

**NAVIGATING LEADERSHIP TRANSITIONS:
THE CHALLENGES AND IMPLICATIONS OF INTERIM AUTHORITY IN
INDONESIA'S REGIONAL GOVERNANCE**

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ABSTRACT

The limitations placed on the authority of interim Regional Heads, as outlined in Indonesian Law Number 23 of 2014 on Regional Governance, present significant challenges to the continuity of strategic decision-making during leadership transitions. The ambiguity surrounding the scope of interim authority often results in stagnation in public policy implementation, adversely impacting regional development and governance. This study examines the philosophical underpinnings and legal foundations of interim authority, while also evaluating the tangible effects of these limitations on the functioning of regional government. Utilizing a normative legal methodology that incorporates both statutory and conceptual approaches, this research is grounded in a thorough review of primary and secondary legal sources. The findings indicate that interim authority should be viewed as a constitutional mandate designed to ensure the seamless operation of government, despite its temporary nature. However, in practice, stringent normative constraints can lead to a significant leadership vacuum and create opportunities for political interference. These findings underscore the necessity for regulatory reform that provides interim Regional Heads with appropriate flexibility in making strategic decisions, all while maintaining the principles of accountability and oversight. Such policy reforms are essential for sustaining an effective and responsive regional government in the face of political dynamics and leadership transitions.

Keywords: Ad Interim Regional Head; Authority Limitations; Regional Governance; Regulatory Reform; Indonesia.

INTRODUCTION

Local Government in Indonesia operates within the decentralization framework based on the principle of regional autonomy. This concept was first established with the enactment of Law No. 23 of 2014 on Regional Governance. The primary goal of regional autonomy is to enhance the effectiveness and efficiency of local resource management while encouraging community participation in decision-making processes at the regional level¹.

Through decentralization, regional heads are entrusted with responsibilities in various strategic areas, including budget management, public services, and the implementation of regional policies. However, in certain circumstances, such as the expiration of a regional head's term or their inability to fulfil their duties, the role of the regional head is temporarily assigned to an Ad Interim Head. The appointment of an Ad Interim is regulated by law, granting them limited authority to perform executive functions to maintain governmental continuity and ensure that strategic regional affairs proceed uninterrupted².

Despite this, the limited authority vested in an Ad Interim often presents challenges in making strategic decisions, particularly when addressing issues that require long-term policies and cross-sectoral integration³. In this context, the restricted powers of an Ad Interim have become a critical concern in regional governance in Indonesia, necessitating a thorough examination to identify practical solutions that ensure governance stability during leadership transitions. A concrete example can be seen in the delays in approving Regional Budget (APBD) proposals in several regions during periods when the leadership was held by interim or acting officials, who lacked full authority to enact strategic fiscal policies. This situation not only hampers the implementation of priority programs but also disrupts public services that rely on continuous funding. A similar issue arises in regional investment decisions, where interim leaders are not authorized to sign strategic

¹ Eviandi Ibrahim, "Mengenal Sejarah Otonomi Daerah Dalam Sistem Pemerintahan Daerah," *Ensiklopedia of Journal* 4, no. 3 (February 13, 2022): 90–97, <https://doi.org/10.33559/eoj.v4i3.269>.

² Sri Suatmiati, Khalisah Khalisah, and Fitriyanti Agustina, "Position, Duties, and Authorities of the Deputy Regional Head in the Era of Reform," *International Journal of Social Science Research and Review* 6, no. 1 (January 6, 2023): 21–28, <https://doi.org/10.47814/ijssrr.v6i1.726>.

³ Viktoria Rubin and Jon Ohlsson, "The Interim Manager – a Catalyst for Organizational Learning?," *The Learning Organization* 29, no. 4 (August 16, 2022): 377–91, <https://doi.org/10.1108/TLO-11-2021-0133>.

cooperation agreements, resulting in postponed or even cancelled investment opportunities.

The appointment of an Ad Interim Regional Head is an administrative instrument legally regulated to ensure the continuity of Regional Governance when there is a vacancy in the definitive regional head position, whether due to the end of the term, incapacity, or delays in regional elections⁴. Administratively, the appointment of an Ad Interim is intended to maintain stability and ensure the continuation of governmental functions, including routine tasks, budget management, and public services⁵. However, politically, the position of an Ad Interim often carries more complex implications. Although endowed with limited authority, Ad Interim regional heads are strategically positioned to influence policies, particularly during Government transitions.

Research indicates that the appointment of an Ad Interim can trigger political dynamics, mainly when associated with the interests of certain political elites, as Ad Interims may be utilized to support or undermine pre-existing policies⁶. Moreover, Ad Interims are often selected from bureaucrats closely aligned with the central Government, raising concerns about the potential involvement in political agendas that may affect the neutrality and independence of regional policies⁷. This phenomenon illustrates that, in addition to its administrative function, the appointment of an Ad Interim is frequently intertwined with political manoeuvring, necessitating strict oversight to ensure that Regional Governance operates by the principles of regional autonomy and democracy.

