



The Legality of Former Corruptors as General Election Participants from the Perspective of Constitutional Law

Isnawati, Yana Eka Damayanti, S. Roy Hendrayanto, Fatimah Asyari

Lecturer at the Faculty of Law, University of 17 Agustus 1945 Samarinda

Email: isnawati21kaltim@gmail.com; Yanaekka@gmail.com;
royhendrayanto6@gmail.com; asyarifatimah@gmail.com

Correspondence Author: Isnawati

Abstract

General elections are a decisive moment in democratic life, as the main forum for quantifying the people's voice in carrying out the transition of leadership and government officials in executive and legislative power. In 2018, the General Election Commission and Law Number 6 of 2016 concerning the Election of Regional Heads and the People's Representative Council prohibited former corruption convicts from participating in the Regional Elections. However, the Supreme Court and Constitutional Court decisions later amputated these restrictions. The research aims to examine and analyze the legality of the political rights of former corruption convicts along with the efforts made after the Constitutional Court decision in the framework of building democracy in Indonesia. This research is normative legal research, the legal material used as a reference is secondary legal material which is supported by primary legal material and uses a statutory approach and conceptual approach, and analysis of the material is carried out descriptively. The research results show that (1) the Constitutional Court's decision guarantees the constitutional rights of former prisoners to participate as regional head candidates and legislative candidates in regional head elections and general elections. This decision provides legality for former convicts to occupy elected public positions (elected officials) as long as they are not subject to additional punishment in the form of revocation of voting rights by a court decision that has legal force; and (2) Efforts by election organizers to build democracy must be seen as good faith to ensure that regional head elections are held democratically. This effort was carried out by issuing technical regulations to implement the Constitutional Court decision as required quo. The regulatory material must include strict sanctions for former convicts who do not comply with the provisions of the regulation both pre and post-appointment as regional heads and candidates for members of the People's Representative Council (Central, Provincial, Regency/City). The General Election Supervisory Agency as an election supervisory institution must supervise the process of nominating regional heads and legislative candidates so that they comply with the provisions of applicable laws and regulations.

Keywords: General Election, Democracy, Former Corruption Convicts.

How to cite: Isnawati, isnawati, Damayanti, Y., Hendrayanto, S., & Asyari, F. (2025). The Legality of Former Corruptors as General Election Participants from the Perspective of Constitutional Law. *GPH-International Journal of Social Science and Humanities Research*, 8(01), 131-141. <https://doi.org/10.5281/zenodo.14747502>



This work is licensed under Creative Commons Attribution 4.0 License.

I. INTRODUCTION

Indonesia is a country of law, this is clearly stated in Article 1 paragraph 3 of the 1945 Constitution of the Republic of Indonesia (UUD 1945) which states that Indonesia is a country of law. This means that the Indonesian state is a state based on law, not based on power, and a government system based on a constitutional system (legal basis), not absolutism or unlimited power [1]. Then the fundamental values contained in Pancasila become guidelines for state administration. The administration of the Indonesian state refers to and has benchmarks, namely not deviating from divine values, human values, people's values, unity values, and justice values.

As a legal state, Indonesia has the 1945 Constitution as its legal basis or constitution. According to Bagir Manan, the functions of the 1945 Constitution of the Republic of Indonesia as a constitution include: firstly as a reflection of the state of society, secondly as a guideline regarding the goals of the state, thirdly as a legal basis for protecting society, fourthly as a legal basis for limiting the power of the authorities and is the basis for legislation Invitation.

As a source of basic law, the 1945 Constitution of the Republic of Indonesia adheres to a pattern of vertical and horizontal division of power. According to Philipus M Hadjon, what is meant by vertical division of power is the division of state power between the central government and regional governments. Meanwhile, the horizontal distribution of power is the distribution of state power to state organs called state institutions.

Article 18 paragraph 1 of the 1945 Constitution of the Republic of Indonesia states that the Unitary State of the Republic of Indonesia is divided into provinces and the provinces are divided into districts and cities, each of which has a regional government.

Thus, the central government forms regional governments as an important part of the hierarchical structure of the government system. The administration of government based on decentralization, deconcentration, and supporting duties enables the Regional Head and the Regional People's Representative Council (DPRD) to carry out regional government functions to realize the constitutional mandate.

