

Regional Head Elections by the People's Representative Council: A Critical Analysis of Constitutionality and Democratic Backsliding

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Abstract

The election of regional heads constitutes a fundamental mechanism for the realization of popular sovereignty and the implementation of decentralization at the local level. Since the post-reform era, the direct election of regional leaders by citizens has been widely regarded as a significant achievement in strengthening local democracy in Indonesia. Nevertheless, the re-emergence of discourse advocating the election of regional heads by Regional People's Representative Councils (DPRD) has sparked intense debate, particularly from constitutional law and contemporary democratic theory perspectives. This article aims to critically examine the election of regional heads by DPRD by assessing its compatibility with constitutional principles and analyzing its implications within the framework of democratic backsliding. The research employs normative legal methods, utilizing statutory, conceptual, and comparative approaches. The findings indicate that although the election of regional heads by DPRD may formally satisfy procedural democratic requirements, such a mechanism carries a substantial risk of weakening substantive democracy. This is evidenced by the reduction of direct public participation, the increasing influence of political elites and oligarchic structures, and the shift of accountability from the electorate to local legislative bodies. Furthermore, this mechanism is considered inconsistent with the spirit of Article 18 paragraph (4) of the 1945 Constitution of the Republic of Indonesia, which emphasizes the democratic election of regional leaders. Therefore, any alteration to the regional head election system must be approached with caution to ensure that it does not become a vehicle for democratic regression, but rather contributes to the enhancement of legitimacy, public participation, and the overall quality of local democracy.

Keywords: *Regional Head Elections, DPRD, Constitution, Democracy, Democratic Backsliding.*

INTRODUCTION

The election of regional heads (Pilkada) constitutes one of the core pillars of Indonesia's democratic system, particularly within the framework of local governance grounded in the principle of popular sovereignty. In a democratic state, the selection of public leaders is not merely an administrative procedure, but a fundamental instrument for ensuring political legitimacy, governmental accountability, and meaningful citizen participation. Consequently, the design of the regional head election system directly affects the quality of local democracy and the broader trajectory of democratic consolidation at the national level.

Since the political reform of 1998, Indonesia has undergone profound transformations in the governance of local administration. One of the most significant changes was the shift from indirect elections conducted by Regional People's Representative Councils (DPRD) to direct elections by citizens. This reform was widely perceived as a corrective response to the elitist and procedural form of democracy that had previously prevailed, where regional leaders tended to represent the interests of political elites rather than those of the broader population (Adji et al., 2024). Direct elections were expected to strengthen the relationship between citizens and local governments, enhance the political legitimacy of regional leaders, and foster stronger accountability to voters.

The introduction of direct local elections also aligned with the broader agenda of decentralization and regional autonomy, which seeks to bring decision-making processes closer to local communities. Within this framework, citizens are no longer positioned merely as objects of public policy, but as active political subjects capable of shaping leadership and development trajectories in their respective regions. Accordingly, direct Pilkada has been regarded as a concrete manifestation of participatory democracy at the local level, as well as a vehicle for political education and civic engagement (Muslih, 2014).

Nevertheless, the implementation of direct Pilkada has also generated significant challenges. High electoral costs, widespread vote-buying practices, horizontal social conflicts, and increasing political pragmatism have become persistent criticisms of this system. Moreover, the substantial financial burden associated with electoral competition often incentivizes elected regional leaders to engage in corrupt practices as a means of recovering campaign expenditures (Susanto et al., 2025). These conditions have led to arguments that direct elections may, in practice, distort democratic ideals and undermine the quality of local governance.

