

Jurnal LITIGASI, Vol. 25 (2) October, 2024, p. 1-19 dx.doi.org/10.23969/litigasi.v25i2. 14574

Regional Vice Heads: Power Players or Mere Puppets? Unpacking The Contradictions in Law No. 23/2014

Firdaus Arifin

Faculty of Law, Universitas Pasundan JI. Lengkong Besar No. 68, Kec. Lengkong, Kota Bandung, Jawa Barat, Indonesia. Email: firdaus.arifin@unpas.ac.id

ABSTRACT

The role of the deputy regional head in Indonesia is primarily intended to complement the regional head by assisting in the execution of governmental duties. However, the ambiguity surrounding the deputy's authority has emerged as a critical issue, often resulting in disharmony between regional heads and their deputies. If left unresolved, this tension may disrupt regional governance and prompt considerations of abolishing the deputy regional head position altogether. This study employs a normative juridical approach, analyzing secondary data through qualitative juridical methods to produce a descriptive narrative. The findings reveal that the regional head's authority frequently overshadows the deputy's role, rendering the deputy regional head largely symbolic and ineffective. This power imbalance has been a recurring source of conflict. To address this, the study proposes a Principle-Based Authorization Model to clearly define and strengthen the deputy's authority, ensuring a more balanced and harmonious relationship. The urgency of this issue necessitates action from both the government and parliament to revise Law No. 23 of 2014 on Regional Government or to introduce specific regulations delineating the deputy's responsibilities. By empowering the deputy regional head's role, this reform could enhance the efficiency and effectiveness of regional governance, contributing to more stable and cooperative leadership at the regional level.

Keywords: Deputy Regional Head, Local Government, Principle Based Authorization

I. INTRODUCTION

The establishment of regional governance designates the regional head and deputy regional head as the principal leaders of the region. Despite this, the legislative framework continues to view the role of the deputy regional head as secondary to that of the regional head. The primary responsibility of the deputy is to support the regional head in fulfilling their responsibilities (Yanti & Johan Nasution, 2021). Various laws have established distinct procedures for

Copyright © 2024, Jurnal LITIGASI, e-ISSN: 2442-2274

appointing the deputy regional head. For instance, Law No. 22 of 1948 stipulates that the appointment of a deputy regional head only occurs when the regional head becomes incapacitated and unable to perform their duties. At the same time, Presidential Decree No. 2 of 1960, established during the Old Order, outlined the rules for appointing deputy leaders at the provincial level. Article 1, paragraphs (1), (2), and (3) indicate that "the President may appoint Deputy Regional Heads for Level 1 Regions based on criteria relevant to the selection of Regional Heads." This legislation limits the nomination of deputy regional leaders solely to provincial or Level 1 regional administrations, where the President holds the authority to make these appointments.

According to the explanation of Presidential Decree No. 2 of 1960, regarding the Deputy Heads of Level 1 Regions, the President in 1974 deemed it necessary to appoint Deputy Heads in various regions without requiring nominations, to ensure the efficient functioning of government operations. According to the provisions outlined in Law No. 5 of 1974, the role of the Deputy Regional Head is not designed to be a separate position; instead, it is intended to be held simultaneously with that of the Regional Head. This legislation states that the Deputy Regional Head must be a permanent position occupied by a career official, with the number of deputies determined by the specific needs of each region. Additionally, Law No. 22 of 1999 assigns the Regional People's Representative Council the responsibility of nominating and electing the Deputy Regional Head alongside the Regional Head. Subsequently, Law No. 32 of 2004 introduced the direct nomination and election of the Deputy Regional Head within the context of regional elections.

In accordance with Law No. 32 of 2004, candidates for the position of Deputy Regional Head are now required to assume a political function with the objective of broadening their political support base. However, this dynamic shifts once the regional head and deputy assume their respective offices. Subsequently, the Deputy Regional Head assumes the role of an assistant or subordinate to the

Regional Head (Faturrahman, 2009). Article 26 of Law No. 32 of 2004 clarifies this point by outlining the deputy's duties, which primarily focus on coordinating, facilitating, guiding, supervising, and monitoring tasks that regional offices or technical agencies may often handle. Agreements or negotiations between the regional head, deputy, and the supporting political parties frequently result in the designation of additional responsibilities for the deputy regional head, particularly in the realm of policy-making.