The continuity of public policies at the regional level is a crucial element in ensuring stability and the sustained development of all sectors. Local governments are responsible for implementing policies mandated by the Central Government and those developed locally. During leadership transitions, particularly when a definitive regional head's term

⁴ Iqbal Ahmady, Annisah Putri, and Nong Ayu Triyanti Utami Hakim, "Analisis Fenomena Penunjukan Penjabat Kepala Daerah Provinsi Aceh Oleh Pemerintah Pusat," *Journal of Governance and Social Policy* 4, no. 1 (June 30, 2023): 119–38, <https://doi.org/10.24815/gaspol.v4i1.31895>.

⁵ Hendrikus Triwibawanto Gedeona and Endang Wirjatmi Trilestari, "The Model for Implementing Bureaucratic Reform in the Ministry of Administrative Reform," in *Proceedings of the 2nd International Conference on Administration Science 2020* (Atlantis Press, 2021), 146–55, <https://doi.org/10.2991/assehr.k.210629.028>.

⁶ Juanda Juanda and Ogiandhafiz Juanda, "Pengangkatan Penjabat Kepala Daerah Menghadapi Pilkada Serentak 2024 Dalam Perspektif Hukum Tata Negara," *Jurnal Keamanan Nasional* 8, no. 1 (August 11, 2022): 192–219, <https://doi.org/10.31599/jkn.v8i1.534>.

⁷ Dadang Gandhi, "Improving The Authority Of The Regional Representative Councils In The State Gazette Of The Republic Of Indonesia According To The 1945 Constitution Of The Republic Of Indonesia," *Jurnal Hukum Replik* 8, no. 1 (August 29, 2020): 1–15, <https://doi.org/10.31000/jhr.v8i1.3013>.

ends, and an Ad Interim Regional Head replaces them, challenges often arise in maintaining the continuity of policy implementation⁸.

Ad Interim Regional Heads need more authority, which can hinder the strategic decision-making process necessary to carry forward development programs initiated by their predecessors⁹. In some cases, these limitations can result in policy stagnation, potentially harming public interests and delaying achieving long-term development goals¹⁰. Therefore, ensuring that leadership transitions do not disrupt ongoing policy implementation becomes a primary concern in regional Governance. Studies indicate that a more robust legal framework is needed to support the authority of Ad Interim Regional Heads in continuing strategic policies, thereby safeguarding policy continuity without detrimental political interference¹¹. As such, further research is required to assess the effectiveness of existing regulations and to devise better mechanisms to ensure the sustained implementation of public policies at the regional level.

The limitation of authority for Ad Interim Regional Heads has become a strategic issue in Regional Governance in Indonesia. Legally, the authority of an Ad Interim is restricted to prevent them from wielding full power like a definitive regional head, especially in making long-term strategic decisions¹². These limitations aim to maintain stability and prevent Ad Interims from overstepping their bounds during governmental transitions. However, these restrictions often pose significant challenges in practice, particularly during crises or when urgent public policy decisions must be made¹³. For instance, Ad Interims are frequently not authorized to make strategic decisions regarding

⁸ Shinta Tri Lestari and Henry Darmawan Hutagaol, "Analisis Kebijakan Pemberian Penghargaan Dan Pengenaan Sanksi Atas Pelaksanaan Anggaran Pendapatan Dan Belanja Daerah," *AL-MANHAJ: Jurnal Hukum Dan Pranata Sosial Islam* 5, no. 1 (May 29, 2023): 755–72, <https://doi.org/10.37680/almanhaj.v5i1.2699>.

⁹ Syafri Hariansah and Rio Armada Agustian, "Ambiguitas Dan Inkonsistensi Kedudukan Serta Kewenangan Wakil Kepala Daerah Dalam Sistem Pemerintahan Daerah," *PROGRESIF: Jurnal Hukum* 16, no. 1 (June 22, 2022): 114–29, <https://doi.org/10.33019/progresif.v16i1.2849>.

¹⁰ Syamsul Amar et al., "Indonesian Sustainable Economic Development in The Institutional Perspective," in *Proceedings of the 4th Padang International Conference on Education, Economics, Business and Accounting (PICEEBA-2 2019)* (Paris, France: Atlantis Press, 2020), 319–23, <https://doi.org/10.2991/aebmr.k.200305.085>.

¹¹ Hasyim Adnan, "Implementasi Pemberhentian Kepala Daerah Di Provinsi Jawa Barat Antara Tahun 2014-2021 Dalam Sistem Pemerintahan Daerah," *Al-Adl: Jurnal Hukum* 15, no. 1 (January 31, 2023): 87–105, <https://doi.org/10.31602/al-adl.v15i1.9014>.

¹² Muzayanah, "Kajian Yuridis Terhadap Putusan Mahkamah Konstitusi Tentang Sengketa Kewenangan Lembaga Negara Yang Kewenangannya Diberikan UUD Tahun 1945," *Jurnal Komunikasi Hukum (JKH)* 8, no. 2 (August 2, 2022): 251–69, <https://doi.org/10.23887/jkh.v8i2.49972>.

