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Reframing democratic legitimacy and public accountability: an interdisciplinary analysis of DPRD-based regional head elections in Indonesia

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ABSTRACT

Studies on regional head elections in Indonesia have predominantly examined either the constitutional legality of direct and indirect electoral mechanisms or their political implications for democratic participation and governance stability. However, limited attention has been given to the interdisciplinary relationship between constitutional legitimacy and public accountability within the Regional People's Representative Council (DPRD)-based regional head election system. This study addresses this gap by integrating constitutional law and public administration perspectives to analyze how indirect regional head elections shape democratic legitimacy, accountability patterns, and local governance structures in Indonesia. Using a normative juridical method with a qualitative analytical approach, this study examines constitutional provisions, statutory regulations, Constitutional Court interpretations, and relevant scholarly literature. The findings demonstrate that the DPRD-based election mechanism possesses constitutional legitimacy under Article 18 paragraph (4) of the 1945 Constitution, which adopts the phrase "democratically elected" and allows both direct and indirect electoral models as part of an open legal policy framework. Nevertheless, the study reveals that procedural constitutional legitimacy does not automatically ensure substantive democratic legitimacy. The indirect electoral mechanism shifts accountability from citizens to legislative institutions, strengthens legislative dominance within local political structures, and increases the potential for elite bargaining and transactional politics. The study further argues that the quality of representative institutions becomes the decisive factor in determining whether indirect elections can maintain democratic accountability and effective governance. Theoretical contributions of this study include the development of an interdisciplinary analytical framework linking procedural democracy, constitutional interpretation, and institutional accountability in decentralized governance systems. Practically, the study provides critical insights for policymakers regarding the constitutional and governance

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INTRODUCTION

Local democracy constitutes one of the fundamental pillars of modern governance because it reflects the implementation of popular sovereignty, public participation, and governmental accountability at the regional level.(Saragih et al., 2025)(Amirullah et al., 2026) In democratic systems, the mechanism used to elect regional leaders is not merely an administrative procedure but also a constitutional instrument that determines the legitimacy of political authority and the quality of public governance. Within the framework of public administration, regional head elections are closely related to the realization of good governance principles, including transparency, responsiveness, participation, and accountability.(Kodiyat et al., 2025) Consequently, the design of regional electoral systems significantly influences the relationship between citizens, political institutions, and governmental performance.

Globally, democratic states adopt diverse mechanisms for selecting local executives. Some countries implement direct elections to strengthen citizen participation and democratic inclusion, whereas others rely on representative institutions to enhance political efficiency and institutional stability.(Al Izzati et al., 2024)(Şimşek et al., 2025) These variations demonstrate the continuing tension between participatory democracy and institutional governance efficiency. In Indonesia, this debate has become increasingly relevant following recurring political discourse regarding the possibility of returning the regional head election system from direct elections to elections conducted through the Regional People's Representative Council (DPRD).

Historically, Indonesia has experienced several transformations in regional head election mechanisms. Under Law No. 22 of 1999, regional heads were elected indirectly through the DPRD. Subsequently, Law No. 32 of 2004 introduced direct regional elections as part of democratic reform aimed at strengthening public participation and decentralization. The system was further reinforced through Law No. 10 of 2016, which institutionalized direct local elections as an essential mechanism of democratic governance. Nevertheless, recent political developments have revived proposals advocating the restoration of DPRD-based elections on the grounds of reducing electoral costs, minimizing social conflict, and improving political stability.

