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Indonesia's Appointed Leaders and the Future of Regional Elections

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People registering before voting at a polling center during a regional election in Denpasar on the Indonesian resort island of Bali on 9 December 2020. Picture: SONNY TUMBELAKA/AFP.

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EXECUTIVE SUMMARY

- By the end of 2023, there will be 271 interim regional heads who are appointed rather than elected, accounting for more than half of the regional leadership posts throughout Indonesia.
- The legal basis of the interim leader appointment process has been contentious and subject to challenge, especially when some of the appointees have a substantial term in office before the next election, or when they execute significant policy changes.
- Critics argue that handpicked interim leaders are beholden to those who have appointed them and would use the advantages of incumbency to promote central government interests, and unfairly favour some stakeholders over others in the 2024 elections.
- The phenomenon of appointed interim leaders has intertwined with renewed questioning by political parties and elites of the legitimacy and future of regional elections with senior government ministers, among others, proposing a return to the political appointment of regional leaders and the ending of democratic elections.

INTRODUCTION

In July 2022, Ahmad Marzuki, recently retired commander of the Iskandar Muda military command, was appointed interim governor of Aceh. Aceh had just emerged in 2005 out of decades of armed conflict, and its post-peace-agreement politics had been dominated by Partai Aceh, a local party established by former Free Aceh Movement rebels. The selection of a non-Acehnese military man to that position was therefore surprising. Marzuki was not popularly elected,¹ and was in fact appointed by the Minister of Home Affairs, Tito, from three names proposed by Aceh's regional parliament. The significance of the Minister's preferred choice was not lost on many, with one Aceh Party parliamentarian commenting that "Jakarta has chosen a Jakarta person to sort out Aceh; what kind of message do you think that sends?"²

By the end of 2023, there will be as many as 271 interim regional leaders throughout Indonesia, representing over half the total number of provinces, regencies and cities in the country. These interim appointees will be in office until after regional elections in November 2024, and throughout presidential and legislative elections scheduled for February that year.

The legislative basis for the appointment of interim regional leaders is Article 201 of the 2016 Electoral Law (UU No. 10), which stipulates that all regional elections (Pilkada) be held simultaneously in November 2024. This means that elected terms ending prior to 2024 will result in vacant positions. Rather than holding by-elections to fill these vacancies, the law specifies that these be filled by interim appointments.

BORN OF A LEGISLATIVE COUP

To understand the broader implications of the appointment of interim leaders for the 2024 election, it is important to first situate it within the context of the recent history of legislative and political challenges to the status of regional elections.

The 2016 Pilkada law, upon which interim appointments are based, emerged out of a tumultuous period during which regional elections were momentarily ended via what amounted to a legislative coup. In September 2014, five months after presidential and legislative elections were won by Jokowi and the PDI-P, the Koalisi Merah Putih, the six-party coalition known to have backed the losing presidential candidate Prabowo Subianto, used the final moments of its parliamentary majority to pass the Regional Elections law (UU Pilkada).³ Central to the legislation was the replacement of direct elections with the appointment of regional leaders by parliament. It coalesced the antipathy held by many parties to the unpredictability and the attendant costs and risks of popular elections, together with entrenched ideological opposition towards liberal and participatory democracy.⁴

The argument against popular elections was that they created 'division', sowed discord, encouraged corruption and conflicted with the Pancasila, echoing New Order era characterisations of the unsuitability of electoral democracy in the Indonesian context. Outside of the party coalition, support for the change also came from Nahdlatul Ulama, whose leadership stated that regional and legislative elections "wrecked the spirit of Indonesia".⁵

The 2014 legislation was short-lived, however. Responding to public outcry, outgoing president Yudhoyono overturned it via two presidential decrees in his last weeks in office, and reinstated direct regional elections.⁶ This reversal was passed in early 2015 by a DPR now dominated by the PDI-P after the 2015 regional elections; this was however recognised to be insufficient in the long term. The law underwent further revisions in 2016, and again in 2020. Through this process, a majority consensus developed among parliamentary factions that Pilkada should be held in 2024, cancelling all other elections scheduled for 2022 and 2023, and thus producing the need for interim regional leaders.⁷

NOT JUST ANOTHER CARETAKER

Caretaker administrations are a common and largely uncontentious part of many electoral systems. Generally, interim administrations operate with limited executive authority and mandate during short periods before elections or post-election, or in moments of political crisis. Indonesia's interim leaders, however, differ in several ways.