Against this backdrop, proposals to reintroduce the indirect election of regional heads through DPRD have resurfaced in Indonesia's political and legal discourse. Proponents argue that elections conducted by regional legislatures could reduce political costs, minimize social conflict, and promote greater governmental stability at the local level. In addition, this mechanism is often portrayed as administratively and fiscally more efficient, particularly in light of the increasing financial burden imposed by simultaneous regional elections on the state budget (Darmawan & Muchlisin, 2025)

Despite these arguments, the proposal to return regional head elections to DPRD has attracted strong criticism from academics, democracy advocates, and civil society organizations. The primary concern centers on the potential revival of elitist and oligarchic democratic practices, wherein decision-making power is concentrated among party elites within regional legislatures. Under such a model, citizens participate only indirectly through the election of DPRD members, while crucial leadership decisions are made through closed political negotiations that lack transparency and public accountability (Rohmah, 2024).

From a constitutional law perspective, the debate over the appropriate mechanism for electing regional heads is closely linked to the interpretation of Article 18 paragraph (4) of the 1945 Constitution of the Republic of Indonesia, which stipulates that governors, regents, and mayors are to be "elected democratically." This formulation leaves room for differing interpretations as to whether democratic elections must necessarily be conducted directly by the people or may also be carried out through representative institutions. These divergent interpretations form the constitutional basis for both supporters and opponents of DPRD-based elections (Ulum, 2021).

In several of its decisions, the Constitutional Court has tended to emphasize that direct elections represent the most tangible expression of electoral democracy at the local level, although it does not entirely exclude alternative mechanisms as long as democratic principles are upheld. Within modern constitutional practice, however, direct elections are generally regarded as a minimum democratic standard, as they provide broader opportunities for public participation and confer stronger political legitimacy upon elected officials (Fikry, 2022)

At the same time, contemporary democratic scholarship has introduced the concept of democratic backsliding to describe gradual and legally sanctioned forms of democratic regression. Unlike abrupt democratic breakdowns resulting from coups or violence, democratic backsliding occurs through incremental institutional and policy changes that slowly erode core democratic principles, including popular participation, fair political competition, and accountability of power holders (Aspinall et al., 2020)

In the Indonesian context, the proposal to elect regional heads through DPRD may be viewed as a potential indicator of democratic backsliding. Although such a change could be

implemented through constitutional and legal channels, it carries the risk of narrowing the space for substantive democracy by reducing direct citizen involvement in political decision-making. Regional leaders selected by DPRD are likely to exhibit greater political dependence on parties within local legislatures than on the electorate, potentially shifting policy orientations away from public interests toward elite political agendas (Mietzner, 2020)

Furthermore, indirect elections may reinforce political oligarchy at the local level. Indonesia's political structure, which remains heavily influenced by party elites and economic power networks, renders indirect electoral mechanisms particularly vulnerable to transactional politics and narrow interest bargaining. This condition aligns with the argument of (Hadiz, 2010) who emphasizes that post-authoritarian democratic institutions in Indonesia are often captured by oligarchic interests. Similarly, (Aspinall et al., 2020; Mietzner, 2020) demonstrate that local electoral dynamics are shaped by patronage networks and elite contestation, even within formally democratic frameworks. In such circumstances, democracy risks functioning not as a mechanism of popular control over power, but as a formal instrument legitimizing elite agreements.

In addition, the reduction of direct public participation in regional head elections may adversely affect public trust in democratic institutions. When citizens perceive that they lack meaningful control over leadership selection, political apathy is likely to increase. This argument is supported (Putnam, 1993), who highlights that civic engagement is a crucial determinant of institutional trust and democratic performance. Empirical studies also show that participatory electoral mechanisms tend to strengthen political engagement and public confidence in governance (Aspinall et al., 2020). This outcome contradicts the fundamental objectives of local democracy, which aim to promote active civic engagement and inclusive political participation (Gunawan & Muslim, 2025)

Accordingly, the debate surrounding the mechanism for electing regional heads cannot be reduced solely to technical considerations or issues of budgetary efficiency. Rather, it implicates fundamental dimensions of Indonesia's constitutional order and the overall quality of its democracy. As argued (Levitsky & Ziblatt, 2024) democratic erosion often occurs gradually through institutional changes that weaken participation and accountability while maintaining formal democratic procedures. Policy choices regarding the design of Pilkada will ultimately determine whether Indonesian democracy advances toward greater substantive consolidation or experiences gradual democratic backsliding.

