



## Regional autonomy is forum for political education that is reflected in regional head elections

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### ABSTRACT

*In regional autonomy, there are three types of delegation of authority, namely, Deconcentration, Decentralization, and Assistance Tasks. Meanwhile, the way to elect legislative members in provinces and regencies / cities, governors, regents / mayors is by direct elections. Often the election of regional heads and legislative members, which is a political product of regional autonomy, still experiences various problems. This research uses a normative juridical research method with a statutory approach, namely an approach carried out by examining all laws and regulations related to the case or legal issue to be studied. In the statutory approach method, it is necessary to understand the hierarchy of laws and regulations and the principles in laws and regulations. In addition to using a statutory approach, the author also uses a library research approach to collect secondary data. Autonomy is not intended for the purpose of separating a region to be able to break away from the Unitary State of Indonesia. The purpose of granting autonomy to the regions is to enable the regions concerned to organize and manage their own households for the benefit of improving the welfare of the community. The conclusion of the paper with the title Regional Autonomy is a Container for Political Education Reflected in the Regional Head Election (Pilkada) is Regional autonomy in this case is a delegation of authority from the Central Government to the Regional Government, which has laws and regulations to bind and regulate its implementation, is a form of equal rights and obligations, and provides the breadth to regulate existing resources in each particular region in order to equalize development and increase the economic power of the region.*

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### 1. Introduction

Indonesia is an unitary state in the form of an archipelago consisting of many separate islands, therefore the territories in Indonesia are separated by distance between sea and land which makes it difficult to organize the entire government centrally. Because of Indonesia's geographical location, a system is needed that is able to delegate between central authority and

regional authority, which is efficient and effective. Indonesia as a state of law means that it has powers that are divided based on their authority, the division of power in Indonesia is reflected in Montesque's Trias Politica concept which is divided into Executive Institutions, Legislative Institutions, and Judicial Institutions (Suniaprily & Suharno, 2023).

The Indonesian government finally formulated the idea of regional autonomy in Presidential Stipulation Number 6 of 1959 and Presidential Stipulation of 1960, then in the reform era the matter of regional autonomy became a regulation in the form of Law Number 22 of 1999 concerning Regional Government, as well as Law Number 25 of 1999 concerning Financial Balance Between Central and Regional Governments. Then came Law Number 32 of 2004 concerning Regional Government and was revoked due to the issuance of Law Number 23 of 2014 concerning Regional Government which is still valid until now although accompanied by changes such as those contained in Law Number 9 of 2015 concerning the Second Amendment to Law Number 23 of 2014 concerning Regional Government and Law Number 2 of 2015 concerning the Stipulation of Government Regulations in Lieu of Law Number 2 of 2014 concerning Amendments to Law Number 23 of 2014 concerning Regional Government into Law. Regional autonomy was initiated as a form of government system that allows the rapid channeling of people's aspirations in the regions, but it also remains under the supervision of the central government. In regional autonomy, there are three types of delegation of authority, namely, Deconcentration, Decentralization, and Assistance Tasks. Meanwhile, the way to elect legislative members in provinces and regencies / cities, governors, regents / mayors is by direct elections. Often the election of regional heads and legislative members, which is a political product of regional autonomy, still experiences various problems. The majority of these problems originate from the individuals involved in them who are not fully aware of the nature of the elections. Regional autonomy is intended to give local governments the authority to manage their own regions, including in the economic sector. The economy, because local governments are considered to be more familiar with their respective regions so that they are expected to be able to develop their regions through the regional autonomy provided (Ristanti & Handoyo, 2017). The implementation of regional autonomy requires enormous financial support through a fairer financial balance between one region and another (Pardede, 2018).

