

Measuring the Effectiveness of Direct General Elections as a Means of Democracy in Regional Head Elections

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Abstract: Direct regional head elections are one of the real manifestations of democracy at the local level in Indonesia. Through this system, the community is given full rights to elect their leaders directly, without intermediaries, as a form of essential political participation. This study aims to measure the effectiveness of direct elections as a means of democracy by examining the extent to which this mechanism can create quality regional leadership, accountable, and responsive to the people's aspirations. In addition, an analysis was carried out on various challenges faced in its implementation, such as the practice of money politics, low political literacy, and the dominance of party elites. The findings show that although direct elections open up wider space for public participation, their effectiveness still depends on the quality of the organizing institutions, the regulations that govern them, and the political awareness of the community.

Keywords : Direct Elections, Local Democracy, Regional Heads

INTRODUCTION

During the New Order, the Indonesian government system was very centralistic, including regional head elections (Suriadi, 2023). Regional heads, both governors and regents/mayors, were not elected directly by the people but through an election mechanism by the Regional People's Representative Council (DPRD) which was completely under the control of the center and the ruling party at that time, Golkar (Abustan, 2022). This election process tended to be elitist and closed, thus ignoring the aspirations of the people as sovereign owners. This situation limited democratic space at the local level and distanced the people from the political process that determined the future of their region.

Such an election system created a legitimacy crisis among regional heads. Many of them were considered to have no emotional and political closeness to the people they led because they were elected not based on the direct choice of the people (Barokah, 2023). However, through compromises by political elites that often did not reflect the needs and expectations of the local community. The legitimacy of regional heads was determined more by political affiliation and closeness to the central government than by the quality of leadership or popular support (Sapphira, 2025). As a result, public accountability tended to be weak and prone to abuse of power in the regions.

The 1998 reformation was an important momentum for changing the direction of the Indonesian government system towards a more democratic, participatory, and transparent one (Putri, 2023). One of the impacts was the birth of political decentralization and regional autonomy policies that provided more space for regions to regulate their household affairs. The regional head election system also underwent a significant transformation, namely the

implementation of direct regional head elections by the people (Ridhuan, 2021). This policy is intended to strengthen the principle of people's sovereignty and create a regional government that is more legitimate, accountable, and responsive to the needs of the community.

The birth of direct regional elections is an important milestone in the history of local democracy in Indonesia, which officially began with the enactment of Law Number 32 of 2004 concerning Regional Government (hereinafter referred to as the Regional Government Law) (Muhtar, 2024). This policy replaced the regional head election system through the DPRD with a direct election system by the people. This change reflects the spirit of reform to strengthen regional autonomy and provide wider participation for the people in determining their leaders (Ulum, 2021). Direct regional elections not only change the election mechanism but also shift the relationship between the people and regional heads where regional heads must now obtain direct legitimacy from constituents in their regions.

Further regulatory developments are outlined in Law Number 10 of 2016, which is the second amendment to Law Number 1 of 2015 concerning the Stipulation of Government Regulation instead of Law Number 1 of 2014 concerning the Election of Governors, Regents, and Mayors into Law (hereinafter referred to as the Regional Election Law). This law strengthens the governance of direct regional elections by clarifying the procedures, schedules, and implementation of simultaneous regional head elections (Gunawan, 2024). The presence of direct regional elections is not only a symbol of democratic transition but also an embodiment of democratic principles such as people's participation, openness in the political process, and accountability of local power (Aermadepa, 2024). With this system, it is hoped that regional heads will be created who are not only popular but also responsible to the public who give them a direct mandate.

Direct regional elections are an important instrument in strengthening representative democracy because they provide space for the people to actively participate in determining who will lead them at the regional level (Zulaika, 2023). The people are not only the object of policy but also the subjects who have the political right to directly elect the leader who is considered most capable of representing their interests and aspirations (Basuki, 2020). This process simultaneously builds political awareness in the community and strengthens public control over the candidate leaders who will sit in the regional government seat. Thus, participation in the regional elections becomes a concrete form of the implementation of people's sovereignty.