The re-emergence of this discourse raises complex constitutional and administrative questions. From a constitutional law perspective, Article 18 paragraph (4) of the 1945 Constitution of the Republic of Indonesia states that regional heads shall be "elected democratically." The phrase "democratically elected" has generated multiple constitutional interpretations because it does not explicitly mandate either direct or indirect elections. As a result, proponents of DPRD-based elections argue that indirect elections remain constitutionally legitimate under the doctrine of open legal policy. However, from the perspective of democratic governance and public administration, concerns emerge regarding the potential weakening of direct public participation, reduced governmental responsiveness, and the expansion of elite-centered political bargaining.(Radtke & Renn, 2024)

Previous studies have extensively examined regional head elections from separate disciplinary perspectives. Constitutional law scholarship has primarily focused on constitutional interpretation, legality, and judicial reasoning regarding the meaning of democratic elections within the Indonesian constitutional framework.(Simanungkalit & Vanny Vanny, 2025)(Mawardi et al., 2026) These studies generally conclude that both direct and indirect election mechanisms can be constitutionally justified. Meanwhile, political science and public administration studies have concentrated on comparing the effectiveness of direct and indirect elections in terms of political

participation, governance efficiency, democratic consolidation, and regional political stability. Several studies have also emphasized the risks of transactional politics, oligarchic influence, and elite bargaining in indirect electoral systems.

Despite these contributions, important limitations remain in the existing literature. First, previous studies tend to analyze regional head elections from fragmented perspectives by separating constitutional legality from institutional accountability and governance consequences. As a result, insufficient attention has been given to how constitutional legitimacy interacts with public accountability mechanisms in practice. Second, most studies focus either on procedural democracy or political efficiency without comprehensively examining the broader implications of electoral mechanisms for institutional power relations, checks and balances, and governance quality at the regional level. Third, limited interdisciplinary research integrates constitutional law and public administration approaches simultaneously to explain how electoral systems reshape accountability structures, executive-legislative relations, and democratic legitimacy in decentralized governance systems. Consequently, the existing literature lacks a comprehensive analytical framework capable of linking procedural constitutional legitimacy with substantive democratic accountability.

This research is scientifically important for several reasons. First, the study contributes to the development of interdisciplinary scholarship by integrating constitutional law and public administration perspectives in analyzing local electoral systems. This integration is important because the legitimacy of a democratic system cannot be assessed solely through constitutional legality, but must also consider institutional accountability and governance outcomes. Second, the study provides a conceptual contribution by distinguishing between procedural legitimacy and substantive democratic legitimacy in the context of regional governance. Third, the research is highly relevant to contemporary policy debates in Indonesia concerning the redesign of regional electoral systems. Without comprehensive scholarly analysis, changes in electoral mechanisms may produce unintended consequences, including weakened public accountability, increased legislative dominance, declining public trust, and deterioration in democratic quality at the local level. Therefore, this research not only contributes theoretically to constitutional and governance studies but also provides evidence-based insights for policymakers and democratic institutional reform.

Based on these considerations, this study seeks to answer the following research questions: (a) How is the democratic legitimacy of the regional head election system through the Regional People's Representative Council (DPRD) interpreted from the perspective of Indonesian constitutional law? What are the implications of the DPRD-based regional head election system for public accountability and democratic governance? How does the regional head election mechanism influence institutional power relations, checks and balances, and the quality of regional governance in Indonesia?

By addressing these questions, this study aims to develop a more comprehensive understanding of the relationship between constitutional legitimacy, public accountability, and democratic governance within Indonesia's decentralized political system.

RESEARCH METHOD

Research Design and Doctrinal Legal Approach

This study employs a normative juridical research design using a qualitative doctrinal approach. The doctrinal legal approach was selected because the primary objective of the study is to examine constitutional norms, legal doctrines, institutional principles, and governance implications concerning the regional head election system through the Regional People's Representative Council (DPRD). Doctrinal legal research focuses on identifying, interpreting, and systematizing legal norms within the constitutional framework in order to explain the legal

validity, coherence, and implications of a particular institutional arrangement.(Masnun, Muh. Ali, Prasetio, Dicky Eko, 2025)

