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When Legislative Oversight Becomes Interlegal Contestation: *Hak Angket*, Public *Maṣlaḥah*, and Local Politics in Salatiga, Indonesia

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ABSTRACT

What happens when an instrument of constitutional oversight is no longer contested because of its procedural legality, but because of who has the authority to define the public interest? This question emerged when the Regional House of Representatives (DPRD) of Salatiga, less than one hundred days after the inauguration of a new mayor, activated *hak angket* for the first time in the city's modern political history. This article aims to examine how *hak angket* (legislative oversight) in Salatiga evolved from an instrument of constitutional oversight into an arena of interlegal contestation. This study employs a field-based case study with a sociological jurisprudence approach, drawing on legal documents and semi-structured interviews with legislative actors, executive officials, bureaucratic actors, and affected community members. The findings show that *hak angket* in Salatiga no longer operated merely as an instrument of constitutional oversight, but evolved into an arena of interlegal contestation in which at least four normative orders interacted simultaneously: state legality, political legality, administrative legality, and moral legality. The study further reveals that executive actions justified through administrative discretion and social pressure created risks of administrative arbitrariness and rule by popularity, while legislative oversight derived additional legitimacy from *maṣlaḥah*-based moral reasoning. Theoretically, this article extends the study of legislative oversight by proposing interlegal contestation as a socio-legal framework for understanding local governance in Muslim societies. Practically, the findings demonstrate that the legitimacy of public policy cannot be measured solely through procedural legality or social acceptance, but must also rest on institutional accountability and sustainable public welfare.

KEYWORDS: Interlegal Contestation; Legislative Oversight; *Hak Angket*; Public *Maṣlaḥah*; Muslim Societies; Salatiga.

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Introduction

In post-reform Indonesian local governance, legislative oversight *(hak angket)*[1] has been formally institutionalized within the constitutional framework of checks and balances;[2] however, its practical use remains rare and politically contested.[3] This tension became evident in 2025 when the Salatiga City Regional House of Representatives (DPRD), for the first time in the city's modern political history, initiated a *hak angket* less than one hundred days after the inauguration of Mayor Robby Harsonu and Deputy Mayor Nina Hapsari. The inquiry targeted several controversial executive policies, including the relocation of traditional market vendors, the reduction of non-permanent daily workers, adjustments to civil servants' performance allowances, and the temporary suspension of regional waste service levies.[4] Although constitutionally intended as an oversight mechanism for policies considered strategic, controversial, and potentially unlawful,[5] the rapid deployment *hak angket* in Salatiga instead generated debate over whether it reflected genuine constitutional accountability or a broader struggle for political authority between the legislative and executive branches. More significantly, the case demontrates how formal legality, local political negotiation, and claims of public *maṣlaḥah* intersect, transforming a seemingly ordinary oversight procedure into an arena of interlegal contestation. This condition constitutes the starting point of the present study.

So far, the scholarship on *hak angket* has developed through three major waves. The earliest wave generally emerged within the traditions of constitutional law and comparative parliamentary studies, where *hak angket* was primarily

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[1] *Hak angket* is a constitunially recognized investigative power attached to the legislature as part of Indonesia's post-amendment checks and balances system. Its basis is found in Article 20A (2) of the 1945 Constitution, while Article 79 (3) of the MD3 Law *(Undang-Undang Nomor 17 Tahun 2014)* defines it as the legislature's right to investigate laws and/or government policies considered strategis, broadly impactful, and allegedly inconsistent with prevailing laws. Similar authority is granted to regional legislatures under Articles 159–171 of the Regional Government Law *(Undang-Undang Nomor 23 Tahun 2014)*, including the power to establish inquiry committee (*panitia angket*), summon public officials, and request official documents. Historically, *hak angket* organited from Law No. 6 of 1954 during Indonesia's parliamentary era, although its contemporary exersice now operates primarly under the post-amendment constitutional framework and statutory framework.

[2] Ismiyanto and Firstnandiar Glica Aini Suniaprily, "Tinjauan Hukum Negara Kesatuan yang menganut Sistem Otonomi Daerah berdasarkan Undang-Undang Nomor 23 Tahun 2014 Tentang Pemerintahan Daerah dalam Penerapan Mekanisme Checks and Balances," *Jurnal Penelitian Serambi Hukum* 16, no. 01 (2023): 128–37; Sunarto, "Prinsip Checks and Balances Dalam Sistem Ketatanegaraan Indonesia," *Masalah-Masalah Hukum* 45, no. 2 (2016): 157-163.

[3] Fauzi Syam et al., "Why Should the Role of the House of Representatives in Monitoring and Review Local Regulations Be Strengthened?," *Journal of Indonesian Legal Studies* 9, no. 1 (2024): 417–56; Marlina Flassy, Usman Idris, and M. Zaenul Muttaqin, "Implementing Constitutional Court Decisions: Case Study of The Revision of The 2024 Regional Head Election Law in Indonesia," *Petita: Jurnal Kajian Ilmu Hukum Dan Syariah* 10, no. 1 (2025).

[4] Rosyid, "Tolak Jawaban Wali Kota Robby, 4 Fraksi DPRD Salatiga Usulkan Hak Angket," Politik & Pemerintahan, Salatiga Hari Ini, Lingkar Jateng Id., 2025, https://lingkarjateng.id; Surya Yuli, "Relokasi Pasar Pagi Jadi Sorotan, Panitia Hak Angket DPRD Salatiga Rekomendasikan Perbaikan Kepemimpinan Wali Kota," Suara Merdeka, suaramerdeka.com, 2025, https://www.suaramerdeka.com; Lurisa Lulu, "Hasil Hak Angket DPRD Salatiga, Kebijakan Wali Kota Robby Hermawan Dinilai Langgar UU," Nasional, iNews.id., 2025, https://www.inews.id/.

[5] Widi Widodo et al., "Analisis Hukum Terhadap Hak Angket Dewan Perwakilan Rakyat (DPR) dalam Mengawasi Kebijakan Pemerintah," *Cessie: Jurnal Ilmiah Hukum* 3, no. 2 (2023): 42–47.

positioned as part of the constitutional oversight mechanism in modern democratic systems.[6] Within this framework, Bert Rockman argues that legislative oversight—also commonly referred to as legislative inquiry or the right of inquiry, or *hak angket* in the Indonesian context—should be understood as a manifestation of legislative authority to exercise checks and balances, control the use of executive discretion, and ensure that public policies remain within the constitutional framework and the principles of the rule of law.[7] In Indonesia, most studies during this phase focused on legal-formal dimensions, such as constitutional foundations, the boundaries of institutional authority, procedural compliance, and the juridical validity of hak angket in constitutional practice.[8] Accordingly, the central question that dominated this early wave was not how *hak angket* operates within complex socio-political settings, but rather to what extent its exercise can be constitutionally justified and whether it satisfies the standards of legal-procedural compliance.

With the development of the law in action approach and the growing to local political dynamics, the second wave of *hak angket* studies shifted from legal-formal analysis toward political and institutional perspectives.[9] *Hak angket* came to be

[6] Historically, the normative genealogy of *hak angket* in Indonesia can be traced to Law No. 6 of 1954 concerning the Right of Inquiry of the House of Representatives (DPR) during the parliamentary democracy era, which was later repositioned within the post-reform presidential system through Law No. 17 of 2014 and Law No. 23 of 2014. For doctrinal discussions on parliamentary oversight in Indonesian constitutional law, see: Jimly Asshiddiqie, *Pengantar Ilmu Hukum Tata Negara*, Jilid 2 (Jakarta: Sekretariat Jenderal dan Kepaniteraan Mahkamah Konstitusi RI, 2006); Saldi Isra, *Lembaga Negara: Konsep, Sejarah, Wewenang, Dan Dinamika Konstitusional* (Depok: Rajawali Pers, 2020), 184–201.

[7] Bert A. Rockman, "Legislative-Executive Relations and Legislative Oversight," *Legislative Studies Quarterly* 9, no. 3 (1984): 387-440.

[8] Widodo, Suandika, and Suryana, "Analisis Hukum Terhadap Hak Angket Dewan Perwakilan Rakyat (DPR) Dalam Mengawasi Kebijakan Pemerintah"; Idul Rishan, "Batas Konstitusional Penggunaan Hak Angket Terhadap Komisi Pemberantasan Korupsi," *Jurnal Konstitusi* 16, no. 3 (2019): 630–54; Sulkaris S. Lepa Ratu, "Hakikat Hak Angket Anggota Dewan Perwakilan Rakyat dalam Sistem Ketatanegaraan Republik Indonesia," *Mimbar Keadilan*, August 1, 2017, 209–28; Salwa Rabiah, Hezki Nalom Nathanael, and Nabilah Putri Fauzyyah, "Peran Hak Angket DPR dalam Upaya Penyelesaian Sengketa Hasil Pemilu," *Jurnal Batavia* 1, no. 2 (2024): 89–95; Nuranida Hasanah and Wicipto Setiadi, "Probabilitas Pelaksanaan Hak Angket Terhadap Pemilihan Umum di Indonesia," *Jurnal USM Law Review* 7, no. 2 (2024): 916–32.

