

## STUDY ON PROS AND CONS ARMY-POLICE ACTIVELY APPOINTED AS REGIONAL HEAD

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**ABSTRACT.** This study will identify the pros and cons of active ARMY/POLICE being appointed as regional heads in 2022. In its journey, Indonesia has changed in organizing general elections; from the beginning, the public was allowed to vote for candidates from 2004 to the present. Ahead of the Simultaneous Regional Head Elections in 2024, several regions in the country will experience a leadership vacancy due to the expiration of the terms of office of governors, and regents/mayors starting in 2022. To fill the vacancy in leadership positions, the government can appoint an official until simultaneous regional elections are held in November 2024. This becomes a problem because the appointment of active TNI-Polri officers as acting (Pj) regional heads has caused a polemic. This study uses qualitative research using secondary data from news and journals related to the research. The results of the study indicate that some support this, it can be done with a note that the active TNI/Polri in office must still be supervised, and the positions occupied are equivalent to their duties. However, not a few refuse because this can reduce the value of democracy, and the TNI/Polri, which should focus on state security, will bring back the Dual function (dwifungsi) of the Armed Forces, which can disrupt the political system in Indonesia.

**Keyword:** Regional Head; TNI; Police; Local Government

### STUDI TERHADAP PRO KONTRA TNI POLRI AKTIF DITUNJUK SEBAGAI KEPALA DAERAH

**ABSTRAK.** Penelitian ini akan mengidentifikasi pro kontra terhadap TNI/POLRI aktif yang ditunjuk sebagai kepala daerah tahun 2022. Dalam perjalanannya Indonesia telah mengalami perubahan dalam proses penyelenggaraan pemilihan umum, dari sejak awalnya masyarakat diperbolehkan untuk memilih calon kandidat, dari tahun 2004 hingga sekarang. Menjelang Pemilihan Kepala Daerah Serentak pada 2024 mendatang, sejumlah daerah di Tanah Air akan mengalami kekosongan kepemimpinan karena berakhirnya masa jabatan gubernur dan bupati/wali kota mulai 2022. Untuk mengisi kekosongan kepemimpinan jabatan pemerintah dapat menunjuk Pejabat sampai dilaksanakan Pilkada serentak pada November 2024. Hal ini menjadi persoalan karena dapat dilantiknya perwira TNI-Polri aktif sebagai pejabat (Pj) kepala daerah menuai polemik Penelitian ini menggunakan penelitian kualitatif dengan menggunakan data sekunder yang diambil dari berita dan jurnal yang berkaitan dengan penelitian. Hasil penelitian menunjukkan bahwa ada yang mendukung hal ini bisa dilakukan dengan catatan TNI/Polri aktif yang menjabat tetap harus diawasi dan jabatan yang diduduki setara dengan tugasnya. Namun, tidak sedikit yang menolak karena hal ini dapat menurunkan nilai demokrasi dan TNI/Polri yang harusnya fokus kepada keamanan negara akan memunculkan Kembali dwifungsi ABRI yang dapat mengganggu system politik di Indonesia.

**Kata kunci:** Kepala daerah; TNI; Polri; Pemerintah Daerah

### INTRODUCTION

This study the pros and cons of active ARMY/POLICE (TNI/Polri) appointed as regional heads in 2022. The democratic system is upheld in Indonesia. The term “democracy” refers to the idea of a state in which citizens participate in politics through elected officials; the government upholds the “rule of law,” promotes and guarantees freedom of speech, religion, opinion, and association; and there is a majority government that upholds the rights of minorities and whose citizens treat one another equally (Yuniarto, 2018). Democracy is one of the mechanisms for the transition of power that was born at the same time as the General Election (Election) (Aldi et al., 2019). One manifestation of popular sovereignty in Indonesian democracy is actualized through the holding of general elections (Romadhon, 2020).

