DPRD Based Regional Head Elections and the Problem of Elite Capture: A Constitutional Institutional Design Analysis and a Reform Agenda for Direct Local Elections (*Pilkada Langsung*)

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Abstract

Proposals to return the election of provincial and municipal executives to local legislatures (DPRD) repeatedly resurface in Indonesia, often justified by high campaign costs, vote-buying, and electoral conflict in direct local elections (pilkada langsung). Yet replacing direct elections with DPRD based selection raises serious constitutional and institutional design concerns: executive mandates shift from citizens to elite bargaining, vertical accountability weakens, and the risks of elite capture and local cartelization increase. This article rejects DPRD based local executive elections by developing a "constitutional consistency test" grounded in six indicators: popular sovereignty, accountability, integrity, openness, governmental effectiveness, and constitutional safeguards. The research problems are: (1) what constitutional foundations and normative consequences would follow if local executives were elected through the DPRD; and (2) how such a model would affect institutional risks (transactional politics, oligarchic capture), and what constitutionally sound alternatives can improve direct elections without abolishing them. Using doctrinal legal research with statutory, conceptual, historical, limited comparative, and constitutional court case approaches, the article argues that DPRD based election would undermine democratic legitimacy and sever citizen executive accountability chains in the post-Reformasi constitutional order. Cost-control objectives are better pursued through targeted reforms in campaign finance regulation, transparency, ethics enforcement, and strengthened oversight within the direct election framework.

1. Introduction

The proposal to return the election of regional heads (governors, regents, and mayors) to the DPRD (Regional People's Representative Council) repeatedly resurfaces as a policy response to three conditions often framed as acute in direct local elections (*pilkada langsung*): high political costs, the prevalence of money politics, and the fragmentation of local conflict accompanying electoral competition. Supporters promote DPRD based elections as both "more economical" and "more orderly" because selection is moved from a mass arena to a representative forum (Faisyah et al., 2025). However, viewed through the lens of *constitutional design*, a change in the electoral mechanism is not a mere administrative adjustment. It reengineers the source of mandate and the direction of accountability of local executive power. Here, a policy problem becomes a constitutional problem: who confers the mandate on a regional head, to whom must the regional head be accountable, and how can the public correct abuses of local power within a democratic rule of law state.(Dahl, 1971)

In Indonesia's post-*Reformasi* constitutional order, decentralization was intended not only to bring public services and governmental decisions closer to citizens, but also to restructure political legitimacy at the local level so that it would not depend solely on the circulation of administrative elites. Direct elections of regional heads despite their flaws create a clearer mandate relationship between citizens as holders of popular sovereignty and regional heads as local executive authorities. This clarity provides a basis for vertical accountability: citizens can reward or punish through subsequent elections, while regional heads face incentives to perform, curb abuses, and maintain legitimacy in the public eye.(Al Izzati et al., 2024) When the election mechanism is shifted to the DPRD, the mandate relationship does not disappear, but it becomes a multi-step delegation chain that is easily blurred: citizens elect parties/DPRD members; the DPRD elects the regional head; and the regional head tends to calibrate policy to retain DPRD coalition support. In democratic accountability theory, such a configuration amplifies the *principal agent problem* because the agent (the DPRD) has its own preferences and incentives that do not necessarily align with voters' preferences.(Behn, 2001)

This article rejects DPRD based elections for regional heads through two mutually reinforcing argumentative moves (Huroiroh, 2025). First, it advances a normative constitutional claim that DPRD based elections generate a democratic deficit by shifting the source of local executive legitimacy from citizens' mandate to factional bargaining, while weakening vertical accountability as the core of local democracy. Second, it develops an institutional design argument that DPRD based elections increase incentives for elite transactions, cartelisation, and *elite capture* including the risk of policy corruption because the selection arena becomes more closed, centralized, and closely tied to local budget politics. On this basis, the article proposes an alternative agenda: preserving direct