¹³ Ratih Damayanti and Hibatullah Maajid, "The Study of Limitation of Legislative Authority in Law Number 2 Year 2020 Regarding Emergency Law," in *Proceedings of the 4th International Conference on Indonesian Legal Studies, ICILS 2021, June 8-9 2021, Semarang, Indonesia* (EAI, 2022), 1–10, <https://doi.org/10.4108/eai.8-6-2021.2314382>.

budgets or long-term projects, potentially delaying the implementation of crucial regional development programs¹⁴.

Furthermore, the limitations on an Ad Interim's authority can be exploited by political actors seeking to slow down decision-making processes that do not align with their political agendas¹⁵. (Thus, while these restrictions are intended to ensure good Governance, the challenges they introduce threaten the effectiveness of regional Government during transitional periods. Consequently, it is essential to re-evaluate the regulations governing the authority of Ad Interims, striking a balance between necessary limitations and the flexibility required to respond to urgent and complex situations.

The limitations imposed on Ad Interim Regional Heads authority have created significant challenges in regional Governance. One of the primary issues is the restricted capacity of Ad Interims to make strategic decisions, particularly those related to long-term policies and regional budget management¹⁶. These limitations are designed to prevent the misuse of power during transitional periods. However, on the other hand, they often lead to stagnation in implementing policies that should otherwise continue seamlessly. Previous research has shown that Ad Interims need full authority to formulate or modify new policies, causing delays in critical decision-making, especially in managing regional development projects requiring budgetary certainty and continuity.

Furthermore, this limited authority opens the door for political intervention by certain actors who exploit the absence of a definitive leader to influence the direction of regional policies¹⁷. Therefore, the central problem addressed in this research is how the restricted authority of Ad Interims affects the effectiveness of regional Governance, particularly in strategic decision-making, and what long-term implications these limitations have on regional development.

The primary goal of this article is to identify the challenges faced by Ad Interims in executing their executive functions, as well as the opportunities that can be maximized

¹⁴ V. V. Gorovoy and T. V. Stepanova, "Problems of Administrative Supervision," *Право и Государство: Теория и Практика*, no. 2 (2022): 226–28, https://doi.org/10.47643/1815-1337_2022_2_226.

¹⁵ Di Dong et al., "Recentralization and the Long-lasting Effect of Campaign-style Enforcement: From the Perspective of Authority Allocation," *Review of Policy Research* 41, no. 1 (January 30, 2024): 239–75, <https://doi.org/10.1111/ropr.12548>.

¹⁶ Mazdan Maftukha Assyayuti, "Urgensi Penataan Ulang Mekanisme Pengisian Jabatan Penjabat Kepala Daerah Perspektif Demokrasi Konstitusional," *Jurnal Lex Renaissance* 7, no. 2 (April 1, 2022): 281–95, <https://doi.org/10.20885/JLR.vol7.iss2.art5>.

¹⁷ Detlef Nolte and Luis L. Schenoni, "To Lead or Not to Lead: Regional Powers and Regional Leadership," *International Politics* 61, no. 1 (February 28, 2024): 40–59, <https://doi.org/10.1057/s41311-021-00355-8>.

despite their limited authority. Additionally, this study seeks to evaluate the extent to which these limitations contribute to policy stagnation in the region and how the role of Ad Interims can be optimized to ensure the continuity of development programs. Ultimately, the findings of this research are expected to provide more effective policy recommendations for managing leadership transitions in regional governments, particularly in strengthening the role of Ad Interims so that they can continue to fulfil strategic functions without violating existing legal boundaries. Therefore, this study addresses the urgent need for regulatory reforms to enhance the efficiency and stability of Regional Governance during transitional periods.

Although many studies have explored the role of regional heads in Indonesia's Governance system, research explicitly focusing on Ad Interim Regional Heads, particularly in the context of authority limitations, still needs to be completed. Most existing literature centres on the full authority of definitive regional heads and the electoral process. In contrast, studies that examine the impact of restricted Ad Interim authority on strategic decision-making still need to be discovered¹⁸.

This creates a gap in the literature that potentially affects our understanding of leadership transitions at the regional level, especially how Ad Interims can maintain effective Governance despite being constrained by strict regulations¹⁹. Recent studies have indicated that these authority limitations often lead to policy stagnation; however, such research must thoroughly address how Ad Interims can overcome these challenges or what strategies can be implemented to ensure the continuity of ongoing policies²⁰. Therefore, this research seeks to fill that gap by focusing on an in-depth analysis of how limited authority impacts Ad Interim strategic decision-making and regional development, as well as exploring how regulations can be improved to enhance the effectiveness of Ad Interims during transitional periods.

This research offers a novel contribution to the study of regional Governance, particularly concerning the role and limited authority of Ad Interim Regional Heads. The novelty of this study lies in its multidisciplinary approach, combining legal analysis with

¹⁸ Imas Sumiati, "Demokrasi Dan Pemilu Kepala Daerah," *Governance, JKMP (Governance, Jurnal Kebijakan & Manajemen Publik)* 2, no. 1 (February 23, 2022): 37–42, <https://doi.org/10.38156/gjkmp.v2i1.35>.

¹⁹ Assyayuti, "Urgensi Penataan Ulang Mekanisme Pengisian Jabatan Penjabat Kepala Daerah Perspektif Demokrasi Konstitusional."