In its journey, Indonesia has experienced changes in holding general elections; from the beginning, the public was allowed to vote for candidates from 2004 to the present (Dwitama et al., 2022). A key component of democracy, elections help a country or state establish democracy and advance civilization. Additionally, elections provide a regime of power with a substantial evaluative drive in implementing the goals of an autonomous state (Nusantara, 2022). Through elections, by ceding part of their rights and authority to their representatives who sit in government or parliament, the people’s power is made legitimate (Nabila et al., 2020). According to Article 1 Paragraph 2 of the Republic of Indonesia’s 1945 Constitution, “Sovereignty is in the hands of the people and is exercised in line with the 1945 Constitution” for that in carrying out the function of democracy, which gives full power to determine a country. Based on this, every five

years, general elections are held in a direct, general, free, private, honest, and fair way. states Article 22E paragraph (1) of the 1945 Constitution. Also stated in Article 18 paragraphs (3) and (4) of the 1945 Constitution are the requirements that “provincial, district, and city-regional administrations should have a Regional People’s Representative Council whose members are elected through public elections,” and “the governor, regent, and relevant mayors are democratically elected”(Luhukay, 2020).

In particular, the Regional Head Election (Pilkada) is a procedure for enforcing the local people’s sovereignty, and this is a development in the government administration system in Indonesia (Kpu.go.id, 2021). According to Law Number 10 of 2016, Article 201, Throughout the Unitary State of the Republic of Indonesia, there will be “National Simultaneous Voting in the Election of Governors and Deputy Governors, Regents and Deputy Regents, as well as Mayors and Deputy Mayors,” according to paragraph 9, regional head elections (Pilkada) are held at the same time (Lestari, 2021). Simultaneous Pilkada aims to create local accountability, political equity, and local responsiveness (Rizki & Hilman, 2020). Based on Article 201 paragraph 09 of Law no. 10 of 2016 confirms: In November 2024, there will be a nationwide simultaneous vote to elect the governors, vice-governors, regents, vice-regents, mayors, and deputy mayors of the Unitary State of the Republic of Indonesia (Lestari, 2021).

Prior to the Concurrent Regional Head Elections in 2024, several regions in the country will experience a leadership vacuum due to the end of the governor and regent/mayor tenures starting in 2022 (Kuncahyo, 2021). To fill the vacancy in leadership positions, the government can appoint acting until the simultaneous regional elections are held in November 2024 (Nilardin, 2021). This means that until 2024, all regional heads, governors, regents, and mayors will be replaced by officials (Pj) until a joint regional election is held in 2024 (Thalia, 2021). To fill vacancies in leadership positions, the government can appoint officials. This is also a problem because the inauguration of an active TNI-Polri officer as acting (Pj) regional head has sparked a polemic. The State Civil Service Agency’s (BKN) Acting (Plt) Head, Bima Haria Wibisana, has also verified this, confirming the appointment of a high-ranking officer (Pati) TNI is active as acting (Pj) Regional Head justified by regulation (Imandiar, 2022). Article 20 of Law No. 5 of 2014, which concerns state civil apparatus, states that TNI and Polri members may occupy ASN posts, supporting this. Both the Law on the Indonesian National Police and the Law on the Indonesian National Armed Forces govern the employment of Army and Police personnel in ASN roles (Imandiar, 2022).

However, on the other hand, some parties object to this if it happens because the appointment of active members of the ARMY/POLICE (TNI/Polri) as acting (Pj) regional heads is a bad precedent that will revive the dual function of the TNI/Polri. Similar to what took place under General Suharto’s rule during the New Order era, which lasted from 1966 to 1998. General Soeharto utilized the dual function of ABRI to perpetuate his power. As the military leader, General Suharto tried to use an organization to carry out general elections (elections) to strengthen and defend the interests of the army’s position in government. The Indonesian nation experienced an extraordinary change of orientation in all fields, political, ideological, economic and social, and cultural fields. In this context, the TNI-AD (National Army-Army) group, under the leadership of General Suharto, gradually accepted the transfer of power from President Soekarno and began to reorganize Indonesian society (Purba et al., 2022). As part of the Civil Society element, he reminded us that the appointment of members of the ARMY/POLICE (TNI/Polri) who were still on active duty was against the spirit of the Reformation. ARMY and POLICE (TNI/Polri) are not allowed to be involved in practical politics. This is a step forward for Indonesian democracy. As a democratic country, it upholds civil supremacy, this is strongly tied to the fundamental ideas of democracy, according to which the people possess the ultimate power. As is known, Brigadier General Andi Chandra Asaduddin is Acting Regent of West Seram, Maluku Province. In addition, Paulus Waterpauw is a three-star law enforcement official. Paulus Waterpauw took Dominggus Mandarin’s place as interim governor of West Papua. On May 12, 2022, Tito Karnavian, Minister of Home Affairs (Mendagri), installed Paulus as PJ.