Within this framework, the study does not merely analyze statutory texts descriptively but also evaluates the consistency between constitutional principles, democratic theory, and public accountability mechanisms.(Yan & Ramesh, 2026) The doctrinal approach is particularly relevant because the debate concerning regional head elections in Indonesia fundamentally concerns constitutional interpretation of Article 18 paragraph (4) of the 1945 Constitution, which states that regional heads shall be "elected democratically." Consequently, the research investigates how constitutional norms are interpreted, institutionalized, and operationalized within the broader context of democratic governance and decentralization.(Rahmah Hanifa et al., 2026)

This study further adopts an interdisciplinary orientation by integrating constitutional law and public administration perspectives. Constitutional law is used to analyze legality, constitutional legitimacy, representative democracy, and institutional authority, while public administration is employed to examine accountability structures, governance performance, institutional relations, and checks-and-balances mechanisms.(Młynarska-Sobaczewska & Zaleśny, 2024) The integration of these approaches enables the study to move beyond purely normative legal analysis toward a broader institutional understanding of democratic governance.

Conceptual Legal Analysis

The study applies conceptual legal analysis to clarify and systematically examine the principal concepts underlying the research. The conceptual approach is important because several central concepts used in debates regarding regional head elections—such as democratic legitimacy, public accountability, representation, decentralization, and substantive democracy—contain multiple theoretical interpretations across legal and governance scholarship.

Conceptual legal analysis in this research is conducted through three stages. First, the study identifies the conceptual meaning of democratic legitimacy within constitutional democracy theory, particularly the distinction between procedural legitimacy and substantive legitimacy. Procedural legitimacy refers to the formal legality of institutional mechanisms, whereas substantive legitimacy concerns the extent to which democratic systems genuinely reflect public participation, accountability, and representation.(Haggart & Keller, 2021)

Second, the study examines the concept of public accountability from the perspective of public administration theory. Accountability is analyzed not only as a legal obligation but also as an institutional relationship between public officials, representative institutions, and citizens. In this context, the study distinguishes between vertical accountability directed toward citizens through elections and horizontal accountability exercised through institutional oversight mechanisms.(Aleksovska et al., 2017)

Third, the research analyzes the concept of political representation using representative democracy theory, particularly Hanna Pitkin's distinction between formal representation and substantive representation. This analysis is used to evaluate whether DPRD-based elections merely satisfy procedural representation or also ensure substantive representation of public interests.(Minta, 2018) Through this conceptual analysis, the study constructs an analytical linkage between constitutional legitimacy, institutional accountability, and governance quality in local democratic systems.

Constitutional Interpretation Model

To analyze the constitutional validity of DPRD-based regional head elections, this study employs a multi-dimensional constitutional interpretation model consisting of grammatical interpretation, systematic interpretation, teleological interpretation, and comparative constitutional interpretation.(Sugirman et al., 2025).

a. Grammatical Interpretation

Grammatical interpretation is used to examine the textual meaning of Article 18 paragraph (4) of the 1945 Constitution, particularly the phrase "democratically elected." This interpretation analyzes whether the constitutional text explicitly requires direct elections or allows indirect representative mechanisms.

b. Systematic Interpretation

Systematic interpretation is conducted by analyzing Article 18 paragraph (4) within the broader constitutional structure of democracy, decentralization, popular sovereignty, and representative institutions. This method evaluates the relationship between regional electoral arrangements and other constitutional principles contained within the Indonesian constitutional system.

c. Teleological Interpretation

Teleological interpretation is used to identify the constitutional objectives underlying regional governance arrangements. This approach examines whether the constitutional purpose of regional elections is limited to procedural legality or extends toward ensuring democratic participation, accountability, and effective governance.

d. Comparative Constitutional Interpretation

The study also employs comparative constitutionalism to strengthen the analysis of democratic legitimacy and institutional design. Comparative constitutional analysis is conducted by examining how democratic states organize local executive elections through direct and indirect mechanisms. This comparison is not intended to transplant foreign constitutional models into Indonesia but rather to identify broader constitutional patterns concerning representative democracy, local accountability, and institutional checks and balances.(Arifin et al., 2025)

The comparative approach highlights that democratic legitimacy in constitutional systems is not universally tied to direct elections alone. Several democratic countries adopt indirect local executive selection mechanisms while maintaining democratic accountability through strong institutional safeguards. Therefore, comparative constitutionalism serves as an analytical instrument for evaluating whether DPRD-based elections can remain democratically legitimate under specific institutional conditions.