²⁰ Damayanti and Maajid, "The Study of Limitation of Legislative Authority in Law Number 2 Year 2020 Regarding Emergency Law."

public policy evaluation to assess the direct impact of the restricted authority of Ad Interims on the effectiveness of strategic decision-making at the regional level. While previous studies have discussed the limitations of Ad Interims' powers, this research uniquely focuses on the long-term implications of these limitations for the continuity of regional development policies and the sustainability of strategic programs.

The justification for this research is also strong, given the increasing urgency for regulatory reforms that can balance Ad Interims' authority limitations with the need for flexibility in decision-making during leadership transitions. In a broader context, this research provides new insights that can strengthen the legal and policy frameworks of Regional Governance in Indonesia, thereby enhancing governmental stability and the effectiveness of development at the local level. With its comprehensive approach and in-depth analysis, this study is expected to enrich academic literature and offer practical recommendations for policymakers in addressing the challenges of leadership transitions in the regions.

RESEARCH METHOD

This study employs a normative legal research type with a statutory and conceptual approach²¹. Normative legal research is selected as it focuses on examining relevant legal rules, including Law No. 23 of 2014 on Regional Governance and its implementing regulations. The statutory approach is used to analyze the various regulations governing the authority of *Ad Interim* Regional Heads. In contrast, the conceptual approach seeks to explore the conceptual understanding of the limitations of Ad Interim authority and its implications for regional Governance. This approach enables a thorough analysis of the alignment between existing legal norms and the practical Governance of regional administrations during leadership transitions. Data collection is carried out through library research, which involves reviewing legal documents and relevant literature²².

The collected data are systematically analyzed to identify and explain the legal norms related to the authority of Ad Interim regional heads. This descriptive-analytical method aims to describe, explain, and critically evaluate the existing legal provisions and how they are implemented in Regional Governance practices. The findings from this analysis

²¹ Dyah Ochtoriana Susanti and Aan Efendi, *Penelitian Hukum: Legal Research* (Jakarta: Sinar Grafika, 2014).

²² Zainuddin Ali, *Metode Penelitian Hukum* (Jakarta: Sinar Grafika, 2009).

are then used to formulate relevant recommendations for regulatory reforms to address the issue of limited authority for Ad Interim heads in strategic decision-making.

RESEARCH OUTCOME AND DISCUSSION

1. Authority in Administrative Law

The theory of authority in administrative law is based on the principle of the division of power, which is explicitly regulated by legislation. In the context of Governance, authority refers to the legal legitimacy granted to public officials to take actions or make decisions that affect the community or the jurisdiction under their Governance²³. Every public official, including the Ad Interim Regional Head, is restricted by legal rules that define the scope of authority they are permitted to exercise. These limitations are essential to prevent power abuse and maintain accountability within the Government.

The authority of interim officials, such as Ad Interims, is often limited to avoiding actions that could have long-term impacts or make significant policy changes, which definitive officials should handle²⁴. These restrictions are designed to ensure that Ad Interims only perform essential administrative duties and do not engage in strategic decisions that could alter the direction of public policy. Although these limitations are well-intentioned, in practice, they often create challenges, especially when Ad Interims are faced with situations requiring urgent strategic decisions. The limits of authority must be balanced with flexibility to allow officials to respond to changing conditions that demand immediate action. Therefore, in regional Governance, it is essential to establish apparent authority boundaries while still providing room for Ad Interims to make necessary decisions to ensure the continuity of public services and development.

Empirically, the limitations on the authority of Ad Interim Regional Heads have had various impacts on the effectiveness of Regional Governance during leadership transitions. Based on the analysis of Law No. 23 of 2014 on Regional Governance, Ad

²³ O.O. Leonidova, "The Concept and Genesis of Powers, the Mechanism of Their Regulation and Legitimacy When Established at the Legislative Level," *Analytical and Comparative Jurisprudence*, no. 6 (February 18, 2023): 27–31, <https://doi.org/10.24144/2788-6018.2022.06.4>.

²⁴ Damayanti and Maajid, "The Study of Limitation of Legislative Authority in Law Number 2 Year 2020 Regarding Emergency Law."

Interim heads are not authorized to make long-term strategic decisions, particularly those involving large budget allocations or regional infrastructure projects²⁵.

This reality is evident in several cases where Ad Interims faced restrictions in formulating sustainable development policies, resulting in delays or cancellations of regional projects because they were not granted the authority to continue them. Additionally, the limited authority of Ad Interims often leads to uncertainty in decision-making, especially in crises where urgent strategic decisions cannot be made promptly²⁶. This research also finds that certain political actors frequently exploit the gaps in authority to influence regional policy directions, as Ad Interims lack the legal power of definitive regional heads to resist political pressure. Overall, the empirical reality shows that while the limitation on Ad Interim authority is intended to maintain stability and prevent power abuse, it often hinders the continuity of strategic policies and programs at the regional level.

2. Implementation of Legislation

Implementing regulations related to Ad Interim Regional's authority under Law No. 23 of 2014 on Regional Governance has encountered several challenges in practice. Although the regulation was designed to maintain stability during leadership transitions, the limitations imposed on the authority of Ad Interims often result in stagnation in strategic decision-making, particularly regarding long-term policies or the management of significant budgets²⁷.