The formulation of the problem in this research is to see the pros and cons of the inauguration of the Army and Police to become Regional Task Executors (PJ) ahead of the 2024 Simultaneous Regional Elections. This research aims to develop and increase the author’s knowledge of the theories prevailing theory. Its relation to the pros and cons of the ARMY/POLICE being active as regional officials (PJ). Furthermore, this research is to complement previous research, It is intended that the findings of this study may serve as a guide or aid future research.

## METHOD

This study is to identify the pros and cons of active ARMY/POLICE as regional heads in Indonesia. This research uses a qualitative method with an exploratory approach to better understand and explain the conditions of the things that happen

(Purnomo et al., 2021). The unique aspects of the study challenge have also motivated researchers to apply qualitative research methods to analyze network content and thoroughly explain the research issue. The goal of qualitative research is to present a systematic, accurate, and realistic portrait of the local community. In contrast to experiments, qualitative research uses the researcher as the main tool to explore natural objects. It is founded on a post-positivist worldview. The authors of this study used secondary data. The authors then conducted an analysis of the secondary data sources, which included relevant online news and/or publications.

## RESULTS AND DISCUSSIONS

Since the people can choose their own leaders, direct regional head elections are essential for achieving regional autonomy. Direct elections for regional leaders might be viewed as desirable and democratic. Direct regional head elections are one sign of a country's progress with democracy (A. Razaq, 2020). General Election (Election) is a concept of procedural democracy and is also one of the most important ways for the people to implement contemporary democracy (Widyana & Fikriansyah, 2021). This is also what is expected in the 2024 simultaneous regional elections. However, the 2024 regional elections have various problems or dynamics in the process (Simbolon, n.d.).

Furthermore, as many as 24 governors and 248 regents/mayors will have their terms of office expire by 2024. Of those, 101 regional heads will leave their positions of authority in 2022, while the remaining ones will do so in 2023. The acting regional head seat will be empty and temporarily filled by the regional head while the next regional head elections (Pilkada) are being held at the same time in 2024 (Farisa, 2022). The interim governor, interim regent, Articles 3 and 5 say that temporary mayors, governors, and regents whose terms end in 2022 will be chosen in 2022. Reason for paragraph 09: Acting mayor, acting regent, and acting governor all have one-year terms that can be renewed with the same or a different person for one additional year. The territories in question include DKI Jakarta, Gorontalo, Bangka Belitung, Aceh, West Papus and West Sulawesi. In 2023, ASN would hold control over North Sumatra, Riau, South Sumatra, Lampung, Bali, East Java, West Nusa Tenggara, East Nusa Tenggara, East Kalimantan, West Borneo, Central Java, Southeast Sulawesi, Papua, and Maluku. In Lampung Province alone, in 2022, there will be 5 (five) Regional Heads in five districts whose term of office has expired. In 2023 there will be 171 regions, consisting of 17 governors, 115 regents, and 39 mayors (Thalia, 2021).