Operational Framework of the Research

This study develops an operational analytical framework linking constitutional legitimacy, public accountability, institutional power relations, and governance quality. The framework positions the regional head election mechanism as the central institutional variable influencing democratic governance outcomes.

The operational framework consists of four analytical dimensions:

a. Constitutional Legitimacy Dimension

Examines the constitutional validity of DPRD-based elections through constitutional interpretation, democratic theory, and representative governance principles.

b. Accountability Dimension

Analyzes changes in accountability patterns resulting from indirect elections, particularly the shift from vertical accountability toward citizens to horizontal accountability toward legislative institutions.

c. Institutional Power Relations Dimension

Evaluates the implications of the electoral mechanism for executive-legislative relations, legislative dominance, political dependency, and checks-and-balances structures.

d. Governance Quality Dimension

Examines the broader implications for transparency, public participation, governance responsiveness, political stability, and public trust in regional government institutions. This operational framework enables the study to systematically connect legal interpretation with institutional governance analysis.(Mawardi et al., 2026)

Data Sources and Data Selection

This research uses primary, secondary, and tertiary legal materials as sources of data.

a. Primary Legal Materials

Primary legal materials include: The 1945 Constitution of the Republic of Indonesia, particularly Article 18 paragraph (4); Laws regulating regional governance and regional elections, including Law No. 22 of 1999, Law No. 32 of 2004, Law No. 23 of 2014, and Law No. 10 of 2016; Constitutional Court decisions related to the interpretation of democratic elections and regional governance. Primary legal materials were selected based on their direct normative relevance to regional electoral systems and constitutional interpretation.

b. Secondary Legal Materials

Secondary legal materials include scholarly books, peer-reviewed journal articles, constitutional law literature, governance studies, decentralization theory, democratic theory, and public accountability scholarship. The literature selection process used several criteria: (1) relevance to democratic legitimacy, accountability, decentralization, or constitutional interpretation; (2) publication in reputable academic journals or recognized academic publishers; (3) conceptual and methodological relevance to the research problem; and (4) preference for peer-reviewed and internationally indexed publications. The study also critically evaluated the credibility, methodological rigor, and theoretical relevance of recent literature before inclusion in the analysis.

c. Tertiary Legal Materials

Tertiary materials include legal dictionaries, encyclopedias, institutional reports, and policy documents used to support conceptual clarification and contextual understanding.

Data Collection Techniques

Data collection was conducted through systematic library research. The process consisted of(Walangitan et al., 2025): (a) identifying constitutional provisions and statutory regulations related to regional governance; (b) collecting Constitutional Court decisions relevant to democratic electoral interpretation; (c) reviewing academic literature concerning democracy, representation, decentralization, and accountability; (d) classifying data according to thematic categories, namely constitutional legitimacy, accountability systems, institutional relations, and governance quality.

The data collection process emphasized thematic relevance and analytical consistency with the research questions.

Construction of Legal Argumentation

The legal argumentation in this study was constructed using deductive and analytical reasoning. The process began with identifying constitutional norms and democratic principles, followed by analyzing their institutional implications within regional governance systems. Argument construction was conducted through several stages(Wycichowski-Kuchta, 2025): (a) identifying constitutional and theoretical premises; (b) comparing competing interpretations regarding democratic elections; (c) evaluating the consistency between constitutional legality and

governance consequences; (d) synthesizing constitutional law and public administration perspectives into an integrated analytical framework.(Lina Sinaulan et al., 2025)

The study does not merely justify the legality of DPRD-based elections but critically evaluates whether constitutional legality aligns with substantive democratic accountability and effective governance principles.

