



Reconstruction of regulations for the election of governors, regents, and mayors in Indonesia based on the value of justice

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Abstract

Democracy is built upon the involvement of the community in choosing its leaders. Indonesia, as a democratic nation, mandates the constitutional election of regional leaders in Article 18, paragraph (4) of the 1945 Constitution. This includes the election of Provincial and District/City Heads through democratic means. Currently, the election of regional leaders is carried out through direct methods. The current situation is marked by a debate between those who advocate a shift towards an indirect election system and those who wish to maintain the current direct approach. This research aims to identify the strengths and weaknesses of the current Regulation on the Election of Regional Heads and to propose a reconstruction of the regulations for future regional elections based on the principle of justice. This research employs a type of empirical normative legal research, which involves the study of both secondary and primary data. Primary data is collected through interviews and observations, while secondary data is obtained through literature reviews. The collected data is then analyzed qualitatively in a descriptive manner. The theoretical frameworks applied in this research include theories of justice, legal system, democracy, and legal regulation reconstruction. The research findings indicate that the current regulation of the direct election of regional heads by the people is not inherently just, as it often leads to issues such as vote-buying, weak law enforcement, high costs, and horizontal conflicts among supporters of different regional head candidates. Therefore, it is proposed that the regulation of regional head elections be reconstructed to an indirect system. Under this proposal, the Governor would be appointed by the President from among the candidates nominated by the Regional Legislative Council (DPRD) at the provincial level, as provinces are extensions of the central government. Meanwhile, District and City Heads would be elected by the DPRD at the district/city level, as regional autonomy is exercised at the second-tier level. This reconstruction of regulations, both legally and sociologically, aligns with Article 18, paragraph (4) of the 1945 Constitution and aims to mitigate horizontal conflicts in society while philosophically promoting the value of justice.

Keywords: Regulation, reconstruction, regional elections, justice

Introduction

Background

The election of regional leaders is a manifestation of democracy and will be established through the participation of the community in choosing its leaders. Indonesia, as a democratic country, constitutionally mandates the election of regional leaders in Article 18, paragraph (4) of the 1945 Constitution. The term "democratically" is not further explained by the 1945 Constitution, leading to two interpretations: whether regional head elections are carried out directly by the people or indirectly through the Regional Legislative Council (DPRD). Law Number 1 of 2015, as amended by Law Number 10 of 2016 regarding the Election of Governors, Regents, and Mayors, states that regional head elections are conducted directly. Currently, the direct election of regional leaders has prompted debates, with some advocating for an indirect system and others wanting to maintain the status quo ^[1].

Previous research has shown that changes in the type, system, institutional arrangements, and oversight systems of elections in Indonesia, from the time of independence to the present day, confirm the legal system theory that changes in the legal and political aspects of election organizers are influenced by legal substance, legal structure, and legal culture that exist in each era of governance. Examining the institutional design of the current election organizers in relation to the simultaneous implementation of elections in 2024, a reconstruction of the legal politics of election

organizers based on ideal democratic values is necessary. This reconstruction involves considering the roles and responsibilities of the General Election Commission (KPU), the organization of provincial and district/city-level KPUs, election funding, and community-based oversight, as well as transforming the Election Supervisory Body (Bawaslu) into an election court ^[2].

The research findings reveal that (1) the selection of KPU members should be transparent, independent, and professional, including the formation of a member selection team. (2) The authority of the KPU in supporting institutional strengthening is achieved through the design of a permanent, national KPU with specific authority in budget management and regulatory empowerment. (3) The ideal concept of institutional strengthening for general election organizers by the General Election Commission is through the enhancement of human resources, budgeting, infrastructure, and regulatory authority. The author suggests that transparency, independence, and professionalism should be upheld in the appointment of KPU members. The establishment of an integrated election court to handle election disputes is also necessary. Strengthening human resources, infrastructure, budgeting, and regulatory authority is essential for quality elections ^[3].

Another crucial issue to be addressed in this research is building a system of regional head elections that ensures fair competition and high public trust in its implementation. This issue encompasses how to anticipate illegal practices in

regional head elections, such as smear campaigns and money politics, which are prevalent and undermine the true values of law and democracy. According to Jimly Asshiddiqie, the ideal standards of behavior in today's political life in various countries no longer rely solely on measures of certainty, justice, and legal utility based on the principles of the rule of law but are idealized to be more ethically grounded (rule of ethics). Thus, the key to building an integrity-based democracy lies not only in formalistic and procedural elections but also in ethical considerations to enhance the logic of law for substantive justice^[4].