Based on this background, this article seeks to critically examine the election of regional heads by DPRD by focusing on two principal aspects. First, it provides a constitutional analysis of the compatibility of this mechanism with the principle of popular sovereignty and the provisions of Article 18 paragraph (4) of the 1945 Constitution. Second, it analyzes the implications of DPRD-based regional head elections through the lens of democratic backsliding, particularly in relation to political participation, accountability of power, and the entrenchment of political oligarchy at the local level. Through this approach, the article aims to contribute to scholarly discourse on constitutional law and local democracy in Indonesia.

RESEARCH METHODS

This study employs a normative legal research method, which focuses on examining and analyzing applicable positive law norms as well as legal principles relevant to the issues under investigation. Normative legal research is adopted because this study does not seek to empirically assess social behavior, but rather to scrutinize legal constructions, constitutional principles, and theoretical frameworks governing the mechanism of regional head elections conducted by Regional People's Representative Councils (DPRD). Through this approach, the research aims to develop a systematic understanding of the compatibility between regional head election

arrangements and the principles of democracy and constitutional governance (Rahayu & Sulaiman, 2020).

The primary approach utilized in this research is the statutory approach. This approach involves a comprehensive examination of legal norms contained in the 1945 Constitution of the Republic of Indonesia, particularly Article 18 paragraph (4), as well as statutory regulations governing regional government and the election of regional heads. The analysis of these legal instruments is intended to assess normative coherence, hierarchical consistency, and the juridical implications arising from potential changes in the mechanism for electing regional heads within Indonesia's constitutional system.

In addition to the statutory approach, this study applies a conceptual approach. This approach entails an in-depth examination of key concepts such as popular sovereignty, local democracy, substantive democracy, and democratic backsliding. These concepts are analyzed through the perspectives of constitutional law scholars and democratic theory to construct an analytical framework capable of explaining both the normative and theoretical implications of regional head elections conducted by DPRD. The conceptual approach is essential for capturing not only the formal legal dimensions but also the philosophical and democratic foundations underlying electoral policy choices.

Furthermore, a comparative approach is employed to contrast direct regional head elections conducted by citizens with indirect elections carried out through DPRD. This comparison focuses on critical dimensions such as political participation, political legitimacy, executive accountability, and their respective impacts on the quality of local democracy. By adopting a comparative perspective, the study seeks to identify the strengths and weaknesses inherent in each electoral mechanism within the context of Indonesia's democratic system.

The legal materials utilized in this research consist of primary and secondary legal sources. Primary legal materials include relevant statutory regulations and Constitutional Court decisions related to regional head elections and local democratic governance. Secondary legal materials comprise academic textbooks, peer-reviewed national journal articles, and scholarly research addressing constitutional law, electoral systems, and democratic dynamics in Indonesia. These secondary sources are employed to strengthen the normative analysis and to provide a comprehensive academic perspective.

Data collection is conducted through library research, involving the identification, compilation, and systematic review of legal sources pertinent to the research topic. The collected legal materials are then analyzed using a qualitative-descriptive analytical method. This method involves the systematic, logical, and critical interpretation of legal norms and theoretical concepts to draw conclusions regarding the constitutional and democratic implications of electing regional heads through DPRD.

RESULTS AND DISCUSSION

Result

The Constitutional Position of Regional Head Elections

The constitutional basis for the election of regional heads in Indonesia is set forth in Article 18 paragraph (4) of the 1945 Constitution of the Republic of Indonesia, which stipulates that governors, regents, and mayors are to be "elected democratically." This provision does not explicitly prescribe whether such elections must be conducted directly by the electorate or indirectly through representative institutions. Consequently, the phrase "elected democratically" allows for broad constitutional interpretation.

In practice, two models of regional head elections can be identified: direct elections by citizens and indirect elections through Regional People's Representative Councils (DPRD). From a normative constitutional perspective, both models may be classified as democratic. Direct

elections emphasize popular sovereignty, while DPRD-based elections reflect representative democracy, where authority is exercised through elected legislative bodies (Iqball et al., 2025).

