



Juridical Analysis of the 2024 Simultaneous Regional Elections in Realizing Regional Autonomy in Indonesia

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Abstract: The 2024 simultaneous regional elections are an important moment in the consolidation of democracy and regional autonomy in Indonesia. The election of regional heads and deputy regional heads directly, generally, freely, secretly, and honestly (Luberjurdil) is expected to be able to produce qualified leaders and be able to realize effective and efficient regional autonomy. The purpose of the research is to juridically analyze the implementation of the 2024 simultaneous regional elections in the context of realizing regional autonomy in Indonesia. This research method uses normative legal research methods with doctrinal and conceptual approaches. Primary data is obtained from legislation, secondary legal materials, and the results of previous research. Secondary data is processed and analyzed by means of interpretation and comparison. The results showed that the organization of the 2024 simultaneous regional elections has a strong legal basis, namely Law Number 23 of 2014 concerning Regional Government. The implementation of the 2024 simultaneous regional elections is an important step in realizing regional autonomy in Indonesia.

Keywords: Democracy; Regional Autonomy; 2024 Simultaneous Regional Elections.

1. Introduction

Urgency of Research on the Impact of Democracy and Political Stability Problems in Indonesia Research on the impact of democracy and political stability problems in Indonesia has a high urgency for the following reasons Impact on the Quality of Democracy Weak accountability and transparency Lead to corruption, abuse of power, and policies that are not in favor of the people. People become distrustful of the government and democratic institutions. Identity politics and polarization Exacerbate social divisions and trigger conflicts between groups. Impedes the formulation of inclusive and representative policies. Weakens social and national cohesion. Low public political participation. Causes political elites to be disconnected from the voice of the people. Policies made are not in accordance with the needs and aspirations of the people. Strengthens oligarchy and marginalizes the voice of the people. Impact on Political Stability Threatened Security Social and political conflicts can trigger riots, violence and rebellions. They cause loss of life, damage to property, and hamper national development.

Worsen Indonesia's image in international eyes. Economic uncertainty Investors are not confident to invest in an unstable country. Slows economic growth and exacerbates poverty. Weaken Indonesia's competitiveness in the international arena. Democracy setback A crisis in political stability can open up opportunities for the return of authoritarian regimes. Losing years of hard-won democratic progress. Trigger setbacks in areas such as human rights, civil liberties and the rule of law. Understanding the

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impact of democracy and political stability issues in Indonesia is crucial to formulating appropriate and effective solutions. This research can help stakeholders, such as the government, academics, civil society organizations, and the wider community, to identify the root of the problem. Develop strategies to strengthen democracy and political stability. Promote inclusive public political participation. Create a more just, prosperous and democratic Indonesia. Thus, this research has a significant contribution in maintaining the continuity of democracy and political stability in Indonesia, which will ultimately bring benefits to all Indonesian people.

Previous research by Dadan Ramdani published in 2022 entitled *Problematics of the Appointment of Acting Regional Heads in the Transition Period of the 2024 National Simultaneous Regional Elections*, the appointment of acting regional heads to fill the vacancy of definitive regional head officials caused by the postponement of elections in 271 regions in Indonesia has caused problems in governance in Indonesia. The second research on *Legal Politics of the 2022 Simultaneous Regional Elections (Portrait of Political Party Debate in Parliament)* by Bintang Garda Nusantara aims to explain the debate of political parties in Parliament on the organizers of the 2024 Simultaneous Regional Elections. The third research by Reza Yuna Dwi Rahmawati and Sultoni Fikri on the *Urgency of Using E-Voting in the Election System and Simultaneous Regional Elections 2024 in Surabaya City* The purpose of this research is to see the readiness of Surabaya City residents in implementing the E-Voting system in simultaneous elections and regional elections to be held in 2024. If associated with the current research, of course, the goal is to promote inclusive community political participation. Creating a more just, prosperous and democratic Indonesia. Thus, this research has a significant contribution in maintaining the continuity of democracy and political stability in Indonesia, which will ultimately bring benefits to all Indonesian people.

The implementation of the 2024 simultaneous regional elections in Indonesia is characterized by various problems that can hinder the realization of effective and efficient regional autonomy. Here are some problems that need serious attention. The practice of money politics is still a scourge in every regional election in Indonesia. This can trigger transactional politics and result in the election of unqualified leaders (Amir, 2020). General elections are a tangible manifestation of the implementation of democracy in Indonesia which provides a role for citizens to be able to participate directly in electing public officials (Nur, 2023). This proves that sovereignty remains in the hands of the people. Democracy and democratic elections are “*qonditio sine qua non*”, the one can not exist without the others. This means that elections are interpreted as a procedure to achieve democracy or a procedure to transfer popular sovereignty to certain candidates to occupy political positions (Yusuf & Karso, 2023). Elections are only an instrument and can be guaranteed based on the constitutional principles and policy directions of the country in question. Therefore, the method can be retained or changed if it is seen as the correct democratic path under certain conditions. The determination of a choice must undergo a lot of thought and experience to ascertain whether it is a good or bad choice (Nimah, 2024).