The regulation restricts Ad Interims from performing strategic functions, such as altering the organizational structure of the region or making decisions related to large-scale projects, which are considered the domain of definitive regional heads. This aims to prevent the abuse of power during transitional periods; however, in practice, its implementation often hinders the continuity of regional development. This study found that Ad Interims could only continue essential development projects in some regions due

²⁵ Ahmady, Putri, and Hakim, "Analisis Fenomena Penunjukkan Penjabat Kepala Daerah Provinsi Aceh Oleh Pemerintah Pusat."

²⁶ Zahra Malinda Putri, Dewi Kania Sugiharti, and Zainal Muttaqin, "Administrative Sanctions Against Abuse Of Authority In The Environmental Licensing Sector Based On Positive Law In Indonesia," *Journal of Law and Policy Transformation* 7, no. 2 (January 1, 2023): 84, <https://doi.org/10.37253/jlpt.v7i2.6869>.

²⁷ Ahmad Munir et al., "Abuse Of Authority By The Regional Government For The Construction Of National Roads," *JHR (Jurnal Hukum Replik)* 11, no. 1 (April 1, 2023): 105–20, <https://doi.org/10.31000/jhr.v11i1.8052>.

to the limitations imposed by this regulation²⁸. Additionally, implementing this regulation creates opportunities for political intervention, where particular political actors exploit the gap in authority to influence ongoing public policy directions²⁹. Therefore, while the regulation was well-intentioned to prevent excessive actions by Ad Interims, its practical implementation has posed significant challenges in ensuring the continuity of Governance and executing strategic policies at the regional level.

3. Limitations of Ad Interim Regional Heads in Strategic Policy Making

Ad Interim Regional Heads face significant limitations in strategic decision-making, primarily due to regulations that restrict their authority. According to Law No. 23 of 2014 on Regional Governance, Ad Interims are not permitted to make long-term decisions or those with significant impacts on budget allocation, organizational structure, or strategic regional development projects³⁰.

These limitations are designed to prevent the abuse of power during leadership transitions, but in practice, they often lead to stagnation in the implementation of important policies. In situations where urgent strategic decisions are required, such as during health or economic crises, Ad Interims need full authority to act swiftly and effectively, thereby hindering regional responses to such challenges³¹. Additionally, this study finds that these limitations exacerbate management issues in regions where policies initiated by definitive regional heads are halted or not continued because Ad Interims need more legitimacy to enact significant changes³².

The restriction of authority also opens the door to political interference from external actors who exploit weaknesses in the regional decision-making system, further

²⁸ Rayani Saragih and Maria Ferba Editya S, "Asas Dan Norma Hukum Administrasi Negara Dalam Pembuatan Peraturan Daerah," *Journal of Education, Humaniora and Social Sciences (JEHSS)* 5, no. 1 (August 1, 2022): 388–95, <https://doi.org/10.34007/jehss.v5i1.1166>.

²⁹ Alejandro E. Camacho and Robert L. Glicksman, "Designing Regulation Across Organizations: Assessing the Functions and Dimensions of Governance," *Regulation & Governance* 15, no. S1 (November 3, 2021), <https://doi.org/10.1111/rego.12420>.

³⁰ Assyayuti, "Urgensi Penataan Ulang Mekanisme Pengisian Jabatan Penjabat Kepala Daerah Perspektif Demokrasi Konstitusional."

³¹ Ahmady, Putri, and Hakim, "Analisis Fenomena Penunjukkan Penjabat Kepala Daerah Provinsi Aceh Oleh Pemerintah Pusat."

³² Oleksandr Bohashko, "Administrative Requirements For Supporting Business Activities At The Regional Level," *Scientific Bulletin of Flight Academy. Section: Economics, Management and Law* 8 (2023): 72–79, <https://doi.org/https://doi.org/10.33251/2707-8620-2023-8-72-79>.

complicating efforts to maintain policy continuity³³. Therefore, while the restrictions on Ad Interim authority are intended to preserve stability, they often need to be revised to ensure the continuity of Governance and the implementation of vital strategic regional projects.

Political intervention is one of the significant challenges faced by Ad Interim Regional Heads during leadership transitions, mainly when regulations restrict their authority. The limitations on Ad Interim authority, as stipulated in Law No. 23 of 2014 on Regional Governance, often create opportunities for political actors to exploit the situation to influence regional policy directions in line with their interests³⁴. With the absence of total authority in the position of Ad Interim, external actors, including local political elites, are more likely to intervene.

This Ad Interims faced substantial political pressure in several regions to make decisions beyond their legal authority. Due to their weak legitimacy, Ad Interims often need more strength to resist such pressures³⁵. This situation is further exacerbated by the fact that Ad Interims are frequently selected from bureaucrats close to the central Government, which increases the risk of political interference from both central and local elites³⁶. As a result, public policy implementation can become distorted, with decisions being driven not by regional needs or public interests but by short-term political considerations. Thus, political intervention during leadership transitions not only complicates the decision-making process at the regional level but also poses a threat to the stability and continuity of policies initiated by definitive regional heads.

