disintegration edge then it is necessary to develop the democratic potential of Pancasila, which is directed at the new system, i.e. Election based on justice by reviving the Indirect Election system.

The answer to the formulation of the problem which concerns a number of issues related to the elections, according to the author based on his research are closely related to the problem in terms of developmental theory, based on the space and time of the elections held as In regard to the weaknesses of the Regional Head Election After the Amendment to the 1945 Constitution of the Republic of Indonesia currently becomes a historical perspective on the development of the regional election debate.

Whereas the second issue which needs to be analyzed is, What is the ideal reconstruction of the election of the Regional Head Post Amendment of the Republic of Indonesia in 1945 based on the value of justice is the establishment of a democracy itself, that is the ability of the Legislative Institution to form a strong system in determining the succession of Regional Leaders, which must definitely benefit the State, which can be seen from the aspect of budgeting. The author's analysis in this case is more directed at the system choice model that does not cost the State high and drains the struggle for democracy for its people.

Based on the above analysis, the Regional Head Election Regulation in Indonesia which is regulated in Perppu No. 1 of 2014 concerning the election of governors, regents and mayors in article 2 which originally contained Elections carried out democratically based on the principle of direct, general, free, confidential, honest, and fair needs to be changed to Elections carried out democratically based on the direct principle represented by the DPRD, public, free, confidential, honest, and fair.

The results of the analysis of the development of the implementation of the General Election as the implementation of democratic reform era which in the argument argument as the basis for the concept of a democratic Local Election, can be seen from the 1999 Elections, the 2004 Elections and the 2009 Elections, it appears that the quality of the process and the results have declined. The 2005-2008 regional elections actually placed voters as objects of money politics. But the path of democracy has been chosen, so it is more realistic to continue to improve the process of organizing elections

rather than replacing the direct election with other mechanisms.

What are the weaknesses of the Regulation of the Election of Regional Heads Post Amendment to the 1945 Constitution of the State of the Republic of Indonesia at the moment are the existence of professional election organizers is at stake for the upcoming simultaneous local elections. This is because the professionalism of the election apparatus from time to time is always a record. The simultaneous local election situation simultaneously tests the credibility of the Election Commission/ KPU and Regional Election Commission/KPUD. Besides there must be immunity from tickling political parties supporting candidates, some of which are still beset by technical internal conflicts, the KPU / KPUD must also prepare a variety of complex Regional Election devices, ranging from technical regulations to the preparation of logistics covering all stages of the *Pilkada*. Compared to the relatively uniform national elections, the simultaneous local elections are far more complicated because they involve 269 regions, each of which varies, both from the number of competing candidates and the party / coalition of parties that carries it.

It is a common knowledge according to the author, that the power of money becomes the most important thing in the affairs of prospective regional heads participating in the elections. Moreover, it is often heard that there exists things like 'dowry' that a candidate must give to political parties in order to advance in the elections. Dissemination of the dangers of money politics has become a culture in the elections and If the money politics in the 2015 elections is still rampant, it means that our democracy is no better than the previous years, and the hope to choose a qualified leader will not occur.

After the enactment of Law No. 10 of 2016 concerning the Second Amendment to Law No. 1 of 2015 concerning the Establishment of Government Regulations in lieu of Law Number 1 of 2014 concerning the Election of Governors, Regents and Mayors to become Laws, The Simultaneous Local Election began to be implemented as a legal instrument in the current succession / succession system of regional leaders.

The simultaneous local election which has only been running for two years, has created a new phenomenon in the technique of panning for votes, where previously the technique for panning for votes considered cheating and prohibited was using the Money Politics model, But in its development although money politics is massively carried out in one of the techniques to gain votes by the candidates (governor candidates and regent candidates / mayor candidates), the output and input are not balanced with the results of the votes obtained by the amount of money spent.

This problem, as based on the results of the author's research as described in advance is related to the intelligence level of the voters and because the level of quality of people's maturity in democracy is increasing. Now since the inception of the Simultaneous Local Election, the pattern has begun to shift from money politics, namely by using SARA Politics, Election of regional heads will be held simultaneously<sup>[12]</sup>.

Inaugurated by the KPU in April 2015, it is planned that the

<sup>11</sup> Effendi, Muhamad & Syafrudin, Iqbal. (2020). Peralian Agama Pada Pilkada DKI Jakarta Tahun 2017. Jurnal Ilmiah Mimbar Demokrasi. 19. 12-27. 10.21009/jimmd.v19i02.14528.