The Regional Head Election Law's Article 201, Paragraphs 7 and 9, and the perception that they violated the 1945 Constitution and had no enforceable legal consequences led to the controversy (Luhukay, 2020). The petitioner filed a judicial review of Article 201, paragraphs 7 and 8, of Law Number 10 of 2016 in Decision No. 67/PUU-XIX/2021. According to the Petitioner, Article 201 paragraph (7) and paragraph (8) of Law number 10/2016 is contrary to the 1945 Constitution because it causes the Petitioners not to be able to exercise their right to vote and be elected permanently and following the election schedule cycle of every 5 (five) years. In addition, the postponement of the regional head election (Pemilukada) causes vacant regional head positions to be filled by officials who do not have political legitimacy to lead a region. The applicant also argued that the article being tested resulted in the applicant experiencing losses because his term of office was only 4 (four) years, not 5 (five) years (Luhukay, 2020).

Then, law Number 10 of 2016 concerning the Second Amendment to Law Number 1 of 2015 concerning the Stipulation of Government Regulations (UU No. 10 of 2016) stipulates that the position of interim (Pjs) governor must be filled by state civil apparatus (ASN) employees who currently hold middle-high leadership positions. This law supersedes Law Number 1 of 2014 regarding the election of governors, regents, and mayors. As for the Acting Regent/Mayor, it is filled with ASN employees who are currently serving in high-ranking Pratama leadership positions. However, learning from previous experiences, filling vacant positions often creates problems and is full of controversy. One issue that is often debated is whether TNI soldiers and members of the Police who are still active can be appointed as Acting Regional Heads? Derivative regulations of Law no. 10/2016 regarding filling vacant regional head positions have not yet been completed. The Ministry of Home Affairs (Kemendagri) is reluctant to publish it. In the case of not having time to issue derivative regulations, considering the time is very limited, the Ministry of Home Affairs must be guided by two decisions of the Constitutional Court (MK), namely the Constitutional Court's decision No. 67/PUU-XIX/2021 and the Constitutional Court Decision Number 15/PUU-XX/2022.

Furthermore, it can be understood from the explanation above that no law strictly prohibits or allows the involvement of the ARMY-POLICE. This confusion has affected society's unpreparedness for politics (Azhong, 2022). The 1945 Constitution explains that the formation of the TNI and the Police is for defense and security, not for local government

administration. So that if the TNI and Police held concurrent positions, it would have an impact on reducing democratic values and further narrowing democratic space. Thus, it becomes essential that state administrators too easily violate our constitutional values. Citing the report titled *Generals gaining ground: Civil-military relations and democracy*, Indonesia stated that during the presidency of Joko Widodo, the military appears to have gained a greater foothold in the civil-military role, as evidenced by the appointment of several New Order figures in politics. The research also highlights the rising reliance on the territorial system of the Indonesian Army and the growing influence of retired military personnel on public discourse and policy. Indonesia gets a score of 61 out of 100 based on the *Freedom of Democracy in the World 2022* report by Freedom House. This ranking dropped during the Jokowi administration, from 65 in 2017 to 64 in 2018 and 62 in 2019, down from 65 in 2017. While the nation's current civil liberties score is 31 (out of 60), this is another decline from 34 in 2018 and 32 in 2019. In (bbcnews.com, 2022) also said that the appointment of ARMY officers as local government administrators was like the dual function of (the Akabri) Armed Forces Academy. During the 30 years of Soeharto's administration during the New Order. This has become a public concern, not only about the dual function of the ARMY, which will return, but also efforts to strengthen central government control over the regions, which can be utilized through the mechanism for appointing these officials. So the urgency of the decision to use the ARMY-Police as acting regional heads must be questioned. Instead of rejecting the government's decision, the public may assume that this involvement will reshape the regimes that the people of Indonesia have previously experienced.

### **Pros against the appointment of active TNI/Polri as Regional Heads**

One of the characteristics of democracy is that there are pros and cons to a problem, which means that people are free to have opinions. So that this research, if there are only pros, will be a riparian state. Therefore, this paper produces pros and cons as well as an analysis that will become an overview regarding the appointment of the active ARMY/POLICE as government officials. Regarding pro or support regarding the appointment of the ARMY/POLICE as acting officers, The BNN (State Intelligence Agency), National Narcotics Agency, Ministry of Coordinating Political, Legal, and Security Affairs and BNPT are a few examples of entities that the government acknowledges have referenced Law (UU) Number 34 of 2004 regarding the TNI (National

Counter-Terrorism Agency), According to the article, military and police personnel are permitted to work in civil administration as long as they are assigned to structural roles that are commensurate to their responsibilities (Nariswari, 2022).