[9] The second wave of research on legislative oversight has begun to move beyond a purely constitutional and procedural interpretation, and has started to view parliamentary oversight as an arena for strategic interaction, coalition maintenance, institutional competition, and power negotiations among political actors. This shift has been significantly influenced by the development of "rational choice institutionalism" and the study of legislative politics, particularly through the works of Gary W. Cox and Mathew D. McCubbins (1993), which demonstrates that legislative bodies function not only as lawmakers but also as strategic mechanisms for political actors to oversee the executive bureaucracy, maintain coalition discipline, and control policy implementation. See: Gary W. Cox and Mathew D. McCubbins, *Legislative Leviathan: Party Government in the House*, 2nd ed. (Cambridge: Cambridge University Press, 2007); A similar argument is put forward by Keith Krehbiel, who asserts that legislative behavior is shaped more by information asymmetries, factional interests, and strategic institutional design than by mere normative commitments. See: Keith Krehbiel, *Information and Legislative Organization* (University of Michigan Press, 1991); In their study of parliamentarism, Gary W. Cox and Mathew D. McCubbins further demonstrate that legislative procedures often serve as instruments for agenda control, majority coalition management, and interparty negotiation. See: Gary W. Cox and Mathew D. McCubbins, *Setting the Agenda: Responsible Party Government in the U.S. House of Representatives* (Cambridge: Cambridge University Press, 2005); In the Indonesian context, a political interpretation of formal democratic institutions can also be found in the works of Edward Aspinall and Marcus Mietzner, who demonstrate that various institutional mechanisms in Indonesia's post-authoritarian democracy often function as arenas for elite bargaining, cartel-like competition, and coalition negotiations, rather than merely as instruments of constitutional accountability. See: Edward Aspinall and Marcus Mietzner, eds., *Problems of*

understood not only as a constitutional oversight mechanism, but also as an arena of power contestation shaped by coalition politics, factional bargaining, inter-elite competition, its use against executive policies during the administrations of Presidents Abdurrahman Wahid and Susilo Bambang Yudhoyono, and patronage practice in local politics.[10] Accordingly, scholarly attention moved from constitutional legality toward question of political advantage and delegitimization in governance. More recently, a third wave has viewed legal practice as a site where multiple normative orders intersect and compete. Studies from New Zealand,[11] Canada,[12] South Africa,[13] and the European Union[14]—show that legislative oversight is shaped not only by state law and parliamentary politics, but also by local political rationalities and living social values. In Muslim societies, oversight practices may further involve ethical-religious considerations such as *maṣlaḥah*, as reflected in Salatiga.[15] This perspective shifts the analysis beyond legal validity or political benefit toward understanding how competing normative authorities shape the meaning and legitimacy of legislative oversight in local governance.

Building upon these three developments, this study positions constitutional studies, local politics, and normative plurality in legislative oversight. While the first wave viewed *hak angket* primarily as a matter of procedural legality and the second emphasized political negotiation and elite competition, this study approaches *hak angket* as a space of interlegal contestation, where multiple normative orders interact and shape the legitimacy of oversight actions. Through an examination of the 2025 *hak angket* initiated by the Salatiga City DPRD—the first in the city's modern political history—this article analyzes not only the procedural and political dimensions underlying the inquiry committee, but also

Democratisation in Indonesia: Elections, Institutions, and Society, Indonesia Update Series, Indonesia Update Conference (Singapore: Institute of Southeast Asian Studies, 2010).

[10] Christian Von Luebke, "The Politics of Reform: Political Scandals, Elite Resistance, and Presidential Leadership in Indonesia," *Journal of Current Southeast Asian Affairs* 29, no. 1 (2010): 79–94; Dirk Tomsa, "Regime Resilience and Presidential Politics in Indonesia," *Contemporary Politics* 24, no. 3 (2018): 266–85; Stephen Sherlock, "Made by Committee and Consensus: Parties and Policy in the Indonesian Parliament," *South East Asia Research* 20, no. 4 (2012): 551–68; Dadi Darmadi, "Hak Angket Haji: Pilgrimage and the Cultural Politics of Hajj Organization in Contemporary Indonesia," *Studia Islamika* 20, no. 3 (2013): 443–66; R. William Liddle, "Indonesian in 2000: A Shaky Start for Democracy," *Asian Survey* 41, no. 1 (2001): 208–20; Moh. Ilham A. Hamudy and M. Saidi Rifki, "Strengthening the Multi-Party Presidential Government in Indonesia," *Politik Indonesia: Indonesian Political Science Review* 4, no. 2 (2019): 208–32.

[11] Valmaine Toki, "'*Tikanga Maori* – a Constitutional Right'? A Case Study," *Commonwealth Law Bulletin* 40, no. 1 (2014): 32–48; Arnu Turvey, "'Te Ao Māori in a 'Sympathetic' Legal Regime: The Use of Māori Concepts in Legislation," *Victoria University of Wellington Law Review* 40, no. 2 (2009): 531–54.

[12] Sara Mainville and Christina Joynt, "Empowering Indigenous Peoples as the Architects of Their Law and Jurisdiction: A Critical Analysis of UNDRIP Implementation and Legislative Reconciliation in Canada," *Canadian Foreign Policy Journal* 31, no. 1 (2025): 129–53; Michael D. Morden, "Parliament and the Representation of Indigenous Issues: The Canadian Case," *Parliamentary Affairs* 71, no. 1 (2018): 124–43.

[13] Janine Ubink and Joanna Pickering, "Shaping Legal and Institutional Pluralism: Land Rights, Access to Justice and Citizenship in South Africa," *South African Journal on Human Rights* 36, nos. 2–3 (2020): 178–99.

[14] Sven-Oliver Proksch and Jonathan B. Slapin, "Parliamentary Questions and Oversight in the European Union," *European Journal of Political Research* 50, no. 1 (2011): 53–79; Adina Maricut-Akbik, "Q&A in Legislative Oversight: A Framework for Analysis," *European Journal of Political Research* 60, no. 3 (2021): 539–59.

[15] Lulu, "Hasil Hak Angket DPRD Salatiga, Kebijakan Wali Kota Robby Hermawan Dinilai Langgar UU."

the interaction between state law, local political rationalities, and ethical-religious considerations grounded in *maṣlaḥah* in evaluating executive policies. Accordingly, the study extends scholarship on legislative oversight beyond questions of constitutionality and political competition toward a more complex understanding of how oversight practices become arenas of interlegal contestation between legal authority, political power, and claims of public *maṣlaḥah*.

To address these issues, this article is structured in a gradual manner. The first section explains the methodological approach employed to examine the relationship between formal legality, political practice, and ethical considerations in the context of local governance. The second section outlines the brief history of the implementation of *hak angket* in Indonesia and the process through which *hak angket* was activated as a mechanism of constitutional oversight in the Salatiga City DPRD. The third section examines how such oversight developed into an arena of local political contestation through inter-factional dynamics, executive resistance, and struggles over political legitimacy. The fourth section analyzes the debate concerning the legality of executive policies in issues related to markets, labor, and regional revenue, while the fifth section demonstrates how *maṣlaḥah* functions as a source of moral legitimacy in the practice of legislative oversight. Drawing upon these overall findings, the sixth section demonstrates that *hak angket* in Salatiga has evolved from merely an instrument of constitutional oversight into an arena of interlegal contestation, before the article concludes with final remarks and its theoretical contribution to the study of legislative oversight.

Methodology

This study is field-based case study research employing a sociological jurisprudence approach to examine the process of the use of *hak angket* by the Salatiga City DPRD in 2025.[16] This approach was selected because the object of this study is not only concerned with the normative aspects of the use of *hak angket* within the Indonesian constitutional legal system, but also with how such authority is implemented in the practice of local governance as a response to executive policies allegedly inconsistent with statutory regulations, generating socio-economic impacts, and triggering debates concerning the public interest.[17] Accordingly, the sociological juridical approach enables this study to examine the

[16] Robert K. Yin, *Case Study Research and Applications: Design and Methods*, sixth edition (Los Angeles: SAGE, 2018); Brian Z. Tamanaha, "Sociological Jurisprudence Past and Present," *Law & Social Inquiry* 45, no. 2 (2020): 493–520.

[17] This methodological choice is consistent with Robert K. Yin's understanding of case study research as an empirical inquiry designed to investigate a contemporary phenomenon within its real-life context, particularly when the boundaries between the phenomenon and its contextual conditions are not clear. It also resonates with Brian Z. Tamanaha's reconstruction of *sociological jurisprudence*, which views law not merely as a formal normative order, but as *"law in action"* operating through *"social interests,"* institutional practices, and the broader social consequences generated by legal authority. These perspectives are particularly relevant for examining *legislative oversight* through *hak angket* as a legal phenomenon simultaneously embedded in constitutional norms, executive governance, socio-economic consequences, and competing claims of public interest. See: Yin, Case Study Research and Applications, 15-18; Tamanaha, "Sociological Jurisprudence Past and Present."

relationship between legal norms, institutional practices, local political dynamics, and societal responses in the process of legislative oversight.

The data sources in this study consist of normative data and empirical data. The normative data were obtained through the examination of the 1945 Constitution of the Republic of Indonesia, Law Number 17 of 2014, Law Number 23 of 2014, the rules of procedure of the DPRD, decisions of the inquiry committee, meeting minutes, regional policy documents, as well as various administrative documents related to the use of *hak angket*. Meanwhile, the empirical data were obtained through semi-structured interviews with informants selected purposively, including members of the inquiry committee, leaders of the DPRD, local government officials, the DPRD secretariat, the legal division of the city government, as well as affected community members, including traders from the *Pasar Pagi* traditional market. These informants are consistent with what Michael Quinn Patton refers to as information-rich informants.[18] The profiles of the research informants are presented in Table 1.