The lack of political education makes individuals involved in the Pilkada rampant to do everything possible to win, such as money politics because all they think about is how to obtain positions and power, then black politics so that their political opponents can be defeated quickly, then what has happened recently is identity politics which uses race, religion and minority issues as a tool to defeat political opponents. These problems can be controlled gradually as long as those involved are willing to learn the nature of Pilkada as political education from regional autonomy. Because the most fundamental feature of a democracy is the existence of elections, although elections are not the only aspect of democracy but Pilkada does (Millah & Dewi, 2021). If candidates for Governor, Regent/Mayor, and the people who want to vote are given the correct political education about why elections are held, the causes of the emergence of regional autonomy which ultimately intersect with the elections, the importance of regional autonomy and elections for local communities, then their understanding will reduce the number of problems that arise because of the elections. So the most important thing is actually to make all levels of society realize that political education is very important, in this case it is regional autonomy as political education which is realized in regional head elections (Pilkada). From the background of the problem, the problem formulations that can be taken include: What is meant by regional autonomy?, What is the relationship between Regional Autonomy and Political Education?, How is the implementation of Political Education in Regional Head Elections?

## **2. Method**

The legal research method is a way of working for scientists, one of which is characterized by the use of methods (Suniaprily et al., 2021). This research uses a normative juridical research

method with a statutory approach, namely an approach carried out by examining all laws and regulations related to the case or legal issue to be studied (Marzuki, 2022). In the statutory approach method, it is necessary to understand the hierarchy of laws and regulations and the principles in laws and regulations. In addition to using a statutory approach, the author also uses a library research approach to collect secondary data. The library approach is an approach that aims to obtain data carried out through the process of reading, writing, then processed with various sources of literature, books, notes, magazines, in order to obtain answers to the legal problems being studied (Iqbal, 2018).

### **3. Analysis and Results**

#### **3.1. Regional Autonomy**

Regional autonomy is the right, authority and obligation of autonomous regions to regulate and manage their own government affairs and the interests of local communities in accordance with statutory regulations. Autonomy is essentially a political concept, which is always associated or equated with notions of freedom and independence. Something will be considered autonomous if it determines itself, makes its own laws with the intention of self-regulation, and runs based on its own authority, power and initiative. In the current era of regional autonomy, the bureaucracy at the local level is undergoing a transition from the centralized New Order bureaucratic paradigm to the reform paradigm that supports decentralization and democratization (Siraj, 2018). The political content contained in this term is that with this freedom and independence, a region is considered autonomous if it has the authority or power in governance, especially to determine the interests of the region and its own people. However, in the implementation of Regional Autonomy, one principle that must be held by the Indonesian people is that the application of regional autonomy remains in the context of Indonesia's national unity.

Autonomy is not intended for the purpose of separating a region to be able to break away from the Unitary State of Indonesia. The purpose of granting autonomy to the regions is to enable the regions concerned to organize and manage their own households for the benefit of improving the welfare of the community. Thus it is clear that the application of government and development in the regions is now based on two main joints, namely: Regional Autonomy and National Unity. Regional autonomy reflects the sovereignty of the people and National Unity reflects the Sovereignty of the State (Burhan, 2014).

At the end of its term in 2014, the House of Representatives passed Law No. 23/2014 on Regional Government. In Law No. 23 of 2014, there was a shift in the concept of regional autonomy from Regency/City governments (according to Law No. 32 of 2004) to Provincial governments (Law No. 23 of 2014) (Ismiyanto & Suniaprily, 2023). The changes made in Law No. 23/2014 can be said to be very fundamental in the implementation of regional government. Broadly speaking, the most visible change is the shifting of authority from one institution to another. The concept of broad, real, and responsible autonomy is still used as a reference by placing the implementation of autonomy at the regional level closest to the community (Sahyana, 2022). The purpose of granting autonomy remains as currently formulated, namely to empower regions, including their communities, encourage initiatives and community participation in the governance and development process.

The government has also not forgotten to further improve the efficiency, effectiveness and accountability of organizing functions such as services, development and protection of the community within the bonds of the Republic of Indonesia. The principles of governance such as decentralization, deconcentration, and co-administration, are carried out proportionally so that they support each other. In the Law on Regional Government, the principle of the widest possible autonomy is used, where regions are given the authority to manage and regulate all government affairs except central government affairs, namely (a) foreign policy, (b) defence and security, (c) monetary or fiscal, (d) judiciary, (e) religion.

