
DEMOCRACY AND PATRIMONIAL POLITICS IN LOCAL INDONESIA

Nankyung Choi

Introduction

After a decade of political and administrative reform and several rounds of competitive elections, Indonesia, by most accounts, displays a democratic political system. There is little consensus on the character of the country's democracy, however. Optimists have called Indonesia one of Southeast Asia's most vibrant democracies, a claim that, upon a moment's reflection, says remarkably little. It is no coincidence that many sunny accounts of Indonesia's politics are fixated on Jakarta and national politics, providing a decidedly thin understanding of the actual state of Indonesia's political institutions. By contrast, analysts of the country's local politics, though cognizant and appreciative of the country's significant democratic gains, have presented evidence that questions the quality of the country's democratic institutions.¹ These more critical accounts show that, despite the presence of elections, competitive political parties, and a relatively free press, Indonesia's politics are frequently determined by such non-democratic mechanisms as corruption, intimidation, and clientelism. One common assumption that both optimistic and realistic accounts of

¹ See, for instance, Edward Aspinall and Greg Fealy, eds., *Local Power and Politics in Indonesia: Decentralization and Democratisation* (Singapore: Institute of Southeast Asian Studies, 2003); Henk Schulte Nordholt, "Renegotiating Boundaries: Access, Agency, and Identity in Post-Soeharto Indonesia," *Bijdragen tot de Taal-, Land-en Volkenkunde* (BKI) 159,4 (2003): 550–89; Vedi R. Hadiz, "Indonesian Local Party Politics: A Site of Resistance to Neo-Liberal Reform," *Critical Asian Studies* 36,4 (2004): 615–36; Vedi R. Hadiz, "The Localization of Power in Southeast Asia," *Democratization* 14,5 (2007): 873–92; Nankyung Choi, "Local Elections and Party Politics in Post-Reformasi Indonesia: A View from Yogyakarta," *Contemporary Southeast Asia* 26,2 (2004): 280–301; Nankyung Choi, "Local Elections and Democracy in Indonesia: The Riau Archipelago," *Journal of Contemporary Asia* 37,3 (2007): 326–45; Nankyung Choi, "Elections, Parties, and Elites in Indonesia's Local Politics," *South East Asia Research* 15,3 (2007): 325–54; and Henk Schulte Nordholt and Gerry van Klinken, eds., *Renegotiating Boundaries: Local Politics in Post-Suharto Indonesia* (Leiden: KITLV Press, 2007).

Indonesia's politics share is the implicit or explicit suggestion that Indonesia's polity is, if imperfectly democratic, at least quite stable.

In this essay, I suggest that Indonesia's formal democratic institutions remain vulnerable to patrimonial manipulation in the context of an increasingly competitive and oligarchic struggle for decentralized power and governance. Through an analysis of recent elections in two localities, Depok and Banyuwangi, I show that the emerging dynamics of Indonesia's local politics contain a sometimes discordant mix of democratic aspirations and ongoing patrimonial influence over democratic institutions. In both Depok and Banyuwangi, elections and the controversies surrounding them ignited intense social conflict among competing local interests. In both cases, entrenched local elites deployed patrimonial power to stall and stymie democratic political processes.² In both cases, the exercise of patrimonial politics generated simmering political controversies that still have lingering effects today. It may be reasonably argued that, given the "smooth" conduct of elections in most other localities, the cases of Depok and Banyuwangi are exceptions rather than the rule. In most other elections, entrenched elites managed to win elections, secure their control over local governance, and maintain their patrimonial networks without difficulty.³ My argument is that the Depok and Banyuwangi elections reveal the potential threat of decentralized political competition in which entrenched elites rely on patrimonial power relations and mass mobilization in running political institutions and intimidating new power-seekers. The cases of Depok and Banyuwangi suggest that the coincidence of formally democratic institutions, patrimonial domination, and emotional mass mobilization have the potential to generate political and social uncertainty. At the same time, the vulnerability of Indonesia's local political institutions to patrimonial manipulation may not pose a serious threat to the country's political stability. In the end, entrenched elites in the two localities failed to secure their political domination and control over local governance. New leaders have shown some, though limited, change in their style of politics and policies. At the same time, these new leaders also rely on patrimonial politics in operating local institutions and particularly in facing the continuous challenge from entrenched elites. Left unaddressed, the consistent patrimonial operation of political institutions, in which particularistic interests dictate, will continue to contradict the image of vibrant democracy in Indonesia.