The 2014 amendment to the 2004 regional government legislation, as set forth in Law No. 23 of 2014, does not accord sufficient attention to the role of the deputy regional head. Article 63, paragraph (1), indicates that the Deputy Regional Head may provide assistance to the Regional Head. The use of the term "may" suggests that such support is discretionary rather than obligatory. This language leaves open the possibility that the regional government can function without a deputy, making their role non-essential.

At present, tensions frequently arise between regional heads and their deputies, in stark contrast to their apparent unity during the campaign period. The role of the Deputy Regional Head often lacks clear visibility and significance, raising the question: is it truly necessary to elect a Deputy Regional Head alongside the Regional Head? The ambiguity surrounding the deputy's authority is a major factor contributing to this discord. Additional sources of conflict may include personal backgrounds, discrepancies in welfare benefits, and an uneven distribution of authority and responsibilities. In fact, income disparities between the two positions could potentially foster jealousy and further strain their relationship.

Warsito's research highlights that conflicts between regional heads and their deputies have occurred in numerous regions across Central Java, specifically in 26 areas. The primary source of these disagreements often stems from differing ideologies related to development planning. Notably, 73% of the nominations

for regional heads and their deputies in these areas come from coalition-backed candidates. However, while ideological differences are present, they account for only a small portion of the conflicts, suggesting that other factors may be contributing more significantly to the tensions between regional leaders and their deputies.

The establishment of democratic systems within local governments has become a crucial aspect for nearly all countries today. Participatory democracy, especially in the direct election of regional leaders, requires active community involvement in overseeing the performance of these leaders (Kelibay dkk., 2022). However, a lack of meaningful community engagement in local governance is a key factor contributing to the increasing number of regional heads involved in legal violations. Additionally, heightened efforts to combat corruption have further revealed these infractions. The role of the deputy regional head plays a significant part in shaping regional governance during direct elections (Labolo, 2022). Numerous deputy regional heads have resigned throughout their tenures owing to incompatibility with the regional heads.

Although Law No. 23 of 2014 on Regional Government outlines the structural relationship between regional leaders and their deputies, its practical implementation often reveals a duality in the deputy regional head's role. While the deputy is intended to assist the regional head with administrative tasks and strategic planning, in practice, their duties are often ambiguous and lack clear definition. In many cases, the deputy regional head serves merely a ceremonial role, with little real authority in critical decision-making processes. Prolonged vacancies in the deputy position, caused by delays in appointments, have frequently disrupted the continuity of local governance. This structural dysfunction undermines the effectiveness and efficiency of regional administration. These issues raise important questions regarding the relevance and practicality of the provisions in Law No. 23 of 2014, particularly in terms of defining the responsibilities of regional leaders and their deputies. A

comprehensive examination is required to assess the feasibility of the deputy regional head's position within the legal framework of decentralization and regional autonomy.

It is pertinent to examine the "Contradiction In The Role Of Regional Vice Head Within The Regional Government System: An Analysis Of Law No. 23 Of 2014 On Regional Government". The research aims to identify the position and responsibilities of the deputy regional head, chosen through the direct regional head election system. What initiatives are in place to strengthen the deputy regional head's role as a collaborator in regional leadership?

II. RESEARCH METHODS

Research constitutes a sequence of operations that commences with problem identification, proceeds with the collection of relevant literature, and culminates in data interpretation to generate a report or scholarly work. This research employs a normative legal approach, concentrating on law as a system of norms encompassing principles, rules, laws, and doctrines relevant to the topic.

This research employs a descriptive analytical framework to provide a systematic analysis of pertinent facts and applicable legislation, linking them with relevant legal theories. We conducted a literature review to collect data, which involved compiling secondary data from primary legal resources, secondary legal materials, and tertiary legal materials. After gathering the information, it was evaluated using a qualitative legal method that involves a thorough study written in descriptive narrative sentences.