Data Analysis Techniques

Data analysis was conducted qualitatively through doctrinal and thematic analysis techniques. The analysis included: constitutional interpretation analysis; conceptual legal analysis; comparative constitutional analysis; and institutional governance analysis.(Salsabila et al., 2026) The findings were then interpreted descriptively and analytically to explain the relationship between electoral mechanisms, democratic legitimacy, accountability structures, and governance quality.

Validity and Reliability of the Research

To ensure academic validity and analytical rigor, this study applied several validation strategies: (a) Source triangulation, by comparing constitutional texts, legislation, court decisions, and scholarly literature; (b) Theoretical triangulation, by integrating constitutional law and public administration theories; (c) Logical consistency, ensuring coherence between legal norms, theoretical frameworks, and conclusions; (d) Referential adequacy, through the use of credible and relevant scholarly sources; (e) Audit trail**,** by systematically documenting the selection of legal materials, analytical procedures, and interpretive reasoning.

These procedures were employed to ensure that the study maintains methodological transparency, theoretical consistency, and scientific accountability.

RESULTS AND DISCUSSIONS

This section systematically discusses the research findings with reference to the problem formulation, namely: (1) the democratic legitimacy of the regional head election system through the DPRD, (2) its implications for public accountability, and (3) the relationship between the election mechanism, power structure, and the quality of regional governance.

Constitutional Legitimacy of DPRD-Based Regional Head Elections in the Indonesian Constitutional System

a. Constitutional Interpretation of Article 18 Paragraph (4) of the 1945 Constitution

The constitutional debate concerning the regional head election mechanism in Indonesia fundamentally centers on the interpretation of Article 18 paragraph (4) of the 1945 Constitution of the Republic of Indonesia, which states that governors, regents, and mayors "shall be elected democratically." From the perspective of constitutional law, the phrase "elected democratically" constitutes an open constitutional formulation that does not explicitly prescribe either direct elections by citizens or indirect elections through representative institutions. Consequently, the constitutional legitimacy of DPRD-based regional head elections depends largely on interpretive approaches applied to the constitutional text.

Using grammatical interpretation, the phrase "democratically elected" does not linguistically restrict democratic procedures solely to direct voting by citizens. The constitutional text intentionally adopts a broad formulation, thereby allowing multiple institutional mechanisms as long as democratic principles are maintained. This interpretation indicates that indirect elections through representative institutions may remain constitutionally acceptable because democracy, in constitutional theory, encompasses both direct democracy and representative democracy.

However, constitutional interpretation cannot rely exclusively on textual analysis. Through systematic interpretation, Article 18 paragraph (4) must be understood within the broader

constitutional structure emphasizing popular sovereignty, constitutionalism, decentralization, and representative government. Article 1 paragraph (2) of the Constitution explicitly states that sovereignty belongs to the people and is implemented according to the Constitution. Therefore, democratic legitimacy requires not only formal compliance with constitutional procedures but also institutional arrangements capable of reflecting public sovereignty substantively.

From a teleological interpretation perspective, the constitutional purpose of regional elections extends beyond administrative leadership succession. Regional elections function as democratic instruments for ensuring political participation, public accountability, and local governmental responsiveness.(Hakim et al., 2024) Consequently, although DPRD-based elections may satisfy procedural constitutional legality, questions emerge regarding whether the mechanism adequately fulfills the substantive democratic objectives embedded within the constitutional order.

The Constitutional Court's jurisprudence further strengthens the interpretation that the Constitution permits both direct and indirect electoral mechanisms under the doctrine of open legal policy. The Court has repeatedly emphasized that democracy should not be interpreted narrowly as exclusively direct elections. Nevertheless, the Court also recognizes that democratic systems must preserve accountability, representation, and constitutional checks and balances. Therefore, constitutional legitimacy remains conditional upon the institutional capacity of representative mechanisms to safeguard democratic values.