<sup>12</sup> Lestari, Dina. (2019). Pilkada DKI Jakarta 2017: Dinamika Politik Identitas di Indonesia. JUPE: Jurnal Pendidikan Mandala. 4. 12. 10.36312/jupe.v4i4.677.

elections will be held simultaneously in three waves. The first wave, 9 December 2015, is intended for regional heads entering the end of the 2015 term and first semester of 2016. The second wave is scheduled for February 2016 for regional heads whose term ends in the second semester of 2016 and 2017. While the third wave will terminate the Governor and the Regent does not need to resign since advancing to become a candidate for regional head, just leave. So, it should also be applied to members of the DPR, DPD, and DPRD to advance as candidates for regional head. PKS Faction is worried that there is a potential for abuse of authority, so the more likely is the Governor, Mayor and other executive positions. Even so, the revision of the Election Law was finally passed. In the Election Law that was passed, there were 21 points of change. The following points are: 1. Article 7 regarding the nomination of letter s and letter t: Stating in writing the resignation as a member of the DPR, DPD and DPRD, and as a member of the TNI, Police, Civil Servants and the village head since being determined as a candidate for the election participant. 2. Article 9 Duties and authorities of KPU point a. Prepare and stipulate PKPU and election technical guidelines after consulting with the DPR and the government in the RDP whose decisions are binding. 3. Article 10 paragraph b1: The KPU immediately implements Bawaslu recommendations and or decisions regarding election administration sanctions. 4. Article 16 paragraph 1a: selection of PPK members is openly carried out with due regard to the competence, capacity, integrity and independence of prospective PPK members. 5. Article 19 paragraph 1a: selection of PPS members is carried out openly with due regard to the competence, capacity, integrity, and independence of prospective PPS members.

held in June 2018, intended for regional heads whose end of office will fall in 2018 and 2019. Furthermore, the fourth wave of simultaneous local elections will be held in 2020 to re-elect regional heads from the 2015 elections. The fifth wave of local elections is in 2022 for the 2017 regional head results and lastly, the sixth wave will be carried out in 2023 for regional heads as a result of the 2018 elections. Based on this stage, the scenario going forward, the simultaneous local elections are expected to be carried out in 2027. These stages bring legal consequences to excesses, which are carried out by the government in seeking regional Head election as a momentum to elect regional heads, both provincial and district / city, massively, organized and structured, imbued with the effects of disintegration and brought the country into a contraction between identity politics and communal-regional territories widened and the recovery was costly.

Based on the explanation above, the arguments of the importance of the existence of Indirect Local Election according to the author are : This system is more efficient than the Direct Regional Election which drains a budget up to hundreds of billions of Rupiah. The more efficient system is believed to reduce the level of corruption, because so far with the general election system it allows the elected regional heads tend to be corrupt to return the capital spent to become regional heads.

With the election model through its representatives in the DPRD, the elections that will be held in DPRD's meeting rooms are clearly closed to public participation. This is in accordance with the Republic of Indonesia's Philosophy based on Pancasila (The Five Principle). Which is included

in paragraph 4.

The Indirect Regional Election Model must be immediately orientated by placing Election Organizers in the regions and removing transactional political potential between the regional head candidates and the DPRD. The 1945 Constitution of the Republic of Indonesia, Chapter VI Regional Government, Article 18 paragraph (4): "Governors, Regents and Mayors as Heads of Provincial, Regency and City Governments shall be democratically elected".

There are two conditions that are taken into consideration in the issuance of Law Number 22 Year 2014 concerning the Election of Governors, Regents and Mayors, namely; First, the amount of costs incurred by regional head candidates, so that it triggers corrupt behavior when the candidate is chosen as the winner.

Costs incurred by the candidate are budgeted by the organizer taken from the cost of implementing regional head elections issued from regional government treasury through regional budget; Costs of Regional Head candidates to obtain Recommendations as Regional Head candidates by Political Parties. Costs to form a supporting party success team. Other costs that should not be needed but the fact is making a scourge of all candidates for the Regional Head.

### Conclusion

1. There are several weaknesses found by the author in the implementation of the regional head election, First, is the amount of the cost to held the Direct Regional Head Election. Second, the emergence of tension and social insecurity in the elections. Third, the direct Regional Head elections if not controlled may gave birth to corrupt regional heads. Fourth, when compared to the implementation of regional elections abroad through the DPRD, such as Australia, the United Kingdom, or the United States, they were proven to be still ineffective.
2. Regional Head Election Regulation in Indonesia as regulated in Perppu No. 1 of 2014 concerning the election of governors, regents and mayors in article 2 which originally said that : Elections carried out democratically based on the principle of direct, general, free, secret, honest, and fair, needs to be changed or reconstructed in to : Elections are carried out democratically based on the direct principle represented by the DPRD, general, free, confidential, honest and fair.

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