This is not the first time an active apparatus has become the acting regional head in the election. In 2018, two active police generals were appointed as regional officials: Komjen (ret) M. Iriawan and Inspector General (ret) Martuani Sormin. Iriawan, still Assistant Operations to the National Police Chief, served as Plt. Governor of West Java, while Martuani lined up as Plt. Governor of North Sumatra. If you look back, there is the name Carlo Brix Teewu who became Acting Governor of West Sulawesi in December 2016-January 2017. In the ARMY, there is Major General Soedarmo, who was once Plt. Governor of Aceh since October 2016. Soedarmo's last military career was as an expert on ideology and politics at the State Intelligence Agency (BIN). In 2016, when Soedarmo became the first Indonesian to assume the position of Director-General of Politics and General Administration at the Ministry of Home Affairs, he moved his status to ASN (Kemendagri). Then, there is Major General ARMY Achmad Tanribali Lamo. The Home Affairs Minister inaugurated the Tribal as Acting Governor of South Sulawesi on January 19, 2008. The day before, it was claimed that Tanribali had resigned from his position in the ARMY and occupied the Expert Staff of the Minister of Home Affairs, which was equivalent to echelon I. The National Police had to show that he was away from political interests and activities other than his duties, namely carrying out security measures and ensuring that there were no unlawful acts. Meanwhile, the ARMY must ensure that there are no attempts to undermine state sovereignty (Taher, 2021).

Several lawmakers, including the Deputy Chairman of the House of Representatives, voiced their concerns regarding the appointment of members of the active Army and/or Police (DPR) Sufmi Dasco Ahmad said that the government also needs to provide an in-depth study of the ARMY-POLICE who are active as PLt because it will also reduce the resources in the ARMY-POLICE themselves if all of them are then given to the ARMY-POLICE. The Gerindra Party politician thinks that the placement of active ARMY-POLICE members as acting regional heads may be realized (Ramadhan, 2021). Additionally, Herry Menndrofa of the Center for Indonesia Strategic Actions (CISA), a socio-political analyst, stated that it is irrelevant whether the acting regional commander is selected from the Army or the Police. However, it has to be supported by the community and under DPR oversight.

Likewise, when there is a potential conflict of interest, it must be immediately evaluated by the President so that it does not cause conflicts that can interfere with the running of the regional government. This is because the term of office for this regional head is quite long, around two years (Tambun, 2022).

### **Cons against the appointment of active TNI/Polri as Regional Heads**

The refusal or contra regarding the appointment of active ARMY/Police as regional heads has become very complex. The involvement of the ARMY-Police in regional government affairs is part of the new ABRI dual function model that the government is planning. Although it has been practiced before, especially for the 2024 Pilkada, it must be reconsidered because it will occupy a position for an extended period (Bariroh, 2021). The appointment of active ARMY/Police officers as regional head officials is a lousy president who will revive the ARMY-Police dual function while simultaneously harming the ideals of Reform and the decline of democratic principles. The following explains the Law on ARMY-Police who occupy positions outside the police or ARMY.

Members of the police force may assume posts outside the force after leaving the force or retiring, as stated in Article 28 paragraph 3 of the Police Law. Positions outside the police, however, refer to those that are unrelated to or not based on a directive from the National Police Chief. Meanwhile, according to Article 47 paragraph (1) of the ARMY Law, soldiers can occupy civilian positions after resigning or retiring from active military service. Furthermore, at the request of departments and non-departmental government agencies, active soldiers are eligible for positions with the national defense agency, Supreme Court, National Defense Council, Search and Rescue (SAR) National, and National Narcotics. They are also eligible for positions with the presidential military secretary, state defense, SAR national, national narcotics, and state intelligence. It should be noted that the positions that active soldiers can occupy do not include the positions of Minister of Defense and other political positions. Meanwhile, according to Article 109 paragraph (2) of the ASN Law, high leadership positions, in this case, those who can become acting regional heads, if necessary, and based on the determined competencies, by Army soldiers and police officers who have resigned from active duty through a straightforward and vigorous process.