4. The Impact on Theory and Practice

This article contributes to administrative law theory, particularly in the context of the authority of interim officials, such as Ad Interim Regional Heads. In administrative law theory, authority is a crucial instrument for carrying out Government functions, but

³³ Abdul Rahman Sabara, "Regional Autonomy In The Political System And Authority In Indonesia," *Diponegoro Law Review* 7, no. 2 (October 27, 2022): 296–311, <https://doi.org/10.14710/dilrev.7.2.2022.296-311>.

³⁴ Juanda and Juanda, "Pengangkatan Penjabat Kepala Daerah Menghadapi Pilkada Serentak 2024 Dalam Perspektif Hukum Tata Negara."

³⁵ Indra L Nainggolan, "Pengawasan Legislasi Daerah Oleh Dpd: Tantangan Era Disrupsi Hukum," *SALAM: Jurnal Sosial Dan Budaya Syar-i* 9, no. 1 (February 6, 2022): 201–12, <https://doi.org/10.15408/sjsbs.v9i1.23518>.

³⁶ Julia Strasheim, "Interim Governments and the Stability of Peace" (Universität Heidelberg, 2016), <https://doi.org/https://doi.org/10.11588/heidok.00022484>.

it must always be constrained by legislation to prevent the abuse of power³⁷. This study enriches the literature on administrative law by deeply examining how the limitations on authority, as regulated by Law No. 23 of 2014 on Regional Governance, affect the strategic decision-making process of Ad Interims. The findings indicate that these restrictions are intended to maintain stability and prevent unwise decisions during leadership transitions. However, they often create a vacuum in crucial decision-making processes, particularly concerning long-term development projects and budget allocations³⁸.

Administrative law theory, which focuses on balancing authority and accountability, is further reinforced by this study, providing evidence that excessive restrictions on interim officials' authority can hinder regional Governance's effectiveness. Moreover, this research strengthens the view that regulatory frameworks governing authority must be flexible so that interim officials can respond to urgent situations without violating existing legal principles³⁹. Therefore, this study deepens our understanding of authority limitations within administrative law theory and suggests the need for reform in regulations governing Ad Interim authority to achieve a better balance between stability and governmental efficiency.

This research has important practical implications for regional Governance, particularly in strengthening administration during leadership transitions led by Ad Interim Regional Heads. The limitations on Ad Interim authority, as regulated by Law No. 23 of 2014 on Regional Governance, though intended to maintain stability and accountability, often hinder the execution of strategic policies needed to ensure the continuity of regional development⁴⁰. The primary practical implication of this study is the need for regulatory reform to provide greater flexibility for Ad Interims in making strategic decisions, especially regarding long-term development projects and urgent

³⁷ Oyaldi Puhi, Rustam Hs Akili, and Roy Marthen Moonti, "The Settlement of Abuse of Authority by Government Officials," *The Indonesian Journal of International Clinical Legal Education* 2, no. 1 (March 31, 2020): 85–100, <https://doi.org/10.15294/ijicle.v2i1.37323>.

³⁸ Irena TUŠER, Radovan POTUČEK, and Šárka HOŠKOVÁ-MAYEROVÁ, "Risks of the Effects of Restrictive Measures on the Democratic Foundations of a State," *Challenges to National Defence in Contemporary Geopolitical Situation* 2022, no. 1 (October 31, 2022): 219–26, <https://doi.org/10.47459/cndcgs.2022.28>.

³⁹ Matthew Saul, "International Law and the Legitimacy of Interim Governments," *SSRN Electronic Journal* 6, no. 4 (2016): 1–20, <https://doi.org/10.2139/ssrn.2715703>.

⁴⁰ Achmad Hariri, Anang Dony Irawan, and Al Qodar Purwo, "Authority Dynamic Law of Central and Regional Governments in Managing Natural Resources," in *Proceedings of the 2nd International Conference of Law, Government and Social Justice (ICOLGAS 2020)* (Paris, France: Atlantis Press, 2020), 200–208, <https://doi.org/10.2991/assehr.k.201209.286>.

budget allocations. With overly rigid authority restrictions, Ad Interims often need help to respond swiftly to urgent regional needs, such as disaster response or economic crises⁴¹. Therefore, more adaptive regulations are necessary to enable Ad Interims to perform more effectively without increasing the risk of power abuse. The research also suggests that stricter oversight is needed to ensure that any additional flexibility granted to Ad Interims is not misused, along with clear guidelines on the boundaries that must remain in place. Implementing the findings of this study is expected to enhance the stability of Regional Governance during transitional periods while preserving the continuity of policies established by the definitive regional heads.

Comparative research on the authority of Ad Interim Regional Heads is essential to provide a broader perspective on how the limitations of interim officials are managed in different countries. In several countries, such as Australia and New Zealand, interim officials or "caretaker officials" are granted broader authority in strategic decision-making during governmental transitions without compromising the principles of accountability and oversight. For example, in these countries, caretaker officials have more extraordinary executive powers. However, they are closely monitored by legislative bodies to ensure that no abuse of power occurs during the transitional period⁴².