Table 1. Profile of Research Informants

Informant Code	Position/ Category	Role	Main Information Explored	Interview Date
DI	Chair of Salatiga Local Parliament (DPRD)	Led the plenary sessions and formal activation of legislative oversight	Constitutional activation of *hak angket*, institutional responses, corrective governance options	August 29, 2025
SM	Chair of the Special Legislative Oversight Committee	Led the *hak angket* oversight process	Legal basis of oversight, alleged executive violations, *maslahah*-based moral justification	September 1, 2025
BA	Vice Chair of Local Parliament/Oversight Initiator	Initiated interpellation and escalation toward *hak angket*	Market relocation controversy, fiscal implications, executive legality	September 8, 2025
YL	Political Party Leader/Representative of the dissenting faction	Represented the faction opposing the oversight committee	Coalition loyalty, political resistance, alternative mechanisms of executive correction	August 29, 2025
EK-01	Regional Secretary	Representative of the executive branch	Administrative discretion, social pressure, executive policy justification	September 5, 2025
EK-02	Head of Municipal Legal Affairs Division	Government legal authority	Formal legality of policy implementation, limits of	September 4, 2025

[18] Michael Quinn Patton, *Qualitative Research & Evaluation Methods: Integrating Theory and Practice*, 4th edn (SAGE Publications, Inc, 2015), 264.

			administrative authority	
ST-01	Secretariat Staff of Local Parliament	Administrative support for the oversight process	Institutional capacity, bureaucratic constraints, administrative coordination	August 28, 2025
PD-01	Grocery Trader at Morning Market	Directly affected economic actor	Economic uncertainty, livelihood insecurity, policy communication	August 26, 2025
PD-02	Clothing Trader at Morning Market	Directly affected economic actor	Public participation, household economic vulnerability, procedural exclusion	August 26, 2025
PD-03	Food Vendor at Morning Market	Directly affected economic actor	Perceived fairness of public policy, social utility, economic sustainability	August 26, 2025
MS-04	Resident supporting temporary suspension of waste retribution	Supportive social counter-voice	Household economic burden, social legitimacy of executive action	August 25, 2025
MS-05	Resident living near Morning Market	Supportive social counter-voice	Urban order, traffic congestion, public support for market restructuring	August 25, 2025

Source: Authors' compilation

After all data had been collected, the analytical process was conducted interactively through the stages of data condensation, data display, and drawing and verifying conclusions, as developed by Matthew B. Miles, A. Michael Huberman, and Johnny Saldaña.[19] At the data condensation stage, interview transcripts, field notes, policy documents, DPRD meeting minutes, official reports, as well as various other supporting documents were read repeatedly, followed by processes of coding, categorization, and data reduction based on recurring themes, such as constitutional oversight, political contestation, administrative discretion, social legitimacy, and public *maṣlaḥah*. The categorized data were subsequently presented through thematic matrices and comparative readings across sources in order to identify patterns, contradictions, and points of encounter among actors, including those from the legislative branch, executive branch, bureaucracy, traders, and affected communities. Through this iterative analytical process, this study reconstructs how various forms of legality—comprising state legality, political legality, administrative legality, social legality, and moral legality—operate simultaneously, intersect, and contest one another in the practice of legislative oversight in Salatiga.

[19] Matthew B. Miles et al., *Qualitative Data Analysis: A Methods Sourcebook*, 3th edn (Sage, 2014), 12.

Figure 1. Map of Salatiga City

Source: Google Earth (2026)

In addition, written consent was not applied due to relational considerations and the dynamics of the field context; nevertheless, informed consent was reflected through the openness of the informants, their willingness to be interviewed, and their repeated involvement throughout the data collection process. To ensure confidentiality, security, and to minimize potential social, administrative, and political risks, all informants' identities were anonymized using alphanumeric codes (see Table 1), and all empirical data are presented anonymously. These measures were undertaken to ensure that the participation of the informants would not result in any adverse consequences, while remaining consistent with international ethical standards in qualitative research. Finally, as additional information, we present the setting of this research area as follows.

Constitutional Activation of *Hak Angket* in Salatiga

Within Indonesia's constitutional system, *hak angket* functions as a legislative oversight instrument embodying the principle of checks and balances between the legislative and executive branches.[20] Its historical development has been closely

[20] Jimly Asshiddiqie, *Perkembangan dan Konsolidasi Lembaga Negara Pasca Reformasi* (Jakarta: Konstitusi Press, 2006), 135-137.

shaped by changing political configurations and executive-legislative relations. During President Sukarno's administration, early attempts to exercise *hak angket* appeared in the 1950s through a proposed DPR inquiry led by R. Margono Djojohadikusumo into the govement's foreign exchange politicies, although it was never realized.[21] Under President Suharto, a proposed inquiry into the Pertamina case in 1980 was rejected, reflecting executive dominance during the Ner Order era.[22] In the reform era, *hak angket* gained political significance through the Buloggate to his impeachment in 2001.[23] During President Megawati Soekarnoputri's administration, the DPR used *hak angket* to investigate alleged misuse of Bulog funds.[24] While under President Susilo Bambang Yudhoyono its use expanded through inquiries into the Pertamina VLCC sale, BLBI settlement, and Bank Century scandal, strengthening parliamentary oversight over economic governance.[25] By contrast, under President Joko Widodo, *hak angket* was used more limitedly, most notably in the 2017 inquiry into the Corruption Eradication Commission, which Jimly Asshiddiqie viewed as indicating the weakening of the DPR's checks-and-balances function.[26]

Normatively, the position and authority of the DPRD as a local governing institution are firmly established under Article 149 (1) of law Number 23 of 2014, which places the DPRD on an equal footing with the regional head in local governace.[27] This equality provides legal legitimacy for the DPRD to exercise

[21] The failure of this early parliamentary initiative should also be understood within the broader political context of Indonesia's parliamentary democracy in the mid-1950s, particularly during the first cabinet of Ali Sastroamidjojo (1953–1955), which Herbert Feith characterizes as the period of "the rise of the parties." Rather than reflecting the actions of a single political actor, this period was marked by intensifying inter-party competition, fragile coalition arrangements, and growing electoral calculations in the lead-up to the 1955 Indonesian general election. Under such conditions, parliamentary oversight had not yet fully consolidated as a stable institutional mechanism, but remained deeply shaped by partisan bargaining and shifting political alliances. See: Herbert Feith, "Indonesian Politics, 1949–1957: The Decline of Representative Government" (Ph.D Dissertation, Cornell University, 1961), 535.

[22] Tempo, ed., "Mengungkit Lagi Soal Pertamina," *Majalah Tempo* 13, no. 10 (1980); Sunarto, "Pelaksanaan Fungsi Pengawasan DPR (Perbandingan Antara Era Orde Baru dan Era Reformasi)," *Integralistik* 29, no. 1 (2018): 84-96; Wawan Ichwanuddin, "Pengawasan DPR dan Politik Kartel Era Reformasi: Studi Kasus Interpelasi Danangket Tahun 1999–2011," *Majalah Ilmu-Ilmu Sosial Indonesia* 38, no. 2 (2012).

[23] Liddle, "Indonesian in 2000: A Shaky Start for Democracy"; Ichwanuddin, "Pengawasan DPR dan Politik Kartel Era Reformasi: Studi Kasus Interpelasi Danangket Tahun 1999–2011"; Moch Nafi Maulana, "Membaca Sejarah Konstitusi Indonesia Era Reformasi (Studi Pemakzulan Presiden Abdurrahman Wahid): Konstitusional Pemakzulan Presiden," *Sanskara Hukum dan HAM* 1, no. 03 (2023): 67–75.

[24] Stefan Eklöf, "Politics, Business, and Democratization in Indonesia," in *Political Business in East Asia*, 0 ed., ed. Edmund Gomez (London, New York: Routledge, 2003), 34; Wawan Ichwanuddin, "Absennya Politik Pengawasan DPR Era Reformasi," *Journal of Political Research* 9, no. 2 (2012): 14.

[25] Von Luebke, "The Politics of Reform"; Yudit Mahargyaningtyas, "Polemik Pengusulan Hak Angket Kasus Bank Century dalam Surat Kabar Harian Umum Jurnal Nasional (Analisis Framing Pemberitaan Polemik Pengusulan Hak Angket Kasus Bank Century dalam SKH Umum Jurnal Nasional Edisi 13 November–1 Desember 2009)" (Universitas Atma Jaya, 2010); Ichwanuddin, "Pengawasan DPR dan Politik Kartel Era Reformasi: Studi Kasus Interpelasi Danangket Tahun 1999–2011".

[26] Sana Jaffrey and Eve Warburton, eds., *The Jokowi Presidency: Indonesia's Decade of Authoritarian Revival*, Indonesia Update Series, Indonesia Update Conference (Iseas-Yusof Ishak Institute, 2025); Fahmi Ramadhan Firdaus and Bayu Dwi Anggono, "Menimbang Kewenangan DPR dalam Penggunaan Hak Angket Pada Kasus Korupsi KTP Elektornik," *Lentera Hukum* 6, no. 1 (2019): 163-172; Rishan, "Batas Konstitusional Penggunaan Hak Angket Terhadap Komisi Pemberantasan Korupsi"; Jimly Asshiddiqie, *Penguatan Sistem Pemerintahan Dan Peradilan*, Seminar Undang-Undang Administrasi Pemerintahan (Jakarta: Sinar Grafika, 2016).