However, some high leadership positions in certain government agencies, based on Article 109 paragraph (3) of the ASN Law, can be filled by ARMY soldiers and members of the police following the competencies determined by the legislation. The

specific government agency environment referred to above is a government agency that, in the laws and regulations, regulates the ARMY and POLICE, which is filled through assignments and appointments from the president, commander of the ARMY, or Kapolri. Retirees from the army and armed forces are allowed to occupy ASN positions if they are retired, according to Constitutional Court Number 15/PUU-XX/2022. The decision of the Constitutional Court as the acting regional head also emphasizes that as long as a person serves as an intermediate high leader or a Pratama high leader, the person concerned can be appointed as acting regional (Munawaroh, 2022).

Furthermore, based on the explanation above, active TNI/Polri must first resign or retire if they want to occupy positions outside the ARMY or Police. As part of the Civil Society element, we continue to remind that the appointment of members of the ARMY/Police who are still active in their duties is contrary to the spirit of Reformation (Nariswari, 2022).

### **Analysis of the Appointment of Active TNI/Polri as Regional Heads**

The Indonesian National Armed Forces and the National Police lost their voting rights due to the agreement of a national political consensus at the beginning of the New Order (1967) (A. Razaq, 2020). During the New Order era, ABRI often held strategic positions, such as ministers, governors, regents, and parliaments. At that time, Suharto's authoritarian regime politicized ABRI to maintain its power. Under Suharto, ABRI controlled the political process of changing power through elections. In each election process, ABRI participated in direct supervision and intervention. During the New Order era, ABRI often held strategic positions, such as ministers, governors, regents, and parliaments. At that time, Suharto's authoritarian regime politicized ABRI to maintain its power. Under Suharto, ABRI controlled the political process of changing power through elections. In each election process, ABRI participated in direct supervision and intervention. To solve this problem, the involvement of the army and police in politics was corrected. The rights of ABRI, which were later separated into ARMY and Police were also revoked in politics. The ARMY and Police are not given the right to vote in the General Election, and there is no longer any appointment of members from these two institutions in the representative institutions. Until now, the TNI and Polri have ultimately only become professional state tools (Djuyandi, 2016; Harruma, 2022).

At present, issues related to the ARMY/Police are again a hot topic of discussion related to the 2024 election; the requirements for the nomination

of regional heads refer to Law Number 10 of 2016 concerning Pilkada, providing an understanding that the main requirement of the mechanism for nominating regional heads is through individuals and political parties. This means that the TNI and Polri have the same rights to participate in the nomination of regional heads, as long as the main conditions are met. Article 7 paragraph (2) letter, which specifies in writing the resignation as members of the Indonesian National Armed Forces, the Republic of Indonesia National Police, specifically governs the TNI and Polri. Since they are listed as pairs of candidates for the Election, civil servants and village heads or other titles are also acceptable. Under the law, anyone can run for regional head, including members of the TNI and Polri, as long as the main requirements are met. Among these include support from a political party, a coalition of political parties, or a person.

Article 69, paragraph 1 of the General Election Commission Regulation (PKPU) number 3 of 2017: "Candidates with the Status of Members of the DPR, DPRD, Indonesian National Armed Forces, Indonesian National Police, and Civil Servants are Required to Convey the Decision of the Official Who Acknowledgement Regarding Dismissal as a representative of the People's Representative Council, the Regional Representative Council, or the Regional People's Representative Co. In terms of political ethics, before registering as candidates for regional heads, active ARMY and Police officers who want to enter politics must resign or retire early before running or being nominated. This is in order to maintain the neutrality of the in politics and to maintain the dignity of the ARMY and Police institutions.