The central government is authorized to make norms, standards, procedures, monitoring and evaluation, supervision, facilitation and government affairs with national externalities. The provincial government is authorized to regulate and manage government affairs with regional externalities, and the district/city is authorized to regulate and manage government affairs with local externalities. The history of regional autonomy in Indonesia is always characterized by the birth of a legislative product that replaces the previous product. These changes on the one hand mark the dynamics of regional development orientation in Indonesia from time to time. But on the other hand this can also be understood as part of the political experimentation of the ruler in exercising his power (Safitri, 2016). Regional autonomy has given local governments the authority and right to make policies more autonomous and to organize their budgets independently. Counties and cities have full autonomy to take decisions according to the needs and specific conditions of the region (Badrudin & Siregar, 2015).

### **3.2. Correlation between Regional Autonomy and Political Education**

Regional autonomy has fundamentally changed the bureaucratic system of government between the center and the regions, as well as changes in the political system. Direct regional elections are a logical consequence when regions are given great authority and power in managing their respective regions. Political education is an activity with the aim of forming and fostering political orientation in individuals, besides that political education aims to make each individual able to provide active political participation in their society (Triono, 2017). Under these conditions, regional political constellations will increase as a way to compete for regional power that is already very autonomous. However, the problem is if a political education model only contains political socialization activities (Yusriati & Amrizal, 2020). The increase in regional political constellations as part of the implementation of regional autonomy has negative implications for the running of the regional government or bureaucratic system in the regions.

These negative implications concern the involvement of bureaucracy and bureaucrats in practical politics. The spirit of regional autonomy that has been voiced is for efficiency, effectiveness, and accountability of government and public services in the area. For that reason, then comes the demands of the regions to organize their own territory in order to improve the welfare of society. The concept of regional autonomy based on the assumption that the regions are better understand their needs and able to make the necessary programs to promote their regions and also the political education in each regions (Badrudin & Siregar, 2015).

The existence of local regulations is an effort by local governments to manage regional autonomy in accordance with the mandate of the Law on Regional Government. This is of course also intended to determine the legal corridor that limits the space for people to move so that they do not behave arbitrarily. The restriction is not to take repressive actions that are contrary to human rights, but the regional legal products are to provide legal certainty to the community so that there is a sense of protection (Suharjono, 2014).

The idea of regional autonomy has national political consequences that extend to the regions. The problems of the Indonesian nation are the problems of all of us as citizens, let alone communities engaged in education. In an effort to direct all aspects of society to become intelligent, critical, self-identified and humanistic human beings, humanizing political education is needed through political policies that are fair and equitable, and in accordance with their nature (Tinambunan, 2022).

Article 18 paragraph (1) of the 1945 Constitution (Amended) states that the Unitary State of the Republic of Indonesia is divided into provinces and the provinces are divided into regencies and municipalities, each of which has a regional government regulated by law. There is a nuance and sense of hierarchy in the sentence. The Provincial Government as the representative of the central government in the region is accommodated in the form of government affairs

concerning the regulation of the region which is its duty area. Affairs that are the authority of the region, including mandatory affairs and optional affairs. Mandatory government affairs are government affairs related to basic services such as basic education, health, fulfillment of minimum living needs, basic environmental infrastructure; while optional government affairs are closely related to the superior potential and distinctiveness of the region. Low political education makes some groups of people who are still laymen vulnerable to being targeted for mobilization of certain interests. interests, especially those that occur in the regions (Wardhani, 2018).

Law No. 23/2014 attempts to restore an equal and partnership working relationship between the executive and legislative branches. Previously, the authority of the DPRD was very large, both when electing regional heads, as well as the annual accountability reports of regional heads. This authority was difficult to control in practice. Now, the DPRD's authority has been trimmed, such as the regulation that regional heads are directly elected by the people, the DPRD only obtaining accountability reports, as well as the governor's evaluation mechanism for the draft APBD regulations to be in accordance with the public interest and higher laws and regulations. In terms of the development of regional autonomy, of course there are several things that are the main indicators, namely Equalization and Improvement of Development in the Regions, Improvement of Services for Communities, Optimization of Natural Resources and Human Resources in the Regions (Moonti, 2019).