One is the length of the appointment. The first interim leaders took office in early 2022, over 34 months prior to regional elections scheduled for November 2024. This constitutes over half of a full elected term. Regional Government Law 23, 2014, stipulates, however that interim leaders should not be in office longer than one year.⁸ Subsequently, interim leaders are subject to performance reviews after 12-months with the possibility of a further extension. The review process for governors has been conducted by the Home Affairs Ministry with performance ostensibly assessed against three sets of criteria: evidence of improvements to public services; achieving progress on development indicators via the use of regional budgets; and maintaining public order.⁹ Others include facilitating ease of investment, and tackling inflation and unemployment.¹⁰ There is a clear expectation that interim leaders will use their time in office to actively govern and make significant changes in line with national government priorities 'unburdened by political interest', rather than operate in a caretaker mode or continue the policies of their predecessors.¹¹

To do so, and in contrast to many caretaker administrations, Indonesia's interim regional leaders enjoy wide-ranging executive power. Governmental regulations from 2008 suggest some significant limits, such as prohibiting the replacing of government officials, retracting of permits, and instigating of policies that conflict with those of the central government or the previous administration.¹² There was, however, an important caveat, i.e. "except with the permission of the Minister of Home Affairs".¹³ In late 2022 the Home Affairs Minister issued a ministerial circular effectively granting interim leaders the authority to remove and replace government officials. In practice, new policy directions have also not faced censure as long as these have been assessed by the Ministry to be in keeping with national government priorities.¹⁴ This Ministry-mandated authority has to date been variably deployed, from replacement of officials appointed by previous administrations and significant policy shifts. Be that as it may, without a political mandate granted by a constituency, interim leaders are highly susceptible to pressure from regional parliaments, but even more so the Ministry of Home Affairs, which remains their appointer, performance assessor and, in effect, political master.¹⁵

This has been evident in Jakarta, where the interim governor is Heru Budi Hartono, a former mayor of North Jakarta and head of the Presidential Secretariat, who was handpicked for the role by President Jokowi.¹⁶ Since coming to office in October 2022, Heru has disbanded the Accelerated Development Team (TGUPP) that advised the governor, overhauled the directorship of the Jakarta-government owned property, infrastructure and utilities company Jakarta Property (Jakpro), replaced the Regional Secretary, and appointed a long-term critic of the previous administration of Anies Baswedan as commissioner of the government-owned Light Rail Transit Corporation (PT LRT).¹⁷ Several signature policies carried out by Baswedan, such as widening pedestrian sidewalks, have also been reversed.¹⁸ Also, the close consultation with urban poor groups and their advocates which characterised the previous administration has come to an abrupt halt.¹⁹

With Baswedan now a 2024 presidential candidate seeking to campaign on his policy achievements as governor of Jakarta, Heru, and by extension the Minister of Home Affairs, have been accused of politically weaponising his time in office.²⁰ Praised by the PDI-P for continuing the policies of Jokowi and Ahok, he has now been touted as one of the party's preferred candidates for governor in 2024.²¹ There is currently no legal impediment to interim leaders running in the 2024 elections. Handpicked by the national government, interim leaders who run will enjoy the significant strategic and resource advantages stemming from incumbency.

APPOINTMENT PROBLEMS

Perhaps unsurprisingly, the process of interim leader appointment has been highly contentious. The 2016 election law upon which interim leadership is based is scant on substantive details. It was not until April 2023, after the appointment of over 150 interim leaders and significant sustained pressure, that the Ministry of Home Affairs issued a Ministerial Regulation that nominally outlined an appointment procedure.²²