elections while repairing their weak points through reforms in campaign finance, transparency, ethical and legal enforcement, and party recruitment (PARTLETT, 2021).The academic debate framing this issue can be traced through key findings from prior research. On the one hand, political economy studies indicate that reforms introducing direct elections can increase trust in state and political institutions an important indicator of democratic consolidation.(Al Izzati et al., 2024) Other findings suggest that direct elections do not automatically ensure uniformly improved public services, due to dynamics such as incumbency advantage and shifting performance incentives in subsequent terms. This implies that accountability problems often lie not in the "direct versus indirect" dichotomy, but in the design of incentives and post-election controls.(Lewis et al., 2020) This literature matters because it undercuts the simplification that direct elections are the single cause of local governance failures. n the other hand, research on money politics, clientelism, and vote buying in Indonesia shows that transactional practices operate through candidate broker voter networks and are frequently driven by weak campaign finance regulation and weak law enforcement.(Burhanuddin Muhtadi, 2019) Studies focusing on money politics in local elections emphasize that the pathology is embedded in the broader electoral ecosystem and candidate strategies; it therefore requires reforms in oversight and financing design, rather than replacing the electoral mechanism itself.(Noor et al., 2021) Even research that highlights the preferences or vulnerabilities of certain voter groups to vote buying points to layered causes information structures, economic needs, and broker practices that do not vanish simply because the election arena is moved to the DPRD.(Yanti et al., 2023) Conceptually, these findings suggest that DPRD based elections may merely relocate transactions from a "vote market" to an "elite market," rather than eliminating them (Hermanto & Riyadi, 2020).

Further, the literature on decentralization and the quality of Indonesian democracy highlights a paradox: decentralization can widen participation, yet also open space for local oligarchy when party institutions and oversight are weak.(Chandra, 2024) Research on the rise of political dynasties shows how family networks, patronage, and resource control can lock local competition and reduce representational quality.(Kenawas, 2023) In this context, DPRD based elections should be treated with caution as a potential accelerator of *elite capture*, because access to victory is determined by factional negotiations and political patronage rather than open competition before voters. Findings on party cartelisation and power-sharing in Indonesia likewise underscore elites' tendency to form pragmatic coalitions to secure resources; an election mechanism that turns executive office into a more tradable commodity within legislative bargaining may expand incentives for cartel behavior and transactional compromise.(Slater, 2018)

This debate is often closed by a textual argument that the 1945 Constitution (UUD 1945) requires only that regional heads be "elected democratically," so DPRD based

election can be considered constitutionally permissible. Yet constitutionalism does not end at minimum legality. It demands coherence between institutional design and foundational principles: popular sovereignty, protection of citizens' political rights, the *rule of law*, and local government legitimacy that is answerable to the public. Accordingly, the evaluative question is not only "is it possible," but "is it consistent with the purposes of post-*Reformasi* constitutional democracy." With this framework, DPRD based elections must be tested against their effects on mandate (who grants it), accountability (to whom it is owed), and integrity (whether the design minimizes transactions and policy corruption).

This is the gap the article addresses. Many arguments favoring DPRD based elections stop at two claims: cost efficiency and the flexibility of Article 18(4). Missing is a prescriptive and operational test to assess the "constitutional consistency" of an electoral design, including when the design is marketed as a solution to high costs and money politics. The article's contribution is to offer a constitutional consistency test for regional head election design through an indicator matrix popular sovereignty, accountability, integrity, openness, local government effectiveness, and constitutional safeguards so that the normative consequences and institutional risks of DPRD based elections can be evaluated systematically, while guiding more targeted reform of direct elections.

Research Problems

What is the constitutional basis and normative consequence of DPRD based elections for regional heads with respect to popular sovereignty, mandate legitimacy, and local government accountability within the framework of the 1945 Constitution and post-*Reformasi* constitutional practice?

((2) How does the institutional design of DPRD based elections affect the risks of political transactions, cartelisation, *elite capture*, and policy corruption at the local level; and what constitutionally appropriate policy alternatives can improve direct elections without abolishing them?