Regional heads who are elected through a direct election mechanism gain stronger political legitimacy because their mandate comes from the majority vote of the people (Bustomi, 2023). This is in line with the theory of representative democracy which states that public power must be exercised by representatives of the people who gain trust through free and fair elections (Mukhlis, 2024). The principle of people's sovereignty is not just a constitutional jargon but is implemented through a transparent and accountable direct regional election mechanism. Regional heads are required to be directly responsible to the people, not to the political elite or representative institutions alone, thus strengthening the accountability of local power and the quality of regional governance.

Although direct regional elections are intended as an ideal embodiment of democracy, in practice they are not free from various serious challenges that can erode the values of democracy itself. One of the main problems is the rampant money politics where voters tend to have their votes "bought" through transactional practices that harm the essence of rational and ethical political participation. The low quality of political participation, especially due to the lack of political education, has led some people to choose not based on the vision and capabilities of the candidates but on the basis of pseudo-popularity, emotional closeness, or

even social pressure. Social conflicts often occur, both in the form of horizontal violence between supporters and tensions between groups that lead to social disintegration at the local level.

The inequality of access to information and resources between candidates is a serious challenge that undermines the principle of justice in democratic contestation. Candidates from the political elite or incumbents often have greater access to the media, funding, and even support from the bureaucratic apparatus, compared to independent candidates or ordinary people. The politicization of bureaucracy is also a phenomenon that undermines the neutrality of government institutions, where ASN is mobilized to support certain candidates (Pariangu, 2020).

This condition raises the critical question "Does direct regional elections truly reflect substantive democracy, namely democracy that is not only procedural but also socially meaningful, fair, and oriented towards the interests of the people at large?" Based on the background that has been described, two main problems can be formulated that are the focus of this study. First, how is the implementation of regional head elections based on laws and regulations, especially in the transition from an indirect election system to a direct election system after the reformation? Second, are direct regional head elections truly capable of being an effective manifestation of democracy, not only procedurally but also substantively, in ensuring quality political participation, accountability of power, and justice in local political contestation?

RESEARCH METHODS

This study uses a normative legal method (doctrinal research), namely legal research that is based on the analysis of written legal norms as the main study material. The approaches used include a statute approach to examine the regulations governing the implementation of regional head elections, as well as a conceptual approach to understanding the concept of democracy, political participation, and accountability in the context of direct regional elections. Sources of legal materials consist of primary legal materials such as the 1945 Constitution of the Republic of Indonesia and Law Number 10 of 2016 concerning the Election of Governors, Regents, and Mayors; secondary legal materials in the form of literature, scientific journals, and legal articles; and tertiary legal materials such as legal dictionaries and encyclopedias that support the understanding of the terminology and legal concepts used in the analysis.

RESULTS AND DISCUSSION

Implementation of Regional Head Elections Based on Legislation

The birth of the direct Regional Head Election (Pilkada) system is an integral part of the political reform agenda after the fall of the New Order regime in 1998, which was marked by strong demands to realize a democratic and accountable government (Susanto, 2023). During the New Order era, regional heads were elected by the Regional People's Representative Council (DPRD), a mechanism that tended to be centralistic and closed and opened up great opportunities for collusion and co-optation of central power over the regions. The system was considered to have failed to reflect the will of the people directly, thus causing a crisis of legitimacy and political representation in the regions. Therefore, as part of the renewal of the political system, the direct Pilkada system was born through the Regional Government Law in response to demands for reform to provide wider participation space for the people in determining their leaders directly, openly, and democratically.

The first regulation that introduced the direct Regional Head Election (Pilkada) system was the Regional Government Law. This law is an important milestone in the democratization process at the local level because it eliminates the mechanism for electing regional heads by the DPRD and replaces it with direct elections by the people (Tiansah, 2023). The law stipulates that governors, regents, and mayors are elected directly by the people through voting, as a form of implementing the principle of people's sovereignty. This law provides a legal basis for the implementation of direct regional elections and opens up wider space for people's participation so that regional heads no longer depend solely on local political elites, but on the legitimacy of the people.