However, the two systems demonstrate distinct characteristics. Direct elections provide broader public participation and stronger political legitimacy, while DPRD-based elections tend to limit participation and shift political processes into legislative institutions. The Constitutional Court has emphasized that direct elections represent a concrete manifestation of popular sovereignty at the local level (Sahibuddin, 2025).

A Comparison between Direct Elections and DPRD-Based Elections

The comparison reveals significant differences in procedural and substantive aspects of democracy.

Table 1. Comparison between Direct Regional Head Elections and DPRD-Based Elections

No	Analytical Aspect	Direct Elections by Citizens	Elections by DPRD
1	Democratic basis	Direct popular sovereignty	Representative democracy
2	Level of public participation	High and inclusive	Low and limited
3	Accountability mechanism	Accountability to voters	Accountability to DPRD elites
4	Process transparency	Relatively open	Tends to be closed
5	Potential for political oligarchy	Relatively lower	Higher
6	Risk of transactional politics	Present but dispersed	High and concentrated
7	Electoral costs	High	Lower
8	Quality of political legitimacy	Strong	Weaker
9	Impact on local democracy	Strengthens substantive democracy	Risk of democratic regression

The findings indicate that direct elections are associated with higher levels of participation, transparency, and legitimacy, whereas DPRD-based elections are characterized by cost efficiency but lower levels of public engagement (Abdussamad et al., 2023; Aspinall et al., 2020).

DPRD-Based Elections and Democratic Backsliding

The analysis identifies several indicators associated with democratic backsliding in the context of DPRD-based elections.

Table 2. Indicators of Democratic Backsliding in DPRD-Based Regional Head Elections

No	Indicator of Democratic Backsliding	Manifestation in DPRD-Based Elections	Impact on Local Democracy
1	Reduced public participation	Citizens are excluded from direct leadership selection	Declining popular control and sovereignty
2	Strengthening of political elites	Dominance of parties and DPRD factions	Increased political oligarchy
3	Limited open competition	Selection confined to closed parliamentary processes	Decline in democratic competitiveness
4	Political dependence of regional heads	Executive reliance on DPRD support	Weak public accountability
5	Reduced transparency	Closed-door political negotiations	Erosion of public trust

These findings suggest that DPRD-based elections are associated with reduced public participation, increased elite dominance, and limited transparency (Mietzner, 2020; Ridua, 2025).

Implications for Local Democracy

The results demonstrate that the adoption of DPRD-based elections may lead to:

- A shift from participatory to elitist democratic practices
- Reduced direct engagement between citizens and regional leaders
- Declining public trust in democratic institutions
- Increased risks of political patronage and transactional governance
- A diminished educative function of elections in fostering civic awareness (Mahardika & Fatayati, 2020; Riyanti & Firmanto, 2025)

Discussion

The Constitutional Position of Regional Head Elections

The constitutional basis for the election of regional heads in Indonesia is set forth in Article 18 paragraph (4) of the 1945 Constitution of the Republic of Indonesia, which stipulates that governors, regents, and mayors are to be “elected democratically.” Notably, this provision does not explicitly prescribe whether such elections must be conducted directly by the electorate or indirectly through representative institutions. As a result, the phrase “elected democratically” allows for broad constitutional interpretation and has become the focal point of constitutional debates concerning the appropriate mechanism for regional head elections, particularly in the context of proposals to reintroduce DPRD-based selection.

From a constitutional law perspective, democracy cannot be understood merely as a formal electoral procedure, but must also encompass the substantive involvement of citizens in political decision-making processes. In several of its rulings, the Constitutional Court has emphasized that direct elections represent the most tangible expression of popular sovereignty at the local level, as they provide extensive opportunities for public participation and confer strong political legitimacy upon elected regional leaders. Direct elections enable citizens to determine their leaders without mediation by political elites, thereby strengthening accountability and responsiveness between regional executives and the electorate.