2. Research Methods

This is normative legal research (*doctrinal legal research*) with a prescriptive orientation. It assesses the constitutional consistency of DPRD based regional head elections and formulates a more appropriate institutional design to address pathologies in direct elections.(Marzuki, 2017) The analysis focuses on UUD 1945 norms, statutory regulations on regional government and regional head elections, and the development of constitutional practice after *Reformasi* including patterns of constitutional reasoning by the Constitutional Court (Mahkamah Konstitusi, MK) in cases relevant to local democracy, popular sovereignty, and the protection of political rights .(Zainuddin, 2021)

A statute approach is used to map the normative construction of filling regional head offices. The analysis begins with UUD 1945 particularly Article 1(2) on popular sovereignty, Article 18(4) on regional heads "elected democratically," and constitutional provisions related to political rights and the *rule of law*. The mapping is extended to statutes governing regional government and regional head elections (including amendments), as well as technical regulations on campaign finance, campaign finance reporting, prevention of violations, and oversight and enforcement mechanisms.(Indonesia, 2014a) Through this approach, the study evaluates whether DPRD based election can be justified within positive law and whether shifting the mechanism creates systematic contradictions with higher constitutional principles (Moonti et al., 2025).

A conceptual approach is employed to build an analytical toolkit concerning democratic legitimacy, mandate, accountability, representation, and the *rule of law* in electoral design. The operational concepts include: (a) input legitimacy (procedural mandate from citizens) and output legitimacy (performance and governing capacity); (b) vertical accountability (citizens leaders) and horizontal accountability (inter-institutional control); (c) the *principal agent problem* in the voter DPRD regional head relationship; and (d) the risks of *elite capture* and cartelisation in a multiparty system.(Pitkin, 1967) This conceptual framework grounds the article's constitutional consistency indicators popular sovereignty, accountability, integrity, openness, local government effectiveness, and constitutional safeguards which function as normative benchmarks to assess whether an electoral design preserves constitutional democracy's substance or instead reduces it.

A historical approach places the debate in the broader trajectory of post-1998 constitutional reform and decentralization. It highlights the rationale behind redesigning local politics: from restructuring central local relations and strengthening autonomy, toward expanding citizen participation and constraining local power through electoral mechanisms. In this setting, the phrase "elected democratically" is treated as an open-textured norm born of compromise, yet that compromise must still be read in light of *Reformasi*'s direction: expanding channels for popular sovereignty and strengthening governmental accountability, including at the local level.(Dahl, 1971)

A limited comparative approach is used selectively to enrich institutional design analysis especially in relation to claims about cost efficiency and governmental stability without importing models mechanically. A case/decision approach is used to interpret Constitutional Court decisions relevant to electoral design, local democracy, and the protection of political rights, including decisions that address the constitutional position of local elections within Indonesia's democratic framework.

Pendekatan kasus/putusan (*case approach*) digunakan untuk membaca putusan-putusan MK yang relevan dengan desain pemilihan, demokrasi lokal, dan perlindungan

hak politik, termasuk putusan yang membahas posisi *pilkada* dalam sistem ketatanegaraan serta batas kebijakan pembentuk undang-undang dalam mengubah desain pemilihan. Putusan MK diperlakukan sebagai sumber untuk menangkap pola penalaran konstitusional (*constitutional reasoning*), seperti penegasan kedaulatan rakyat, due process dalam demokrasi elektoral, dan batas pembatasan hak politik warga. Dengan demikian, pembahasan putusan tidak berhenti pada *ratio decidendi* formal, tetapi ditarik sebagai prinsip yang membimbing desain kelembagaan yang konstitusional (Akmal et al., 2025).

Materials are collected through documentary research: (a) tracing and compiling laws, regulations, and court decisions from official repositories; (b) reviewing scholarly literature from reputable databases; and (c) gathering supporting materials relevant to post-election governance and integrity risks. The analytical method combines legal interpretation (grammatical, systematic, historical, and teleological) of UUD 1945 norms and related regulations with legal reasoning to assess how electoral design affects popular sovereignty, accountability, and the protection of political rights.(Marzuki, 2017) The analysis proceeds in three stages: (1) identifying constitutional principles and the purposes of norm formation (constitutional level); (2) evaluating the coherence of DPRD based election design against those principles (statutory and institutional design level); and (3) drawing prescriptive conclusions as operational policy recommendations to improve direct elections without eliminating the citizen based mandate.