III. RESULT OF RESEARCH AND ANALYSIS

A. The Position and Function of the Deputy Regional Head Elected via Direct Regional Head Election System in Regional Government Implementation

Power is fundamental to state administration; it enables the state to function, act, possess abilities, achieve objectives, and serve its population effectively (Sommaliagustina, 2019). Therefore, we must confer authority upon the state. Power is the capacity of an individual or collective to affect the actions of another person or group, ensuring that such actions conform to the interests and objectives of the individual or state. To exert power, one needs a ruler or an institution; therefore, we understand the state as a collection of roles, or an administrative complex, occupied by various officials who uphold specific rights and obligations based on the subject-obligation framework(Kariadi, 2020).

Local administrations exercise executive authority in regional governance based on the principles of autonomy and assigned responsibilities (Fauzi, 2019). Regional autonomy fundamentally respects the historical, cultural, and unique characteristics of each area. It is the responsibility of both the regional head and the deputy regional head to propose innovative ideas that leverage the region's capabilities with the objective of fostering local democratization. (Sarbaini, 2020). In line with Law No. 23 of 2014 on regional government, local administrations, regional leaders, and their deputies implement the law's provisions. This legislation is founded on the principle of broad autonomy, allowing regions to manage and regulate all government affairs except those reserved for the central government (Sufianto, 2020). The aim of granting extensive autonomy is to accelerate community welfare through improved services, empowerment, and active community participation. Additionally, it is expected that this autonomy will enhance regional competitiveness in the context of globalization, while upholding the principles of democracy, equity, justice, and special privileges. This approach allows regions to showcase their unique potential and diversity within the framework of the Unitary State of the Republic of Indonesia.

The concepts of autonomy and assigned responsibilities guide the governance of regions. The regional head administers the government in the area

and acts as a representative of the central government. The responsibilities and powers of regional heads stem from the legal relationship between the central government and local governments (Hariyanto, 2020). People frequently understand authority as power that originates from rights and responsibilities within the framework of arranging an activity.

According to the provisions outlined in Law Number 23 of 2014 regarding regional governance, regional administration is to be carried out by both a regional head and a deputy regional head. In the electoral process, citizens exercise their democratic rights by voting for both the regional head and the deputy regional head as a single unit, holding equivalent political status. Article 63, paragraph (1) of Law Number 23 of 2014 allows the deputy regional head to assist the regional head in fulfilling their responsibilities. However, Article 18, paragraph 4, of the 1945 Constitution of the Unitary State of the Republic of Indonesia does not clarify this issue, simply stating that the Governor, Regent, and Mayor serve as the heads of their respective provincial, regency, and city regional governments, without mentioning the role of a Deputy Head of Region. Furthermore, Article 4, paragraph (2) of the 1945 Constitution delineates the roles of deputies within the executive branch, such as the Vice President, designating them as aides to the President. This provision specifies that the primary function of the Vice President is to assist the President in executing his duties.

Both regional heads and their deputies, such as vice governors, vice regents, and mayors, are responsible for administering regional governance, according to Law No. 23 of 2014 on Regional Governance. In regional elections, the public selects the regional head and deputy regional head as a single entity, thereby conferring upon them equal political standing. In accordance with Article 63, paragraph (1) of the law, the deputy regional head is responsible for assisting the regional head in the performance of their duties. However, the 1945 Constitution of the Unitary State of the Republic of Indonesia does not elucidate

this role in Article 18, paragraph (4), which merely states that the Governor, Regent, and Mayor are the heads of provincial, regency, and city governments, without mentioning the function of the Deputy Regional Head. In contrast, Article 4, paragraph (2) of the 1945 Constitution delineates the role of deputies in other executive branches, such as the Vice President, emphasizing that the Vice President provides assistance to the President in fulfilling his duties. This discrepancy underscores the necessity for more precise delineation and guidance concerning the function of the Deputy Regional Head in the context of regional governance.