By the provisions of Article 18 paragraph 4 of the 1945 Constitution, the respective governors, regents, and mayors as heads of provincial, district/city regional governments are elected democratically. The democratic election mechanism is implemented in the context of implementing people's sovereignty in provinces and districts/cities, to realize the democratic election of governors, regents, and mayors as mandated in Article 18 Paragraph 4 of the 1945 Constitution, it is necessary to regulate the implementation of elections for governors, regents, and mayors. Mayor in a separate law that is comprehensive to create quality leaders who have competition, integrity, and capability and fulfill the elements of acceptability, then this is compiled in a law. The Regional Head Election Law has undergone several changes. Law Number 32 of 2004 concerning Regional Government is the first law to regulate the direct election of regional heads by the people.

Furthermore, the election of regional heads and deputy regional heads must be carried out more transparently by involving community participation because law and politics have changed to make regional administration more efficient and in line with community aspirations. Therefore, the implementation of regional head and deputy regional head

elections is as regulated in Law Number 1 of 2015 concerning Regional Head Elections. In the same year, namely 2015, several provisions of Law Number 1 of 2015 needed to be refined, so Law Number 8 of 2015 concerning Regional Head Elections was issued. Implementation of Law Number 8 of 2015 is still ongoing leaving several problems. Article 7 letter g states that: never been sentenced to imprisonment based on a court decision that has permanent legal force for committing a criminal offense that is punishable by imprisonment for 5 (five) years or more. This requirement does not apply to someone who has completed their criminal sentence, starting 5 (five) years before the person concerned is appointed as a candidate for election to an elected public office and the person concerned declares honestly and openly to the public that the person concerned has been convicted and is not a perpetrator (repeated crimes). Persons sentenced to prison for political reasons are excluded from this provision.

The problem discussed in this article is what is the legality of the political rights of former corruption convicts and the efforts made after the Constitutional Court decision in the framework of building democracy in Indonesia?

The research aims to examine and analyze the legality of the political rights of former corruption convicts along with the efforts made after the Constitutional Court decision in the framework of building democracy in Indonesia.

2. RESEARCH METHODS

This research is normative research. This legal research is conceptualized as what is written in statutory regulations (law in books) or law is conceptualized as rules or norms that are benchmarks for human behavior that are considered appropriate [2]. In this research the legal materials used as references are secondary legal materials that are supported by primary legal materials and using a statutory approach (statute approach) and a conceptual approach (conceptual approach) and analysis of the material is carried out descriptively.

3. RESULTS AND DISCUSSION

3.1 Legal Legality for Former Corruption Convicts

This precept stipulates that all citizens must not be treated discriminatorily in any aspect of their lives unless required by law or a different judge's decision. Article 27 paragraph (1) of the 1945 Constitution of the Republic of Indonesia stipulates the right to equal positions in law and government, and Article 28D paragraph (3) of the 1945 Constitution of the Republic of Indonesia stipulates the right to equal opportunities in government. Based on this, the Constitution prohibits discrimination against citizens.

In its decision dated 11 December 2007, the Constitutional Court rejected the request for review of Article 58 letter f of Law Number 32 of 2004 concerning Regional Government, Article 6 letter t of Law Number 23 of 2003 concerning General Elections of President and Vice President, Article 16 paragraph (1) letter d of the Constitutional Court Law, and Article 7 paragraph (2) letter d of Law Number 5 of the 2004 Law concerning Amendments to the Law Number 14 of 1985 concerning the Supreme Court and Article 13 letter g of Law Number 16 of 2006 concerning the Financial Audit Agency, each of which

examines the requirement of never being sentenced to imprisonment based on a court decision that has permanent legal force for committing an act a crime punishable by imprisonment for 5 years or more. In consideration of the decision, it was stated that the articles of the various laws being reviewed were declared conditionally constitutional, that is, they were excluded for criminal acts involving minor negligence (*culpa levis*) and criminal acts due to differences in political views.

Not all public positions can meet the same requirements using general norm formulations due to the unique nature of certain public positions. Therefore, there are different requirements for several public positions, namely:

1. Legal discovery based on the judge's appreciation guided by his views and his thinking independently, based on the view that the law exists to serve humans.
2. The discovery of law that is based on legal values, truth, and justice as well as ethics and morality.
3. Discovery of laws that are capable of creating new values in people's lives, or carrying out engineering in society by developments in time, technology, and the state of society.