[27] Asshiddiqie, *Perkembangan dan Konsolidasi Lembaga Negara Pasca Reformasi*, 137.

oversight instruments, including *hak interpelasi, hak angket*, and the right to express opinions, when executive policies are considered inconsistent with legality, accountability, and the public interest.[28] In this context, the activation of *hak angket* in Salatiga in 2025 marked a significant moment in local democracy,[29] as for the first time in the city's modern political history, the DPRD transformed its normative oversight role into a formal mechanism of institutional investigation. Institutionally, the Salatiga City DPRD for the 2024-2029 period consists of five political factions—PKS, PKB, PDIP, NasDem, Demokrat, and Gerindra, making it not only a legislative arena but also a space of political negotiation shaping the exercise of constitutional authority.[30] Under the leadership of [DI] as Chair of the DPRD, the move toward *hak angket* emerged after the DPRD considered the Mayor's response to the interpellation on 26 May 2025 inadequate in addressing several controversial politicies. This dissatisfaction transformed the interpellation process from a mechanism of political dialogue into a more formal investigative initiative through the proposal to establish an angket committee.[31]

Substantively, there were two major policies that triggered the activation of *hak angket*. First, the plan to relocate *Pasar Pagi* traders from *Jalan Jenderal Sudirman* to *Pasar Rejosari*, which was initiated through the Mayor's verbal instruction to the Trade Office without any prior written regulatory basis in the form of a mayoral regulation or amendments to regional regulations. Second, the temporary suspension of the implementation of Regional Regulation Number 1 of 2024 concerning regional taxes and levies, particularly with regard to sanitation service levies, which was likewise carried out through verbal instructions without any formal legislative mechanism or joint approval from the DPRD.[32] From an institutional perspective, these two policies were perceived by the DPRD not merely as administrative issues, but as executive actions potentially exceeding the limits of constitutional discretion and shifting the balance of relations between the legislative and executive branches at the local level. This situation resonates with the view of Bruce Ackerman regarding executive aggrandizement—namely, the tendency of the executive branch to expand its power through administrative

[28] Maruarar Siahaan, "Uji Konstitusionalitas Peraturan Perundang-Undangan Negara Kita: Masalah dan Tantangan," *Jurnal Konstitusi* 7, no. 4 (2016):9-47; Hanif Fudin, "Aktualisasi Checks and Balances Lembaga Negara: Antara Majelis Permusyawaratan Rakyat dan Mahkamah Konstitusi," *Jurnal Konstitusi* 19, no. 1 (2022): 202-224.

[29] Dhinar Sasongko, "DPRD Salatiga Akan Lakukan Hak Angket? Apa Fungsi dan Bagaimana Pelaksanaannya?" Radar Semarang, Jawa Pos, 2025.

[30] Author's institutional observation during plenary and committee activities at Salatiga City DPRD, Salatiga, Central Java, May–August 2025, corroborated with official faction composition records and internal parliamentary documents for the 2024–2029 legislative period.

[31] This institutional transition was reconstructed through the author's direct observation of the plenary interpellation session at Salatiga City DPRD on May 26, 2025, supported by official parliamentary minutes, internal deliberation records, and an semi-structured interviews with [DI], Chair of the Salatiga Local Parliament, conducted in Salatiga, August 29, 2025.

[32] Reconstructed through the author's institutional and field observation in Salatiga between May and August 2025, including direct observation at *Pasar Pagi*, *Pasar Rejosari*, and the Salatiga Municipal Government, corroborated by internal government correspondence, parliamentary records, regulatory document tracing, and semi-structured Interviews s with relevant institutional and community actors.

instruments, discretion, or claims of governmental efficiency, thereby gradually shifting the constitutional balance.[33]

In response to this situation, the DPRD subsequently activated *hak angket* as a form of constitutional oversight through the establishment of an inquiry committee mandated to conduct an investigation for sixty days. However, this institutional process did not unfold within an entirely homogeneous political space. Not all factions supported the establishment of the inquiry committee; the *Gerindra* Party faction, for instance, openly refused to participate in the committee and signed an official record of rejection. This fact demonstrates that from the very stage of its activation, *hak angket* in Salatiga did not operate merely as a mechanical legal procedure, but had already functioned within a multiparty political configuration marked by negotiation, resistance, and differing interpretations of the legitimacy of oversight.[34] Accordingly, the Salatiga case shows that the activation of *hak angket* does not merely represent the functioning of a mechanism of constitutional oversight, but also marks the beginning of the formation of an arena of contestation that extends beyond procedural legality toward more complex political and normative dynamics.

Hak *Angket* and Local Political Contestation

The Although *hak angket* in Salatiga was activated through a constitutionally valid procedure, subsequent developments indicate that legislative oversight did not take place within an institutional space insulated from political calculation. On the contrary, from the very early stage of its formation, *hak angket* evolved into an arena of inter-factional negotiation, differing political strategies, and contestation over legitimacy between the legislative and executive institutions. This situation began to emerge after the DPRD exercised its right of interpellation on 19 and 26 May 2025. During these plenary sessions, the Mayor's responses to a number of strategic questions were considered inadequate by the majority of council members, thereby prompting a transformation from a mechanism of political dialogue toward a more formal institutional investigation through *hak angket*.[35] Thus, the transition from interpellation to *hak angket* not only represented a procedural escalation, but also reflected the intensifying political tensions in legislative-executive relations at the local level.

Politically, the establishment of *hak angket* demonstrates that the legitimacy of oversight was not formed through homogeneous institutional solidarity, but rather through inter-factional political consolidation. The formal proposal for the establishment of the inquiry committee was submitted in writing by four factions,

[33] Bruce Ackerman, "The New Separation of Powers," *Harvard Law Review* 113, no. 3 (2000): 633-729.

[34] Reconstructed through the author's institutional observation of plenary deliberations at the Salatiga City DPRD, documentary analysis of parliamentary resolutions, factional statements, and internal committee records, as well as Semi-Structured Interviews s with legislative actors and parliamentary support staff conducted in Salatiga between May and September 2025.

[35] Based on the author's institutional observation during the plenary sessions of the Salatiga City DPRD on May 19 and 26, 2025, corroborated by parliamentary records and interviews.

namely *Partai Keadilan Sejahtera* (PKS), *Partai Kebangkitan Bangsa* (PKB), *PDI Perjuangan–NasDem*, and *Partai Demokrat*, with a total support of twenty-one DPRD members—a number that had fulfilled the requirements of Article 88 paragraph (1) of the Rules of Procedure of the Salatiga City DPRD, which requires the support of at least five members from more than one faction. The letter from the *PKS* faction, numbered 002/F-PKS/SLTG/V/2025 and dated 26 May 2025, was signed by four faction members and entered the DPRD agenda on 28 May 2025. The *PKB* faction submitted its proposal through letter number 046/F-PKB.SLTG/VI/2025 dated 2 June 2025, with the support of five faction members. The *PDIP–NasDem* faction submitted its proposal through letter number 005/FRAKSI PDIP-NASDEM/VI/2025 dated 3 June 2025, signed by nine members. The *Democrat* faction submitted its proposal through letter number 015/SK/FD-DPRD/SLTG/IV/2025 dated 5 June 2025, signed by three members. Ultimately, this consolidation reached its culmination during the plenary session on 10 June 2025, chaired by [DI], in which the DPRD officially approved the establishment of the Inquiry Committee through DPRD Decision Number 172.1/59/V/2025. The committee consisted of nine members from across factions, chaired by [SM], with an investigative mandate of sixty days, from 10 June until 8 August 2025.[36]

However, the process did not unfold without internal resistance. The *Partai Gerindra* faction openly refused to participate in the inquiry committee and formally expressed its political position through an official record of rejection signed on the same day as the plenary session.[37] This rejection was not merely an administrative matter, but reflected a fundamental difference in how each faction

[36] Based on the researcher's institutional tracing, the plenary session of the Salatiga Local Parliament was eventually convened on June 10, 2025, under the leadership of the Chair of the Local Parliament [DI]. The session was held from 08:00 to 09:00 a.m. local time. During this plenary meeting, the parliament formally approved the establishment of a special legislative oversight committee *(panitia angket)*, consisting of nine members representing the four proposing political factions. The committee structure included [SM] as Chair and member, [BA] as Vice Chair, [AD] as Secretary, and six additional members drawn from the participating factions. To support the oversight process administratively, the committee was assisted by four parliamentary secretariat officials responsible for budget facilitation, legislative proceedings, parliamentary documentation, and policy analysis. The committee's mandate was formally set for sixty days, from June 10 to August 8, 2025. This institutional decision was formally enacted through Decision of the Salatiga Local Parliament No. 172.1/59/V/2025 concerning the approval of *hak angket* toward the policy decisions of the Mayor of Salatiga.

[37] The researcher's documentary tracing further revealed that the Gerindra faction formally declined to participate in the *hak angket* committee. This position was officially documented in a written statement of non-participation signed on the same day as the plenary session, June 10, 2025. The document explicitly recorded the faction's collective decision not to join the special legislative oversight committee and was signed by the faction's leadership, including the faction chair, deputy chair, secretary, and other faction representatives. The non-participation of the Gerindra faction reflected the existence of divergent political positions within the local parliament regarding the urgency, timing, and political legitimacy of activating *hak angket* at the early stage of the new local administration. Nevertheless, because the support from the remaining factions had already exceeded the minimum institutional threshold required under parliamentary procedures, the special legislative oversight committee was legally established and formally authorized to carry out its mandate. This internal parliamentary dynamic illustrates that the activation of *hak angket* was not merely a procedural constitutional mechanism, but also a site of political negotiation in which competing interpretations of oversight, coalition loyalty, and public accountability were openly contested. Despite these internal disagreements, the parliamentary majority ultimately agreed that a formal investigation was necessary in response to executive policies perceived to have broad legal, economic, and social implications for the local community.

perceived the urgency, political timing, and legitimacy of the use of *hak angket* at the beginning of the new administration. The Chair of the *DPC Gerindra*, [YL], even emphasized that as a supporting party in the local election, his party had already provided internal input to the Mayor and stressed the importance of building better communication among traders, the legislature, and the executive. This statement indicates that *Gerindra's* preference was directed more toward internal corrective mechanisms through channels of political communication rather than through the escalation of formal oversight in the form of *hak angket*. Nevertheless, because political support had already exceeded the formal threshold, the inquiry committee was validly established and proceeded to carry out its investigative mandate. This fact demonstrates that in the practice of local democracy, the use of instruments of constitutional oversight is never entirely detached from coalition configurations, party loyalties, and strategic calculations among political actors.