Article 63, paragraph (1) of Law No. 23 of 2014 grants the deputy regional head the authority to support the regional head. Meanwhile, Article 66 of the same law defines the term "assisted" and outlines the extent of the deputy regional head's support. In this context, the term "assisted" in Article 63, paragraph (1) signifies that the regional head remains the principal authority, while the deputy regional head is regarded as the secondary authority. The deputy regional head may solely take on the responsibilities of the regional head in situations where the latter is unable to perform their duties. From an authority theory perspective, the deputy regional head's role in assisting the regional head is fundamentally a delegated authority (Risal & Munawir, 2021). Concerning the mandate, there was no discourse on the delegation or devolution of authority. "Regarding the mandate, there is no alteration in authority in a formal legal context; it is simply an internal relationship." A mandate does not require any underlying legislation, as it is a standard procedure within the internal hierarchical ties of governmental bodies. The grantor of the mandate bears complete responsibility for the legal activities undertaken by the mandate executor. Consequently, the Regional Head vested comprehensive authority in the Deputy Regional Head, thereby engendering ambiguity in the deputy's execution of actions.

A comparison of the responsibilities of the Deputy Regional Head as outlined in Law No. 23 of 2014 with those in Law No. 32 of 2004 reveals a regression in the latter. Article 26, paragraph (1) of Law No. 32 of 2004 stipulates that the Deputy Head of Region bears responsibility for the supervision and assessment of governmental administration in regencies and cities on behalf of the Deputy Head of the Province. Additionally, the Deputy Head of Region is responsible for monitoring and evaluating governmental administration in subdistricts, villages, and/or towns on behalf of the Deputy Head of regencies/cities. Law No. 32 of 2004 vests the authority to evaluate the performance of government management in both the deputy heads of provinces and the deputy heads of regencies/cities.

Responsibilities of the Deputy	Tugas Wakil Kepala Daerah
Regional Head,	Article 66, paragraph (1), of Law
Article 26, Paragraph 1, of Law No.	No. 23 of 2014
32 of 2004	
Assisting regional leaders in managing	Assisting regional leaders in executing
local government;	governmental affairs within their
	jurisdiction;
Aiding regional leaders in coordinating	facilitating the coordination of regional
the activities of vertical agencies within	apparatus activities and addressing
the jurisdiction, following up on reports	reports or findings from supervisory
and findings from supervisory bodies,	bodies;
implementing initiatives for the	
empowerment of women and youth,	
and promoting the development and	
preservation of socio-cultural and	
environmental aspects;	
Monitoring and evaluating the	aiding regional leaders in monitoring
administration of county and city	and evaluating the administration of
	provincial government conducted by

Jurnal LITIGASI, Vol. 25 (2) October, 2024, p. 1-19 dx.doi.org/10.23969/litigasi.v25i2. 14574

government for provincial deputy	regional apparatus for the vice
regional leaders;;	governor;
Monitoring and evaluating the	supporting regional leaders in
administration of government in sub-	overseeing the administration of
districts, villages, and localities for	government executed by district/city,
county/city deputy regional leaders;	sub-district, and/or village apparatus for
	the vice regent/mayor;
Providing counsel and	providing counsel and
recommendations to regional leaders	recommendations to regional leaders
regarding the execution of local	regarding regional government
government activities;	implementation;
Performing additional governmental	fulfilling the responsibilities and
duties and responsibilities as assigned by	authorities of regional leaders during
regional leaders;	periods of detention or temporary
	incapacitation;
Executing the duties and authorities of	performing additional tasks in
regional leaders in instances where the	accordance with relevant laws and
regional leader is incapacitated.	regulations.