Direct elections of regional leaders by the people, as observed, have not fully embodied honesty and justice. According to Anwar Usman, the Chairman of the Constitutional Court during a keynote lecture at the inauguration of the smart board mini court room and national seminar titled "Challenges in Achieving Electoral and Regional Head Elections Justice in 2024" on February 17, 2023, at Sultan Agung Islamic University (Unissula) in Semarang, Central Java, achieving justice in the 2024 general elections and simultaneous regional head elections is a formidable challenge that is not easy to overcome. For complex democracies like Indonesia, it cannot be denied that election processes are often marred by various forms of cheating and injustice. This occurs due to unbridled political ambitions and desires, often sidelining values, principles, and procedures. Sometimes, the people, as the sovereign owners, become victims of electoral fraud^[5].

In response to this fact, according to the Chairman of the Constitutional Court, various adjustments and changes in perspective are needed regarding political decisions and justice. A comprehensive perspective on substantive justice throughout the entire election process, from initial registration to the declaration of winners, is required. Achieving electoral justice also means maintaining a healthy and civilized national politics. Therefore, election organizers, law enforcement, and the public have a duty to uphold the 1945 Constitution with enthusiasm and compete for the common good to realize just elections^[6].

The Chairman of the Constitutional Court's statement above indicates that direct elections of regional leaders by the people have not fully embodied the value of justice. This is because regional head elections are still marred by irregularities committed by organizers, political party bureaucracies, and certain regional head candidates that contradict prevailing laws and regulations^[7].

One such form of irregularity is the practice of money politics, such as vote-buying and large-scale campaigns carried out by certain regional head candidates through their powerful campaign teams. This phenomenon is also exacerbated by the weak enforcement of the law by Bawaslu and its partners, who should act against those involved in vote-buying but are often unable to do so. Generally, people believe that irregularities occur, but there is almost no disqualification of regional head candidates. This is because Bawaslu and regional election organizers at the village, sub-district, district/city, and provincial levels show bias. This bias occurs because the candidates who engage in irregularities (money politics) are influential and well-funded, backed by financiers^[8].

Political parties in the Red and White Coalition, including Gerindra, PAN, PPP, PKS, PBB, and Golkar, have proposed eliminating direct regional head elections and returning to the system where regional heads are elected by members of

the Regional Legislative Council (DPRD), as was the case before the reform era. According to the Red and White Coalition, which holds many seats in parliament, direct regional head elections are costly and promote money politics. However, non-governmental organizations such as the Association for Elections and Democracy (Perludem) have argued that the weaknesses in direct regional head elections should not be a reason for their elimination. Direct elections of regional heads by the people should be maintained with improvements to address existing weaknesses. Direct regional head elections have generated valuable insights^[9].

Objectives

1. To understand and analyze the regulations governing the election of Governors, Regents, and Mayors in foreign countries and in Indonesia at present?
2. To analyze the reconstruction of regulations governing the election of Governors, Regents, and Mayors in Indonesia based on the value of justice?

Research methodology

The research approach in this study uses a juridical-normative method, with secondary data sources obtained through literature reviews, including primary legal materials such as regulations and other rules, secondary legal sources like literature books, research findings, and other sources obtained through selected internet media, as well as tertiary legal sources like legal dictionaries and encyclopedias. The data obtained are then analyzed using a qualitative descriptive method.

Results

1. Regulations for the Implementation of Regional Head Elections in Indonesia and Several Other Countries

Related to the policy of choosing a direct election system in the election of regional heads, it is inseparable from the enactment of Law Number 22 of 2003 concerning the composition and authority of the People's Consultative Assembly, the People's Representative Council, the Regional Representative Council, and the Regional People's Representative Council^[10].

In Law Number 22 of 2003, it is stipulated, among other things, that the authority and function of the Regional People's Representative Council (DPRD) are to hold the regional head accountable and to appoint the regional head. With the removal of the function of appointing regional heads by the DPRD, it means that the term "democratic election" in Article 18 paragraph (4) of the 1945 Constitution refers to direct elections by the people^[5].