According to Article 39, paragraph 2 of the Law of the Republic of Indonesia No. 34 of 2004 establishing the Indonesian National Army, soldiers are barred from engaging in practical political activities. The explanation is emphasized in Article 47 paragraph (1) that soldiers can only occupy civilian positions after resigning or retiring from active military service. Meanwhile, article 28 (1) of the National Police of the Republic of Indonesia's governing statute, Law Number 2 of 2002 Concerning the Republic of Indonesia Police, states: Code of Conduct explains the legitimacy of the regional head candidate for Indonesia and prohibits them from engaging in actual political activity.

Furthermore, it is stressed in clause (3) that those who have served in the State Police of the Republic of Indonesia may hold jobs outside of law enforcement after leaving their positions or retiring from the force. The Indonesian National Army is impartial in political affairs, as stated in TAP MPR Number VII/Article MPR/2000's 5 concerning the

Role of the TNI and the Role of the Police. It refrains from engaging in actual political activity. Article 5 paragraph (5) then stipulates that Indonesian National Armed Forces members can only occupy civilian positions after resigning or retiring from military service. Article 10 paragraph (1), which establishes the National Police's functions specifies that the Indonesian National Police must be unbiased in political matters and refrain from engaging in actual political activity. Additionally, paragraph (3) emphasizes that Indonesian National Police personnel may have positions outside of law enforcement after leaving or retiring from the force. Thus, if active TNI and Polri officers want to be involved in practical political activities, these members should resign or retire early from their institutions. This is also contrary to the spirit of reform.

Both the old order and the new order put the President in a dominant position in determining local government. Apart from that, the old order and the new order also placed the military in the realm of civil politics. As Moh said. Mahfud MD, from the point of view of standard social and political theory, linking the problem of civil and military relations with civil society is less relevant. This is because initially the conception of civil society or civil society was not related to the issue of the military's position in politics, especially about civilians. But outside the standard text, discussing civil society, especially in Indonesia, cannot be separated from discussions about the connection between citizens and military personnel. The reason is simple: efforts to build civil society in Indonesia are synonymous with efforts to build democracy and dismantle hegemonic political structures by the state or authoritarianism. So far, the authoritarianism that was built during the Old Order and the New Order has placed the military in a dominant political position so that authoritarian government is often equated with the militaristic government. Moreover, the main actor in the authoritarian New Order politics was the military, which entered the political sphere through the concept of the Dwifungsi ABRI (Abdoelah, 2018)

However, during the reform, one of the points demanded by the community was the abolition of the Armed Force's dual function. So this agenda must be elaborated into strong concepts. This is important because the excess of the application of Dwifungsi has damaged the democratic process that is being built. Society lacks autonomy as a result of the state's constant military intervention. Society becomes afraid of not feeling owned and must participate in the development of the country. Community involvement in the country's development is only due to mobilization, not participation. And, its involvement in the political process is just a formality in a formal democracy because it has to follow the

unfair process and conditions made by the state. In such a situation, the strength of civil society (civil society) cannot grow naturally, because what is prioritized and forced to grow is state society. The sovereignty of the people shifts its focus to become state sovereignty. It is in the development of state society that the military, through its dual-function conception, becomes the main actor in very repressive ways. The government should not use its authority by tarnishing democracy and hope that the appointment of the Pj must be transparent, honest, and not against values that can lower the democracy index.

## CONCLUSION

Direct regional head elections may be seen as desirable and democratic. General Election (Pemilu) is an idea of procedural democracy and one of the most powerful methods that the population can apply in this modern democratic practice which is also anticipated in the 2024 concurrent pilkada. However, several issues or trends will affect the 2024 pilkada. It is difficult to agree or disagree with the appointment of active army and police as regional leaders. The army and police involvement in regional government activities is part of the new dual-function paradigm for ABRI that the government is currently developing. Although it has been used in the past, things must be reformulated. For the sake of mutual political security, as part of civil society, the community oversees and cares about the progress of Reform and Democracy and is not afraid to be critical and give constructive criticism to the Government.

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