The sovereignty of the people can be realized through the holding of general elections, which is one of the joints for the establishment of a democratic political system. The goal of democracy through the direct election mechanism is to open the widest possible access for community participation in determining government leaders (Makarim et al., 2024). Where every minority is valued in democratic participation. More than that, every individual involved in the slightest democratic process must take responsibility and it is hoped that through this system a leader will be born in accordance with the expectations of the community. The preparation of simultaneous Regional Head Elections is the mandate of Law Number 7 of 2017 and Law Number 10 of 2016, has an impact on leadership in the regions, be it Governors, Regents or Mayors related to the term of office (Nur, 2023). Replacement of leadership in the regions before the expiration of the term of office of the Regional Head based on laws and regulations where the democratically elected Regional Head can be replaced either as a Daily Executive (Plh), Acting Task Executive (Plt), Temporary Official (Pjs) and Acting Regional Head (Pj) (Novita, 2023).

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Factors that encourage money politics include Lack of public awareness about the dangers of money politics Weak law enforcement against campaign violations, High political costs, ASN neutrality in the elections is still a crucial issue. This can trigger community polarization and disrupt the stability of the elections. Factors that can cause ASN to not be neutral include Pressure from superiors or politicians Political promises from prospective leaders Desire to get a promotion Black campaigns are often used by prospective leaders to bring down their political opponents (Assyayuti, 2022). This can damage the image of prospective leaders and cause unrest in the community. Factors that encourage black campaigns include. Intense competition between leadership candidates, Lack of regulations governing political campaigns. Weak law enforcement against campaign violations Lack of socialization and political education to the community can lead to low community participation in elections. This can result in the election of leaders who are not supported by the majority of the people (Ahmad et al., 2023).

Factors that cause a lack of socialization and political education include the lack of budget for socialization and political education activities Lack of active role of political parties and civil society organizations Low interest of the community to participate in

socialization and political education activities. Complex and convoluted procedures for organizing elections can make it difficult for people to understand and participate in elections. This can result in low levels of community participation. Factors that cause the complexity of the procedures for organizing local elections include: The number of laws and regulations governing local elections, Frequent changes to the laws and regulations governing local elections, Lack of socialization and education about the procedures for organizing local elections, Election of unqualified leaders, Inhibition of regional autonomy, Increased transactional politics, Damage to the image of democracy, Conflict and polarization in the community (Aziim & Kosariza, 2022).

2. Materials and Methods

The approach method used in this research is the Normative Juridical approach method. Normative juridical approach is an approach that uses positivist logical conception. This conception views the law as written norms made and promulgated by authorized institutions and officials besides that this conception also views the law as an independent normative system, which is closed and detached from community life and considers each other not as legal norms (DANDI, 2024). In collecting data, the author uses visiting libraries, searching for data online, requesting data from related institutions, from books, journals, legal documents, legal news, research reports, and finally interviews with advocates, legal experts, government officials, the general public and then analyzed. For data collection using written document analysis such as news articles, letters, and journals. how to analyze the data that the author uses by reading previous research such as relevant journals and then narrating and analyzing with current research.

3. Results and Discussion

Regional Head Election (Pilkada) is a democratic process in which the people in a region have the right to directly elect their leaders, namely Governors, Regents, and Mayors. Constitution of the Republic of Indonesia Year 1945, Article 18 paragraph (4). Law Number 32 of 2004 concerning Regional Government. General Election Commission (KPU) for the national level. Provincial KPU for the provincial level. Candidate pairs for regional head and deputy regional head proposed by a political party or a coalition of political parties. Candidate pairs for regional head and deputy regional head individually (depending on the regulations in the area). Indonesian citizens who are 17 years old and over and or married (Silalahi, 2022). Domiciled in the area that organizes the Pilkada. Registered as a voter in the Permanent Voter List (DPT). Campaigning by candidates. Voting by voters at polling stations (TPS). Counting of votes and determination of election results by the KPU. Realizing democracy at the regional level. Providing opportunities for people to choose the leaders they want. Obtaining qualified leaders who are able to bring progress to the region. Increase community political participation. Strengthening the accountability and transparency of local government. Encouraging the creation of a better government and in favor of the people. Strengthening national unity and integrity (Padilah & Irwansyah, 2023).