The earlier absence of a clear or transparent process and opportunities for public input has resulted in accusations of political manipulation, with the legislative basis of interim appointments being subjected to repeated legal challenges.²³ In February 2022, five citizens requested a judicial review of Article 201 of the 2016 Electoral Law (UU Pilkada). In May of the same year, the Urban Poor Network (*Jaringan Rakyat Miskin Kota*, or JRMK) launched a constitutional challenge arguing that the appointment of interim leaders amounted to a “coup d’etat” that denied members of the network their constitutional right to representation, while the Regent of Mandailing Natal, North Sumatera, contested the constitutionality of the 2016 legislation on the grounds that it reduced his elected term from five to four years.²⁴ In all three cases, the constitutional court concluded that interim appointments are constitutionally valid. In its judicial review ruling, however, the court did request that the government legislate a technical process of appointment broadly guided by principles that were “democratic”, transparent, and accountable”.²⁵

Despite this, and despite a damning report by the National Ombudsman that labelled the appointment process as marred by maladministration, the Ministry of Home Affairs remained steadfastly recalcitrant.²⁶ Minister Karnavian has instead engaged in a counter-polemic

insisting that an appointment process involving any kind of voting process or public participation was ‘impractical’, and that a more pragmatic “filtering of aspirations” which was, according to the Minister, fundamentally “democratic in nature” was used instead.²⁷

This ‘filtering’ has required regional parliaments forwarding the names of three potential candidates to the Home Affairs Ministry for consideration.²⁸ These are then evaluated by the Home Affairs Minister in coordination with other Ministries, and with the approval of the President.²⁹ Even here, however, the role of the DPRD has been routinely sidelined, and numerous appointments have been made by the Ministry outside of DPRD recommendations.³⁰ In other instances, Ministry-appointed governors have forwarded names of candidates for Bupati without consulting the DPRD.³¹ This has generated some disquiet. In the case of Jayapura, the DPRD responded to the imposition of interim-Bupati by questioning the central government’s commitment to Papua’s special autonomy.³²

Indonesia Corruption Watch (ICW) has argued that the wider pattern of interim appointments indicates that a key criterion in the process is “closeness” to the central government.³³ As can be seen in Table 1, most governors appointed in 2022 came from state ministries. The structural relationship is one of deference to the priorities and interests of central government, rather than those of the local and regional constituencies, be it the economic importance of mining and sand exports in the case of Bangka Belitung, or political security in the case of West Papua and Aceh.³⁴

Table 1: Interim governors appointed in 2022

Province	Name	Position	Institution
Aceh	Achmad Marzuki	Special Staff	Ministry of Home Affairs
South Papua	Apolo Safanpo	Special Staff	Ministry of Home Affairs
Central Papua	Ribka Haluk	Special Staff	Ministry of Home Affairs
West Sulawesi	Akmal Malik	Director-General of Regional Autonomy	Ministry of Home Affairs
Banten	Al Muktabar	Banten Regional Secretary	Regional Secretariat
Jakarta	Heru Budi Hartono	Head of Presidential Secretariat	State Secretariat
Bangka Belitung	Ridwan Djamaluddin	Director-General of Minerals and Coal	Ministry of Energy and Mineral Resources
Gorontalo	Hamka Hendra Noer	Special Staff	Ministry of Youth and Sport
West Papua	Paulus Waterpauw	Lieutenant-General	Police
Highland Papua	Nikolaus Kondomo	Special Staff	Attorney General

IMPLICATIONS FOR THE 2024 ELECTIONS

There are two broad sets of implications that the phenomenon of interim regional leaders has for the 2024 elections.

The first is that interim leaders will go into election campaign periods with a national government-backed incumbency that will likely influence policy decisions and resource allocations. With close structural, if not personal, relationships to state ministries and the president, interim leaders can ‘campaign by stealth’ for or against presidential, legislative, or regional candidates, such as in the case of Jakarta.

Sustained resistance to the establishing of clear and transparent appointment processes on the part of the Ministry of Home Affairs and reliance on the Ministry’s own executive authority have however undermined its rhetoric about these being bastions of political neutrality. This has been further evidenced by patterns of appointment and by the prevalence of close ties to central government, together with the likelihood that some interim leaders will run for elected office in 2024. The latter challenges the idea that these are in fact caretaker administrations. This bullish approach is not without risks; it strains the relationship between some regional parliaments and the central government, resulting in questions about the fragile future of regional autonomy, together with public backlash over the imposition of non-local unelected candidates and policy change enacted without a public mandate.³⁵

The second regards the broader implications for the long-term future of regional elections.³⁶ Despite the failure of Prabowo’s Koalisi Merah Putih in 2014, more political parties have since come to the table to question one of the most significant democratic reforms of the post-1998 period.