Procedural Legitimacy versus Substantive Democratic Legitimacy

The findings demonstrate that the DPRD-based election mechanism possesses strong procedural legitimacy because it operates through constitutionally recognized representative institutions. In representative democracy theory, legislative institutions function as intermediaries of popular sovereignty. Accordingly, elections conducted through DPRD members can formally be interpreted as an indirect manifestation of public political will.

However, constitutional legitimacy in democratic systems cannot be reduced solely to procedural legality. The study identifies a critical distinction between procedural legitimacy and substantive democratic legitimacy. Procedural legitimacy concerns compliance with constitutional procedures and legal norms, whereas substantive legitimacy concerns the actual realization of democratic values such as participation, transparency, accountability, and equal political representation.

From Robert Dahl's theory of democracy, democratic quality depends upon two central dimensions: political participation and public contestation. Direct elections maximize citizen participation because citizens directly determine political leadership. By contrast, DPRD-based elections reduce direct citizen involvement and relocate political decision-making into elite institutional arenas. Consequently, while political competition may continue within legislative institutions, the broader participatory dimension of democracy becomes institutionally constrained.

This situation reveals a constitutional dilemma between legality and democratic substance. A mechanism may remain constitutionally lawful while simultaneously producing democratic deficits in practice. Therefore, constitutional legitimacy should not be assessed solely through formal legality but must also consider whether institutional arrangements preserve meaningful public participation and democratic accountability.

b. Constitutionalism, Decentralization, and Local Democracy

The analysis further indicates that the regional head election mechanism directly influences the constitutional architecture of decentralization in Indonesia. Since the Reform Era, decentralization has functioned not merely as administrative devolution but also as political decentralization intended to strengthen local democracy and citizen participation. Direct regional elections institutionalized a stronger relationship between citizens and regional executives by granting regional heads direct democratic mandates. This arrangement enhanced vertical

accountability because regional leaders became politically dependent on citizens rather than legislative elites. Conversely, DPRD-based elections alter this constitutional relationship by repositioning political legitimacy within representative institutions rather than the electorate directly.

From the perspective of constitutionalism, decentralization requires a balance between democratic participation and institutional stability. Excessive concentration of political authority within legislative institutions risks weakening constitutional checks and balances at the local level. Therefore, the constitutional validity of DPRD-based elections depends not merely on textual constitutional interpretation but also on whether the institutional design preserves democratic constitutionalism in practice.

Institutional Analysis of DPRD-Based Regional Head Elections

a. Transformation of Accountability Structures

The institutional findings reveal that changes in electoral mechanisms fundamentally transform accountability relationships within regional governance systems. Under direct elections, regional heads derive political legitimacy directly from citizens, thereby creating strong vertical accountability between elected officials and the public. Citizens become the principal evaluators of governmental performance through electoral mechanisms.

In contrast, DPRD-based elections shift accountability toward institutional and political actors within legislative bodies. Regional heads become politically dependent on DPRD support because legislative institutions function both as selectors and overseers of executive authority. This transformation significantly changes the orientation of political incentives and governance behavior.

From a public administration perspective, accountability is not merely a legal obligation but an institutional relationship determining governmental responsiveness and policy orientation. When accountability shifts from citizens toward political elites, regional executives may prioritize legislative negotiations and coalition maintenance over broader public interests. Consequently, policy responsiveness risks becoming increasingly elite-centered rather than citizen-centered.

The findings also demonstrate that indirect electoral systems tend to weaken transparency in political accountability processes. In direct elections, public evaluation occurs openly through electoral competition and citizen participation. Conversely, DPRD-based elections concentrate political bargaining within limited institutional arenas, thereby reducing public visibility into political negotiations and decision-making processes.

b. Executive–Legislative Relations and Institutional Dependency

The institutional analysis further demonstrates that DPRD-based elections significantly reshape executive–legislative relations at the local level. Under direct elections, regional executives possess relatively autonomous democratic mandates because they derive legitimacy independently from voters. This autonomy strengthens the separation of powers and enables regional heads to exercise executive authority with greater institutional independence.