Regional Head Elections (Pilkada) in Indonesia are an important part of the Pancasila democratic system. Various theories have been put forward to explain the dynamics and consequences of Pilkada, including. This theory views Pilkada as a mechanism to elect representatives of the people who will lead the region. The people mandate their elected leaders to implement policies and programs that are in line with their aspirations. This theory focuses on the role of political elites in Pilkada (Van Harling & Leasa, 2024). Political elites, such as political parties and community leaders, have great influence in determining candidate leaders and directing people's choices. This theory explains that

Pilkada is an arena for the struggle of political interests between various groups (Haryanti & Budiman, 2022). Candidates and political parties compete for popular votes to access resources and power. This theory emphasizes the importance of popular participation in elections. This theory emphasizes the importance of popular participation in elections. High popular participation indicates the health of democracy and the legitimacy of the elected leader. Pilkada is generally carried out directly by the community to elect their regional head (Kusuma et al., 2022).

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This theory explains the practice of money politics and identity politics in Pilkada. Prospective leaders use money and group identity to attract people's votes, thus triggering unhealthy political practices. This theory discusses the role of media and political communication in Pilkada. Mass media and information technology become important tools for prospective leaders to convey messages to voters and build a public image. This theory connects Pilkada with decentralization and regional autonomy (Oktarina et al., 2024). Pilkada is expected to produce leaders who are able to manage the region independently and are responsible to the people (Pratama et al., 2024). This theory emphasizes the importance of local democracy in Pilkada. Local communities should be involved in the decision-making process and have control over the leaders they elect. It is important to note that these theories are not mutually exclusive, but rather interrelated and can be used to understand elections from different perspectives. A comprehensive understanding of these election theories can help us to analyze election dynamics, evaluate election results, and encourage more democratic and quality elections (Huda, 2019). In addition to the above theories, there are also several other more specific theories, such as voter rationality theory, framing theory, and agenda setting theory. Each of these theories offers a different perspective in understanding voter behavior, campaign strategies, and media influence in Pilkada. Research on Pilkada in Indonesia continues to grow, so new theories continue to emerge. This shows that Pilkada is a complex and dynamic phenomenon that requires a constantly updated understanding (Ramanda, 2022).

The 2024 simultaneous regional elections will be a new history for the election system in Indonesia because all election contestants will be elected at the same time throughout Indonesia. The consequence of the implementation of the 2024 simultaneous regional elections is that many regional officials/heads whose positions must be completed within a period of 5 years, may be reduced by 1-2 years from their term of office. Regional heads elected in the 2020 simultaneous regional elections even served less than 4 years in office (Suhendro, 2024). Then the regional heads elected in the 2017 regional elections ended their term of office in 2022. This has become a polemic because there is a vacancy in office which is quite long, namely 2 years. So that the highest leaders in the regions will be led by bureaucratic officials (ASN) selected from the central government who do not have a mental bond with the people they lead, in contrast to the results of direct popular choice (Tuanaya, n.d.).

The regulation in Law Number 32 of 2004 has placed the role of the Regional Head very strategically, considering that the Regional Head is a significant component for the success of national development, because regional government is a subsystem of national

government. In the general explanation of Law Number 32 of 2004, it is stated that in the implementation of Regional Government in accordance with the mandate of the 1945 Constitution, that the Regional Government which regulates and manages its own government affairs according to the principles of Autonomy and assistance tasks, is directed to accelerate the realization of community welfare through increasing regional competitiveness by taking into account the principles of democracy, equity, justice, privileges and specialties of a region within the system of the Unitary State of the Republic of Indonesia (Silalahi, 2022).

4. Conclusions

Practical implications Research on Indonesia's regional head election system and the quality of democracy can make a real contribution to advancing democracy at the local and national levels. By generating evidence-based knowledge and recommendations, this research can help stakeholders to build a more fair, accountable and inclusive electoral system, and improve the overall quality of democracy in Indonesia. Thus, this research can be recommended to have a significant contribution in maintaining the continuity of democracy and political stability in Indonesia, which will ultimately bring benefits to all Indonesian people.

That the implementation of direct and simultaneous regional elections in 2024 has not yet realized the ideal of democratization in the regions. Although the implementation of regional head elections is normatively in accordance with statutory provisions, empirically there are still problems that occur at almost every stage and even the problems that occur are not much different from time to time, namely related to budget delays, inaccurate voter data, internal party management conflicts that have an impact on the nomination process, campaign violations such as black campaigns in the form of money politics, low levels of voter participation, and so on. Efforts that can be made to solve problems in order to realize a more democratic and ideal regional head election for the region are to make improvements in the form of renewal of regional head election legislation that contains elements of rational democracy, namely the fulfillment of a rational democratic system, rational political parties, candidates to be elected rationally, smart voters, and a rational democratic culture.

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