In the context of Indonesia, comparative research could help identify weaknesses in the regulations that limit Ad Interim authority and offer more effective models for maintaining the continuity of public policy. Such research can also provide new insights into how a more flexible and adaptive oversight system can be implemented to enhance Governance during transitions without violating existing legal boundaries⁴³. By comparing systems across different countries, this research can identify best practices that could be adopted in Indonesia, allowing for regulatory reforms regarding Ad Interim authority to be made with consideration for local contexts and challenges. Therefore, comparative research contributes to improving national regulations and enriches the global literature on Regional Governance during leadership transitions.

⁴¹ Jeremy Kessler and Charles Frederick Sabel, "The Uncertain Future of Administrative Law," *SSRN Electronic Journal* 150, no. 3 (2021): 188–207, <https://doi.org/10.2139/ssrn.3780796>.

⁴² Wira Karnova Sandi and Irwandi Irwandi, "Analisis Kewenangan Kepala Daerah Dalam Menentukan Formasi Pengadaan Dan Pengangkatan Pegawai Negeri Sipil," *Limbago: Journal of Constitutional Law* 2, no. 1 (February 28, 2022): 1–20, <https://doi.org/10.22437/limbago.v2i1.17682>.

⁴³ Aditya Yuli Sulistyawan and I Putu Eka Cakra, "Examine The Constitutionality Of Regulations Under Laws That Are Not Contrary To The Law But Contrary To The Constitution," *Administrative Law and Governance Journal* 3, no. 1 (March 5, 2020): 104–113, <https://doi.org/10.14710/alj.v3i1.104-113>.

Long-term studies on strategic policies are highly relevant in the context of the limited authority of Ad Interim Regional Heads, particularly concerning the impact on regional development. Strategic policies involving long-term projects, such as infrastructure development or poverty alleviation programs, require stable continuity in their implementation. The limitations placed on Ad Interims by Law No. 23 of 2014 often hinder their ability to continue strategic policies formulated by definitive regional heads⁴⁴. Long-term studies are necessary to evaluate how policies that are halted or delayed due to these authority limitations affect the success of regional development and how inefficiencies in leadership transitions impact the welfare of local communities⁴⁵. Additionally, long-term studies can reveal the consequences of policy stagnation on regional fiscal stability, particularly regarding budget management and resource allocation. Comprehensive long-term research can provide more substantial recommendations regarding regulatory reform to mitigate the negative impacts of Ad Interim authority limitations while ensuring that strategic policies remain effective and sustainable, even during leadership transitions.

Oversight of Ad Interim Regional Heads is a crucial element that requires further exploration to ensure that Ad Interims can perform their duties effectively without posing the risk of abuse of authority. Although Law No. 23 of 2014 on Regional Governance imposes strict limitations on the authority of Ad Interims, the oversight mechanisms during leadership transitions are often insufficient to prevent political interference or violations of sound Governance principles⁴⁶.

Effective oversight requires clear regulations and more adaptive mechanisms to monitor Ad Interim actions transparently. The importance of involving independent oversight bodies or regional legislatures with authority to evaluate strategic decisions made by Ad Interims, particularly those related to budget usage and public policy implementation. Without strong oversight, ad interims may become vulnerable to

⁴⁴ Guswandi Guswandi, "Strategic Area Development to Reduce Poverty and Regional Gaps in The District," *Signifikan: Jurnal Ilmu Ekonomi* 11, no. 2 (October 6, 2022): 319–38, <https://doi.org/10.15408/sjie.v11i2.25895>.

⁴⁵ Proinnsias Breathnach, "Regional Governance and Regional Development: Implications of the Action Programme for Effective Local Government," *Administration* 71, no. 2 (May 1, 2023): 69–91, <https://doi.org/10.2478/admin-2023-0012>.

⁴⁶ Suatmiati, Khalisah, and Agustina, "Position, Duties, and Authorities of the Deputy Regional Head in the Era of Reform."

political pressure from certain actors seeking to influence regional policies⁴⁷. This study indicates that weaknesses in Ad Interim oversight can exacerbate policy stagnation and hinder the continuity of ongoing strategic programs. Therefore, reforming the oversight system to incorporate transparency, accountability, and active participation from various stakeholders is essential to ensure that Ad Interims can perform their roles more effectively while upholding sound Governance principles.

5. Legal, Social, and Technical Implications

The legal implications of the limitations on the authority of Ad Interim Regional Heads are a crucial issue in the context of regional Governance. Law No. 23 of 2014 on Regional Governance restricts the authority of Ad Interims to make strategic decisions, particularly those related to budgets and long-term policies, to prevent power abuse during leadership transitions⁴⁸. However, from a legal perspective, these limitations can negatively affect the continuity of regional Governance, especially when Ad Interims face crises that require urgent action. Legally, Ad Interims need full authority to make urgent strategic decisions, often leading to policy delays that can be detrimental to the public.

This research finds that there is a need for regulatory revisions to provide greater flexibility to Ad Interims in decision-making, particularly during emergencies or crises, without compromising principles of accountability and transparency. The legal implications of such reforms ensure that regional governments continue to function effectively during leadership transitions while maintaining stability and legal certainty. Therefore, regulatory reforms that balance authority limitations with legal flexibility are essential for improving the Governance of regional administrations in the future.