The terms "patrimonialism" or "patrimonial politics" in this essay refer to the domination of the patron-client type of linkages and the pervasiveness of personal, rather than universalistic, interests in the operation of political institutions. Patrimonial politics is mainly concerned with the capacity of power holders to maintain power and influence by various mechanisms, and this essay does not specifically distinguish its

² The term "local elites" refers to locally based individuals with a disproportionate access to social, political, or economic power. For further discussion, see Aniruddha Dasgupta and Victoria A. Beard, "Community Driven Development, Collective Action, and Elite Capture in Indonesia," *Development and Change* 38,2 (2007): 229-49.

³ According to the International Crisis Group, of some 400 local elections that have taken place since 2005, most have proceeded without incident, and of more than 150 where the results were contested in the courts, most were peacefully resolved. See International Crisis Group, "Local Election Disputes in Indonesia: The Case of North Maluku," Asia Briefing No. 86 (Jakarta: International Crisis Group, 2009).

modern types (known as “neo-patrimonialism”) from traditional ones.⁴ In the case of Indonesia, Soekarno’s Guided Democracy⁵ and Soeharto’s *Pancasila* Democracy⁶ regimes have been discussed as examples of the country’s patrimonialism.⁷ Despite a decade of political reform since 1998, Indonesia’s contemporary democracy has been defined by Douglas Webb as a “patrimonial democracy,” in which “holders of public offices exploit their position primarily for personal rather than ‘universalistic’ ends.”⁸ Political competition predominantly involves mass mobilization and the distribution of spoils, while patrimonial norms and practices are often blamed for the country’s pervasive and rampant corruption. In other words, the daily operation of political institutions in Indonesia remains patrimonial. The question is whether and how local elites have adjusted their patrimonial practices and behavior in accordance with democratic changes in the political system resulting from post-*Reformasi* decentralization policies.

The analysis is organized in three sections. In the first and second sections, I analyze elections in Depok and Banyuwangi in turn. I examine the election processes—from the nomination of candidates, to campaigns, voting, and the validation of election results—and the controversies that erupted. In Depok, entrenched elites led by the losing candidates captured the weak and corrupt legal system. In Banyuwangi, entrenched elites manipulated their power and sought to maintain dominance in local

⁴ According to Mushtaq H. Khan, the key characteristic of neopatrimonialism is the personalization of power. Under such a circumstance, formal rules are less important than the informal networks upon which the leader’s power is based. For further discussion, see Mushtaq H. Khan, “Markets, States, and Democracy: Patron-Client Networks and the Case for Democracy in Developing Countries,” in *On the State of Democracy*, ed. Julio Faundez (New York, NY: Routledge, 2007); and Gero Erdmann and Ulf Engel, “Neopatrimonialism Revisited—Beyond a Catch-All Concept,” GIGA Working Paper 16 (Hamburg: German Institute of Global and Area Studies, 2006). Works on patrimonialism in Indonesia’s politics include Harold Crouch, “Patrimonialism and Military Rule in Indonesia,” *World Politics* 31,4 (1979): 571–87; Schulte Nordholt, “Renegotiating Boundaries”; Douglas Webber, “A Consolidated Patrimonial Democracy? Democratization in Post-Suharto Indonesia,” *Democratization* 13,3 (2006): 396–420; Syarif Hidayat, “‘Shadow State’? Business and Politics in the Province of Banten,” in *Renegotiating Boundaries: Local Politics in Post-Suharto Indonesia*, pp. 203–24; and M. Isa Sulaiman and Gerry van Klinken, “The Rise and Fall of Governor Puteh,” in *Renegotiating Boundaries: Local Politics in Post-Suharto Indonesia*, pp. 225–52.

⁵ On July 5, 1959, President Soekarno issued a presidential decree that dissolved the constituent assembly and restored the 1945 constitution. Under Guided Democracy, party representation was partly replaced by functional representation in the state institutions, the parliamentary system was abolished, and the government became, in practice, only accountable to the president. In the absence of other institutions, President Soekarno and the army occupied the decision-making centers toward which all other would-be political actors were drawn. See Herbert Feith, “How Well Did Constitutional Democracy Function?” in *Democracy in Indonesia: 1950s and 1990s*, ed. David Bourchier and John Legge (Clayton, Victoria: Monash University, 1994), pp. 19–20; and R. William Liddle, *Power, Participation, and the Political Parties in Indonesia* (Cambridge, MA: Center for International Studies, Massachusetts Institute of Technology, 1974), p. 14.