Although direct elections are seen as having positive implications in terms of legitimacy and representation, the phrase "elected democratically" as referred to in Article 18 paragraph (4) of the 1945 Constitution cannot be singularly interpreted as direct elections. Indirect or representative elections can also be considered democratic if the election process is carried out democratically. This understanding is since the Republic of Indonesia, based on the 1945 Constitution, recognizes and respects special or autonomous regional government units, as regulated in Article 18B of the 1945 Constitution^[11].

Regarding the election of regional heads (Governors, Regents, and Mayors), it has been a long and contentious political journey marked by tug-of-war between the interests

of political elites and the will of the public, as well as the interests of the central and regional governments, whether regional heads should be directly elected by the people or through the DPRD. The controversy surrounding the election of regional heads continues to be a subject of debate, considering that the 1945 Constitution does not regulate it.

The amendments to the 1945 Constitution have brought about quite fundamental changes to Indonesia's constitutional system. One of the significant changes in the amendment of the 1945 Constitution is related to the appointment of regional head positions, as stipulated in Article 18 paragraph (4) of the 1945 Constitution, which states, "Governors, Regents, as heads of regional governments in provinces, regencies, and cities are democratically elected." However, this provision does not explicitly state that Governors, Regents, and Mayors must be elected through direct elections^[11].

According to Jimly Asshiddiqie, the term "elected democratically" is very flexible and can encompass both direct elections by the people and indirect regional elections conducted by the DPRD. Then, Suharizal, based on the provisions of Article 18 paragraph (4) of the 1945 Constitution, raised several points as follows:

1. The election of regional heads is not required to be done through direct elections by the people or by the DPRD.
2. The phrase "elected democratically" cannot be interpreted to mean that the recruitment of candidate pairs is the exclusive prerogative of political parties as one of the institutions responsible for political recruitment in the appointment of public office.
3. The formulation of Article 18 paragraph (4), which resulted from the second amendment (Year 2000), can be interpreted in the same way as the election procedures and regulations as stipulated in Article 22E of the 1945 Constitution, which resulted from the third amendment (Year 2001).
4. Article 18 paragraph (4) only requires that the regional head (Governor, Regent, Mayor) be elected democratically, while Deputy Governors, Deputy Regents, and Deputy Mayors are not required to be elected as a single ticket with the regional head.

After the ratification of Article 18 paragraph (4) of the 1945 Constitution, the phrase 'chosen democratically' has sparked debate. Some argue that local elections (Pilkada) do not need to be conducted directly by the people, while others believe that the true meaning of 'chosen democratically' is through direct elections by the people (one man one vote). This means there are two interpretations of the phrase 'chosen democratically' in Article 18 paragraph (4) of the 1945 Constitution. First, the election of regional leaders through direct voting by the people, and second, the election of regional leaders can be done by the Regional People's Representative Council (DPRD)^[12].

However, if we refer to the minutes of the session of the People's Consultative Assembly (MPR) as the institution authorized to formulate the provisions of Article 18 paragraph (4) of the 1945 Constitution, there is an agreement that the election of Governors, Regents, and Mayors must adhere to democratic principles. Furthermore, the framers of the Constitution or the Basic Law agreed that the system for electing regional leaders should be flexible,

adaptable to the diverse situations and conditions in different regions. However, the democratic principle must be maintained^[13].

The background of the formulation of Article 18 paragraph (4) of the 1945 Constitution at that time was to adapt the election system to the development of society. The people were given the choice to choose between a representative system (through DPRD) or direct election by the people. The aim was to provide flexibility to the people in determining the system of regional leader elections that matched their preferences and local conditions. This also reflects respect for the diversity of customs and cultures in various regions.

According to Samuel Humes and Eileen Marten, the diversity of the appointment mechanisms for regional leaders has been recognized and practiced in various countries around the world. These mechanisms include appointment by the central government, selection by the council, election through general voting, and appointment by the council. The administration of regional governance, both in Indonesia and in many other countries, generally uses one of these three mechanisms to select the executive head, whether it be through direct election by the people, indirect election by the council, or appointment by the central government^[14].

In short, the mechanism for filling executive positions is generally followed in many countries and has a significant impact on the role of regional leaders, whether appointed by the central government, the council, or elected by the people. The choice of this mechanism is one of the determinants of the level of government representation and accountability to the people.

In recent times, there has been a practice where central governments appoint executive heads, while at the city level, there is a trend that over the past century, all executive heads are elected. Meanwhile, the transition from appointed governors to locally elected ones has been slower.