In February 2023, for example, Muhaimin Iskandar, the Chair of PKB and Deputy Chair of the DPR and a touted vice-presidential candidate, proposed ending elections for governor.³⁷ The Chair of the People’s Consultative Assembly (MPR), Bambang Soesatyo, reiterated the view that governors were “representatives of central government in the regions”, and as such should not be popularly elected, reigniting older debates over the status of provinces either as administrative units or as representative entities.³⁸

The Indonesian Solidarity Party (PSI), a self-defined ‘youth’ party and a vocal supporter of President Jokowi, went even further, calling for a return to the New Order practice of direct presidential appointment of governors, arguably already in partial effect, given the interim governors, and the governance of Indonesia’s new capital, Nusantara.³⁹ Heralded by President Jokowi as a model for ‘a new Indonesia’, Nusantara will not have an elected leader, the equivalent of the current capital’s governor will be replaced by a chairman appointed directly by the president.⁴⁰

The PDI-P, who opposed the 2014 legislative coup, has since developed a preference for more party and parliamentary power to be exercised over the appointment processes. Party leaders have been labelling direct regional head elections as “transactional” and “mired in nepotism and money politics”.⁴¹ This shift is undoubtedly intertwined with their own political consolidation as the largest parliamentary faction, and with them holding the presidency.⁴² This

view was recently reiterated in an unsuccessful party-led Constitutional Court challenge of the 2017 electoral law, during which it was requested that the court impose a return to a closed-list voting-system, away from the current open-list approach. A key argument presented for this is that it is the party, and not the voting public, that was best suited to choose capable and appropriate leaders.⁴³

CONCLUSION

In the face of this, perhaps the main defence for the continuation of direct regional elections is its public popularity, which has remained consistently high since its introduction in 2005. A survey conducted by Political Weather Station (PWS) in January 2023, for example, found that 80.9% were opposed to ending elections for regional leaders, including those for governor. This mirrors results from a survey done by Lingkaran Survei Indonesia (LSI) eight years earlier of supporters of the Koalisi Merah Putih Coalition, which found that 81.5% of these were in favour of direct elections.⁴⁴ Despite its well-known weaknesses and limitations, many Indonesians still consider direct elections an important vehicle for popular agency.

With the 2024 presidential and legislative elections only months away, the spectre of political interference in the process together with a significantly weakened capacity for civil oversight is looming large in public discourse.⁴⁵ This was highlighted in June following comments by President Jokowi that he was actively *cawe-cawe* or ‘meddling’ in the 2024 elections, to “ensure a smooth transition of power”.⁴⁶ The politics involved in the appointment of interim leaders has arguably been a case of systemic *cawe-cawe*.

It establishes a non-democratic norm for executive leadership appointment that is rationalised via appeals to efficiency, anti-corruption, and the ‘depoliticising’ of political power, and provides opportunities for the use of unelected incumbency to thwart electoral rivals. Interim leaders, in this respect, look something akin to a trial run for possible post-2024 scenarios in which there may be renewed legislative efforts to end elections for regional leadership positions.

ENDNOTES

¹ Marzuki was not the only military appointment in Aceh. Former National Intelligence Agency (BIN) personnel have been appointed Regent in Nagan Raya (Fitriany Farhas) and Pidie (Wahyudi Adisiswanto). An active BIN and TNI officer, Andi Chandra As'aduddin, was made regent in West Seram, sparking debates over its legality. See *Tempo*, ‘Imparsial Desak Mendagri Kaji Kembali Penunjukkan Andi Chandra As'aduddin’, 25 May 2022.

² *Modus Aceh*, ‘Dahlan Jamaluddin: 6 Bulan Cukup Untuk Menimbang Apakah Achmad Marzuki Pantas di Aceh?’, 01 February, 2023. <https://modusaceh.co/news/dahlan-jamaluddin-6-bulan-cukup-untuk-menimbang-apakah-achmad-marzuki-pantas-di-aceh/index.html>.