Nevertheless, from a strictly normative standpoint, the election of regional heads by DPRD may still be classified as “democratic” within the framework of representative democracy. Under this model, DPRD is regarded as a body that derives its authority from the people through legislative elections. Consequently, indirect regional head elections are often justified on the grounds that popular sovereignty is exercised indirectly through elected representatives (Iqball et al., 2025). However, such reasoning tends to reduce democracy to a procedural concept, while overlooking the qualitative dimensions of participation and substantive accountability.

In substantive terms, the selection of regional heads by DPRD has the potential to diminish direct public involvement in determining local leadership. Electoral processes conducted within regional legislatures are susceptible to closed-door political bargaining, interest-based transactions, and the dominance of particular political parties. These dynamics may result in regional heads becoming more dependent on the support of parliamentary elites than on popular legitimacy derived from voters (Riskiyono, 2019). Consequently, policy orientations may shift away from public interests toward short-term political calculations.

Furthermore, DPRD-based elections raise concerns regarding constitutional accountability. Regional heads elected through direct popular vote possess a strong political

responsibility to the electorate, as their authority is derived directly from citizens. By contrast, regional heads selected by DPRD are more likely to direct their accountability toward the regional legislature. This pattern of accountability risks fostering elitist and opaque power relations, thereby weakening societal oversight over local governance and undermining democratic control at the local level (Fikri et al., 2025)

A Comparison between Direct Elections and DPRD-Based Elections

The comparison between direct elections of regional heads by citizens and indirect elections conducted through Regional People's Representative Councils (DPRD) represents a crucial analytical dimension in assessing the direction and quality of local democracy in Indonesia. Differences between these mechanisms do not merely affect the technical administration of local government, but also shape power relations, accountability structures, and levels of political participation. Accordingly, a comprehensive comparative analysis must address both the procedural and substantive dimensions of democracy.

Direct elections provide extensive opportunities for citizens to actively engage in political processes. Public participation extends beyond voting on election day to include involvement in electoral campaigns, public deliberation, and oversight of candidates and electoral institutions. Such broad participation reflects the concrete realization of popular sovereignty, positioning citizens as primary actors in determining local leadership and policy direction. In contrast, the election of regional heads by DPRD substantially limits public involvement, as decision-making occurs within relatively closed and elitist parliamentary forums (Zulkifli et al., 2025).

From an accountability perspective, direct elections establish a stronger relationship of political responsibility between regional heads and the electorate. Leaders who obtain their mandate directly from voters possess greater incentives to honor campaign commitments and respond to public demands, as their political survival depends on voter evaluation. Under a DPRD-based election system, accountability tends to shift away from citizens toward political elites within regional legislatures. As a result, regional heads become more reliant on party factions and parliamentary coalitions, potentially aligning policy priorities more closely with elite interests than with broader public needs (Satria & Chahnia, 2025).

Moreover, indirect elections through DPRD carry a higher risk of reinforcing political oligarchy. The limited number of decisive actors within regional legislatures increases the likelihood of transactional politics, closed lobbying, and elite bargaining. These dynamics may undermine fair political competition and reduce democracy to a formal mechanism for elite power-sharing. Although direct elections are not entirely immune to the influence of capital and patronage networks, they generally provide a wider arena for competition by involving a large and diverse electorate (Aspinall et al., 2020)

Political cost considerations are frequently cited as a primary justification for advocating DPRD-based elections. It is undeniable that direct elections require substantial financial resources, both in terms of state expenditure and campaign costs borne by candidates. However, cost efficiency alone cannot serve as the sole for evaluating democratic quality. Budgetary savings achieved through indirect elections risk undermining political legitimacy and public participation, which constitute the core essence of democracy. Therefore, debates over electoral costs should be situated within a broader framework that balances efficiency against democratic quality (Abdussamad et al., 2023)

In terms of legitimacy, direct elections generate stronger political legitimacy because regional heads receive an explicit mandate from citizens as the ultimate holders of sovereignty. Such legitimacy is essential for sustaining local governance stability and fostering public trust in governmental decisions. Conversely, DPRD-based elections tend to produce weaker legitimacy in the public eye, as leaders are not chosen directly by voters. This legitimacy deficit may trigger public dissatisfaction and erode trust in local government institutions.