However, under DPRD-based elections, regional heads become politically dependent upon legislative coalitions responsible for their selection. This dependency alters the institutional balance between the executive and legislative branches. Rather than functioning as separate institutions engaged in mutual oversight, the executive and legislature may develop collusive political relationships driven by reciprocal political interests.

This condition weakens the principle of checks and balances, which constitutes a fundamental element of constitutional governance. The legislature, which should function as an oversight institution, simultaneously becomes the political actor responsible for executive selection and political survival. Consequently, oversight mechanisms risk becoming less objective and more politically transactional.

Institutional dependency also creates governance vulnerabilities. Regional executives may prioritize maintaining legislative support rather than implementing long-term public policy objectives. This dynamic potentially undermines bureaucratic professionalism, policy consistency, and administrative neutrality within regional governance systems.

Legislative Dominance and Elite Consolidation

The study further identifies the emergence of legislative dominance within local political structures under DPRD-based electoral systems. The DPRD no longer functions solely as a legislative and oversight institution but also becomes the primary gatekeeper of executive political recruitment. This dual role significantly strengthens legislative bargaining power within regional political systems.

From institutional theory, concentration of political authority within a single institutional arena increases the risk of oligarchic consolidation and elite bargaining. The findings indicate that DPRD-based elections may encourage transactional politics because political competition becomes concentrated among a relatively limited number of political actors. In such contexts, political negotiations may prioritize coalition interests, party arrangements, and elite accommodation rather than broader public accountability.

This institutional concentration also risks reducing political inclusiveness. Direct elections allow broader citizen participation in leadership selection, whereas indirect systems narrow participation to legislative actors. As a result, local democracy may gradually shift from participatory democracy toward elitist democracy.

The findings support concerns raised in governance literature regarding the relationship between institutional concentration and corruption risks. When executive selection depends heavily upon legislative bargaining, opportunities for rent-seeking, patronage politics, and political transactions may increase. Therefore, the institutional design of DPRD-based elections requires strong safeguards to prevent abuse of political authority.

Governance Implications and Democratic Quality

The study demonstrates that electoral mechanisms substantially influence governance quality at the regional level. Several governance implications emerge from DPRD-based elections: (a) Reduced direct citizen participation in political decision-making processes; (b) Increased concentration of political power within legislative institutions; (c) Greater potential for elite bargaining and transactional politics; (d) Weakened transparency in executive recruitment; (e) Reduced independence of regional executives; (f) Potential decline in public trust toward democratic institutions.

Nevertheless, the findings also indicate that indirect electoral systems are not inherently undemocratic. Comparative constitutional experiences demonstrate that representative-based local executive selection can function effectively when supported by strong institutional safeguards, transparent political procedures, independent oversight mechanisms, and highly accountable representative institutions. Therefore, the democratic quality of DPRD-based elections depends not solely on the electoral mechanism itself but also on institutional integrity, legislative accountability, political party institutionalization, and public oversight capacity.

c. Constitutional Legality and Institutional Governance

The integration of constitutional law and institutional public administration perspectives reveals that constitutional legality alone is insufficient to ensure democratic governance quality. The study demonstrates that constitutional legitimacy and institutional accountability are interdependent dimensions of democratic systems.

From a constitutional perspective, DPRD-based elections may remain legally valid under the doctrine of open legal policy. However, from an institutional governance perspective, the system may simultaneously generate accountability deficits, legislative dominance, weakened checks and balances, and reduced democratic participation.This interdisciplinary analysis

contributes to the broader theoretical understanding that democratic legitimacy should be evaluated through both procedural constitutionalism and substantive institutional performance. Democratic systems cannot be assessed exclusively through legal validity because constitutional democracy ultimately requires institutions capable of preserving accountability, representation, participation, and public trust.