This contestation also appears to have developed on the executive side. After the inquiry committee was established, the DPRD began summoning a number of local government officials, including the Trade Office, the Environmental Office, and the Legal Division, while also conducting institutional consultations with the Ministry of Home Affairs and the Government of Central Java.[38] On the other hand, the executive sought to defend its policies through narratives of urban development and governance efficiency. The Mayor, for instance, openly described the relocation of *Pasar Pagi* as part of a "*Rencana Besar Pembangunan*," while the temporary suspension of the implementation of Regional Regulation Number 1 of 2024 was framed as a response to social pressure within the community.[39] This narrative struggle demonstrates that the conflict was no longer confined to the substance of policy, but had shifted into a contest over authority regarding who holds the greatest legitimacy to define the public interest within the sphere of local governance. Accordingly, the Salatiga case demonstrates that legislative oversight in the practice of local governance does not operate as a neutral legal procedure, but rather as a political arena where constitutional legitimacy, coalition calculations, and executive authority confront one another. It is this dynamic that subsequently brought the conflict to the next stage, namely a more substantive debate concerning the legality of the executive policies themselves—particularly in relation to issues of markets, labor, and regional revenue.

Practices Contesting Executive Legality: Markets, Labor, and Local Revenue

If the previous section demonstrated how *hak angket* evolved from a mechanism of constitutional oversight into an arena of local political contestation, the next stage reveals that the core of the conflict in Salatiga was, in fact, centered on the debate over the limits of the legal use of executive discretion. Based on the findings

[38] Based on the author's institutional observation of the *hak angket* proceedings at the DPRD Kota Salatiga, supported by committee schedules, summons records, and internal parliamentary documents, June–August 2025.

[39] Based on the author's observation of official public statements delivered by executive officials, supported by municipal press releases, public meeting records, and policy-related documentation, May–August 2025.

of the *Angket* Committee, there were two major policies that became the objects of investigation, namely the planned relocation of *Pasar Pagi* from *Jalan Jenderal Sudirman* to *Pasar Rejosari*, and the temporary suspension of the implementation of Regional Regulation Number 1 of 2024 concerning regional taxes and levies, particularly household sanitation service levies. Both issues began to be seriously questioned after the Mayor's responses during the interpellation sessions on 19 and 26 May 2025 were considered to lack adequate normative and administrative foundations.[40] It was from this point that the conflict was no longer merely about political preferences, but evolved into a debate over who holds the authority to define the limits of the legality of executive action in local governance. Regarding the issue of the *Pasar Pagi* relocation, [BA], as Vice Chair of the *Angket* Committee, explained:

> "It began with the Mayor's statement. However, after we carefully reviewed the 2026 budget documents, we found no allocation explicitly designated for the market relocation. For us, as representatives of the people, the Mayor's statement—which was subsequently understood as a policy direction—turned out to have broad implications for the sustainability of economic livelihoods in *Pasar Pagi*. People whose livelihoods have long depended on *Pasar Pagi* became deeply concerned." … "At that point, we decided to initiate *hak angket*. In our understanding, *hak angket* is a mechanism that enables the DPRD to summon parties who possess competence and direct relevance to the issues under scrutiny, through a process of deeper investigation and inquiry. Accordingly, matters that we had previously raised through the right of interpellation were subsequently examined in greater depth through the use of *hak angket*."

These two statements demonstrate that the DPRD's objections were not solely related to the substance of the relocation itself, but also to the inconsistency between the executive's political statements, budgetary documents, and the socio-economic impacts experienced by the community. From the legislative perspective, when a policy has been produced through public statements and has begun to move toward the level of social implementation without the support of adequate administrative instruments, the space of discretion begins to enter the domain of contested legality. A more explicit view was expressed by [SM]:

> "The reason we initiated *hak angket* was the alleged violation of statutory regulations in the Mayor's policies, particularly concerning two major issues, namely the relocation of *Pasar Pagi* and the suspension of the implementation of Regional Regulation Number 1 of 2024 concerning household waste levies." … "The relocation of *Pasar Pagi* is a highly important and strategic issue. On the other hand, with regard to Regional Regulation Number 1 of 2024, in our view, the Mayor does not have the authority to unilaterally suspend the implementation of a regional regulation."

These statements demonstrate that, from the perspective of the *Angket* Committee, the issues under scrutiny were not merely ordinary administrative policies, but strategic actions that potentially exceeded the limits of discretionary authority as regulated under Law Number 30 of 2014. During the investigative

[40] Based on the author's institutional observation of the plenary interpellation sessions and *hak angket* proceedings, corroborated by committee investigation records, parliamentary minutes, and internal legislative documents, May–August 2025.

process, the executive also provided explanations indicating the existence of social pressure in the decision-making process. The Regional Secretary stated that the temporary suspension of the implementation of the regional regulation was carried out due to public pressure from community members who rejected the payment of the levy. Regarding the reasons behind the temporary suspension of the implementation of the regional regulation, the Regional Secretary [EK-01] explained:

> "At that time, the situation was indeed quite dynamic. There was public opposition, and on several occasions groups of citizens came to express their objections regarding the implementation of the household waste levy. The government, of course, had to respond to the social situation developing on the ground. Because the pressure from the community was quite significant, a decision was eventually made to temporarily suspend its implementation while waiting for a more conducive situation and for communication with the public to proceed more effectively."

However, this explanation was responded to differently by the Legal Division of the City Government. The Head of the Legal Division [EK-02] acknowledged that the suspension of the regional regulation was never formalized through any written legal instrument, but was conveyed solely through verbal instructions, while also affirming that the amendment or revocation of a regional regulation can only be carried out through a new legislative mechanism or through a judicial review decision by the Supreme Court. The economic consequences of this policy were further explained by [BA]:

> "The Environmental Office, as the responsible agency, had actually targeted annual revenue of Rp7.5 billion from household waste levies. However, since the policy was suspended, by mid-year the realized revenue had only reached around Rp700 million. This means that there is a potential regional revenue loss of approximately Rp3.3 billion." ... "If we refer to the provisions of Law Number 23 of 2014 on Local Government, the Mayor must not abuse authority in a way that could result in regional financial losses."

These findings demonstrate that the contestation over legality is not measured solely by conformity with legal texts, but also by the material consequences it generates for locally generated revenue, the stability of environmental management, and the sustainability of public services. Even at the level of internal administration, the investigative process encountered limitations in institutional capacity. One staff member of the DPRD secretariat [ST-01] explained:

> "In fact, there were obstacles in the oversight process, because the supporting staff facilitating the oversight function were still limited, making it difficult for us to provide adequate support to DPRD members. Therefore, we subsequently issued a supporting decree so that the hearings division, the general affairs division, and other divisions could participate in supporting the process."

This statement demonstrates that the contestation over executive legality in Salatiga requires administrative capacity, evidence management, and bureaucratic coordination for constitutional oversight to function effectively. Accordingly,

legality in local governance operated not as a single normative category, but as a negotiation between legal texts, bureaucratic practices, social pressures, and economic consequences. The Inquiry Committee findings further revealed that the conflict concerned not only the legal basis of executive policies, but also the gap between statutory norms and their implementation. Although *hak angket* is formally regulated under Law Number 23 of 2014 and the DPRD's rules of procedure, DPRD members acknowledged that its activation was shaped by limited experience, inadequate references, and differing factional interpretations regarding formal and substantive requirements. This shows that legality in legislative oversight is often renegotiated through institutional learning, consultation, and consultation, and procedural adaptation rather than applied as a fixed norm.

A similar gap appeared in the temporary suspension of Regional Regulation Number 1 of 2024. Normatively, a regional regulation (*perda*) can only be amanded through legislative procedures or judicial review,[41] yet the suspension was implemented administratively through public statements without any formal legal instrument. The reflects Ward Berenschot finding the political authority in Indonesian local bureaucratic often moves faster than formal legal procedures.[42] As a result, projected waste levy revenue of Rp7.5 billion annually had only reached around Rp700 million by mid-year, creating a potential regional loss exceeding Rp3 billion within six months. A similar discrepancy also appeared in the *Pasar Pagi* relocation policy. Although administrative law requires strategic policies to be preceded by academic assessment, budget planning, and public consultation,[43] the investigation found that the policy initially emerged through political statements and informal communication, while formal planning and consultation mechanisms remained unclear. Given *Pasar Pagi's* significance as a major economic center, the absence of these procedural stages not only created legal uncertainty, but also heightened the potential for social conflict among traders and affected communities.