Local Government is the implementation of local government functions carried out by local government institutions, namely the Regional Government and the Regional People's Representative Council (DPRD). The relationship between the local government and the DPRD is a working relationship of equal position and partnership. The partnership relationship means that between the Local Government and the DPRD are both partners in making regional policies to implement regional autonomy in accordance with their respective functions so that between the two institutions it builds a working relationship that is mutually supportive not an opponent or competitor to each other in carrying out their respective functions.

Regional heads and deputy regional heads are elected directly by the people whose requirements and procedures are stipulated in laws and regulations. Candidates for regional head and deputy regional head can be nominated either by a political party or a coalition of political parties participating in the General Election that obtains a certain number of seats in the DPRD and or obtains a certain number of votes in the Legislative Election.

Through Law No. 7/2017 on the General Election of Members of the House of Representatives, Regional Representatives Council, and Regional People's Representatives Council. The Regional General Election Commission (KPUD) of provinces, regencies, and cities is authorized as the organizer of regional head elections. In order for the election to take place properly, the DPRD forms a supervisory committee. The authority of the provincial, regency and city KPUD is limited to the determination of elected candidates with the minutes of the event, which the KPUD then submits to the DPRD to be processed to propose to the Government for ratification (Ratu, 2012).

Law No. 23/2014 encourages public participation. On the one hand, public involvement in local government or politics has increased tremendously with the regulation of direct regional elections. From this anatomy, it is clear that the revision of Law No. 22/1999 is intended to improve the weaknesses that have emerged in the implementation of regional autonomy. At first glance, Law Number 23 of 2014 still leaves many weaknesses, but it must also be recognized that there are many opportunities from the Law to create good governance and develop regional autonomy as a means of political education for the national community and regional communities.

### **3.3. Implementation of Political Education in Regional Head Elections (Pilkada)**

Political education is an activity that aims to shape and foster political orientations in individuals. Political education is the need of one of the fundamental dimensions among various education (Yandra et al., 2023). It includes conceptual beliefs that have political content, including political loyalties and feelings, as well as political knowledge and insights that cause a person to have awareness of political issues and political attitude to political issues and political attitudes, in the implementation of regional elections, the support of the people becomes more real and realizes the widest possible participation for the community in the political process, but also in order to realize policies and services that are more responsive to the public (Djuyandi et al., 2019).

In addition, it aims to enable individuals to provide active political participation in their communities. Political education as defined in Law Number 2 Year 2011 requires the seriousness of election participants, especially political parties. Political parties have the main task of organizing political education directly to the nation's children. Making the nation's children ready to welcome a better, stronger and more sovereign future. Regional autonomy in this case regional elections are implemented in order to improve progress in democracy, practically this effort is expected to make the government closer to the community, showing that justice is realized in the social life of the community, because anyone can submit himself as a candidate in regional elections (Putra & Rakhmadi, 2023).

Regional Head General Election direct elections are essentially considered as a form of realization of the most perfect democratic practice the most perfect democratic practice, because with the direct election of regional head elections are expected to be able to leaders who are known and closer to the community and closer to the community. Theoretically of course, direct regional elections provide space for the community to participate actively in determining public officials in their respective regions (Prihatin, 2014).

When Regional Autonomy was implemented, the political structure that previously gave a large epicenter to the Central Government was now concentrated on the Regional Governments according to their authority. The regions authorized by Regional Autonomy include Provinces, Districts, and Municipalities. In the Law on Regional Government, the regional head is elected in one pair directly by the people in the region concerned. This article provides clear legal certainty that political education is reflected in regional autonomy which is realized through direct regional head elections (Pilkada).

The success of a political education depends on how the implementation of the elections runs, if in the implementation of the elections there are still practices of money politics, identity politics, and black politics, it can be said that political education regarding regional autonomy has not been successfully understood by all levels of society. Political education with pre-emptive efforts is carried out to minimize patronage relationships that often occur in the electoral process. This patronage relationship is certainly detrimental to society in the long run (Pahlevi & Amurobbi, 2020). Regional elections are a manifestation of society's freedom and individual rationality to choose their leaders. This has a correlation with the formation of local government government as a form of rationality of the local community which is realized through the election of the Regional Head and Deputy Regional Head directly (Widodo, 2015). The purpose of direct elections is to form a strong government government based on the choice and legitimacy of the people.