The amnesty policy for members of the PRRI/Permesta and the Free Aceh Movement (GAM), who at that time had also committed quite serious criminal acts according to Indonesian positive law, as well as people involved in the rebellion of the 30/S Movement/Indonesian Communist Party which was necessary to become a candidate for membership in the People's Representative Council (DPR), Regional Representative Council (DPD), and Regional People's Representative Council (DPRD), was deemed unconstitutional by the Constitutional Court in deciding this issue.

Never been sentenced to prison based on a court decision that has permanent legal force for committing a crime that is punishable by imprisonment for 5 years or more. If implemented without certain conditions, it will violate the principle of equality in law and government and violate the rights of a person or citizen to fair legal treatment, guarantees, protection, and certainty, as well as equal treatment before the law. Overall, reading the quo decision must be a unity that must be fulfilled. A former convict is not entitled to become a candidate for regional head elections and general elections if one of these conditions is not met. To generate new ideas about existing problems, researchers who use progressive legal ideas must have free thinking and dare to change what exists. The word "progress" comes from the word "progress", which means progress. The law must be able to keep up with the times, adapt itself to its basics, and serve society by referring to the morality and human resources of law enforcers themselves. Election laws must be able and quickly adapt to changes in society. Forcing election laws to be applied continuously causes the law's enforceability to become ineffective. Or, forcing people to implement election laws or leaning towards enforcing the law causes rejection and even conflict in society.

The idea of progressive law starts from the basic philosophical assumption that law is for humans and not vice versa. Thus, the existence of law is to serve and protect humans, not the other way around. Law is considered an institution that aims to lead humans to a just and prosperous life and make humans happy. Progressive law adheres to a legal ideology that is pro-justice and pro-people law. By [3] describes that law is always in process by saying that: law is an institution that continuously builds and changes itself towards a better level of perfection. The quality of perfection here can be verified in the factors of justice, welfare,

concern for society, and so on. This is the essence of "law is always in the process of becoming" (law as process, law in the making). The law does not exist for the law itself but for humans [4].

Progressive legal discoveries firmly link legal, humanitarian, and moral factors, so that legal discoveries are carried out by judges within the framework of carrying out their judicial duties and ultimately the judge will hand down his decision. Therefore, by [5] the character of progressive law were: (a) the discovery of law is based on the judge's appreciation, guided by his views and independent thinking, based on the view that law exists to serve humans; (b) the discovery of law that relies on legal values, truth, and justice as well as ethics and morality; and (c) the discovery of laws that are capable of creating new values in people's lives or carrying out engineering in society by current developments, technology and the state of society.

Departing from the concept of progressive law, the authority of the Constitutional Court is to explore the legal values that exist in society which reflect the dynamics of the values of justice that continue to develop as mandated by the law on judicial power. So it does not rule out the possibility that two Constitutional Court decisions on the same matter are different from each other, as is the case in Constitutional Court decision Number 4/PUU-VII/2009 dated March 4 2009 with the decision that preceded it, namely decision number 14-17/PUU-V/2007 dated 11 December 2007. In this case, the Court decision Number 14-17/PUUV/2007 was refined (not deleted) by the Constitutional Court decision Number 4 /PUU-VII/2009. This dynamic is in line with the dynamic nature of the law. Law must be able to adapt to the development of society as a legal subject. Therefore, the law must be able to keep up with the changing developments in society. It will not be possible to create a legal product that will last indefinitely. Laws that do not change while society has changed will only leave the law in a vacuum and cannot resolve concrete problems that exist in society.

Likewise, the law on regional head elections and general elections must be able and quickly respond to changes in society that occur. General election laws and regional head elections tend to change because they are related to political interests. Regional head elections and general elections without politics will not give birth to democracy. On the other hand, politics without regional head elections and general elections is not democracy. Making laws and implementing technical regulations should pay attention to the behavior of the people who implement them and the legal culture so that they are understood and can be implemented properly and with full awareness by the public. Implementation of laws like this will lead society to prosperity, justice, happiness, and glory.