The transformation of regional election regulations continued with the issuance of Law Number 22 of 2007 concerning Election Organizers which strengthened election organizer institutions such as the KPU, Bawaslu, and DKPP, and clarified their roles in organizing regional elections professionally and independently (Alaydrus, 2023). The implementation of political dynamics and several technical obstacles gave rise to the need for regulatory revisions so that Perppu Number 1 of 2014 was issued which was then ratified as Law Number 1 of 2015 concerning the Stipulation of Government Regulation instead of Law Number 1 of 2014 concerning the Election of Governors, Regents, and Mayors into Law. This revision underwent two changes until it was finally stipulated as the Regional Election Law which comprehensively regulates the process, stages, nominations, campaigns, supervision, and dispute resolution in direct regional elections. The Regional Election Law is the regulation that is in effect to this day and is the main normative reference in the implementation of regional elections as part of the democratic system in Indonesia.

The constitutional basis for the implementation of direct regional elections is expressly stated in Article 18 paragraph (4) of the 1945 Constitution of the Republic of Indonesia which states that "Governors, Regents, and Mayors as heads of provincial, district, and city governments are elected democratically (Loin, 2023)." This provision is the main foundation that provides constitutional legitimacy to the direct election system by the people as an implementation of the principle of people's sovereignty in the context of regional government. The phrase "democratically elected" in the article provides a strong space to translate regional head elections through direct community participation, not through representative institutions such as the DPRD. Although the technical mechanisms are further regulated in the law, the spirit of the constitution supports and directs the direct regional election system as a form of implementing substantive democracy at the local level.

The Regional Election Law is an important legal basis for the implementation of direct Regional Head Elections (Pilkada) in Indonesia. This law regulates various technical and substantial aspects of the Pilkada, including the procedures for nomination, campaign, the role of organizers, and dispute resolution mechanisms (Muharis, 2021). There are two paths for the nomination procedure that can be taken by regional head candidates, namely through political parties and individual paths. Article 40 stipulates that political parties or coalitions of political parties can propose candidate pairs if they meet the minimum requirements of 20% of the number of DPRD seats or 25% of the total valid votes in the last legislative election in the region. Meanwhile, for individual candidates, Article 41 requires support from residents who have the right to vote with a percentage adjusted based on the number of residents in the region and support spread across more than 50% of the district/city areas in the relevant province.

The campaign mechanism and financing are also strictly regulated to ensure openness and accountability. Although the Pilkada Law does not detail the campaign technicalities in full, its implementation is regulated through derivative regulations by the KPU which include the duration of the method and prohibitions during the campaign including the prohibition of

money politics and the use of state facilities. Campaign funds must be reported transparently and can be audited by authorized institutions to avoid abuse of funds and ensure fair competition between candidates.

The Pilkada Law emphasizes the important role of three institutions, namely the KPU, Bawaslu, and DKPP. Article 9 regulates the duties of the KPU starting from drafting technical regulations for the regional elections, coordinating the implementation of stages, to receiving reports on the results of the regional elections. Article 22B explains the duties and authorities of Bawaslu including supervising each stage of the regional elections, deciding on disputes between candidates and political parties, and imposing sanctions. Meanwhile, the Election Organizer Honorary Council (DKPP) has the authority to enforce the code of ethics for election organizers, which is important for maintaining the integrity of the institution and personnel of the organizers.

In resolving regional election disputes, there are two main mechanisms. First, disputes over results can be resolved through administrative channels at Bawaslu or Panwaslu, which are stated in Article 144 of the Regional Election Law that their decisions are binding and must be followed up by the KPU within three working days. Article 153 of the Regional Election Law states that disputes can also occur in the form of state administrative election disputes in the form of disputes between candidates and the KPU regarding decisions issued by the KPU, the resolution of which is carried out through state administrative court institutions. The mechanism is important for ensuring justice and legality in the regional election process and maintaining regional political stability.