Often, the regional head's preponderance of authority in local government administration leads to the deputy regional head's role becoming largely nominal. Originally conceived as a political position, the role of the Deputy Regional Head has evolved into a primarily administrative role, subject to appointment. The regional apparatus is responsible for the management of technical administrative functions, operating under the supervision of the Regional Secretary, who holds considerable authority over the regional bureaucracy and serves as the budgetary authority. Consequently, in the context of day-to-day political interactions at the regional level, the Head of Region is inclined to collaborate more closely with the Regional Secretary than with the Deputy Head of Region. Furthermore, both the Regional Secretary and the government bureaucracy perceive themselves as having more immediate access

to the Head of Region, often bypassing the Deputy Head. This circumstance establishes a difficult dynamic for the Deputy Regional Head, who, despite being elected at the local level, possesses limited authority to effectively influence governance.

B. Initiatives to Enhance the Role of Deputy Regional Heads as Collaborators of Regional Leaders

Article 18, paragraph (4) of the 1945 Constitution of the Unitary State of the Republic of Indonesia states that the governor, regent, and mayor act as the heads of regional governments for their respective provinces, districts, and cities. Notably, this article does not reference the position of a deputy regional head within the framework of local governance. Additionally, Article 63, paragraph (1) of Law Number 23 of 2014 concerning Regional Government allows a Deputy Head of Region to assist the Head of Region. The use of the term "may" suggests that the support provided by a Deputy Head of Region is optional rather than mandatory.

An examination of the 1945 Constitution of the Unitary State of the Republic of Indonesia indicates a lack of explicit provisions regarding the role of the deputy regional head (Hariansah & Agustian, 2022). However, this omission does not undermine the constitutional validity of establishing the deputy regional head position. Article 18, paragraph (4) of the Second Amendment states that the election of the Governor, Regent, and Mayor—who act as heads of their respective provincial, regency, and city governments—must be guided by democratic principles. This implies that, in the realm of regional governance, the constitution grants each entity the authority to determine the role of the Deputy Regional Head. The flexibility of the 1945 Constitution, which is shaped by practical needs and interests to promote effective governance, renders the position of the deputy regional head essential (Bait & Neonbeni, 2022).

The current deputy regional heads possess attributive authority as delineated in Article 26, paragraph (1), letters c and d of Law Number 23 of 2014 regarding regional government. This includes: 1) the responsibility to monitor and evaluate government administration in regencies and cities for provincial deputy regional heads; and 2) the responsibility to monitor and evaluate government administration, villages, and/or towns for regency/city deputy regional heads. Despite the deputy regional head's limited authority, this authority entails significant responsibilities.

The differentiation between the concepts of authority and power necessitates the use of the terms "authority" and "power". Law confers formal power, known as "authority". In contrast, the term "jurisdiction" refers to a specific aspect of authority, and within the realm of authority, multiple jurisdictions exist. We use the term "authority" to describe public legal actions and the extent of governmental power. This encompasses the ability to make governmental decisions and carry out responsibilities. The allocation and distribution of authority are primarily defined by legislation (Abikusna, 2019).

To guarantee legitimacy, one must derive authority from established legal requirements, particularly the constitution. Consequently, this source of authority provides a basis for the legitimacy of the decisions made by officials or entities in question. Officials or governmental entities can derive authority through attribution, delegation, and mandate (Hsb, 2019).

The primary reason the deputy regional head's position is less significant in local administration is the absence of explicit and comprehensive regulations defining their authority and responsibilities within a robust legal framework, such as legislation. People often perceive the role of the deputy regional head as an additional component of the organizational framework of regional governance. The lack of clearly defined responsibilities and authority for the deputy regional head position has the effect of undervaluing the role, which in turn has a negative

impact on the relationship between the regional head and the deputy, which is often characterized by discord. The 2014 Regional Government Law (Law Number 23 of 2014 on Regional Government), which serves as the foundation for regional governance, offers only limited guidance regarding the responsibilities and authority of the deputy regional head, failing to provide a clear delineation of the deputy head's role.

Indonesia currently maintains consistency and continues to cultivate principles derived from the strength of its populace (Adiyanta, 2019). Consequently, democracy has emerged as a defining feature and approach to government in Indonesia, indicating that the execution of state actions is wholly contingent upon the wishes of the populace. The sovereignty of the populace is an inevitability inside the state system across diverse nations.