Based on the foregoing analysis and comparative framework, direct regional head elections appear more consistent with the principle of popular sovereignty and the strengthening of substantive democracy at the local level. While DPRD-based elections may offer administrative efficiency and reduced political costs, they pose significant risks to public participation, democratic accountability, and the entrenchment of political oligarchy. Consequently, decisions regarding the mechanism for selecting regional heads should not be guided solely by considerations of efficiency, but must also account for their broader implications for the quality and sustainability of local democracy in Indonesia.

DPRD-Based Elections and Democratic Backsliding

The concept of democratic backsliding refers to a gradual and legally sanctioned process of democratic erosion driven by changes in policies, institutions, and political practices, without the occurrence of military coups or overt violence. Within this framework, democracy does not collapse abruptly; instead, its quality deteriorates over time, as reflected in declining public participation, increasingly restricted political competition, and weakened accountability of power holders (Levitsky & Ziblatt, 2024). This phenomenon has become a central concern in contemporary democratic studies, particularly because it often emerges in political systems that formally retain democratic institutions.

In the Indonesian context, the discourse and potential implementation of regional head elections through DPRD may be understood as a local manifestation of democratic backsliding. Although such a mechanism can be justified through legal and procedural arguments, it risks shifting local democracy away from a participatory model toward a more elitist configuration. By transferring the authority to select regional leaders from citizens to regional legislatures, this model substantially narrows public involvement in strategic political processes and weakens societal oversight over local executive power (Ridua, 2025).

A key indicator of democratic backsliding is the systematic reduction of public participation in political decision-making. Under a DPRD-based election system, citizens no longer play a direct role in choosing their regional leaders. Their participation is effectively confined to legislative elections, while the selection of executive leadership takes place within relatively closed parliamentary arenas. This arrangement diminishes the capacity of citizens to exercise direct control over the circulation of power at the local level, thereby undermining the substance of democratic governance.

Furthermore, indirect elections tend to consolidate the dominance of political elites and party structures within regional legislatures. The limited number of decisive actors involved in the selection process creates favorable conditions for elite consolidation and oligarchic practices. Regional heads elected through DPRD are likely to exhibit a high degree of political dependence on the parties or factions that supported their selection, increasing the likelihood that policy decisions will prioritize elite interests over broader societal needs.

Restricted political competition also constitutes a significant marker of democratic backsliding. Direct elections allow candidates to compete openly before the electorate, enabling public scrutiny of their programs, visions, and integrity. In contrast, DPRD-based elections confine competition to internal parliamentary negotiations, often conducted behind closed doors. Such processes reduce transparency and curtail opportunities for public evaluation, thereby weakening the fairness and openness of political competition at the local level (Mietzner, 2020)

Dependence on DPRD as the primary selector of regional heads has direct implications for public accountability. Leaders chosen through indirect mechanisms possess stronger incentives to direct accountability toward regional legislatures rather than toward citizens. This pattern of accountability risks undermining local checks and balances, as executive legislative relations may become characterized by mutual political accommodation rather than critical oversight and institutional control (Sihombing, 2025). To illustrate the relationship between

DPRD-based elections and indicators of democratic backsliding, the following table presents a structured analytical overview:

Implications for Local Democracy

The election of regional heads through Regional People's Representative Councils (DPRD) carries significant implications for the character and quality of local democracy in Indonesia. This mechanism has the potential to shift local democratic practice from a participatory model where citizens serve as the primary political actors toward an elitist form of democracy dominated by party elites and regional legislatures. Under a DPRD-based election system, citizens are excluded from directly selecting regional leaders, and their participation is effectively confined to legislative elections. As a result, one of the most important channels for the direct expression of political preferences is substantially curtailed (Riyanti & Firmanto, 2025)

This shift has direct consequences for the relationship between local governments and the communities they govern. Regional heads elected through direct popular vote tend to cultivate closer political ties with their constituents, as their legitimacy is derived from a direct public mandate. By contrast, leaders selected by DPRD are more likely to orient their political priorities toward the interests of the elite actors who determine their selection. Consequently, the relationship between local leaders and citizens becomes more distant and indirect, reducing governmental responsiveness to local needs and societal aspirations.