³ The coalition consisted of Gerindra, PAN, PPP, PKS, PBB and Golkar. See *Kompas*, ‘Berhasil Menangkan Pilkada lewat DPRD, Prabowo Bangga Koalisi Merah Putih’, 26 September 2014.

<https://nasional.kompas.com/read/2014/09/26/15335561/Berhasil.Menangkan.Pilkada.lewat.DPRD.Prabowo.Bangga.Koalisi.Merah.Putih>

⁴ See *BBC Indonesia*, 'Pilkada langsung sebaiknya dihapus?', 8 September 2014.

https://www.bbc.com/indonesia/forum/2014/09/140908_forum_pilkada. Gerindra's party platform calls for a return to the 1945 version of the Constitution, which precludes the 2002 revisions enshrining popular elections.

⁵ It was claimed that this was due to direct elections 'encouraging division', driving corruption and allowing for a 'whatever it takes' approach. *BeritaSatu*, 'Ulama NU: Pilkada Langsung "Merusak" Indonesia', 10 September 2014. <https://www.beritasatu.com/nasional/208966/ulama-nu-pilkada-langsung-merusak-indonesia>

⁶ Kompas, 'Batalkan Pilkada Tak Langsung, Presiden SBY Terbitkan 2 Perppu!', 02 October 2014. <https://nasional.kompas.com/read/2014/10/02/21435921/Batalkan.Pilkada.Tak.Langsung.Presiden.SBY.Terbitkan.2.Perppu>.

⁷ This included proposals to lift the two-term presidential limit, as well as further delaying the 2024 elections. See *Kabar24*, 'Mayoritas Fraksi DPR Tolak Revisi UU Pemilu, PKS dan Demokrat Ditinggal?', 08 February, 2021. <https://kabar24.bisnis.com/read/20210208/15/1353895/mayoritas-fraksi-dpr-tolak-revisi-uu-pemilu-pks-dan-demokrat-ditinggal>

⁸ *Kompas*, 'Mengenal Penjabat Kepala Daerah: Apa Tugas, Wewenang, dan Larangannya?', 18 April 2022. <https://nasional.kompas.com/read/2022/04/18/14305521/mengenal-penjabat-kepala-daerah-apa-tugas-wewenang-dan-larangannya>

⁹ *Republika*, 'Kemendagri Evaluasi Kinerja 71 Penjabat Kepala Daerah', 20 December 2022. <https://news.republika.co.id/berita/rn6s0a436/kemendagri-evaluasi-kinerja-71-penjabat-kepala-daerah>. To date, most appointees subject to review have had their interim period extended. A notable exception is in Aceh, where Aceh's parliament has requested that Ahmad Marzuki be replaced for failing to make headway in tackling issues such as poverty and underdevelopment. See *Serambinews.com*, 'DPRA Ngebut Ganti Pj Gubernur Achmad Marzuki, Usul Calon Tunggal ke Mendagri, 10 June 2023. <https://aceh.tribunnews.com/2023/06/10/dpra-ngebut-ganti-pj-gubernur-achmad-marzuki-usul-calon-tunggal-ke-mendagri>

¹⁰ *Pemkot Ambon*, 'Tim evaluator Kemendagri apresiasi kinerja 10 bulan penjabat walikota Abon', 4 April 2023. <https://ambon.go.id/tim-evaluator-kemendagri-apresiasi-kinerja-10-bulan-penjabat-walikota-ambon/>

¹¹ *Kompas*, 'Tanpa Beban Politik, Penjabat Kepala Daerah Bisa Bekerja Total', 3 December, 2022. <https://www.kompas.id/baca/polhuk/2022/11/30/tanpa-beban-politik-penjabat-kepala-daerah-bisa-bekerja-total>

¹² *Kompas*, 'Mengenal Penjabat Kepala Daerah: Apa Tugas, Wewenang, dan Larangannya?', 18 April 2022. <https://nasional.kompas.com/read/2022/04/18/14305521/mengenal-penjabat-kepala-daerah-apa-tugas-wewenang-dan-larangannya>