The historical role and status of the Deputy Regional Head under the constitutional framework of the Republic of Indonesia, both before and following the implementation of Law No. 23 of 2014 regarding regional government, remain ambiguously delineated. Law Number 23 of 2014 stipulations charge the Deputy Head of Region with the responsibility of serving as an assistant to the Head of Region. The written rules in Law Number 23 of 2014 Governing Regional Government are the basis of the law. They only cover the most important parts of the job, how it works, and how different regional institutions interact with each other, specifically when it comes to the Deputy Head of Region.

Administrative law views the role of Deputy Regional Head as a political appointment. This aligns with Jimly Asshiddiqie's perspective on the allocation of positions, which categorizes the appointment of officials into two distinct types: those selected through an electoral process (elected public officials) and those appointed without an electoral process (non-elected public officials). Typically,

we classify positions acquired through elections as political roles, and those acquired through appointment as administrative roles (Asshiddiqie, 2007).

The authority and responsibilities of the deputy regional head have thus far been exclusively based on Law No. 23 of 2014. Numerous regions govern their own jurisdiction and the functions of regional delegates according to local rules. The robust legal framework is the law, which will possess greater legal authority in governing the rights and responsibilities of regional vice heads at a national level. At least three approaches exist to enhance the power of the deputy regional head, thereby bolstering the efficacy of local government administration.

1. Comprehensive Authorization Framework

The responsibilities, authority, and obligations of the deputy regional head are explicitly defined in legislation and governmental regulations. This clarity is beneficial as it ensures a legal understanding of their roles, thereby minimizing the potential for conflicts. However, this framework has its limitations, particularly its rigidity, which restricts the discretion of regional leaders to delegate broader responsibilities, powers, and obligations to their deputies. Additionally, the model's failure to consider the distinct characteristics of each region, which should influence the allocation of tasks, authority, and responsibilities between the regional head and the deputy regional head, could lead to conflicts due to its uniform application across all regions of Indonesia.

2. Principle-Based Authorization Framework

Under this model, the authority of the Deputy Regional Head is precisely outlined by the principles established in applicable laws and government regulations. These regulations should be further detailed through subordinate legislation, such as regulations issued by the regional head, to clarify the deputy's authority. This approach embraces flexibility by integrating various methodologies to meet the diverse governance needs. It distinctly separates the tasks, authority, obligations, and responsibilities of both the Regional Head and the Deputy, as required by law or government regulations. Consequently, both parties benefit from clear guidelines that govern their roles and interactions.

3. Model of Consensus Among Parties (Gentlemen's Agreement Model)

This model is devoid of legal or governmental regulations regarding the authority of the deputy regional head. Instead, the regional head and the deputy regional head enter into a mutual agreement during their joint candidacy in the regional election. This model grants both the regional head and the deputy regional head full autonomy in distributing tasks, authority, obligations, and responsibilities, based on the initial agreement made during the nomination process. The effectiveness of this approach relies on the dedication of all parties to adhere to the agreed-upon terms.

A model that can enhance the authority of the deputy regional head is the Authority Granting Model Based on Principles. Principle-Based Authorization Model. This model delineates the concepts of work division, authority, obligations, and responsibilities between regional leaders and their deputies in a constrained manner as prescribed by law or government regulations. Moreover, these principles will be further detailed through subordinate rules, such as regional head rules, considering the unique circumstances and conditions of each region, along with the original commitments established during regional electoral candidacies. The Regional Head Regulation about the Authority of the Deputy Regional Head will provide a basis for the Deputy Regional Head to impact the regional head's decision-making in accordance with the deputy's perspectives.

The region adheres to the principle of regional autonomy, which embodies decentralization, enabling the central government to confer authority on the regional government to manage it in compliance with relevant laws and regulations. In essence, regional autonomy grants the regional government the authority to administer its own jurisdiction (Umar, 2021). This aligns with the principle-based authorization model, which delineates the distribution of tasks,

power, obligations, and responsibilities between the regional head and their deputy, as explicitly prescribed by laws or government regulations. Subordinate regulations, such as Regional Head Regulations, detail these tasks, authorities, obligations, and responsibilities, taking into account the unique circumstances and conditions of each region. The implementation of the principle-based authorization model primarily seeks to prevent disagreements and uphold the political agreements between the candidate for regional head and the candidate for deputy regional head.