The Regional Election Law regulates various mechanisms to ensure that regional elections are conducted honestly, fairly, and free from money politics and intervention by those in power. One way to achieve this goal is to emphasize transparency in campaign funding through the regulation of campaign fund reports that must be audited by an authorized institution. This law also stipulates a strict prohibition on money politics with sanctions for parties proven to be involved in the practice as well as strict supervision from Bawaslu which has the authority to examine and decide on election disputes including violations related to money politics. The regulation of independent candidate participation also provides wider opportunities for candidates who do not have access to large political party networks, reducing the potential for intervention of power from certain political parties or groups. The existence of regulations that regulate in detail the implementation of regional elections including sanctions and dispute resolution aims to maintain the integrity of the democratic process ensuring that the election process is not only legitimate but also can be trusted by the public.

Normatively, direct regional elections have several significant advantages. The form of this advantage is a system that provides space for direct participation for the people to determine their regional leaders by strengthening the principles of democracy and people's sovereignty. Direct elections strengthen the legitimacy and accountability of regional leaders because they are elected by the people, not by the DPR, which allows them to be more responsible to their constituents. Direct regional elections encourage the growth of an open and competitive political culture where candidates must work hard to attract the attention and support of the people which in turn improves the quality of regional politics and leadership and reduces the possibility of unhealthy political practices.

Although direct regional elections have many advantages, some of the disadvantages of this system are loopholes for money politics and manipulation. These loopholes can occur even though there have been regulatory efforts to overcome them. Regulations related to ASN neutrality and supervision of violations have not been fully effective, which makes it possible

for abuse of power in the regional election process. No less important, changes in technical provisions that often occur in election regulations can confuse regional election organizers. The impact of these shortcomings is that the smooth implementation is disrupted and the process is less stable and consistent throughout the region.

Direct Regional Head Elections as a Manifestation of Democracy

Direct Regional Head Elections (Pilkada) have had a significant impact on increasing people's political participation in Indonesia. Previously, the Pilkada system regulated by the Regional People's Representative Council (DPRD) limited the role of the community in determining regional leaders. Direct Pilkada provides an opportunity for the people to directly elect their leaders, which fosters a sense of ownership of the democratic process. This process allows citizens to not only be passive voters but also to be actively involved in electing leaders who will regulate regional policies. As a result, the level of voter participation in Pilkada has increased, reflecting greater enthusiasm for the democratic process.

The increases in participation is closely related to the growth of public political awareness. The public is encouraged to better understand their prospective leaders, the programs offered, and the implications of political decisions on daily life. This encourages voters to not only vote based on political affiliation or social identity but more on the quality and vision of the leadership of the prospective regional head. This process also provides space for the community to be involved in campaigns, political discussions, and social activities related to local politics. As a result, direct regional elections strengthen community participation in political life more deeply, both at the regional and national levels.

The impact of this increased participation also depends on the effectiveness of political socialization and voter education carried out by various parties, such as political parties, government institutions, and community organizations. The availability of adequate information about candidates, election mechanisms, and policies proposed are important factors in ensuring that community participation is not only high in number but also in quality. Direct regional elections have the potential to strengthen community political awareness, by creating voters who are more informed and responsible in choosing their leaders.

Direct regional elections make a major contribution to increasing the accountability of regional heads to the people. When regional heads are directly elected by the community, they obtain a clear mandate from their constituents which provides a strong basis for them to be responsible for decisions taken during their term of office. This election process directly links the results of policies and the performance of regional heads with support or rejection from the community because regional heads know that they can be re-elected or not depending on community satisfaction with their performance. As a result, regional heads are more likely to listen to the aspirations of the people and ensure that the policies made are by the needs and expectations of the community because they must be accountable for the results of their work to the voters who have elected them.

Direct regional elections also strengthen transparency in the implementation of regional government. Regional heads who are directly elected are more aware of the importance of reports on their performance to the community. This includes aspects of regional budget management, implementation of development programs, and responses to existing social and economic problems. The people as voters have the right to know how regional resources are used, whether policy objectives are achieved, and whether there is abuse of authority. With direct regional elections, regional heads are more encouraged to ensure that their policies can be accounted for publicly either through annual report mechanisms, public forums, or the mass media that provide access to the public to monitor their performance.