⁶ *Pancasila* refers to five principles in the preamble of the 1945 Constitution that guided its drafting and were intended to guide its application. These principles were: belief in God; a just and civilized humanity; the unity of Indonesia; democracy led by the wisdom of deliberation among representatives; and social justice for all Indonesians. These principles formed the basis of New Order political discourse and purportedly served as a guiding force in Indonesian governance until the fall of Suharto in 1998. In particular, since the so-called Ormas (*organisasi massa*, mass organizations) Law of 1985, all special-interest associations in the community, including the various religious groups, were required to acknowledge *Pancasila* as their *asas tunggal* (sole ideological foundation). For Suharto’s conceptualization of *Pancasila* Democracy, see his address delivered on August 16, 1967, in David Bourchier and Vedi R. Hadiz, *Indonesian Politics and Society: A Reader* (London and New York, NY: Routledge Curzon, 2003), pp. 37–41.

⁷ Crouch, “Patrimonialism and Military Rule.”

⁸ Webb, “A Consolidated Patrimonial Democracy?” p. 397.

political institutions through accustomed networks and emotional mass mobilization. My analysis finds that, in both localities, local elites bypassed due political processes. Elite politics and the mass mobilization of supporters, made possible through patrimonial alliances, strongly influenced the two localities' political dynamics. Ultimately, in both cases, entrenched elites failed to maintain their monopoly over local power and governance, a development that could be taken as evidence that democratic mechanisms functioned effectively in each case. However, it is still unclear how the rise of less conventional, less entrenched elite candidates has affected the old patterns of local politics in which informal networks and practices play key roles. I argue that the cases of Depok and Banyuwangi, along with dozens of similar but less publicized controversies, demonstrate the vulnerability of formal democratic institutions to local political manipulation, particularly to local elites' patrimonial politics.⁹ Finally, I conclude by discussing the practical impact of direct local elections on power struggles among local elites and the changing dynamics of local politics more broadly.

Primary data for this analysis was collected through field visits to the two localities during December 2005. In both Depok and Banyuwangi, I visited party branches' offices, local assemblies, and local newspaper bureaus, as well as the houses of related individuals. I conducted in-depth interviews with the local election-commission staff, party politicians, local assembly members, candidates, lawyers, societal leaders, journalists, and academics. The secondary data was collected from national and local dailies, weekly or monthly magazines, and academic writings, as well as official documents and court records. The collected data have some limitations, which can be attributed to, among other things, the ambiguity of related law and regulations. No official institution or agency provides a full range of reliable data. Previous research experiences in other local elections and discussions with experienced observers were quite helpful in compiling the collected data.

The 2005 Depok Mayoral Election

Depok's 2005 mayoral (*walikota*) election was its first and preceded direct elections of local government heads in other strategically important cities, including Jakarta's in August 2007. Many people saw the city's first direct mayoral election as a litmus test of the impact of Indonesia's political decentralization on national as well as local power struggles. As we shall see below, Depok's mayoral election intensified the political competition among local elites, and this competition was marked by old styles of patrimonial manipulation. In what follows, I first discuss the Depok election in terms of its national significance and its local political context. I then examine the process of nominating the candidates, in which major parties played gatekeepers and controversies over the election results became highly contentious, not only in the city but also nationwide. I conclude the analysis by discussing how and with what effect

⁹ Other high-profile cases include the North Maluku gubernatorial election and the South Sulawesi gubernatorial election, both held in late 2007. The Supreme Court's decisions for both cases have been criticized as inconsistent and even contradictory. For the case of North Maluku, see International Crisis Group, "Local Election Disputes in Indonesia."

the Depok elites' patrimonial politics contributed to the conflicts over the city's first direct mayoral election.

The Depok Election's National Significance

Depok is a city south of and adjacent to Jakarta. As such, it is part of the Jabotabek (Jakarta–Depok–Bogor–Tangerang–Bekasi) metro area, the tenth most populous metro area in the world. Depok became an administrative city in March 1982 and was officially designated as a “city” in 1999. The current population, in 2009, stands at around 1.5 million, mostly comprised of college students, office or factory workers, and a large, conservative Muslim constituency. Following the development and expansion of industry and commerce in the Jabotabek area, middle-class households have multiplied in Depok, adding dynamism to the local economy and politics. Many high-ranking national officials live in Depok. It is also home to the University of Indonesia. With its proximity to Jakarta and its reputation as the home of several major universities, Depok has become strategically significant in the country's economy and politics. Therefore, Depok's first direct mayoral election was nationally and even geopolitically important. Given the city's proximity to Jakarta, major parties could not underestimate the election's potential spill-over impact on national politics and Jakarta politics, in particular.