3. Result And Discussion

Constitutional Consistency of Regional Head Elections

Debates over whether regional heads should be elected by the DPRD or directly by citizens are often narrowed into concerns about "political costs" and "government efficiency." Yet within *constitutional design*, the election mechanism is the central instrument that shapes mandate and accountability at the local level. If the regional head's mandate is produced through the DPRD, the principal agent relationship changes in a fundamental way: citizens no longer directly confer the mandate on the local executive, but instead confer a mandate on the DPRD, which then "delegates" that mandate to the regional head. This multi-step mandate structure may appear compatible with representative democracy, but it must be tested: does it preserve popular sovereignty in substance, does it widen or restrict space for public correction, and is it aligned with post-*Reformasi* constitutional development that places citizen participation at the center of local democracy.(Dahl, 1971)

In Indonesia, Article 1(2) of UUD 1945 affirms that sovereignty belongs to the people and is exercised according to the Constitution. The phrase "according to the Constitution" underscores that popular sovereignty is not merely "entrusted" to formal procedures of

representation; it must be realized through institutional designs that keep public control over power effective. At the same time, Article 18(4) provides that regional heads are "elected democratically." The provision does not explicitly require direct elections, and thus textually leaves policy space to the legislature. Yet that policy space is not a blank check. In constitutional democracy theory, "democratic" is not satisfied by the presence of any selection procedure; it demands meaningful participation, fair contestation, and effective accountability mechanisms.(Dahl, 1971) The constitutional question therefore becomes sharper: does DPRD based election meet democratic standards compatible with popular sovereignty, or does it reduce popular sovereignty into the sovereignty of representative elites vulnerable to cartel dynamics?

Supporters of DPRD based elections typically argue that in representative democracy citizens have already elected the DPRD; because the DPRD represents citizens, selection by the DPRD is still democratic. From the standpoint of representation theory, this claim becomes problematic when it blurs the distinct mandates of different institutions. The DPRD is elected to perform legislative, budgeting, and oversight functions; that is an institutional mandate different from the mandate to determine who holds local executive authority.(Pitkin, 1967) Delegation of authority cannot be expanded automatically without examining whether the expansion remains consistent with institutional purposes and accountability principles. Once the DPRD is empowered to elect the regional head, it does not merely "represent"; it becomes the gateway to executive office (Teubner & Golia Jr, 2023). This increases agency slack: the DPRD has incentives to select an executive who is easier to bargain with in budget politics or resource allocation, while citizens lose direct control over who holds local executive authority.(Behn, 2001)

The first implication concerns mandate legitimacy. In direct elections, legitimacy has a clear input dimension: citizens select the leader who will execute local programs and policies, so the regional head holds a public mandate that is relatively independent of particular factions. In DPRD based elections, input legitimacy becomes legislative-coalition legitimacy. The regional head is likely to emerge as the product of inter-party and inter-faction compromise rather than as a public choice tested through open contestation. Normatively, this produces mandate dilution because citizens' mandate is fragmented into party preferences and factional bargaining. In practice, mandate dilution makes the regional head more vulnerable to becoming a "coalition executive" rather than a "public executive," so policy priorities tend to follow the logic of maintaining DPRD political support.(O'Donnell, 1998)

The second implication is the weakening of vertical accountability. Democratic accountability theory emphasizes clarity: who is responsible for what, who evaluates, and what corrective instruments are available.(Behn, 2001) Direct elections clarify the accountability chain: citizens elect the regional head, assess performance, and can replace

the leader in the next election. DPRD based elections blur the chain because citizens can "punish" the regional head only indirectly through legislative elections, which themselves bundle many issues and candidates. In this situation, blame shifting becomes easier: regional heads can attribute policy failure to DPRD constraints, while the DPRD can blame the executive, and citizens struggle to locate responsibility. As a result, the corrective force of elections weakens, and accountability shifts toward internal-elite accountability: the regional head primarily answers to the DPRD coalition that selected and sustains them.(O'Donnell, 1998)

The third implication concerns consistency with the protection of citizens' political rights. Article 28D (3) of UUD 1945 guarantees that every citizen has an equal opportunity in government. While this clause is not always translated as a direct "right to elect regional heads," political rights standards in modern democracies presuppose substantial citizen participation in forming governments especially for executive offices that exercise day-to-day governmental authority. When the election mechanism is shifted to the DPRD, the quality of political participation is reduced: citizens lose a direct channel to select local leaders and lose the public deliberative space that typically accompanies campaigns, debates, and programmatic contestation. At a certain point, this reduction risks turning citizens from active participants into spectators of elite processes, contrary to the direction of post *Reformasi* local democratization.(Pitkin, 1967)