Accordingly, the findings confirm that the central challenge in regional electoral design lies not merely in determining whether elections should be direct or indirect, but in constructing institutional arrangements capable of balancing constitutional legality, democratic accountability, governance effectiveness, and checks-and-balances principles within decentralized democratic systems.

.CONCLUSION

This study demonstrates that the constitutional legitimacy of regional head elections through the Regional People's Representative Council (DPRD) cannot be understood solely through a formalistic interpretation of constitutional legality. Although Article 18 paragraph (4) of the 1945 Constitution of the Republic of Indonesia constitutionally permits both direct and indirect electoral mechanisms under the doctrine of open legal policy, the findings reveal that procedural constitutional legitimacy does not automatically guarantee substantive democratic legitimacy. The democratic quality of an electoral system ultimately depends on the extent to which institutional arrangements preserve public participation, accountability, representation, and checks-and-balances mechanisms within regional governance.

From a constitutional law perspective, this study confirms that the phrase "democratically elected" represents an open constitutional norm that provides flexibility to lawmakers in designing regional electoral mechanisms.(Mr. Juned Ansari, 2019) However, the study also demonstrates that constitutional interpretation must move beyond textual legality toward substantive constitutionalism. Democratic legitimacy is not merely derived from constitutional conformity but also from the institutional capacity of governance systems to actualize popular sovereignty and prevent excessive concentration of political power. Therefore, the constitutional validity of DPRD-based elections remains contingent upon the effectiveness of representative institutions in safeguarding democratic accountability and public interests.

From the perspective of public administration and institutional governance, the study reveals that changes in electoral mechanisms fundamentally reshape accountability structures and institutional power relations at the regional level. DPRD-based elections shift accountability from citizens toward legislative institutions, strengthen legislative dominance within local political systems, and potentially weaken executive independence and institutional checks and balances. The concentration of executive recruitment within legislative arenas also increases the risk of elite bargaining, transactional politics, and reduced public participation in democratic processes. Consequently, the study confirms that electoral mechanisms are not merely procedural instruments but institutional variables that significantly influence governance quality, political responsiveness, and democratic performance.

The primary theoretical contribution of this research lies in the development of an interdisciplinary analytical framework integrating constitutional law and public administration in the study of local democracy.(Sutrisno et al., 2025) Previous scholarship has generally examined regional head elections through fragmented perspectives, focusing either on constitutional legality or governance effectiveness separately.(Arifin et al., 2025) This study advances the literature by demonstrating that democratic legitimacy should be analyzed through the interaction between procedural constitutionalism and substantive institutional accountability. In this regard, the study introduces the concept of "integrated democratic legitimacy," which positions constitutional

legality, accountability systems, institutional balance, and governance performance as interconnected dimensions of democratic governance.

Furthermore, this research contributes to constitutional and governance theory by emphasizing that decentralized democratic systems require equilibrium between legality, participation, and institutional control. The findings challenge narrow legalistic approaches that equate democracy exclusively with constitutional compliance while neglecting institutional consequences for accountability and governance quality. The study therefore reinforces the argument that constitutional democracy must be evaluated not only by the legality of institutional arrangements but also by their capacity to maintain democratic substance, public trust, and effective governance.

At the practical level, this study implies that any policy proposal seeking to restore DPRD-based regional head elections should not be assessed merely on grounds of efficiency, political stability, or fiscal considerations. Policymakers must also consider broader constitutional and institutional implications, particularly concerning public accountability, legislative dominance, democratic participation, and the sustainability of local democratic governance. Without strong institutional safeguards, transparent political mechanisms, and effective oversight systems, indirect electoral arrangements risk producing democratic regression despite remaining constitutionally lawful.

Ultimately, this study concludes that the central issue in designing regional electoral systems is not simply whether elections should be conducted directly or indirectly, but rather how institutional arrangements can simultaneously ensure constitutional legitimacy, democratic accountability, effective governance, and balanced power relations within Indonesia's decentralized constitutional order.

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