¹³ See *Peraturan.go.id*, 'Peraturan Menteri dalam Negeri Nomor 4 Tahun 2023 Tentang Penjabat Gubernur, Penjabat Bupati, Dan Penjabat Wali Kota'. <https://peraturan.go.id/id/permendagri-no-4-tahun-2023>

¹⁴ *Alinea.id*, 'Ketika Heru 'merevisi' deretan program Anies di DKI', 26 November 2022. <https://www.alinea.id/nasional/saat-heru-merevisi-deretan-program-anies-di-dki-b2ftS9I3z>

¹⁵ At a coordinating meeting for interim regional leaders hosted by the Ministry of Home Affairs in June 2023, Minister Karnavian encouraged them to mimic President Jokowi by conducting 'blusukan', staged meet-and-greet occasions that have become a signature political practice. See *Prfmnews.id*, 'Mendagri Minta Pj Kepala Daerah Tiru Gaya Blusukan Jokowi, Jangan Hindari Keluhan Masyarakat', 10 June, 2023. <https://prfmnews.pikiran-rakyat.com/nasional/pr-136762493/mendagri-minta-pj-kepala-daerah-tiru-gaya-blusukan-jokowi-jangan-hindari-keluhan-masyarakat>

¹⁶ In 2017, Heru was the preferred vice governor running mate of Basuki Tjahaja Purnama, or Ahok. However, he was replaced with Djarot Saiful Hidayat, for the purpose of securing the backing of the PDI-P. Kompas, 'Jokowi Akan Pimpin Sidang Tim Penilai Akhir Putuskan Pj Gubernur DKI Pengganti Anies', 01 September, 2022.

<https://nasional.kompas.com/read/2022/09/01/16241851/jokowi-akan-pimpin-sidang-tim-penilai-akhir-putusan-pj-gubernur-dki>

¹⁷ CNN Indonesia, 'Daftar Warisan Era Anies yang Tak Dipakai Heru Budi', 13 December, 2022.

<https://www.cnnindonesia.com/nasional/20221213101857-20-886675/daftar-warisan-era-anies-yang-tak-dipakai-heru-budi>

¹⁸ <https://news.republika.co.id/berita/rt4okf484/kebijakan-terbaru-pj-heru-bongkar-trotoar-era-anies-diubah-jadi-jalan-raya>

¹⁹ Discussion with Jakarta urban poor activists, 21/06/23.

²⁰ *PinterPolitik*, 'Heru-PDIP Terjebak Ranjau Anies?', 17 April, 2023.

<https://www.pinterpolitik.com/in-depth/heru-pdip-terjebak-ranjau-anies/>

²¹ The other rumoured candidate is Jokowi's son, Gibran Rakabuming Raka, the serving mayor of Surakarta. See *Rakyat Merdeka*, 'PDIP Buka Peluang Usung Heru Di Pilkada DKI 2024', 15 February, 2023. <https://rm.id/baca-berita/pilkada/160625/bicara-prestasi-dan-elektabilitas-pdip-buka-peluang-usung-heru-di-pilkada-dki-2024>

²² *Inilah.com*, 'Dinilai Langgar Konstitusi, Mendagri Didesak Cabut Peraturan Pengangkatan Pj Kepala Daerah', 21 May, 2023. <https://www.inilah.com/dinilai-langgar-konstitusi-mendagri-didesak-cabut-peraturan-pengangkatan-pj-kepala-daerah>

²³ Elah Suwarian, 'Problematika Penjabat Kepala Daerah', *Kapol.id*, 11 June, 2023.

<https://kapol.id/problematika-penjabat-kepala-daerah/>

²⁴ See *CNN Indonesia*, 'MK Tolak Gugatan Soal Penunjukan Pj Gubernur DKI dan Papua', 07 July, 2022.

<https://www.cnnindonesia.com/nasional/20220707132933-20-818489/mk-tolak-gugatan-soal-penunjukan-pj-gubernur-dki-dan-papua> and *Media Indonesia*, 'MK Tolak Gugatan Bupati

Mandailing Soal Masa Jabatan Kepala Daerah', 23 November, 2022.

<https://mediaindonesia.com/politik-dan-hukum/539621/mk-tolak-gugatan-bupati-mandailing-soal-masa-jabatan-kepala-daerah>. The shortening of elected terms by one year has in effect occurred in all the 270 regions that held elections in 2020.