Many of the executive heads appointed by the central government are civil servants from the central government. In many countries, regional executive heads are appointed by higher-level units and are not central government officials. They often have administrative or political experience.

In Scandinavian countries, provincial governors are officials of the central government. Their appointment by the central government allows the central government to intervene in all areas of local authority.

In some Asian and African countries that were previously part of the British Empire, such as India and Sudan, it is common for central government-appointed officials to become regional executive heads. Previously, the common practice was for district executive heads to become ex-officio chairpersons of urban municipal councils. This arrangement places executive heads in a strong position to influence decisions or policies in local government, especially since district administrative staff often perform administrative tasks at the local level. Supporters of this system coordinate with local activities and district units to eliminate duplication of functions. Administrators appointed to become city executives in Sudan and India are generally civil servants assigned to the city. Civil servants who become executive heads have special rights as civil servants, and in India, these officials do not simultaneously serve as council chairpersons^[15].

In Malaysia, executive heads from the central government also serve as District Officers and chairpersons of local councils. Furthermore, in Sweden, local government consists of 21 provinces, each with a Provincial Administrative Board representing the central government at the provincial level, headed by a State Governor appointed by the central government.

In the Netherlands, the appointment of mayors seems to be dominated by considerations of administrative ability and politics. Appointments are made through royal decrees, enforced by the Cabinet or the Minister of the Interior in consultation with the provincial governor, who usually plays an initiating role. An effort is made to identify individuals who are administratively competent and politically loyal, allowing them to work easily as executive heads alongside local councils^[16].

In Spain, mayors of municipalities with fewer than 10,000 inhabitants are appointed by the provincial governor, while mayors of larger cities with more than 10,000 inhabitants are directly appointed by the Minister of the Interior. Almost always, the position of mayor and the position of local party leader are held by the same person.

In the Canadian province of Ontario, Lieutenant Governors are appointed by the Governor General on the recommendation of the Prime Minister and the Federal Government Cabinet. Appointments are made for terms of no more than 5 years, and the Lieutenant Governor receives a salary from the federal government. The Lieutenant Governor cannot be dismissed before 5 years, except for reasons that must be communicated to the Senate and the House of Commons.

Local executive heads appointed by the council have many advantages, including (i) having a reasonably secure term, meaning the council cannot remove or dismiss the executive head during their term, ensuring continuity of local unit programs and policies; (ii) being experts in governance and bureaucracy; (iii) holding a respected and prominent position among council members; (iv) having close relationships with central government officials, which positions them favorably to know what will be approved by higher authorities; (v) being able to act as effective communication intermediaries between the central government and the local area; (vi) remaining unaffected by local political ups and downs, allowing them to withstand party disputes and local politics; and (vii) having relatively minimal appointment costs because they do not need to go through a lengthy and complicated process.

Despite the advantages, local executive heads appointed by the council also have disadvantages, including (i) vulnerability to a lack of support from the local council in implementing their programs; (ii) lacking high legitimacy among the people in the led area, often conflicting with the will of the people they lead; (iii) tending to depend on and be influenced by the central government in decision-making; and (iv) being prone to intervention by the central government^[17].

2. The reconstruction of the election of Governors, Regents, and Mayors in Indonesia based on the value of justice

The development of the election of regional leaders, namely governors, regents, and mayors in Indonesia, has been quite dynamic from the time of Indonesia's independence to the present day. The dynamics of regional election laws have

changed over time in response to the evolving demands of society and the political climate of each era. Changes in the system of regional leader elections in Indonesia are marked by the enactment of various regulations related to local governance.^[18]

Since Indonesia's independence on August 17, 1945, provisions related to local governance outlined in Article 18 of the 1945 Constitution have led to the enactment of several laws, including Law Number 1 of 1945 on the Regional National Committee (Komite Nasional Daerah or KND), Law Number 1 of 1957 on the Fundamentals of Regional Governance, Law Number 18 of 1965 on the Fundamentals of Regional Administration, and Law Number 5 of 1974 on the Fundamentals of Regional Governance.

Law Number 1 of 1945 is considered the first regional governance law in Indonesia since its independence. This law regulated the appointment of regional leaders by the central government. However, according to Law Number 22 of 1948, provincial, district, and city regional leaders were appointed by the President from candidates nominated by the Regional People's Representative Councils (DPRD). The DPRD had the authority to propose the removal of a regional leader to the central government. Nevertheless, from Law Number 1 of 1957 to Law Number 5 of 1974, the provisions regarding the election of regional leaders remained unchanged, which were as follows:

1. Regional leaders are elected by the Regional People's Representative Councils (DPRD).
2. Regional leaders at Level I are appointed and dismissed by the President.
3. Regional leaders at Level II are appointed and dismissed by the Minister of Home Affairs from candidates nominated by the respective DPRD.