Additionally, the 2005 Depok mayoral election took place in a context where local governments were regaining their control over the decision-making process in the regions. Since local assemblies emerged as new loci of power in 1999, local government officials have adapted to the changed power configuration by rewarding local assembly members, financially or through other means, for their cooperation and collaboration. Grants of excessive perks and financial rewards for local assembly members have become common across the country.¹⁰ In response to the decentralized and increasingly prevalent money politics in the regions, national authorities began to bring hundreds of corrupt local officials before the courts, while they adopted a direct-election system for local government heads. The Depok mayoral election was one of such elections aimed to enhance the legitimacy and position of local government heads in relation to their legislative counterparts.

Depok's Local Political Context

In addition to these national concerns, there were important local issues and interests at stake in Depok's election. The biggest issue that dominated the election was corruption. In September 2004, twenty-two members of the Depok municipal assembly who had served during the period 1999–2004, including the chairman and two deputy chairmen, were prosecuted for misusing the local budget for their personal needs. In 2002, a total of Rp.15 billion had been allocated to assembly members' operational activities, and Rp.9.5 billion of it was allegedly used to cover assembly members' personal expenses, such as for paying installments on houses, repairing cars, and

¹⁰ For a detailed analysis of the ways in which money politics was practiced by local assembly members, see Nankyung Choi, “Democratisation, Decentralization, and Local Party Politics in Post-Soeharto Indonesia” (PhD dissertation, Australian National University, 2003), Chapter IV.

buying life insurance policies.¹¹ By the time the local police announced its investigation of these twenty-two members, thirteen among them had been re-elected in the April 2004 general elections for the period 2004–09. Depok citizens rejected those re-elected members, condemning them as illegitimate and untrustworthy. Despite popular protests and the evidence brought against them, these municipal assembly members refused to step down and instead held their inauguration ceremony in the local government building's auditorium—not in the customary assembly building—a day earlier than scheduled.¹² In response to the hasty inauguration, hundreds of local people staged a rally and demanded that the newly inaugurated assembly members sign a declaration stating that they were morally committed to anti-corruption. Eighteen of forty-five members signed it, including all twelve members of the Partai Keadilan Sejahtera (PKS, Prosperous Justice Party) that had vigorously campaigned on an anti-corruption platform in 2004.¹³ In January 2006, seventeen assembly members who had served in the 1999–2004 term were sentenced to two years in jail for misusing Rp.7.3 billion. Among the convicted were the former chairman, Sutadi (PDI-P, Partai Demokrasi Indonesia-Perjuangan, the Indonesian Democratic Party of Struggle), and the former deputy chairman and newly elected chairman for the period 2004–09, Naming D. Bothin (Golkar).¹⁴

Given these circumstances, many Depok assembly members did not welcome the presence of the PKS and, particularly, that party's strong anti-corruption rhetoric. Qurtifa Wijaya, chairman of the PKS *fraksi*¹⁵ at the municipal assembly, explained that when the PKS claimed the majority of seats in this governing body, there was some sort of "collective rejection" among the other representatives against the PKS members.¹⁶ He argued that, from the beginning, his party's representatives had difficulty in communicating with other assembly members and were isolated from decision-making processes. By the time the 2005 mayoral election was held, the PKS was unable (and unwilling) to build a coalition with other parties and decided to nominate its own candidates.

Corrupt Incumbent vs. "Clean Government" Advocate

The two major contestants in the mayoral election were the incumbent, backed by a Golkar-led coalition, and an ambitious challenger supported by the PKS. Golkar, Indonesia's majority party at the national level and the second biggest party in Depok, was especially keen to maintain and even expand its influence over the city. With the incumbent mayor being its loyal cadre, Golkar estimated that a victory in Depok

¹¹ "15 Anggota DPRD Depok Jadi Tersangka," *Kompas*, September 11, 2004; "12 Anggota DPRD Kota Depok Ditahan," *Kompas*, September 15, 2004.

¹² "Pelantikan Anggota DPRD Kota Depok Mendadak Dipercepat Sehari," *Kompas*, September 4, 2004.