Another critical implication concerns the erosion of public trust in local democratic institutions. When citizens perceive that they lack meaningful control over the selection of regional leaders, confidence in democratic mechanisms tends to decline. This sense of political alienation may manifest in reduced public engagement in political activities, including public deliberation, policy monitoring, and electoral participation. Over time, such disengagement risks undermining the normative foundations of local democracy and weakening civic culture.

Furthermore, DPRD-based elections may adversely affect the quality of local governance. Regional heads who rely heavily on parliamentary support may face persistent conflicts of interest in exercising executive authority. Public policies are more likely to be shaped by political bargaining and compromises with regional legislatures, potentially at the expense of broader public interests. This dynamic can reduce governmental effectiveness and integrity, while simultaneously creating opportunities for corruption and patronage-based politics (Mahardika & Fatayati, 2020)

From the perspective of local democracy, indirect elections also risk diminishing the political educative function of elections. Direct regional head elections have traditionally served as an important forum for civic learning, enabling citizens to evaluate candidates' platforms, visions, and leadership capacities, as well as to appreciate the significance of political participation. The removal of direct elections narrows this space for democratic learning and may weaken citizens' motivation to engage actively in local political life.

In sum, the implications of electing regional heads through DPRD extend far beyond a mere change in electoral procedure. This mechanism has far-reaching consequences for the quality of local democracy, the relationship between government and society, and public trust in democratic institutions. Accordingly, any policy initiative aimed at altering the regional head election system must be carefully evaluated in light of substantive democratic principles and the long-term objectives of democratic consolidation in Indonesia

CONCLUSION

The election of regional heads constitutes a central pillar of local democratic governance in Indonesia. Article 18 paragraph (4) of the 1945 Constitution employs the phrase "elected democratically," which allows for interpretative flexibility regarding the method of selecting

regional leaders, whether through direct popular elections or indirect selection by Regional People's Representative Councils (DPRD). Nevertheless, the analysis demonstrates that direct elections possess a stronger constitutional and democratic standing, as they enable citizens to participate directly in choosing their regional leaders and reinforce the principle of popular sovereignty as a core element of a democratic state.

A comparison between direct elections and elections conducted by the DPRD reveals fundamental differences in terms of public participation, accountability, legitimacy, and overall democratic quality. Direct elections broaden citizen participation, enhance the accountability of regional heads to voters, and generate stronger political legitimacy. In contrast, while DPRD-based elections may be considered more cost-efficient and procedurally simpler, they tend to narrow opportunities for public involvement and increase the dependence of regional leaders on political elites within local legislatures.

Moreover, the selection of regional heads by the DPRD may form part of a broader pattern of democratic backsliding, namely the erosion of democratic quality through formally legal mechanisms. Reduced public participation, the consolidation of elite dominance, limited open competition, and weakened public accountability are indicators suggesting that changes to the electoral mechanism could undermine democratic consolidation in Indonesia. Consequently, the issue of regional head elections should not be viewed merely as a technical or administrative matter, but rather as one that is intrinsically linked to the direction and substance of national democracy.

Further implications of DPRD-based elections include a shift in local democracy from a participatory model toward an elitist one. Under such conditions, citizens lose their strategic role in local political decision-making, which may ultimately diminish public trust in democratic institutions and local governments. Therefore, in order to preserve an inclusive, accountable, and people-centered local democracy, direct elections of regional heads remain relevant and should be maintained. At the same time, regulatory improvements are necessary to address persistent challenges such as vote-buying, high political costs, and other distortions that may weaken the quality of democratic practice.

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