The fourth implication relates to the *rule of law* and local government legitimacy. In a rule of law state, legitimacy is not determined only by formal procedure, but also by public perception that power is acquired lawfully, fairly, and accountably. Research suggests that the introduction of direct elections in Indonesia can increase trust in state and political institutions an important reservoir of legitimacy for democratic stability.(Al Izzati et al., 2024) If selection is returned to the DPRD, that legitimacy reservoir risks erosion because the public may perceive the process as closed-door bargaining. In local political contexts often shaped by patronage relations and resource inequality, a closed process is also more readily suspected as transactional, weakening the government's legitimacy from the start of a term (Rahmawati & Wardana, 2025).

This is why Constitutional Court decisions must be positioned properly. Court jurisprudence should not be treated as a search for a "single validating sentence" to justify a preferred model. It should be read to extract principled patterns: the legislature has policy space in designing elections, but that space is constrained by popular sovereignty, political rights, and constitutional democracy standards. MK decisions concerning the regional head election regime and local democracy show that electoral design has constitutional dimensions; therefore, design changes must be rationally justified and must not reduce protection for foundational principles.(Indonesia, 2013, 2014b, 2015, 2022) If lawmakers intend to shift elections to the DPRD, the justificatory burden is substantial:

they must demonstrate that DPRD based election does not reduce popular sovereignty's substance, does not weaken accountability, and does not diminish constitutional safeguards for political rights. Cost-efficiency claims alone cannot meet that burden.

DPRD based election is constitutionally problematic because it shifts the source of mandate from citizens to representative elites, weakens vertical accountability, obscures public responsibility, and reduces the quality of citizen participation in local democracy. Textual flexibility in the phrase "elected democratically" must not be read as authorization for a design that reduces popular sovereignty's substance and turns regional heads into products of factional compromise. In other words, within the post *Reformasi* constitutional democracy framework, DPRD based election constitutes constitutional regression because it lowers the legitimacy and accountability standards that have been built through the practice of direct elections.(Dahl, 1971)

Institutional Risks of DPRD based Elections and the Reform Agenda for Pilkada Langsung

This section explains how DPRD based institutional design shapes concrete risks transactional politics, cartelisation, *elite capture*, and policy corruption. This analysis matters because policy justifications are often framed pragmatically: "as long as it is cheaper and more stable." Yet in institutional design, what looks inexpensive upfront can become costly later, because savings on public campaigning may transform into elite transaction costs and policy corruption costs that damage local budgets and public service quality. Here, political economy approaches and clientelism studies become relevant: institutions that concentrate decisive power among few actors tend to increase incentives for rent seeking when transparency, enforcement, and accountability are weak.(Aspinall & Berenschot, 2019)

First, DPRD based election shifts the locus of transactions from voters (mass-based exchange) to elites (elite-based exchange). The literature on money politics and clientelism in Indonesia shows that vote buying and patronage operate through candidate broker voter networks, often rooted in economic need, informational asymmetry, and weak law enforcement.(Burhanuddin Muhtadi, 2019; Efendi et al., 2023) Those findings also indicate that transactions are not merely about "buying votes," but about building durable exchange networks. If elections move to the DPRD, those networks do not disappear; they become denser because the number of actors who determine victory shrinks to DPRD factions. Transaction theory suggests that when veto players are fewer, transaction costs may fall for candidates yet the downside is that transactions become easier to execute and harder for the public to oversee. In the DPRD context, exchanges can also shift from vote buying to policy buying: factional support is traded for project access, office distribution, or budgetary influence.

Second, DPRD based election increases cartelisation risks. Studies on Indonesian party cartelisation emphasize that power-sharing and pragmatic coalitions can weaken opposition and reduce substantive competition.(Slater, 2018) If the DPRD becomes the selection arena for regional heads, cartel incentives intensify because parties can engineer coalitions to divide executive access and local resources. Cartels can also lock out non-elite candidates by "controlling the gate" through factional support requirements and opaque internal negotiations. As a result, elite circulation narrows, programmatic competition erodes, and citizens lose meaningful choices (Ranchordás, 2024).