¹³ "Pelantikan Anggota DPRD Depok Mendadak Maju Sehari," *Tempo*interaktif, September 3, 2004.

¹⁴ "Dua Tahun Penjara untuk 17 Mantan Anggota DPRD Depok," *Pikiran Rakyat*, January 25, 2006.

¹⁵ A party *fraksi* refers to a cluster of members either from a single big party or a coalition of small parties in the local assembly. Although *fraksi* is not part of the assembly's official structure, it plays a crucial role in the day-to-day politics of local assemblies, engaging in important tasks that range from selecting the assembly leadership to determining the membership of different commissions and committees.

¹⁶ Interview with Qurtifa Wijaya, chairman of the PKS *fraksi* at the Depok Municipal Assembly, Depok, December 12, 2005.

would help the party's gubernatorial candidates in Jakarta and beyond. For the PKS, in the meantime, the Depok mayoral race was a crucial strategic test. Having won the 2004 general elections in Depok and Jakarta, the PKS party members viewed the 2005 mayoral election as an opportunity to consolidate its influence over the Jabotabek metro area and use the resulting momentum to launch its efforts at nationwide expansion.

Table 1: Party Composition in the Depok Municipal Assembly (2004–2009)

Political Parties	Number of Seats	Percentage of Total
PKS	12	27
Golkar	8	18
PD	8	18
PDI-P	5	11
PAN	5	11
PPP	4	9
PKB	2	4
PDS	1	2
Total	45	100

The process of nominating candidates for Depok's mayoral election resembled that of other regional elections: dominant political parties functioned as gatekeepers in selecting candidates. Under Law No. 32 of 2004, only political parties, or party coalitions, with 15 percent or more of assembly seats, or having received 15 percent or more of the vote in the general election, are eligible to nominate candidates in direct local elections.¹⁷ Thus, Depok's 2004 general election outcomes allowed only the PKS, Golkar, and the Partai Demokrat (PD, Democrat Party) to nominate mayoral candidates on their own. Five other parties controlled the remaining seats, which amounted to a third of the assembly.

After several months of intense negotiations, two parties and three coalitions nominated five pairs of candidates (see Table 2, below).¹⁸ The PKS and the PD each nominated its own candidates, while Golkar built a coalition with the PKB (Partai Kebangkitan Bangsa, National Awakening Party). The other parties formed two other coalitions: the PDI-P formed a coalition with the Islamic-oriented Partai Pembangunan Persatuan (PPP, United Development Party) and the Christian-based Partai Damai

¹⁷ For a detailed discussion about the background and process of electoral reform for local government heads since 1999, see Choi "Local Elections and Democracy," pp. 330–32. For an analysis of the institutional framework of direct local elections, along with controversies over the new electoral system, see Nanyung Choi, "Indonesia's Direct Local Elections: Background and Institutional Framework," Working Paper 137 (Singapore: S. Rajaratnam School of International Studies, Nanyang Technological University, 2007).

¹⁸ As I have emphasized, one of the notable features of direct local elections is the profoundly inconsistent patterns of party coalitions across the country. For further discussion, see Choi, "Local Elections and Democracy," p. 340.

Sejahtera (PDS, Prosperous Peace Party), while the Partai Amanat Nasional (PAN, National Mandate Party) formed a coalition with four small parties—the Partai Bulan Bintang (PBB, Crescent Star Party), the Partai Bintang Reformasi (PBR, Reform Star Party), the Partai Karya Peduli Bangsa (PKPB, Concern for the Nation Functional Party), and the Partai Keadilan dan Persatuan Indonesia (PKPI, Indonesian Justice and Unity Party).

Table 2: Candidates and Supporting Parties in Depok's 2005 Mayoral Election

Candidates	Supporting Parties	Number of Seats (Percentage)
Nurmahmudi Ismail & Yuyun Wirasaputra	PKS	12 (26.7 %)
Badrul Kamal & Syihabuddin Ahmad	Golkar and PKB	10 (22.2 %)
Yus Rusyandi & Soetadi Dipowongso	PDI-P, PPP, and PDS	10 (22.2 %)
Abdul Wahab Abidin & Ilham Wijaya	PD	8 (17.8 %)
Harun Heryana & Farkhan A. R.	PAN, PBB, PBR, PKPB, and PKPI	5 (11.1% but received 17.7% of vote in 2004 general elections)