²⁵ Mahkamah Konstitusi Republik Indonesia, 'Ketentuan Penjabat Pengganti Kepala Daerah Jelang Pilkada Serentak Sejalan dengan Prinsip Kedaulatan Rakyat', 20 April, 2022.

<https://www.mkri.id/index.php?page=web.Berita&id=18153&menu=2>. With Constitutional Court avenues closed, in late 2022 a coalition of civil society groups led by the Jakarta Legal Aid Foundation (LBH-J) filed a lawsuit against the President in the Jakarta State Administrative Court (PTUN), arguing against the appointment of Ahmad Marzuki as governor of Aceh. It was also rejected by the court as being without legal standing.

²⁶ See for example, Kompas, 'Rekomendasi Ombudsman Terkait Pengangkatan Penjabat Kepala Daerah Dinanti', 23 October, 2022. <https://www.kompas.id/baca/polhuk/2022/10/23/rekomendasi-ombudsman-terkait-pengangkatan-penjabat-kepala-daerah-dinanti>

²⁷ *Tempo*, 'Tito Karnavian Klaim Pemilihan 5 Penjabat Gubernur Sudah Demokratis', 12 May 2022.

<https://nasional.tempo.co/read/1591018/tito-karnavian-klaim-pemilihan-5-penjabat-gubernur-sudah-demokratis>

²⁸ *Detik.com*, 'Mendagri Susun Permendagri: PJ Kepala Daerah Bisa Diusulkan DPRD', 16 June 2022.

<https://news.detik.com/berita/d-6130688/mendagri-susun-permendagri-pj-kepala-daerah-bisa-diusulkan-dprd>

²⁹ Mahkamah Konstitusi Indonesia, 'MK Putuskan Uji Pengisian Penjabat Kepala Daerah Sementara', 7 July 2022. <https://www.mkri.id/index.php?page=web.Berita&id=18338>

³⁰ Examples include in Banten, Gorontalo, North Maluku, West Papua, Central Kalimantan, Sulawesi Tenggara, and Jayapura. See for example, *JaringNews*, 'Pertama Kali Terjadi, Kemendagri Minta

Usulan Tiga Nama Calon Pj Gubernur ke Ketua DPRD, Ini Kata Andra Soni', 28 March 2023.

<https://www.jaringnews.co.id/newsplace/9888242741/pertama-kali-terjadi-kemendagri-minta-usulan-tiga-nama-calon-pj-gubernur-ke-ketua-dprd-ini-kata-andra-soni>

³¹ See *Sindonews.com*, 'DPRD Tolak Usulan Nama-nama Pj Bupati Maybrat', 05 August 2022

<https://daerah.sindonews.com/read/847895/174/dprd-tolak-usulan-nama-nama-pj-bupati-maybrat-1659737304>

³² *Tribun-Papua.com* 'Usulan Pj Bupati Tak Diakomodir Mendagri, DPRD Jayapura Berang Perjuangkan Otsus Papua Sia-sia', 14 December 2022.

<https://papua.tribunnews.com/2022/12/14/usulan-pj-bupati-tak-diakomodir-mendagri-dprd-jayapura-berang-perjuangkan-otsus-papua-sia-sia>

³³ Indonesian Corruption Watch, 'Perkembangan Sidang Keterbukaan Informasi Penunjukan Penjabat Kepala Daerah: Kemendagri Harus Buka Akses Dokumen Pengangkatan Penjabat!', 13 April 2023.

<https://antikorupsi.org/id/perkembangan-sidang-keterbukaan-informasi-penunjukan-penjabat-kepala-daerah-kemendagri-harus-buka>

³⁴ See for example, *Heloberita.com*, 'Ridwan Djameluddin Siapkan Tiga Lokasi Untuk Industri Pasir Silika/Kuarsa, Cek', 16 January, 2023. <https://www.heloberita.co/babel/pr-9086651435/ridwan-djameluddin-siapkan-tiga-lokasi-untuk-industri-pasir-silikakuarsa-cek-lokasinya-disini>

³⁵ Sutan Sorik, 'Bagaimana pengangkatan penjabat kepala daerah sebelum Pemilu 2024 rawan maladministrasi dan mengancam demokrasi', *The Conversation*, 5 April 2023.