The limitations on the authority of Ad Interim Regional Heads have legal implications and significantly affect social aspects, particularly in terms of community welfare. As outlined in Law No. 23 of 2014 on Regional Governance, the restricted authority granted to Ad Interims often hampers the continuity of urgent social development projects, such as healthcare services, basic infrastructure, and poverty

⁴⁷ Muh. Hamka, Sakinah Nadir, and Haryanto, "Politik Anggaran Dan Relasi Aktor Dalam Penyusunan Anggaran Pendapatan Belanja Daerah," *Jurnal Politik Profetik* 10, no. 1 (August 15, 2022): 79–98, <https://doi.org/10.24252/profetik.v10i1a5>.

⁴⁸ Rizki Mulyaningsih, "Kedudukan Kepala Otorita Ibu Kota Nusantara Dalam Perspektif Hukum Otonomi Daerah," *Jurnal Lex Renaissance* 7, no. 2 (April 1, 2022): 296–309, <https://doi.org/10.20885/JLR.vol7.iss2.art6>.

alleviation programs⁴⁹. As a result of these limitations, local communities frequently need to receive the benefits of strategic policies designed to improve their quality of life.

Additionally, this study finds that the absence of effective leadership during the transition period can lead to social uncertainty, especially in regions heavily dependent on the continuity of local Government programs to maintain social and economic stability In Indonesia⁵⁰. Delays in decision-making by Ad Interims can also exacerbate social inequalities, especially when projects aimed at empowering vulnerable groups are postponed or halted. Therefore, it is essential to consider the social implications of restricting Ad Interim authority and ensure that more flexible regulatory reforms are implemented to execute urgent social policies promptly, even during leadership transitions.

The limitations on the authority of Ad Interim Regional Heads also have significant technical implications for the effectiveness of regional Governance, particularly in policy implementation and the management of strategic projects. The restrictions imposed by Law No. 23 of 2014 on Regional Governance limit Ad Interims' ability to make strategic decisions crucial for the continuation of infrastructure projects and regional budget management⁵¹. Technically, these limitations impede the smooth operational flow of local governments, especially when quick responses are needed to address technical issues such as infrastructure repairs or urgent procurement of goods and services.

Delays in technical decision-making by Ad Interims can also lead to inefficiencies in budget utilization, as they cannot execute activities per the regional development plans set by the definitive regional heads. This study also finds that technical oversight of Ad Interims creates gaps for potential issues in executing large-scale projects requiring cross-sectoral coordination. Ad Interims may need more authority or support to make critical decisions. Therefore, technical reforms, in the form of regulations that grant greater flexibility to Ad Interims, are essential to ensure that strategic policies and important projects can be implemented efficiently and promptly without compromising sound Governance principles.

⁴⁹ Eza Aulia and Khairul Fahmi, "The Concept Of Term Of Office Limitation Of Regional Head In Indonesia," *Syiah Kuala Law Journal* 6, no. 2 (August 20, 2022): 227–41, <https://doi.org/10.24815/sklj.v6i2.29122>.

⁵⁰ Muhammad Ali Azhar, "The Transitional Democracy Trap: Democracy, Complexity, and Local Oligarchy in Bali," in *Security, Democracy, and Society in Bali* (Singapore: Springer Singapore, 2021), 155–75, https://doi.org/10.1007/978-981-15-5848-1_7.

⁵¹ Munir et al., "Abuse Of Authority By The Regional Government For The Construction Of National Roads."

CONCLUSION

The limitations of authority of Ad Interim Regional Heads, as regulated by Law No. 23 of 2014 on Regional Governance, have significant implications for the effectiveness of Regional Governance during leadership transitions. While these restrictions aim to maintain stability and prevent abuse of power, they often lead to stagnation in strategic decision-making, particularly concerning long-term development projects, budget management, and urgent public policies. Additionally, the restrictions on Ad Interim authority create opportunities for political intervention, which can hinder the implementation of regional policies formulated by definitive regional heads. This study demonstrates that greater flexibility in Ad Interim authority is necessary, especially in crises, to ensure that critical policies and projects can be executed efficiently without compromising accountability and sound Governance principles.

Based on the findings, several recommendations can be made to improve Regional Governance during leadership transitions. First, regulatory reform, particularly a revision of Law No. 23 of 2014, is essential to provide more flexible authority to Ad Interim Regional Heads in strategic decision-making, especially during critical situations. Such flexibility, however, must be accompanied by strict oversight to prevent the potential abuse of power. Additionally, establishing more adaptive and transparent oversight mechanisms involving independent supervisory bodies and regional legislatures is necessary to ensure that decisions made by Ad Interims adhere to legal frameworks and are not influenced by improper political interests. Another important recommendation is strengthening Ad Interim technical capacity through targeted training and capacity-building programs, particularly in areas such as strategic project management and budget administration. This would enable Ad Interims to respond more effectively to operational and technical challenges during transitional periods. Finally, further comparative research is needed to explore best practices from other countries in managing the authority of interim officials. Such research will provide valuable insights for regulatory reforms that can be adapted to Indonesia's unique context and Governance challenges.

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