Interestingly, this gap did not occur solely at the level of policy substance, but also within the institutional capacity of the oversight mechanism itself. Normatively, the DPRD is assumed to possess adequate secretariat support, human resources, and administrative infrastructure to carry out its oversight function professionally.[44] However, as acknowledged by the secretariat team of the Inquiry Committee, the limited number of staff compelled the DPRD to issue an internal decision establishing a support team involving the hearings division, the general affairs division, and other administrative units in order to ensure that the

[41] Ismail Hasani, *Pengujian Konstitusionalitas Perda* (Jakarta: Kepustakaan Populer Gramedia, 2020).
[42] Ward Berenschot, "Incumbent Bureaucrats: Why Elections Undermine Civil Service Reform in Indonesia," *Public Administration and Development* 38, no. 4 (2018): 135–43.
[43] M. Zaenul Muttaqin, *State Administrative Law in Indonesia* (London: Routledge, 2024); Steward Fenwick, "Administrative Law and Judicial Review in Indonesia: The Search for Accountability", in *Administrative Law and Governance in Asia*, ed. Tom Ginsburg and Albert H. Y. Chen (London: Routledge, 2008).
[44] Asshiddiqie, *Perkembangan dan Konsolidasi Lembaga Negara Pasca Reformasi*.

investigative process could proceed effectively. This fact demonstrates that even mechanisms of constitutional oversight, in practice, remain dependent upon institutional improvisation and the negotiation of administrative resources. Accordingly, the Salatiga case demonstrates that legality in the practice of local governance never operates as a single and stable normative category. Rather, legality is continuously produced, contested, and negotiated through the interaction between legal texts, administrative discretion, political calculations, institutional limitations, social pressures, and economic consequences that are deeply intertwined. It is precisely this condition that opens space for the emergence of alternative sources of legitimacy beyond formal legality, including claims of public *maṣlaḥah*, which become the focus of the following discussion.

Public *Maṣlaḥah* as Moral Legitimacy in Legislative Oversight

If the previous section demonstrated that legality in the practice of local governance is often contested through the tension between legal texts, administrative discretion, and political calculations, the following findings reveal that the legitimacy of *hak angket* in Salatiga was not constructed solely through constitutional or procedural arguments. Rather, such legitimacy was also produced through moral claims concerning the protection of the public interest, which, in the context of Muslim societies, may be understood through the concept of *maṣlaḥah*.[45] In the tradition of Islamic law, *maṣlaḥah* refers to public welfare that is neither explicitly affirmed nor rejected by the *naṣṣ* (authoritative texts), yet whose existence is necessary to preserve the fundamental objectives of the *sharīʿah* (*maqāṣid al-sharīʿah*).

From a contemporary perspective, Mohammad Hashim Kamali understands *al-maṣlaḥah* not merely as a method of *ijtihād* for addressing issues not explicitly found in legal texts, but as part of the orientation of *al-maqāṣid al-sharīʿah*, which places human welfare interests as the primary objective of Islamic law. For Kamali, *al-maqāṣid* represents a welfare-oriented vision directed toward the realization of a just social order, the responsible management of resources, and the fair distribution of benefits within social life. Within this framework, *al-maṣlaḥah* operates through the principle of *jalb al-maṣāliḥ*—namely, the promotion of public benefit—and *darʾ al-mafāsid*—namely, the prevention of collective harm.[46] Accordingly, in the context of Salatiga, *hak angket* was not understood merely as

[45] The objectives of Islamic law (*maqāṣid al-sharīʿa*) have traditionally been closely associated with the concept of *maṣlaḥah* as articulated by Abu Hamid al-Ghazali and have long served as an important foundation in legal analogy (*qiyās*) as well as in the formulation of legal maxims (*qawāʿid*). In al-Mustasfa min 'Ilm al-Usul (*on legal theory of muslim jurisprudence*), Abu Hamid al-Ghazali defines *maṣlaḥah* as any consideration directed toward preserving the five essential objectives of Islamic law (*maqāṣid al-sharīʿa*), namely the protection of religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-nafs*), intellect (*ḥifẓ al-ʿaql*), lineage (*ḥifẓ al-nasl*), and property (*ḥifẓ al-māl*). For al-Ghazali, *maṣlaḥah* is therefore not merely a pragmatic notion of utility, but a normative principle aimed at safeguarding the fundamental interests upon which human welfare and social order ultimately depend. See: Felicitas Opwis, "New Trends in Islamic Legal Theory: Maqāṣid al-Sharīʿa as a New Source of Law?", *Die Welt Des Islams* 57, no. 1 (2017): 7–32.

[46] Mohammad Hashim Kamali, *Maqasid al-Shari'ah, Ijtihad and Civilisational Renewal* (International Institute of Islamic Thought (IIIT), 2016), 15.

an instrument of constitutional oversight, but also as a moral rationality employed by political actors to assess whether a policy genuinely reflects *maṣlaḥah*, or the public interest, while at the same time preventing *al-mafsadah* in the practice of local governance. This dimension became particularly evident in the issue of the temporary suspension of Regional Regulation Number 1 of 2024 concerning household waste levies. From a legal-formal perspective, the unilateral suspension of the regional regulation had raised questions regarding the limits of executive authority. However, for the *Angket* Committee, the issue went far beyond normative legality, as it directly affected the sustainability of public services and the environmental safety of the city. [SM] explained:

> "If the levy is suspended, Salatiga could face a waste emergency. The *Ngronggo* landfill has only around two months of remaining capacity. If the funding stops, waste management will stop as well."

These statements demonstrate that the DPRD's objections were not based solely on procedural violations, but also on real threats to the sustainability of public services. From the perspective of *maṣlaḥah*, this condition is directly related to *ḥifẓ al-nafs* (the protection of life), since environmental management and public sanitation constitute an integral part of protecting the quality of life within society. At the same time, the loss of potential regional revenue is also related to *ḥifẓ al-māl* (the protection of wealth), considering that regional fiscal sustainability is a necessary prerequisite for the provision of adequate public services. The same dimension of *maṣlaḥah* also emerged in the controversy surrounding the relocation of *Pasar Pagi*. Administratively, this issue was indeed related to the legality of planning, budgeting, and public consultation procedures. However, for the DPRD, the core issue lay in the socio-economic impacts that directly threatened the livelihoods of communities whose economic survival depended on market activities. [BA] explained:

> "What concerned us most as representatives of the people was that the Mayor's statement turned out to have broad implications for life in *Pasar Pagi*. In other words, people who have long depended on *Pasar Pagi* for their livelihoods became deeply concerned."

This resonates with several field findings showing that the controversy surrounding the *Pasar Pagi* relocation policy not only generated tensions at the level of political elites, but also created economic uncertainty among traders as the group most directly affected. For most traders, the primary issue was not merely the relocation itself, but rather the absence of policy certainty, official information, and guarantees regarding the sustainability of their livelihoods. A grocery trader informant [PD-01] stated:

> "What actually worries us is not whether we move or do not move, but the uncertainty. Today they say we will move, yet tomorrow it is still unclear where to. We make our living from daily sales. Once customers begin to doubt whether this market will be relocated, our sales automatically decline."

A similar concern was also expressed by a clothing trader informant [PD-02]:

> "This market is not merely a place to sell goods, but the place where we make a living. Our children's education, house installments, and daily needs all come from here. When policies are made without talking to us, it feels as though we are the ones bearing the consequences, even though we were never invited to deliberate."

Meanwhile, a food trader informant [PD-03] emphasized the moral dimension of public policy:

> "We do not oppose development if it is truly for the common good. But we hope the government also considers our situation. Policies that are said to improve the city should not end up causing ordinary people to lose their income. For us, a good policy is one that brings benefit, not one that makes people's lives even harder."

These statements from the traders demonstrate that the impact of public policy is not measured solely through formal legality, but also through how communities perceive economic security, business certainty, and their involvement in the decision-making process. In this context, the concept of *maṣlaḥah* no longer remains merely a normative argument employed by legislative elites, but emerges as a lived norm, concretely understood by citizens through the sustainability of livelihoods, the economic protection of families, and participation in public policymaking. Accordingly, the practice of *hak angket* in this case reveals an encounter between constitutional oversight and the social aspirations of the community, where *maṣlaḥah* is tested not only through legal texts, but also through the everyday experiences of those most directly affected. A more explicit assessment was also conveyed by [SM]:

> "*Rejosari* (traditional market) simply cannot accommodate thousands of traders. The location is also on a high-speed traffic route, making it prone to accidents, and the wholesalers have already stated that they would not be willing to operate there."

These statements demonstrate that the objections to the market relocation were not merely a form of political resistance, but rather emerged from an assessment of the potential *mafsadah* (harm) that could arise if the policy were to be enforced. Considering that *Pasar Pagi* constitutes one of the city's principal economic centers, with highly significant economic circulation, a relocation policy unsupported by comprehensive assessment carries the potential to threaten the economic stability of thousands of families. From the perspective of *maṣlaḥah*, this situation is directly related to *ḥifẓ al-māl*, namely the protection of livelihoods and the economic sustainability of society. The dimension of *maṣlaḥah* even emerged explicitly in the normative reflections of the members of the *Angket* Committee themselves. In a follow-up interview, [SM] directly linked the use of *hak angket* to the protection of public benefit:

> "For us, *hak angket* is not about bringing anyone down. What concerns us is how to ensure that government policies do not end up harming the people. If the market is relocated without proper preparation, traders will lose their income. If the waste levy is suspended without a clear solution, the city could face a waste emergency. So our benchmark is simple: a policy must bring *maṣlaḥah* to the wider community, not instead

> create greater *maḍarah*." ... "In the principle that we understand, *taṣarruf al-imām ʿalā al-raʿiyyah manūṭun bi al-maṣlaḥah*—every policy of a leader must always be grounded in the welfare of the people. Therefore, when a policy has the potential to create public anxiety, economic loss, or uncertainty for society, it becomes our duty to carry out oversight."