Third, DPRD based election enlarges opportunities for *elite capture* and local oligarchy. Research on oligarchic intervention in legislative processes highlights how economically and politically powerful groups can shape the decisions of representative institutions.(Arafat, 2023) In the local setting, proximity between the DPRD, the executive, and business interests is often more intense due to budget politics, licensing, and projects. If the executive is produced by the DPRD, the regional head stands in a stronger relationship of political dependence on the selecting factions. That dependence creates incentives to repay political debts through policy: budget allocations, project arrangements, and licensing decisions. In other words, DPRD based election risks accelerating the transformation of electoral corruption into policy corruption, with broader and longer-term consequences.

Fourth, DPRD based election can accelerate political dynasties. Studies on dynastic politics show how family networks and patronage can strengthen control over local political resources, especially when parties and oversight institutions are weak.(Kenawas, 2023) Direct elections are not immune to dynasties; however, in direct elections dynastic candidates still must pass a public test and compete for votes. DPRD based election reduces that public test and replaces it with elite lobbying. In many cases, dynastic networks are better positioned to consolidate factional support through economic resources and power relations, reinforcing local political exclusivity.

Fifth, the claim that DPRD based election increases "local government stability" must also be tested. Stability is often understood to mean that the regional head can be "aligned" with the DPRD, lowering executive legislative conflict. But in democracy, conflict is not always harmful; it can function as checks and balances. If stability is built on the regional head's political dependence on the DPRD, then it is elite coalition stability rather than accountable stability. Such stability can create "comfortable government" for elites without necessarily producing better public services. It may even generate a hostage government, where public policy is traded for budgetary political support.

For these reasons, the more constitutional and more effective policy agenda is to reform direct elections in ways that reduce political costs and close transactional loopholes. The article groups this alternative into five reform packages (De Gregorio, 2022).

The first package is campaign finance reform. The aim is not merely to reduce spending figures, but to close illicit funding channels and make enforcement feasible. Key steps include realistic spending caps, more frequent and digital-based reporting, forensic audits, and swift, binding sanctions. Transparency must be designed so it can be publicly tested and traced. In this framework, strengthening public party financing can also be considered to reduce dependence on major donors, provided strict accountability is ensured.(Slater, 2018)

The second package is stronger enforcement against money politics and nomination dowries (*mahar*). Empirical research shows money politics persists because enforcement is weak and punishment risk is low compared to electoral gains.(Noor et al., 2021) Reform must therefore include workable evidentiary procedures (including digital evidence), witness and whistleblower protection, and *follow the money* mechanisms. Integrating financial transaction data, campaign finance reports, and field findings can make enforcement more effective.

The third package is improving party recruitment and preventing nomination dowries. Political dowries are costs of access to candidacy that seed corruption upstream. Without internal party reform, campaign costs will remain high because candidates must "buy the ticket" before mobilizing public support. Regulation can strengthen anti dowry rules through realistic proof designs and encourage transparent candidate selection through internal mechanisms that can be audited and opened to public scrutiny.

The fourth package is recalibrating nomination thresholds so they do not produce cartels. Excessively high thresholds increase parties' bargaining power and raise the cost of accessing candidacy; excessively low thresholds can fragment support and fuel conflict. Threshold design should therefore be evidence-based and principle-driven: preserving open competition while maintaining governmental effectiveness.

The fifth package is strengthening candidate integrity and post-election governance. Many pathologies emerge after elections, when regional heads use office to recover political capital. Stronger ethics enforcement, conflict-of-interest prevention, data openness, and tighter oversight over budgeting and licensing are essential to break the link between political costs and policy corruption.

To operationalize the article's "constitutional consistency test," the following indicator matrix is proposed as a prescriptive evaluation tool for any proposal to redesign the electoral mechanism.