IV. CONCLUSION AND RECOMMENDATION

A. Conclusion

- 1. The role of the deputy regional head often receives limited attention within the framework of regional government, as it lacks clearly defined tasks, authority, and responsibilities. This notably affects the relationship between the regional head and the deputy regional head, leading to tension stemming from the regional head's dominant position in governance, while the deputy's role is viewed as primarily symbolic. Importantly, a comparison of the responsibilities assigned to the Deputy Regional Head in Law No. 23 of 2014 with those in Law No. 32 of 2004 indicates a decline. Law No. 32 of 2004 specifies the authority of the deputy governor and the deputy regent or mayor to evaluate the implementation of government activities.
- 2. The Deputy Regional Head's position within administrative state legislation is regarded as a political appointment. Law Number 23 of 2014 provides a legislative framework that addresses only the fundamental issues or general principles concerning the roles, operational procedures, and employment relationships within regional governance, specifically regarding the Deputy Head of Region. Efforts to enhance the deputy regional head's role in improving the effectiveness of government administration can be pursued through a principle-based authorization model, where the authority of the deputy regional head is regulated solely by the principles established in laws or government regulations,

and further elaborated in regulations set by the regional head. The aim of implementing this principle-based authorization model is to mitigate conflicts and maintain the political agreements between the prospective regional head and the prospective deputy regional head.

B. Recommendation

- 1. In instances where the role of the deputy regional head is limited to providing assistance to the regional head, it is recommended that the government and parliament implement amendments to the process for appointing or promoting the deputy regional head. Both the Old Order (post-independence, parliamentary democracy, and guided democracy) and the New Order observed this practice. The appointment of the deputy regional head must be conducted by the regional head elected through direct elections, as the elected deputy will be held accountable to the regional head.
- 2. It is this author's recommendation that the government and the House of Representatives implement the principle-based authorization model with the intention of enhancing the role of the Deputy Regional Head. To implement this model, the government must either modify the regulations outlined in Law Number 23 of 2014, which outline the Deputy Regional Head's scope of authority and responsibilities, or enact a new government regulation that clearly outlines the Deputy Regional Head's duties in the administration of the regional government. The legislation provides only a minimal regulatory framework for the responsibilities and powers of the deputy regional head, which has resulted in an ambiguous definition of the office itself. Regional heads must establish regulations for the deputy head position to strengthen the roles and responsibilities outlined in the principle-based authorization model.

REFERENCE

Abikusna, R. A. (2019). Kewenangan Pemerintah Daerah Dalam Perspektif Undang-Undang Nomor 23 Tahun 2014 Tentang Pemerintahan Daerah. SOSFILKOM: Jurnal Sosial, Filsafat dan Komunikasi, 13(01), 1–15.

Jurnal LITIGASI, Vol. 25 (2) October, 2024, p. 1-19 dx.doi.org/10.23969/litigasi.v25i2. 14574