In the development of election management institutions, they try to specifically limit the crime of corruption, and candidates cannot participate in general elections. Corruption is a factor hindering the nation's economic, social, political, and cultural development. Spirit of Law no. 31 of 1999, Law no. 20 of 2001, and Law no. 30 of 2002 cannot be separated from the international spirit which sparked the Declaration of the 8th International Conference Against Corruption on September 7–11, 1977 in Lima which initiated the international eradication of corruption. Indonesia ratified the United Nations Convention Against Corruption (UNCAC) based on Resolution 58/4 dated 31 October 2003 as stipulated in Law Number 7 of 2006 concerning Ratification of the 2003 United Nations Convention Against Corruption. Corruption is the abuse of public office for personal gain [6]. Apart from that,

corruption is an act of abuse carried out by the government [7]. Corruption consists of the subject of corruption, motivation, intent, method, and consequences of the corrupt act committed. Corruption is carried out by abusing power and violating existing codes of ethics. Corruption falls into the category of extraordinary crimes. Corruption is a common and international enemy. Corruption causes poverty in a country.

The above explanation will have a connection with efforts to protect human rights and the spirit of popular sovereignty, that every person has the right to join or simultaneously with other people to establish a political party or organization to compete in elections [8]. Likewise with the constitutional order, namely that sovereignty is in the hands of the people and is implemented according to the Constitution. Limiting the rights of Indonesian citizens with the status of former convicts who are part of the people as holders of sovereignty limits the rights of Indonesian citizens who want to vote and trust these former convicts. These provisions should be left to the people as the holders of sovereignty to choose or not choose former convicts, not by determining the requirements by the legislators. Efforts to limit political rights through the issuance of hierarchically lower regulations can be understood as efforts in good faith to ensure the democratic process continues democratically.

However, democracy still requires respect for human rights. Violations of human rights are a violation of the constitution so that violators can be held accountable.

Within the human rights framework, Article 28I paragraph (4) of the Constitution states that the protection, advancement, enforcement, and fulfillment of human rights is the responsibility of the state, especially the government. In Law Number 23 of 1999 concerning Human Rights Article 71 which states that the government is obliged and responsible to respect, protect, uphold, and promote human rights as regulated in law.

As the holder of the obligation to fulfill human rights, the state carries out three duties, namely, the state must respect, protect, and fulfill human rights [9]. In its development, the concept of human rights is closely tied to the concept of the rule of law. In a legal state, it is the law that governs, not humans. Law is interpreted as a hierarchical unity of legal norms that culminates in the constitution. This means that in a state the law requires the supremacy of the constitution. Apart from being a consequence of the concept of the rule of law, constitutional supremacy is also an implementation of democracy because the constitution is a form of the highest social agreement. The intrinsic element of law is morals in the form of good and bad, appropriate or inappropriate actions.

Every citizen who has committed a criminal act as long as he has carried out the sentence that has been imposed on him, everything that was previously revoked will be returned/recovered automatically. The remaining sentences are not the result of a judge's decision but arise because of the wishes of a group of people, even though they are prescriptively good, they have essentially violated other people's sense of justice. These improvement efforts should emerge through initial and complete thought before they are implemented. It could be raised through changes to Law Number 7 of 2017, but the material may be tested by a group of people or individuals who feel disadvantaged by the changes to the law that will be implemented. This is because additional punishment has been imposed on someone who has finished serving his sentence. Imposing a sentence a second time without being based on a court decision is a violation of human rights.

General elections are a representation of democracy. One of the measures for a general election with integrity was : (a) respect for human rights and international agreements on civil and political rights; (b) there are well-defined principles, standards, rights, and regulations implemented by the government to represent the holding of elections with integrity; and (c) the government is legally responsible that citizens are equal in the eyes of the law, that legislators and their enforcers are not arbitrary, and that the law respects human rights [10].

Respect for human rights is the main thing in democracy which is manifested in general election activities. We should continue to respect this right as long as it is not revoked by the provisions of the law and a judge's decision. The conclusion is that former prisoners, as long as there is no judge's decision that reduces the political rights in question, are legally able to nominate themselves as candidates for members of the People's Representative Council (Central, Provincial, Regency/City). Efforts to review decisions can still be carried out but they must be prescriptive and not retroactive so that there is no violation of the human rights of former prisoners.

As a comparison, the requirements for presidential and vice presidential candidates in Article 169 letter (d) state that the requirements for presidential and vice presidential candidates are never to betray the country and never commit criminal acts of corruption or serious crimes. The positions of the president and vice president are not the same as those of other citizens. This position is only held by 2 citizens. Therefore the president and vice president are special citizens. This can be seen from the legal treatment if a president and vice president are suspected of committing a criminal act. The president cannot be processed like an ordinary citizen.