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³⁷ *Kompas*, 'PKB Klarifikasi: Usulan Cak Imin Sebenarnya Hapus Pemilihan Langsung Gubernur', 02 February, 2023. <https://nasional.kompas.com/read/2023/02/02/09504891/pkb-klarifikasi-usulan-cak-imin-sebenarnya-hapus-pemilihan-langsung-gubernur>

³⁸ See, for example, *Sindonews.com*, 'Ketua MPR Setuju Gubernur Ditunjuk, Pilkada Provinsi Dihapus', 05 February 2023

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⁴⁰ *CNN Indonesia*, 'Bambang Susantono Bongkar Alasan Dipilih Jokowi Jadi Kepala IKN', 11 March, 2022.

<https://www.cnnindonesia.com/nasional/20220311151816-32-769987/bambang-susantono-bongkar-alasan-dipilih-jokowi-jadi-kepala-ikn>. The Home Affairs Minister has long advocated for what he refers to as 'asymmetrical democracy', a system in which rights to electoral participation are denied to those living in parts of the country with low Human Development Index levels. *CNN Indonesia*, 'Tito Usul Opsi Pilkada Tak Langsung untuk Daerah IPM Rendah', 20 June 2020.

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⁴¹ *Era.id*, 'PDIP Mau Ubah Pemilihan Langsung Jadi Dipilih DPRD untuk Pilkada: Hindari Nepotisme dan Investor Politik', 10 October 2022. <https://era.id/nasional/106226/pdip-mau-ubah-pemilihan-langsung-jadi-dipilih-dprd-untuk-pilkada-hindari-nepotisme-dan-investor-politik>

⁴² The PDI-P has been accused of shifting its position to help block the political trajectory of Anies Baswedan. See *Kompas*, 'Sikap Fraksi di DPR soal Revisi UU Pemilu, antara Pilkada 2022 atau Serentak 2024', 01 February 2021. <https://nasional.kompas.com/read/2021/02/01/08234441/sikap-fraksi-di-dpr-soal-revisi-uu-pemilu-antara-pilkada-2022-atau-serentak>

⁴³ It would also arguably give the PDI-P an advantage in upcoming legislative elections, underscoring the instrumental nature of party support or opposition to popular electoral democracy. *Tempo*, 'Jelang Putusan MK soal Sistem Pemilu, PDIP Tegaskan Penyusunan Bacaleg Pakai Proporsional Terbuka', 06 June, 2023. https://nasional.tempo.co/read/1734322/jelang-putusan-mk-soal-sistem-pemilu-pdip-tegaskan-penyusunan-bacaleg-pakai-proporsional-terbuka?page_num=2

⁴⁴ See *Republika*, 'Survei: Mayoritas Publik tidak Setuju Pilkada Secara Langsung Dihapuskan', 05 February, 2023. <https://www.republika.co.id/berita/rplo5w349/survei-mayoritas-publik-tidak-setuju-pilkada-secara-langsung-dihapuskan>. On the 2014 survey, see *CNN Indonesia*, 'Konstituen Koalisi Merah Putih Ingin Pilkada Langsung', 09 September, 2014. <https://www.cnnindonesia.com/nasional/20140909171401-32-2870/konstituen-koalisi-merah-putih-ingin-pilkada-langsung>

⁴⁵ For example, the weakening of the Corruption Eradication Commission (KPK) and the use of the Electronic Information and Transactions Law (ITE Law) to stifle civil society scrutiny. See Kyle Delbyck, 'Press freedom is under attack in Indonesia', *alJazeera*, 13 August 2022. <https://www.aljazeera.com/opinions/2022/8/13/press-freedom-is-under-attack-in-indonesia>

⁴⁶ *Kompas*, 'Jokowi: Pilpres 2024 Krusial, Saya Cawe-cawe Tidak akan Netral', 30 May 2023. <https://www.kompas.tv/nasional/411413/jokowi-pilpres-2024-krusial-saya-cawe-cawe-tidak-akan-netral>

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