Table 1. Constitutional Consistency Indicators for Regional Head Election Design

Indicator	Test question	Dominant risk under DPRD based election	Reform option if direct election is maintained
Popular sovereignty	Do citizens remain the clear source of mandate?	Mandate shifts to factions; mandate dilution	Strengthen voter access to information, public debates, and meaningful participation
Accountability	Who can correct the regional head through electoral mechanisms?	Vertical accountability weakens; blame shifting	Strengthen public performance measurement, budget openness, and electoral sanctions
Integrity	Does the design minimize money politics/nomination dowries?	Concentrated and opaque transactions; risk of policy buying	Campaign finance transparency, forensic audits, and *follow the money* enforcement
Openness	Can the selection process be publicly monitored?	Closed elite negotiations; difficult to audit	Openness of funding reports, candidate track records, and public complaint channels
Effectiveness	Is stability achieved without sacrificing checks and balances?	Elite-coalition stability; potential "hostage government"	Healthier executive DPRD relations through budget discipline and oversight
Constitutional safeguards	Are political rights and democratic standards protected?	Reduced quality of citizen participation	Guarantee equal suffrage and access to electoral justice in elections/local elections

The matrix shows that DPRD based elections generate cumulative risks on three core indicators at once: popular sovereignty, accountability, and openness. At the same time, reforming direct elections enables improvements in integrity and effectiveness without reducing citizen participation. Accordingly, the more rational and constitutional policy choice is to maintain direct elections and close cost and transaction loopholes through tighter regulatory design and effective enforcement (de Abreu Duarte et al., 2023).

Ultimately, DPRD based election is not a solution to the pathologies of political costs. It is a change in the transaction arena that may worsen *elite capture* and policy corruption. If the policy objective is to reduce political costs and increase integrity, the more appropriate route is governance reform within direct elections: transparent campaign finance, strong oversight, clean party recruitment, and credible enforcement (De Gregorio & Radu, 2022). On this basis, rejecting DPRD based election is not romantic attachment to direct elections, but an institutional design choice more consistent with popular sovereignty, the *rule of law*, and the legitimacy of local government in Indonesia's constitutional democracy.(Al Izzati et al., 2024)

4. Conclusion

This article rejects DPRD based elections for regional heads because, both normatively constitutionally and in institutional design terms, they risk reducing the quality of local democracy built after *Reformasi*. In response to RP1, the constitutional basis of regional head elections cannot be read solely from the flexibility of the phrase "elected democratically" in Article 18(4) of UUD 1945. In constitutional democracy, "democratic" requires the fulfillment of popular sovereignty (Article 1(2)), protection of citizens' political rights, and effective accountability mechanisms. DPRD based elections shift the source of mandate from citizens to a coalition of representative elites, turning the regional head's input legitimacy into legislative-coalition legitimacy rather than a public mandate tested through open contestation. This shift produces mandate dilution and creates a dependency relationship between the regional head and DPRD factions. As a consequence, vertical accountability to citizens weakens, the chain of public responsibility becomes multi-layered and blurred, and blame shifting becomes easier when policy fails or public services deteriorate. Within a *rule of law* framework, this weakening of accountability and reduction in the quality of public participation constitute a regression in local democratic consolidation.

DPRD based election also increases institutional risks that run against the aims often cited to justify change, namely cost efficiency and stability. Moving the selection arena from voters to the DPRD does not remove money politics; it tends to convert it from mass transactions into more concentrated and opaque elite transactions. When decisive actors shrink to DPRD factions, transactional incentives intensify because support can be traded for policy access, projects, or budgetary influence a form of policy buying that is more dangerous because its effects are long-term and damaging to governance. In addition, DPRD structures in a multiparty system encourage cartelisation, reduce substantive competition, and facilitate *elite capture*, including dynastic consolidation because victory depends more on elite lobbying than public testing. Therefore, DPRD based election is not a solution to political costs; it risks converting those costs into harder-to-trace and harder-to-correct transaction costs and policy corruption costs.

Based on the proposed constitutional consistency framework popular sovereignty, accountability, integrity, openness, local government effectiveness, and constitutional safeguards DPRD based election fails most clearly and simultaneously on three core indicators: popular sovereignty (the mandate no longer clearly originates from citizens), accountability (public correction weakens), and openness (selection tends to be closed). By contrast, reforming direct elections allows improvements in integrity and effectiveness without reducing citizen participation. The design choice more consistent with UUD 1945 and with post-*Reformasi* constitutional practice is therefore to maintain direct elections

while improving regulation and enforcement so that political costs and money politics can be reduced in a measurable way.

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