This shows the privilege of these two citizens in the positions of president and vice president. However, in this case, the researcher states that Article 169 letter (d) has weaknesses in guaranteeing human rights. This is prone to violating human rights if implemented immediately. Everyone without exception has the same position before the law. So every citizen, including former convicts, as long as they have completed their sentence, will have the same rights as other citizens, unless their political rights are revoked by a judge, even for a president and vice president. This would be different if the president and vice president had committed acts of treason against the country. Treason (*aanslag*) can be translated directly as an attack (criminal act; crime) directed against someone (in a high position; head of state) or when attached to articles concerning state security, it is more in the sense of endeavor or effort (attempt or *ondernemen*). The meaning of the term treason refers to crimes against state security and crimes against friendly countries and heads of friendly countries and their representatives [11].

3.2 Efforts to Build Democracy after the Constitutional Court Decision

After the decision of the Constitutional Court quo, there is no need to question the legitimacy of former convicts as candidates for legislative members at all levels because the judiciary as the last bastion of justice seekers has clearly and concretely permitted it as long as it fulfills the provisions that have been decided. Other constructive thoughts are needed to provide an understanding of democracy to voters rather than wasting energy on conducting legal debates on a decision that already has final and binding legal force. The Constitutional Court's decision must be responded to properly and lawfully by election organizers in

particular and Indonesian society in general while remaining within the framework of building a constitutional democracy.

The legal framework requires general election implementing bodies to ensure that general elections are held democratically. Based on Law Number 7 of 2017, the General Election Commission (KPU) is given the task, authority, and obligation to prepare and determine KPU regulations for each stage of the election. Authority is an ability granted by applicable laws and regulations to give rise to legal consequences [12]. The authority in question is attributive. Based on this, the KPU as the election organizing institution has a legal basis for issuing technical regulations that explain in more detail the implementation of Law Number 7 of 2017 Article 240 paragraph (1) letter (g) and the quo court regulations.

Former convicts who will participate as candidates for membership in the People's Representative Council (Central, Provincial, and Regency/City) are required to openly and honestly state to the public that the person concerned is a former convict as in the quo law. The meaning of the quo law must be interpreted as requirements that must be carried out and fulfilled before being appointed as a candidate and after being appointed as a candidate for membership in the People's Representative Council (Central, Provincial, and Regency/City). This must be done concretely by prospective members of the People's Representative Council (Central, Provincial, and Regency/City) who have the status of ex-convicts. Concrete means that it not only fulfills procedural requirements but also must be fulfilled in substance. The seriousness of declaring oneself as a former prisoner must be reflected in the relevant vision and mission campaign.

Honesty means not lying, or saying what is true. Open can be understood as not closed and not kept secret. The mechanism is that candidates who have the status of ex-convicts after being appointed to the list of permanent candidates can add a clause or sentence that they are former convicts.

Apart from that, during the campaign period, the General Election Commission (KPU) makes announcements in regional or national print media and the KPU website at all levels regarding candidates for members of the People's Representative Council (Central, Provincial, and Regency/City). Former convict status in his area every day during the campaign period. This announcement task can be carried out by election organizers according to the level at which ex-convicts are registered as candidates for members of the People's Representative Council (Central, Provincial, and Regency/City). This can be done by the General Election Commission because it has sufficient funds sourced from the state revenue and expenditure budget. The presence of an election supervisory body in supervising this process is very important. The absence of supervision makes the process being carried out weak. This is done as an effort to fulfill the provisions as required by law fulfill the community's sense of justice and eliminate prejudice against the implementation of elections that will be and/or are being held.

The Constitutional Court's decision guarantees the constitutional rights of former prisoners to participate as regional head candidates and legislative candidates in regional head elections and general elections. This decision provides legality for former convicts to occupy elected public positions (elected officials) as long as they are not subject to additional punishment in the form of revocation of voting rights by a court decision that has legal force.

This Constitutional Court decision must be interpreted as a final and binding source of law by election organizers that regulates rather than limits human rights.