Although there were five pairs of candidates, the election quickly became a race between candidates backed by the PKS and the Golkar-led coalition. Golkar was the established power in Depok and had effectively controlled the mayorship since 1999. The Golkar-led coalition backed Badrul Kamal, the incumbent mayor (1999–2004) and an in-law of West Java Governor Danny Setiawan. Given that Badrul Kamal had been elected by members of the municipal assembly, the direct election was a test of his legitimacy and accountability. When the election took place, however, Badrul Kamal was under investigation by the Corruption Eradication Commission (Komisi Pemberantasan Korupsi, KPK) in relation to the corruption case mentioned earlier. Along with seventeen members of the municipal assembly, he was charged with misusing Rp.9.5 billion from the city's 2002 budget. He was ultimately not convicted but still suffered from this blow to his legitimacy and the public's impression that he had been guilty of corruption. He sought support from diverse political and economic local elites, particularly from those used to his patrimonial style of governance and interested in sustaining the existing executive-legislative power relations.¹⁹

The city's power relations in June 2005 were quite different from those of the previous period. Through the 2004 general elections, the PKS and the PD emerged as

¹⁹ Interview with Mukhlisin, journalist of *Otonomi*, a Depok-based monthly magazine, Depok, December 12, 2005.

strong competitors against major parties like Golkar. While the PD was effectively just an electoral vehicle for Susilo Bambang Yudhoyono's presidential ambition, the PKS was a more substantive political party, with a platform and ambitions for using Depok as a launching pad to contest Jakarta's 2007 mayoral election and the 2009 national elections. In fact, in its ambition to stand shoulder-to-shoulder with other major parties like Golkar, the party had moderated its staunch Islamic principles and, to compensate for that adaptation, had amplified its fight against corruption and poverty. To boost its chances in Depok, the PKS nominated a high-profile young candidate: Nurmahmudi Ismail, the former minister of Forestry and Plantations (1999–2000), educated in the United States.²⁰ Younger and comparatively professional leaders, such as Nurmahmudi Ismail, were regarded as crucial in convincing the people of the party's more moderate and progressive image.²¹ Unfortunately, although he was to campaign on an anti-corruption theme, Nurmahmudi was himself involved in an environmental case, for during his term as the minister of Forestry and Plantations, he had been accused of having issued a permit for a company to develop plantations in East Kalimantan that eventually brought about severe forest degradation on the island. He was later acquitted.

"Correcting" the Election Results

The Depok mayoral election proceeded relatively smoothly and peacefully. Over 61 percent of registered voters cast their votes on June 26, 2005. However, the election results quickly became controversial as, even before they were announced, Badrul's supporters began staging demonstrations protesting the results of "quick counting." On June 28, a group of Badrul's supporters sat in the office of the Depok branch of the Election Commission (Komisi Pemilihan Umum Depok, KPUD Depok) and demanded vote counting be suspended.²² On July 6, the KPUD Depok announced the election results, declaring that Nurmahmudi and his deputy mayoral candidate had won the contest with 43 percent of the valid votes. Five official witnesses who watched the polls endorsed the KPUD Depok's authorization.²³

Badrul and his supporters did not relent. Right after the election results were announced, Badrul filed his complaint with the West Java High Court concerning the registration of eligible voters at the KPUD Depok.²⁴ At a court hearing held on July 21, the Badrul camp advanced two arguments. First, they accused the KPUD Depok of committing fraud in the process of voter registration, and asserted that the KPUD's deliberate disenfranchisement of a number of citizens had resulted in deflating

²⁰ Nurmahmudi Ismail was one of the leaders of the Justice Party (Partai Keadilan, PK), which was strongly Islam-oriented and derived support mostly from middle-class Islamic study groups and student organizations. The party obtained 1.4 percent of the vote in the 1999 general elections, failing to pass the electoral threshold of 2 percent. To participate in the 2004 general elections, the party changed its name to PKS and also changed its platform, which now focuses on anti-corruption, anti-poverty, and good governance campaigns. See "Populist Spirit of a Propagation Party," *Tempo* 31/IX, March 31–April 6, 2009.

²¹ "Indonesia's Muslim Party Widens its Appeal," *International Herald Tribune*, March 21, 2006.

²² "Penghitungan Suara Pilkada Depok Kisruh: Meski Dijaga Polisi, Penghitungan Terpaksa Dihentikan," *Kompas*, June 29, 2005; and "Nur Mahmudi Unggul, Massa Badrul Demo," *Pikiran Rakyat*, June 29, 2005.

