

**THE PRACTICE OF MULTIPLE POSITIONS BY PUBLIC OFFICIALS
IN INDONESIAN CONSTITUTIONAL SYSTEM (COMPARATIVE
STUDY OF INDONESIA AND SOUTH KOREA)**

Undergraduate Thesis



Written By:

Selly Dayanti

NIM.20190610017

Faculty of Law

International Program for Law and Sharia

Constitutional Law

Universitas Muhammadiyah Yogyakarta

2023

DECLARATION

I am, the undersigned :

Name : Selly Dayanti
Student Number : 20190610017
Title of Thesis : **THE PRACTICE OF MULTIPLE POSITIONS BY
PUBLIC OFFICIALS IN INDONESIAN
CONSTITUTIONAL SYSTEM (COMPARATIVE
STUDY OF INDONESIA AND SOUTH KOREA**

I hereby declare that this Undergraduate Thesis is truly the work of my own. I did not do plagiarism or quotation in inconsistent ways with the scientific community's prevailing ethics. On this statement, I am ready to bear the risk/any sanction imposed on me under the applicable regulations. If a breach of scientific ethics is found in the future, I will accept the sanction.

Thus I make this statement in a conscious state without coercion from any party.

Yogyakarta, June 3rd, 2023



Selly Dayanti
NIM. 20190610017

MOTTO

“Allah does not burden a person but according to his ability.”

(Q.S. Al Baqarah: 286)



DEDICATION

Alhamdulillahirabbal'alamin

By expressing my deepest gratitude to Allah SWT, thank you for all the blessings in the form of convenience and smoothness in completing this thesis writing, I dedicate it to those who I really love:

1. Almighty God, Allah SWT
2. Prophet Muhammad SAW
3. My Beloved Parents, Kohar and Een Nuraeni



FOREWORDS

Assalamualaikum Wr. Wb.

By giving thanks for the presence of Allah SWT, who has given grace, health in the form of body and spirit so that he is given the ability to complete this thesis entitled **“THE PRACTICE OF MULTIPLE POSITIONS BY PUBLIC OFFICIALS IN INDONESIAN CONSTITUTIONAL SYSTEM (COMPARATIVE STUDY OF INDONESIA AND SOUTH KOREA)”**. Until it is finished with the time specified or International Program for Law and Sharia, Faculty of Law, Universitas Muhammadiyah Yogyakarta.

Shalawat and greeting, I addressed to our Prophet Muhammad, my inspiration in practising and conducting good deeds. This Undergraduate Thesis is motivated by his struggle to spread Islamic teachings to all mankind. I realize that in writing this thesis, there were many parties who have helped, guided and inspired me, thus on this occasion, I would like to say thanks to:

1. Prof. Dr. Ir. Gunawan Budiyanto, M.P. as Chancellor of Universitas Muhammadiyah Yogyakarta.
2. Iwan Satriawan, S.H., MCL., Ph.D., as Dean of the Faculty of Law Universitas Muhammadiyah Yogyakarta.
3. Sunarno, S.H., M.Hum., PhD. As head of the study program of the Faculty of Law Universitas Muhammadiyah Yogyakarta.
4. Iwan Satriawan, S.H., MCL., Ph.D. as the author's supervisor who has been willing to give time, knowledge, and thoughts so that the writer can complete this thesis.
5. All lecturers at the Faculty of Law, University of Muhammadiyah Yogyakarta, who have provided knowledge to the author while on the lecture bench.

6. All staff at the Faculty of Law, University of Muhammadiyah Yogyakarta, who have helped the author take care of all the administrative needs that the writer needs.
7. My beloved parents, Kohar and Een Nuraeni, for their countless services in providing prayers and material support so that the author can finish this thesis well. The author dedicates this Bachelor's degree to them.
8. The author's siblings, Asep Dedi, Iwan Setiawan, and Dena Achmad Nurjaya who always provide support in completing this thesis.
9. Vera Ismayanti, who became a second mother while in Yogyakarta.
10. The author's friends who have helped a lot, provided encouragement and entertainment during the completion of this thesis. Friends who have accompanied me at any time, Fauziah Nauri Qisty, Alvianita Dewi Hasna, Salsabilla Deniesa and Dela Rinanda Putri, love you guys!
11. All parties who help the writer in completing this thesis that the writer cannot mention one by one.

Finally, may Allah SWT bless this writer's writing and hopefully this article can be a useful reference for younger students of the Faculty of Law, especially the Faculty of Law, University of Muhammadiyah Yogyakarta, thank you.

Wassalamu'alaikum Wr. Wb.

Yogyakarta, June 3rd, 2023



Selly Dayanti
NIM. 20190610017

LIST OF CONTENTS

| | |
|----------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| TITTLE PAGE | i |
| APPROVAL PAGE | ii |
| ENDORSEMENT PAGE | iii |
| DECLARATION | iv |
| MOTTO | v |
| DEDICATION | vi |
| FOREWORDS | vii |
| LIST OF CONTENTS | ix |
| LIST OF TABLES | xi |
| LIST OF ABBREVIATIONS | xii |
| ABSTRACT | xiii |
| CHAPTER I INTRODUCTION | 1 |
| A. Background..... | 1 |
| B. Research Problems..... | 6 |
| C. Objectives of Research | 6 |
| D. Benefits of Research | 7 |
| CHAPTER II LITERATURE REVIEW | 8 |
| A. Multiple Positions..... | 8 |
| B. Public Official..... | 13 |
| C. Constitutional Governance | 14 |
| CHAPTER III RESEARCH METHOD | 20 |
| A. Type of Research | 20 |
| B. Type of Data | 21 |
| C. Method of Collecting data | 22 |
| D. Method of Data Analysis | 23 |
| CHAPTER IV RESEARCH RESULT AND ANALYSIS | 24 |
| A. The practice of multiple position by the public official in Indonesia and South Korea constitutional system. | 24 |
| B. The mechanism of law enforcement in case of multiple position by public official in Indonesia and South Korea Constitutional System | 62 |
| C. Comparison of Multiple positions of public official and its mechanism of law enforcement in Indonesia and South Korea | 90 |
| CHAPTER V CONCLUSION & RECOMMENDATION | 101 |
| A. Conclusion | 101 |
| B. Recommendations..... | 102 |

| | |
|--------------------------|-----|
| REFERENCES | 104 |
| ATTACHMENTS | 112 |



LIST OF TABLES

| Table | Page |
|------------------------------------------------------------------------------------|------|
| Table 1. Data on Multiple Positions by Public Official in Indonesia..... | 45 |
| Table 2. Data on Multiple Positions by Public Official in South Korea | 59 |
| Table 3. Data of Comparison | 98 |



LIST OF ABBREVIATIONS

SOE : State Owned Enterprises
et al : et alii
p : page