Therefore, it is necessary to re-initiate the political education of regional autonomy in the future whose orientation must be returned to the primacy of nationalism and the purpose of our state as mandated by the 1945 Constitution. Thus, the political education in regional autonomy that should be carried out is the politics of decentralization that protects the entire spilled blood, advances the general welfare and educates the nation's life and must further strengthen the Republic of Indonesia. Here are some thoughts on political education in regional autonomy in the future as an initial idea (a) The politics of regional autonomy that prioritizes nationalism

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cannot be interpreted as a form of castration of democracy. This kind of decentralization requires the awakening of people's critical consciousness along with the firm and clear authority and role of the state in regulating fair distribution. In addition, the processes and principles of transparency, participation and accountability that are the basis of local democracy in decentralization politics in Indonesia are quite appropriate, but they must be carried out massively and intensively through political advocacy so that people's critical awareness becomes stronger. (A small example of such strengthening is public policy advocacy by involving the people directly, as has been the case so far), (b) Control function through a proper network. In order to keep the politics of regional autonomy grounded and nationalist in outlook, government control over autonomous regions is still needed. The control model stipulated in Law No. 23/2014 which gives the governor a dual role as head of the provincial region concurrently as head of the region is actually appropriate. However, the governor as a leader with the main task of regulating and coordinating autonomous regions, for example in terms of resolving border disputes between autonomous regions, is not effective. This is because the system of filling the position of governor which is carried out through regional elections, which in fact requires the support of the Head of the autonomous region, makes it difficult for the governor to be firm and neutral because of the political burden of reciprocity, especially to the Head of the autonomous region who has won the election. The control model can be done by rearranging the balance of the Governor's dual role as head of the autonomous region as well as the head of the region. One of them is that, as a representative of the government, the Governor can be given real authority to carry out effective supervision of the use of APBD funds and participate in regulating the distribution of justice between regencies and cities for inequality of access and resources, (c) Decentralization should not be exclusive. This is because such decentralization will only be enjoyed by a handful of rich regions. Therefore, decentralization must remain inclusive, where the government still has the authority to regulate state assets so that they remain fairly and equitably distributed to all regions. Therefore, the right to fiscal loopholes for poor regions in the APBD must be maintained, but with firmer arrangements. These arrangements include: first, a legal guarantee for the fulfillment of the fiscal gap for poor regions; second, the need to regulate the use of the APBD through a minimum ratio of use between the basic allocation and the fiscal gap, for example 60:40 for the basic allocation, (d) Relieving the burden on the APBD. In order to relieve the burden on the APBD of poor regions so that the promotion of public welfare can be accelerated, at least two ways can be taken, (1) Gradual downsizing of the bureaucracy by using a local integration system and a uniform government system with the main objective: uniform staffing in all autonomous regions including: payroll systems, recruitment, promotion, rank, retirement, performance etc. So that the central government represented by the relevant Minister / Minister of the Interior is obliged to make standardized regulations. So that the central government represented by the relevant Minister / Minister of Home Affairs is obliged to make standardized staffing regulations in all autonomous regions in order to form a proportional, efficient, effective and national bureaucracy that is tailored to regional needs and does not burden the APBD, (2) Integrated Regional Elections. Based on research, the holding of Pilkada in poor regions turns out to be detrimental because it has deprived the poor of their rights to a budget for at least 3 years. Because in an effort to meet the costs of holding elections, the average poor region must cut various programs including public service programs for at least 3 budget years in order to save money. Therefore, in the future, it is necessary to develop an integrated election system that is national in nature, so that elections in all regions in Indonesia are only held twice a year every 5 years. Which means, the regional elections will be held simultaneously and integrated with national elections so that the regions no longer need to provide a regional election budget in the APBD.