These statements demonstrate that moral arguments in the *hak angket* process emerged from the ethical consciousness of institutional actors themselves. The use of terms *maṣlaḥah* and *maḍarah* by the Chair of the *Angket* Committee indicates that legislative oversight in Salatiga was framed not only through constitutional legality and political calculation, but also through moral rationality oriented toward protection the public interest. Within *maqāṣid al-sharīʿah*, this reflects effort to preserve *ḥifẓ al-māl* through the protection of traders' livelihoods and *ḥifẓ al-nafs* through environmental sustainability and public health. The legitimacy of *hak angket* was further strengthened by pressure and aspirations from traders, community groups, and local residents, making it not merely an instrument of parliamentary politics, but also a medium for articulating *maṣlaḥah* through political representation. This reading interpretation aligns with Mohammad Hashim Kamali's conception of *jalb al-maṣāliḥ wa darʾ al-mafāsid*,[47] where the legitimacy of oversight derives not only from constitutional authority, but also from social recognition of collective welfare.

Interestingly again, the findings of the *Angket* Committee reveal that the DPRD's oversight mechanism was not, from the outset, directed toward political escalation leading to the removal of the regional head. Internal committee documents instead reveal that two possible avenues of resolution were considered, namely the use of the right to express opinions (*hak menyatakan pendapat*) as a constitutional instrument should serious violations be found, or settlement through an integrity pact containing commitments for policy correction between the legislative and executive branches. These findings demonstrate that the oversight process was not solely oriented toward political sanctions, but also opened space for more deliberative forms of institutional resolution. This was emphasized by [DI] in the following interview:

> "Based on the work of the *Angket* Committee, there were actually two possible paths we could take. First, if serious violations were indeed found, the DPRD certainly has the constitutional right to proceed with the right to express an opinion. However, if these issues can still be addressed through policy correction, governance improvement, and a shared commitment between the legislative and executive branches, then resolution through an integrity pact also remains an open option."

This statement resonates with what was expressed by [SM]:

> "In our view, if a problem can still be resolved through *iṣlāḥ*, or improvement, why should it immediately be taken to the most extreme step? The principle remains the same, namely how to ensure that the policies produced bring greater maṣlaḥah to society and do not create broader *maḍarah*."

[47] Kamali.

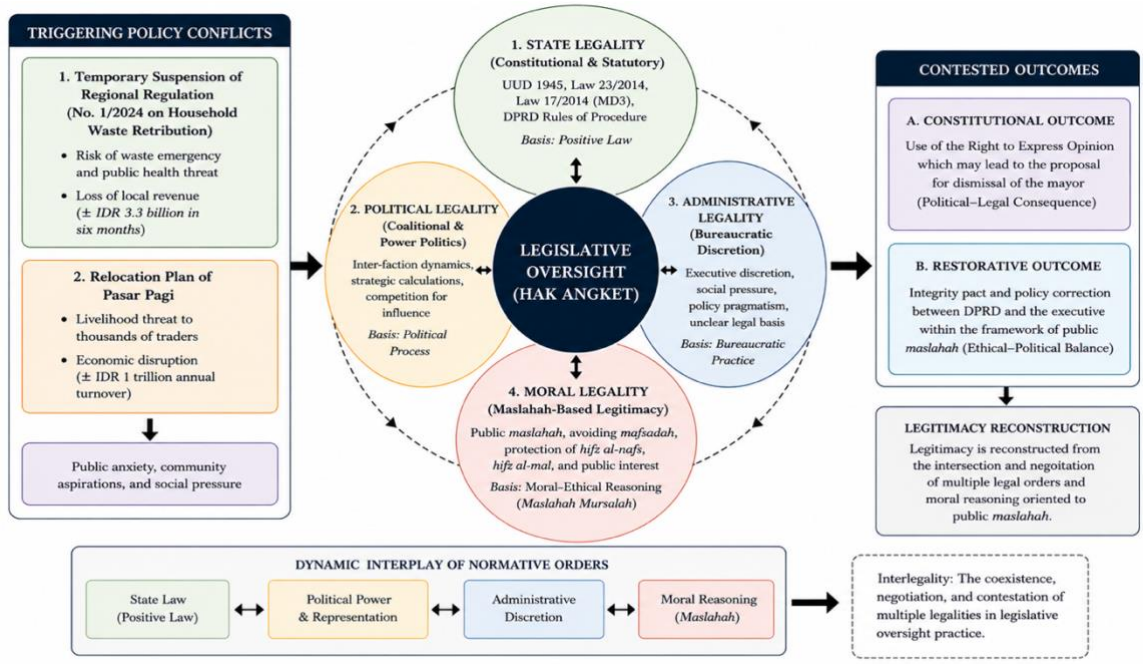
These statements demonstrate that *hak angket* was understood not merely as a coercive instrument to remove the regional head, but as a corrective mechanisms aimed at policy recovery before political conflict escalated further. In this sense, legislative oversight moves beyond procedural checks and balances toward corrective governance that prioritizes institutional stabilities. This finding resonates with Mark Bovens views of accountability as a mechanism for answerability, remedial action, and the restoration of public legitimacy.[48] Accordingly, *maṣlaḥah* functioned as an ethical framework balancing legal accountability, political stability, and the sustainability of local governance. The Salatiga case thus shows that when formal legality becomes contested and political communication reaches an impasse, the legitimacy of legislative oversight may derive additional normative force from claims of public *maṣlaḥah*. In this context, *hak angket* evolved beyond constitutional oversight or political competition into a practice of oversight grounded in the protection of *ḥifẓ al-nafs*, *ḥifẓ al-māl*, and broader social interests. This condition ultimately positions *hak angket* as an arena of interlegal contestation where state law, political authority, and moral-religious rationalities intersect within the same institutional space.

When Legislative Oversight Becomes Intergal Contestation

The previous findings demonstrate that the implementation of *hak angket* by the Salatiga City DPRD in 2025 cannot be understood solely as constitutional oversight or political competition, but rather as law in action. This perspective align with Brian Z. Tamanaha's view that law function as "a means to social ends and not as an end in itself," and must therefore be assessed through its social effects.[49] As society often changes faster than formal legal procedures, norms concerning *hak angket*, administrative discretion, and policy-making in Salatiga were interpreted differently according to institutional positions, political interests, administrative responsibilities, and moral considerations. This condition reflects what this study terms interlegal contestation, namely the coexistance of multiple forms of legality within the same institutional arena. Constitutional legality appeared through the DPRD's oversight claims; political legality through coalition dynamics; administrative legality through bureaucratic discretion discretion; and moral legality through the language of *al-maṣlaḥah* and *jalb al-maṣāliḥ wa darʾ al-mafāsid* employed by political actors and affected communities. Thus, interlegal contestation emerged not between separate legal systems, but among competing claims of legality within the same social and institutional practices.

[48] Mark Bovens, "Analysing and Assessing Accountability: A Conceptual Framework," *European Law Journal* 13, no. 4 (2007): 447–68.
[49] Tamanaha, "Sociological Jurisprudence Past and Present."

Figure 2. Interlegal Contestation in Legislative Oversight: The Salatiga Case



Source: designed by authors

As reconstructed in Figure 2, interlegal contestation in the Salatiga case began with two major policy conflicts, namely the temporary suspension of Regional Regulation Number 1 of 2024 concerning household waste levies and the planned relocation of *Pasar Pagi* to *Pasar Rejosari*. These two policies functioned as triggering policy conflicts that not only generated issues of formal legality, but also gave rise to social anxiety, threats to the economic sustainability of local communities, and potential regional fiscal losses. Within this model, *hak angket* is positioned as the central arena in which four normative orders—state legality, political legality, administrative legality, and moral legality—intersect, negotiate, and reconstruct the legitimacy of legislative oversight. This model demonstrates that the legitimacy of public policy in the practice of local governance is no longer produced linearly through positive law alone, but rather through a process of legitimacy reconstruction, namely a dynamic negotiation between state legality, political power, administrative discretion, and moral claims grounded in public *maṣlaḥah*. This model becomes necessary because, as argued by Alice Woolley, administrative policy-making is not merely "normatively neutral, technically competent implementation of statutes," but always involves substantive judgments regarding the public interest.[50] This resonates with the argument of Jennifer Wallner, who demonstrates that a policy may operate effectively and remain administratively valid, yet still lose legitimacy when its formation process fails to preserve public trust, the involvement of affected stakeholders, and perceptions regarding the propriety of the exercise of public authority.[51] Therefore,

[50] Alice Woolley, "Legitimating Public Policy," *University of Toronto Law Journal* 58, no. 2 (2008): 153–84.
[51] Jennifer Wallner, "Legitimacy and Public Policy: Seeing Beyond Effectiveness, Efficiency, and Performance," *Policy Studies Journal* 36, no. 3 (2008): 421–43.

based on this model, the legitimacy of public policy in the future must be assessed through its public process, the considerations underlying its formulation, and the extent to which the policy can be publicly justified.