During the New Order era, the selection of regional leaders in Indonesia, based on Law Number 5 of 1974, was characterized by centralization and tended to be authoritarian in practice. Although regional leaders were supposed to be elected through the Regional People's Representative Councils (DPRD), in practice, it was controlled by the central government, limiting the development of democracy^[5].

The end of the New Order regime marked the beginning of the Reform Era, during which Indonesia underwent significant changes in its state structure, including amendments to the 1945 Constitution, which is the country's constitution. One of the key changes was related to the appointment of regional leaders, as stated in Article 18 paragraph (4) of the 1945 Constitution, which declared that Governors, Regents, and Mayors, as the heads of provincial, district, and city governments, would be chosen democratically. The phrase "chosen democratically" could essentially mean either direct elections by the people or elections through the DPRD, both of which are constitutional.

Article 18 paragraph (4) of the 1945 Constitution, stating that regional leaders are chosen democratically, was interpreted by the government and the DPR as direct elections. The practice of direct election of regional leaders was embraced by Law Number 32 of 2004 on Regional Governance. However, this mechanism was later changed through Law Number 22 of 2014 concerning the Election of Governors, Regents, and Mayors. This law regulated a shift

from direct elections by the people to indirect elections through the DPRD^[19].

The mechanism for selecting regional heads through the Regional People's Representative Council (DPRD), as regulated in Law Number 22 of 2014, faced opposition from the public, as it was seen as not reflecting democratic principles. Consequently, President revoked Law Number 22 of 2014 by issuing a Government Regulation in Lieu of Law (Peraturan Pemerintah Pengganti Undang-Undang or Perpu) Number 1 of 2014. In this Perpu, it was emphasized that Regional Heads should be directly elected by the people and the election process should adhere to democratic principles, including the principles of direct, universal, free, secret, honest, and fair elections. Perpu Number 1 of 2014 was later enacted as Law Number 1 of 2015. Subsequently, Law Number 1 of 2015 was amended by Law Number 8 of 2015, which provided space for the public to directly choose regional heads according to their preferences, with the expectation of producing leaders who feel accountable to the electorate^[6].

Direct election of regional heads is one of the efforts to establish a democratic government. From the perspective of popular sovereignty, direct election of regional heads is the embodiment of returning the fundamental rights of the people to choose their leaders at the local level. In this context, the people have the agreement and sovereignty to determine their leaders directly, freely, in secret, without any interference from any party. The ideal goal of direct election of regional heads includes the election of trustworthy leaders who possess the necessary abilities, personality, and moral integrity.

According to Jimly Asshiddiqie, the term "democratically elected" is very flexible and can encompass both direct elections by the people and indirect elections through the DPRD. Furthermore, Suha Rizal, based on the provisions of Article 18, paragraph (4) of the 1945 Constitution, has raised several points:

1. The selection of Regional Heads is not required to be chosen directly by the people or chosen by the Regional People's Representative Council (DPRD).
2. The phrase "chosen democratically" cannot be interpreted to mean that the recruitment of Candidate Pairs is the exclusive prerogative of political parties as one of the institutions responsible for political recruitment in filling political positions.
3. Article 18, paragraph (4) of the 1945 Constitution only mandates that those chosen democratically are the regional heads (Governor, Regent, and Mayor), while deputy governors, deputy regents, and deputy mayors are not required to be chosen as a package with the regional heads.

The meaning of Article 18, paragraph (4) of the 1945 Constitution is that those chosen democratically are the regional heads (Governor, Regent, and Mayor). In other words, deputy regional heads (Deputy Governor, Deputy Regent, and Deputy Mayor) are not required to be chosen as a package with the regional heads.

Following the enactment of Article 18, paragraph (4) of the 1945 Constitution, the phrase "chosen democratically" has sparked debate because some argue that the election of regional heads does not need to be done directly by the people, while others say that the meaning of "chosen democratically" is a direct election by the people (one man one vote). In other words, there are two interpretations of

the phrase "chosen democratically" in Article 18, paragraph (4) of the 1945 Constitution: first, the direct election of regional heads, and second, the possibility of regional heads being chosen by the Regional People's Representative Council (DPRD)^[20].