Efforts by election organizers to build democracy must be seen as good faith to ensure that regional head elections are held democratically. This effort was carried out by issuing technical regulations to implement the Constitutional Court's decision as required *quo*. The material of the regulation must include strict sanctions for former prisoners who do not comply with the provisions of the regulation both pre and post-appointment as regional heads and candidates for members of the People's Representative Council (Central, Provincial, and Regency/City). The General Election Supervisory Body (Bawaslu) as an election supervisory institution must supervise the process of nominating regional heads and legislative candidates so that they comply with the provisions of applicable laws and regulations. Parties are the main determinant of the success of holding elections and democratic regional head elections. Political parties have an important role in producing candidates for members of the People's Representative Council (Central, Provincial, Regency/City) who are professional and have integrity. Mistakes in selecting candidates to compete will bring a bad image to the supporting political party. This can be done by carrying out good cadres and tiered political education which must be an inseparable part of the existence of political parties.

4. CONCLUSION

The Constitutional Court's decision guarantees the constitutional rights of former prisoners to participate as regional head candidates and legislative candidates in regional head elections and general elections. This decision provides legality for former convicts to occupy elected public positions (elected officials) as long as they are not subject to additional punishment in the form of revocation of voting rights by a court decision that has legal force. This Constitutional Court decision must be interpreted as a final and binding source of law by election organizers that regulates rather than limits human rights.

Efforts by election organizers to build democracy must be seen as good faith to ensure that regional head elections are held democratically. This effort was carried out by issuing technical regulations to implement the Constitutional Court decision as required *quo*. The material of the regulation must include strict sanctions for former prisoners who do not comply with the provisions of the regulation both pre and post-appointment as regional heads and candidates for members of the People's Representative Council (Central, Provincial, Regency/City). The General Election Supervisory Agency as an election supervisory institution must supervise the process of nominating regional heads and legislative candidates so that they comply with the provisions of applicable laws and regulations. Parties are the main determinant of the success of holding elections and democratic regional head elections. Political parties have an important role in producing candidates for members of the People's Representative Council (Central, Provincial, Regency/City). Who are professional and have integrity. Mistakes in selecting candidates to compete will bring a bad image to the supporting political party. This can be done by carrying out good cadres and tiered political education which must be an inseparable part of the existence of political parties.

BIBLIOGRAPHY

BOOKS AND JOURNALS

- Winarno. 2011. *New Paradigm of Citizenship Education*. Bumi Aksara, Jakarta.
- Amiruddin and Z. Asikin. 2014. *Introduction to Legal Research Methods*. Rajawali Pers, Jakarta.
- Rahardjo, S 2019. *Progressive Law A Synthesis of Indonesian Law*. Genta Publishing, Yogyakarta.
- Rahardjo, S. 2019. *Progressive Law: Liberating Law*. *Progressive Law Journal*. 1(1). Diponegoro University Doctoral Program in Law 2019.
- Rivai, A. 2010. *Legal Discovery by Judges in a Progressive Legal Perspective*. Sinar Graphics, Jakarta.
- World Bank: Corruption is the abuse of public power for private benefit. Similar to Corruption is the abuse of public power for private gain. This definition has been used by many scholars on the concept of corruption, e.g., Olken (2007), Bardhan (2006), Jain (2001), and Rose-Ackerman (2011).
- Li, Y.L., Wu, S.J. and Hu, Y.M. 2011. A Review of Anti-Corruption Studies in Recent China. Article in *Journal Chinese Public Administration* 11: 115-119
- International Parliamentary Declaration Concerning Criteria for Free and Fair Elections 1994, See in International IDEA, *International Standards for General Elections*, Review of the Legal Framework for Elections, Ibid., p. 117-120.
- Constitutional Court Decision Number 42/PUU-XIII/2015, p. 14
- Reports from the Global Commission on Elections, Democracy and Security, *Deepening Democracy; Strategies for Improving the Integrity of General Elections Around the World*, September 2012, p. 6
- Wulandarim, W and T.P. Moeliono. 2017. Problematics of Understanding Aanslag-Aanslag tot en Feit: Comparison of Treason in the Criminal Code, WvSNI and Sr. Article in *Padjajaran Journal of Legal Sciences*. 4 (3): 489-490.
- Indroharto. 1991. *Efforts to Understand the Law Concerning State Administrative Justice*. Pustaka Sinar Harapan, Jakarta.
- Indroharto. 1991. *Efforts to Understand the Law Concerning State Administrative Justice*. Pustaka Sinar Harapan, Jakarta.

REGULATION

The 1945 Constitution of the Republic of Indonesia

Law Number 23 of 1999 concerning Human Rights

Law Number 32 of 2004 concerning Regional Government.

Law Number 8 of 2015 concerning Regional Head Elections.