We will briefly explain why this model emerged. To begin with, *hak angket* in Salatiga operated within the domain of state legality, namely formal legality derived from the 1945 Constitution of the Republic of Indonesia, Law Number 23 of 2014, Law Number 17 of 2014, as well as the Rules of Procedure of the Salatiga City DPRD, all of which provide constitutional legitimacy for the legislative institution to exercise the right of interpellation, *hak angket*, and the right to express an opinion. All formal stages—from the interpellation sessions on 19 and 26 May 2025, the cross-factional proposal, the plenary session on 10 June 2025, to the establishment of the Inquiry Committee through DPRD Decision Number 172.1/59/V/2025—demonstrate that, procedurally, the oversight process operated within the framework of the applicable positive law. Accordingly, at the first level, the legitimacy of *hak angket* derived its primary foundation from the state's legal-formal structure. However, as demonstrated in the previous sections, formal legality never operates within an entirely neutral space. From the outset, the process of establishing the Inquiry Committee was marked by inter-factional negotiations, political resistance, and differing interpretations regarding the urgency of oversight. The rejection by the *Partai Gerindra* faction, the support from the other four factions, and the escalating relationship between the DPRD and the Mayor demonstrate that *hak angket* also operated within the domain of political legality, namely legitimacy constructed through coalition configurations, strategic calculations, and struggles over authority within the sphere of local power. In this context, legality is no longer determined solely by whether procedural requirements have been fulfilled, but also by whether the action has secured sufficient political support to be implemented effectively. This is precisely what David Beetham and Allen Buchanan describe, namely that in the practice of local democracy, law and politics do not operate separately, but rather mutually constitute one another's legitimacy.[52]

Furthermore, the findings concerning the temporary suspension of Regional Regulation Number 1 of 2024 and the planned relocation of *Pasar Pagi* demonstrate that the conflict in Salatiga also revealed a tension between administrative legality and social legality. On the one hand, the executive relied on arguments of administrative discretion and social pressure as the basis for justifying its policies. The Regional Secretary [EK-01], for instance, explained that the temporary suspension of the implementation of the regional regulation was undertaken due to pressure from groups of citizens who opposed the payment of household waste levies. At the same time, however, the Head of the Legal Division of the City

[52] David Beetham, "Theorising Democracy and Local Government," in *Rethinking Local Democracy*, ed. Desmond King and Gerry Stoker (London: Macmillan Education UK, 1996), 28–49; Allen Buchanan, "Political Legitimacy and Democracy," *Ethics* 112, no. 4 (2002): 689–719.

Government [EK-02] acknowledged that the suspension of the regional regulation never obtained written legal legitimacy and, normatively, was not consistent with formal legislative mechanisms, considering that the amendment or revocation of a regional regulation can only be carried out through the enactment of a new regulation or through judicial review before the Supreme Court. Interestingly, the field interviews also revealed the presence of counter-voices from members of the community who, in fact, provided social legitimacy for the executive's policies. One informant who supported the temporary suspension of the waste levy [MS-04], for instance, stated:

> "At that time, many residents indeed felt burdened by the waste levy, especially since economic conditions were not easy. Household expenses kept increasing, so even the smallest additional cost was still felt. So when the government decided to suspend it temporarily, honestly, quite a lot of people felt helped."

Similar support also emerged in the issue of the *Pasar Pagi* relocation. An informant living in the area surrounding the market [MS-05] stated:

> "Personally, I actually agree if *Pasar Pagi* is reorganized, and even if it really has to be relocated to a more proper place, I would not have a problem with that. For a long time, the market area has often been congested, the parking is disorganized, and the surrounding environment has not been well managed. So if the government has a plan for reorganization, in my view, that is a good step, as long as the traders who earn their livelihoods there are still properly considered."

The presence of these counter-voices from the community demonstrates that social legality in local policy conflicts never operates in a singular or homogeneous manner. Some members of the community interpreted the executive's policies as pragmatic responses to household economic pressures, the need for urban reorganization, and the broader interest of maintaining public order in shared spaces. Nevertheless, such social support cannot automatically serve as a justificatory basis for administrative actions that deviate from formal legal procedures. Adriaan W. Bedner explains that the autonomy of law requires legal institutions to exercise their authority in accordance with established procedural rules and to remain free from intervention by external actors based on extra-legal considerations.[53] Accordingly, public support—regardless of how broad it may be—for a particular policy cannot, in itself, replace the formal legal procedures designed by the legal system, because when extra-legal considerations become dominant, the primacy of legal sources in the decision-making process may be weakened. From a juridical perspective, the suspension of the implementation of a regional regulation without any written legal instrument carries the potential to create administrative arbitrariness, namely the exercise of discretion beyond the limits of formal authority, thereby opening space for forms of mob-driven governance. The implications are precisely as explained by Simon Butt: when mechanisms of administrative and judicial oversight over governmental actions operate weakly or ineffectively, executive actions that are normatively problematic

[53] Adriaan Bedner, "Autonomy of Law in Indonesia," *Recht Der Werkelijkheid* 37, no. 3 (2016): 10–36.

may escape legal scrutiny, thereby creating space for the erosion of the rule of law.[54]

Therefore, if the logic of governance that emerged in Salatiga were to be accepted as a legitimate practice merely because it obtained temporary social support, the principle of the rule of law could potentially shift into rule by popularity, where the validity of public policy is determined by the extent of political pressure and public opinion surrounding it. As Mark Tushnet argues through the concept of popular constitutionalism, under certain circumstances, the legislative and executive branches may regard judicial interpretation as having "no special weight," and may even choose to go "their own way" regardless of objections from the judiciary.[55] The legal maxim *taṣarruf al-imām ʿalā al-raʿiyyah manūṭun bi al-maṣlaḥah* places public welfare as the objective of public policy; however, such *maṣlaḥah* must remain within the framework of justice, legal order, and the sustainable protection of the public interest.[56] Within this framework, the process of legislative oversight in Salatiga, which takes *maṣlaḥah* into consideration, may be understood as public policy oriented toward justice and public welfare—is realized.

Based on these overall findings, this article argues that *hak angket* in Salatiga has evolved into an arena of *interlegal contestation*, namely an institutional space in which at least four normative orders operate simultaneously: the constitutional legality of the state, the political legitimacy of coalition politics, the administrative discretion of bureaucracy, and a moral rationality grounded in *maṣlaḥah*. These four normative orders do not operate in a linear or harmonious relationship; rather, they intersect, mutually correct one another, and at certain moments even negate one another in shaping the ultimate meaning of legislative oversight. In this context, legality emerges through an ongoing process of negotiation between formal procedures, power calculations, social pressures, and moral claims concerning the public interest. Therefore, the Salatiga case extends the scholarship on legislative oversight, which has thus far tended to be examined primarily through procedural, institutional, or political competition frameworks, by demonstrating that in the context of post-reform Muslim societies, legislative oversight also constitutes an arena in which multiple sources of legality coexist and operate simultaneously within the practice of local governance. At the same time, these findings broaden the discussion of interlegality—which has largely developed within studies of transnational legal pluralism and supranational regimes—into the sphere of constitutional politics at the local level. Accordingly, *hak angket* in Salatiga must be understood as a space where state law, democratic

[54] Simon Butt, "Regional Autonomy and Legal Disorder: The Proliferation of Local Laws in Indonesia," *Sydney Law Review* 32, no. 2 (2010): 1–21.

[55] Mark V. Tushnet, *"Popular Constitutionalism as Political Law,"* Chicago-Kent Law Review 81 (2006): 991–1006.

[56] Achmad Musyahid Idrus, 'Kebijakan Pemimpin Negara dalam Perspektif Kaidah Fikih: *Taṣarruf Al-Imām 'Ala Al-Ra 'Iyyah Manūṭun Bi Al-Maṣlaḥah'*, *Al Daulah: Jurnal Hukum Pidana Dan Ketatanegaraan* 1, no. 1 (2021): 123-137.

contestation, administrative discretion, and socio-religious ethics encounter one another, negotiate, and collectively define what may be regarded as public policy that is legitimate, just, and capable of bringing *maṣlaḥah* to society.

Conclusion

This study finds that the activation of *hak angket* by the Salatiga City DPRD in 2025 cannot be adequately understood merely as a procedural mechanism of constitutional oversight or as an expression of routine local political contestation. Rather, the Salatiga case demonstrates that legislative oversight evolved into what this study conceptualises as interlegal contestation—an institutional arena in which at least four normative orders operated simultaneously: state legality grounded in constitutional and statutory rules, political legality shaped through coalition-building and inter-party negotiation, administrative legality expressed through bureaucratic discretion and executive action, and moral legality articulated through claims of public *maṣlaḥah*. The findings further reveal that legal validity in local governance was not produced in a linear manner through positive law alone, but continuously negotiated through the interaction of formal procedure, political strategy, social pressure, bureaucratic capacity, and ethical claims over public welfare. In this context, the activation of *hak angket* in Salatiga ultimately functioned not only as an instrument of constitutional oversight, but also as a mechanism of legitimacy reconstruction, through which competing actors sought to redefine what constitutes lawful, just, and publicly beneficial governance.

Theoretically, these findings contribute to the literature on legislative oversight and interlegality by extending discussions that have largely been situated within transnational legal pluralism into the domain of local constitutional politics in Muslim societies. Practically, this study demonstrates that the legitimacy of public policy in decentralised governance cannot be measured solely by procedural compliance, political support, or popular acceptance, but must also be evaluated through institutional accountability and normative restraint. At the same time, this study is limited by its focus on a single local case and a specific moment of political escalation, which may not fully capture the broader variation of legislative oversight practices across Indonesian regions. Future research may therefore undertake comparative studies across multiple local governments, examine the long-term institutional consequences of *hak angket* on executive-legislative relations, or further explore how religious moral reasoning interacts with constitutional practice in shaping public policy legitimacy in contemporary Muslim democracies.

Data Availability: The data supporting the findings of this study include legal documents and qualitative interview data. Legal materials are publicly available and cited within the article. Interview data are not publicly available because they contain information that could compromise participant confidentiality but may be

made available from the corresponding author upon reasonable request, subject to ethical considerations.

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