#### **4. Conclusion**

The conclusion of the paper with the title Regional Autonomy Is a Container for Political Education Reflected in the Regional Head Election (Pilkada) is Regional autonomy in this case is a delegation of authority from the Central Government to the Regional Government, which

has laws and regulations to bind and regulate its implementation, is a form of equal rights and obligations, and provides the breadth to regulate existing resources in each particular region in order to equalize development and increase the economic power of the region. To realize regional autonomy that is synchronized and pro-people, the Central Government in this case designs legislation in the form of Law Number 23 of 2014 concerning Regional Government which regulates how to elect regional leaders by the people from the people and for the people, or what is often abbreviated as Pilkada.

The elections are held by a pair of candidates for Governor and Deputy Governor as well as Regent and Mayor, against other candidates who have passed the qualifications by the relevant institutions. The election contest aims to win the hearts and aspirations of the people in the area to choose one of the candidates where the winner will become the leader in their area. The implementation of Pilkada is a form of political education which requires the dynamics of society and the desire to develop its region, and it should also be underlined that Pilkada is a product of Regional Autonomy. Good political education can start from understanding to all aspects of society that the essence of Pilkada is to choose prospective leaders who are able to build the region to progress, and the true essence of Pilkada is to give the greatest possible right to the layers of society to choose and determine their fate in the election of regional leaders who they believe are able to bring their region to be much better. It should also be understood that forms of fraud in the elections such as money politics, black politics, and identity politics actually harm the essence of political education itself. So the right advice is needed to create synchronization between the nature of Pilkada and the correct political education system in accordance with the 1945 Constitution.

The implication of this research is for consideration and additional material in the field of law and regional government, especially regarding regional autonomy issues. Through this research, it is hoped that political education will be seen as more important in its contribution as a form of democracy through elections. The limitation of this research is in the field of local government law, especially those related to regional autonomy, regional elections, and political education. Suggestions that can be given for future research are that people understand the importance of political education represented through general elections, which are found in each region due to regional autonomy.

### **Suggestion**

In order to realize political education in accordance with the nature of Pilkada itself, cooperation between the Central Government and Regional Governments is needed. As it is known that there are still many regional regulations or laws in the regions that are based on central regulations, this means that the government and the people in the regions are still oriented towards the behavior patterns and political habits of the central government. If the Central Government is able to improve the political system at the top level, political education will be in accordance with its nature, as well as Pilkada which is still not perfect in its implementation.

Another suggestion that might help improve the political education system in the regions is the provision of political education as early as possible, so that it is embedded in the mind that politics is actually the right to obtain good leaders, not a means to argue or a way to obtain funds for free, because in political education develop human rights that a process in order to humanize humans by respecting individual rights, and carrying out life together by upholding ethical values and human values (Suniaprily & Putri, 2023).

There should also be strict regulations governing the prohibition of money politics when the elections take place although this must be difficult to realize, the community should really observe the quality and achievements of candidates for regional leaders rather than paying attention to which political party they come from, or how rich they were before becoming a candidate leader. This regulation must also be in line with the behavior of the Central and

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Regional Governments who are trustworthy and can interpret the essence of the meaning of politics and Pilkada.

There are two election organizers in Indonesia according to the law, namely the General Election Commission (KPU) and the level below up to the level of the Voting Organizing Group (KPPS) at the Polling Station (TPS) and the Election Supervisory Agency (Bawaslu) and the level below up to the Field Supervisory Committee (PPL) at the village level. These two election organizers are expected to work smart, capable and skilled, because through the performance of these two institutions and supported by all stakeholders, quality leaders will be produced. Through these two institutions, it is hoped that elections and local elections in Indonesia can be saved. Although another idea has also emerged that saving Indonesia starts with oneself. When the children of the nation can recognize themselves, then they will automatically recognize God as well as their master. God has created their masters in the past, so that they become figures who play an important role in the formation of this nation and state. The culmination of the struggle of the nation's children in the past was the movement of the nation's heroes who were able to expel the Dutch colonization through a piece of paper containing the proclamation of Indonesian independence which was announced on August 17, 1945.

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