It increases in accountability is also related to the potential for public pressure on regional heads who do not work well. If the public feels that the regional head does not fulfill political promises or fails to implement promised programs, they have the right to demand accountability. Even in the long term, failure to meet people's expectations can affect the next election, where regional heads who are not accountable can lose support and fail to be re-elected. Direct regional elections provide a strong incentive for regional heads to pay more attention to the interests of the people because they know that their political future depends heavily on their success in meeting the needs of their constituents.

Direct regional elections do bring many benefits to democracy, but they also present several serious challenges, especially related to money politics. Money politics in direct regional elections can undermine the basic principles of fair and free elections. This practice often involves candidates offering money or goods to voters to gain votes, lead to a shift in voters' focus from the quality of leaders and policies they promote to momentary material incentives. It creates inequality in the electoral process where voters who are influenced by money politics can vote based on personal gain rather than on rational considerations and policies that are good for the region. Money politics not only damages the democratic process but also creates a political culture that relies on material transactions, thus reducing the essence of the election process which should be based on free choices and not influenced by material enticements.

Direct regional elections are also prone to social conflict. During the campaign and election process, regional head candidates often use an approach that relies on group identity, such as ethnicity, religion, or certain groups that can trigger polarization in society. Tensions between groups that support different candidates can create an atmosphere of hostility, both in social and political contexts. This instability often leads to violence, intimidation, or even disturbances to public order, which harms the quality of democracy itself. This kind of social conflict can reduce the level of public trust in the democratic system because they feel more divided and less guaranteed that a peaceful and inclusive environment will be created.

Another problem that arises in direct regional elections is the politicization of bureaucracy. Bureaucratic officials who should be neutral are involved in supporting certain candidates, either directly or indirectly. For example, state civil servants (ASN) who should provide objective and professional services can be influenced to support certain candidates, either openly or in more subtle ways such as using state facilities for campaigns. This politicization of bureaucracy leads to abuse of power and damages the integrity of government officials who should work for the public interest objectively. The negative impact of this politicization of bureaucracy is very dangerous because it can lead to public distrust of government institutions and damage the effectiveness of regional government itself. This also reduces the quality of democracy, because the election process becomes more influenced by unfair political power, rather than being based on rational and open elections.

All of these challenges show that although direct regional elections offer the opportunity for the public to elect leaders directly, their practice often presents problems that threaten the quality of democracy itself. Money politics, social conflict, and the politicization of bureaucracy all have detrimental impacts on both the public and the regional government system. Therefore, although direct regional elections are an important instrument in strengthening democracy, serious efforts are needed to overcome these challenges, both through strict law enforcement against the practice of money politics, improving election monitoring mechanisms, and improving the neutrality and professionalism of the bureaucracy.

CONCLUSION

The direct regional election system is regulated by the Regional Government Law and strengthened by the Regional Election Law, which is an important step in realizing a democratic and accountable government in Indonesia. Direct regional elections provide greater participation space for the people in determining regional leaders and strengthening the legitimacy and accountability of leaders. The challenges in this system are such as the potential for money politics, manipulation, and lack of effective supervision. However, stricter regulations are expected to improve democracy and regional leadership quality, although improvements and consistency are needed in the application of regulations so that the regional election process runs more transparently and fairly.

Direct regional elections have had a significant impact on democracy in Indonesia by increasing people's political participation and strengthening the accountability of regional heads to their constituents. The election process that directly involves the community not only encourages increased political awareness but also strengthens the transparency and responsiveness of local governments to the needs of the people. Challenges such as money politics, social conflict, and the politicization of bureaucracy still threaten the quality of democracy and the effectiveness of regional elections. Therefore, although direct regional elections have great potential to strengthen democracy, further efforts are needed to overcome these problems to ensure that the election process remains fair, transparent, and free from practices that damage democratic principles.

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