https://doi.org/10.32534/jsfk.v13i01.1453

- Adiyanta, F. C. S. (2019). Pembaruan Hukum Nasional: Pruralisme, Unifikasi Hukum, dan Hubungan Kewenangan antara Pemerintah Pusat dengan Pemerintah Daerah. Administrative Law and Governance Journal, 2(1), 93–105. https://doi.org/10.14710/alj.v2i1.93-105
- Asshiddiqie, J. (2007). Pokok-pokok hukum tata negara Indonesia pasca reformasi. Bhuana Ilmu Populer.
- Bait, P. M., & Neonbeni, R. V. (2022). Kedudukan Wakil Kepala Daerah Dalam Sistem Pemerintahan Daerah Indonesia. Saraq Opat: Jurnal Administrasi Publik, 4(2), 109–114. https://doi.org/10.55542/saraqopat.v4i2.318
- Fauzi, A. (2019). Otonomi Daerah Dalam Kerangka Mewujudkan Penyelenggaraan Pemerintahan Daerah Yang Baik. SPEKTRUM HUKUM, 16(1), 119. https://doi.org/10.35973/sh.v16i1.1130
- Hariansah, S., & Agustian, R. A. (2022). Ambiguitas dan Inkonsistensi Kedudukan serta Kewenangan Wakil Kepala Daerah dalam Sistem Pemerintahan Daerah. PROGRESIF: Jurnal Hukum, 16(1), 114–129. https://doi.org/10.33019/progresif.v16i1.2849
- Hariyanto, H. (2020). Hubungan Kewenangan antara Pemerintah Pusat dan Pemerintah Daerah Berdasarkan Negara Kesatuan Republik Indonesia. Volksgeist: Jurnal Ilmu Hukum dan Konstitusi, 3(2), 99–115. https://doi.org/10.24090/volksgeist.v3i2.4184
- Hsb, A. M. (2019). Pelaksanaan Kewenangan Atribusi Pemerintahan Daerah Berdasarkan Undang-Undang Nomor 23 Tahun 2014 tentang Pemerintahan Daerah. https://doi.org/10.31219/osf.io/utw97
- Kariadi, K. (2020). Kekuasaan Kehakiman Dalam Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 "Saat Ini Dan Esok." JUSTISI, 6(2), 99– 110. https://doi.org/10.33506/js.v6i2.971
- Kelibay, I., Boinauw, I., Rosnani, R., & Kalagison, M. D. (2022). Dinamika Pemilihan Kepala Daerah Serentak Nasional Dalam Pemilihan Umum Tahun 2024. Jurnal Noken: Ilmu-Ilmu Sosial, 7(2), 167–181. https://doi.org/10.33506/jn.v7i2.1739
- Labolo, M. (2022). Disfungsi Peran Wakil Kepala Daerah Dalam Dinamika Hubungan Kepala Daerah Dan Wakil Kepala Daerah Di Indonesia. Jurnal Keadilan Pemilu, 1(3), 29–42. https://doi.org/10.55108/jkp.v1i3.160
- Risal, R., & Munawir, L. O. (2021). Pembagian Kewenangan Kepala Daerah Dan Wakil Kepala Daerah Dalam Penyelenggaraan Pemerintahan. Legal Standing: Jurnal Ilmu Hukum, 5(2), 71.

Jurnal LITIGASI, Vol. 25 (2) October, 2024, p. 1-19 dx.doi.org/10.23969/litigasi.v25i2. 14574

https://doi.org/10.24269/ls.v5i2.3818

- Sarbaini, S. (2020). Penyelenggaraan Pemilihan Kepala Daerah Secara Langsung dan Demokratis Sebagai Bentuk Perwujudan Hak Asasi Politik Masyarakat di Indonesia. Legalitas: Jurnal Hukum, 12(1), 107. https://doi.org/10.33087/legalitas.v12i1.197
- Sommaliagustina, D. (2019). Implementasi Otonomi Daerah dan Korupsi Kepala Daerah. Journal of Governance Innovation, 1(1), 44–58. https://doi.org/10.36636/jogiv.v1i1.290
- Sufianto, D. (2020). Pasang Surut Otonomi Daerah Di Indonesia. Jurnal Academia Praja, 3(2), 271–288. https://doi.org/10.36859/jap.v3i2.185
- Umar, J. (2021). Kewenangan Otonomi Daerah: Sistem Pertanahan Daerah Istimewa Yogyakarta. Cerdika: Jurnal Ilmiah Indonesia, 1(2), 97–102. https://doi.org/10.36418/cerdika.v1i2.27
- Yanti, Y., & Johan Nasution, B. (2021). Fungsi Wakil Kepala Daerah Dalam Menyelenggarakan Pemerintahan Daerah Berdasarkan Undang-Undang Nomor 23 Tahun 2014 Tentang Pemerintahan Daerah. Limbago: Journal of Constitutional Law, 1(2), 325–345. https://doi.org/10.22437/limbago.v1i2.13388