When examining the proceedings of the People's Consultative Assembly (MPR) as the state institution authorized to formulate the provisions of Article 18, paragraph (4) of the 1945 Constitution, it is found that the framers of the constitution or the basic law did indeed agree that the election of Governors, Regents, and Mayors should be done democratically. Additionally, there was a desire among the framers of the basic law to provide flexibility to lawmakers to regulate the election of regional heads in accordance with the diverse situations and conditions of regions, if it does not contradict democratic principles. By formulating "chosen democratically," lawmakers allowed for the consideration of the most suitable mechanism for the election of regional heads.

From a philosophical perspective, the idea of direct election of regional heads is essentially a continuation of the strong desire to improve the quality of democracy in the regions. Direct election of regional heads is expected to produce credible leaders who are supported by the community^[21].

There are several important considerations for the implementation of direct regional head elections for the development of democracy in Indonesia, including:

1. Direct election of Regional Heads is a response to the demands and aspirations of the people because the elections for the President and Vice President, the National Parliament (DPR), the Regional Representative Council (DPD), Regional People's Representative Councils (DPRD), and even village chiefs have been conducted directly until now.
2. Direct election of regional heads serves as a means of learning about democracy or politics for the public.
3. Direct election of Regional Heads is the embodiment of the constitution, namely Article 18, paragraph (4) of the 1945 Constitution.
4. Direct election of Regional Heads serves to strengthen regional autonomy.
5. Direct election of Regional Heads is an essential tool for the process of national leadership cadre development.

Various opinions highlight the advantages of conducting direct elections for regional heads, which include, direct elections for regional heads are necessary to break the party oligarchy that often influences the organization of political parties in the Regional People's Representative Councils (DPRD). The interests of political parties and even the interests of party elites are frequently manipulated as collective interests of the public. Therefore, violations of the local election regulations must be objectively addressed and meet the principles of justice. In this regard, the Election Supervisory Board (Bawaslu), which is responsible for overseeing the conduct of local elections, must take a firm and fair stance in responding to reports or findings related to violations of local election laws, including cheating by candidates for regional head positions, as per the established mechanisms. Similarly, the police and the judiciary must also take a firm and fair approach in handling violations committed by candidates for regional head positions participating in local elections. Ideally, the implementation of regional head elections should be free from violations of

established regulations caused by dishonesty. Such dishonesty may occur due to factors such as money politics, election organizers favoring a particular candidate, and others^[22].

Conclusion

1. The election of Regional Heads is one of the manifestations of democracy. The election of Regional Heads as a democratic expression must be carried out with a sense of fairness in accordance with the principles of honesty and justice. The value of justice is reflected in the regulations that form the basis for the implementation of Regional Head Elections. The current regulations for the direct election of Regional Heads by the people are not fully based on the principle of justice. This existing regulation provides opportunities for irregularities, such as candidates for regional head positions engaging in money politics due to their significant campaign funds. The regulations governing direct elections of Regional Heads, from the era of reform until now, have certain weaknesses. For example, regional heads are vulnerable to the influence of investors with specific interests, significant budget allocations for conducting regional head elections, voters may become individualistic or materialistic, and there is potential for horizontal and vertical conflicts among the supporters of different candidates. Additionally, candidates often have substantial funds for campaigning.
2. Based on Article 18, paragraph (4) of the 1945 Constitution, it is necessary to reconstruct the regulations for the direct election of Regional Heads by the people into regulations for indirect elections with the following mechanism: Governors are appointed by the President from candidates proposed by the Provincial DPRD (Regional People's Representative Council), while Regents/Mayors are selected by the District/City DPRD. This indirect election method is in line with democratic principles. With this mechanism, it is possible to reduce or even prevent irregularities in the form of money politics, thus achieving the value of justice as one of the principles of regional head elections.

Suggestion

1. Law enforcement must be carried out objectively and consistently by law enforcement agencies against the regional head candidates and members of the Regional People's Representative Council (DPRD) who are legally proven to have engaged in money politics.
2. To achieve regional head elections based on the value of justice, the regulations governing direct elections of regional heads are quite urgently in need of reconstruction and replacement with regulations for indirect regional head elections, where Governors will be appointed by the President, while Regents/Mayors will be chosen by the District/City DPRD.

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