²³ "Pilkada: Nurmahmudi Ismail Wali Kota Depok Terpilih," *Kompas*, July 7, 2005.

²⁴ "Pilkada Depok: Badrul Ajukan Keberatan," *Kompas*, July 13, 2005.

(*digembosi*) the tally of their candidate's support. In other words, they argued that they lost because their unregistered supporters had not been allowed to cast ballots. Second, they claimed that Nurmahmudi's vote was inflated (*digelembungkan*) because the KPUD Depok had allowed non-Depok residents to vote.²⁵ The court heard the testimony from eleven witnesses chosen by Badrul's lawyers and one witness representing the KPUD Depok. Spokespersons for Nurmahmudi's side were not invited to the hearing. They were not alone in believing that Badrul's argument had no legal or factual basis.

Table 3: Election Results of Depok's Election Commission and the West Java High Court

Pair of Candidates	Number of Votes Obtained in Polls	Number of Votes after the Ruling by the West Java High Court
Nurmahmudi Ismail & Yuyun Wirasaputra	232,610	204,828 (after deducting 27,782)
Badrul Kamal & Syihabuddin Ahmad	206,781	269,551 (after adding 62,770)
Yus Rusyandi & Sutadi Dipowongso	34,096	No change
Abdul Wahab/ Ilham Wijaya	32,461	No change
Harun Heryana & Farkhan A. R.	23,859	No change
Total	529,807	564,795

Source: Depok's Election Commission (KPUD Depok)

In fact, in legal terms, the Depok case had at least two flaws. First, according to the law, the court hearing had to be held within fourteen days after the court accepted the complaint, but this court's decision was three days late.²⁶ Second, the law limits the aspects of an election that can be legally considered and challenged; only irregularities in the tallying of votes constitute a legitimate legal issue, which means the court should

²⁵ Interview with Ali Nurdin, one of Nurmahmudi Ismail's lawyers, Jakarta, December 10, 2005; and interview with Zulfadli, chairman of the Depok Municipal Election Commission (KPUD Depok), Depok, December 12, 2005.

²⁶ Article 106, verse (4), of Law No. 32 of 2004: The West Java High Court accepted the complaint on July 12 and, thus, it had to announce its verdict by July 26, 2005. If the verse is understood to refer to fourteen "working" days, the court had to announce its verdict by August 1, at the latest. The decision was announced on August 4. See "Lima Alasan PKS Tolak Pembatalan Kemenangan Nur Mahmudi," *Tempo* *interaktif*, August 5, 2005; Denny Indrayana, "Putusan Pilkada Depok Batal Demi Keadilan," Partnership for Governance Reform in Indonesia, Jakarta, August 9, 2005; Refly Harun, "Kolom: Kemelut Pemilihan Walikota Depok," *Tempo* *interaktif*, August 8, 2005; Center for Electoral Reform, "Pernyataan Pers: Nasib Demokrasi Kita Ada Di Tangan Mahkamah Agung," Jakarta, August 19, 2005; and Amir Syamsuddin, "Kisruh Pilkada Kota Depok Berlanjut," *Kompas*, September 5, 2005.

not have taken into account votes that had not even been cast.²⁷ Unexpectedly, however, the chief judge of the West Java High Court had a different view. On August 4, the High Court decided to accept Badrul's argument that his supporters had been unable to cast their votes because they were not registered and thus the election results had "undercounted" the actual votes that he could otherwise have received. The court annulled the election results on the ground that the results were tarnished by rampant vote rigging, which in turn led to the "over-counting" of votes won by the Nurmahmudi–Yuyun's partnership (see Table 3, above).²⁸ As one critical observer put it, "the judges effectively registered the voters and punched the ballots—all on Badrul's behalf."²⁹

Nurmahmudi's party supporters were shocked by the court's ruling, but they could not respond directly to the court's decision because the case was set up as a dispute between the Badrul–Syihabuddin pair and the KPUD Depok. The other three pairs of candidates immediately rejected the High Court's decision because, according to the chairman of the KPUD Depok, "they knew who had won the election."³⁰ The only option the Nurmahmudi–Yuyun pair had was to assist the KPUD Depok in seeking legal advice.³¹ But they also had to find a way of engaging themselves in the case, which had nullified their apparent victory. Following the decision, Depok society descended into social turmoil marked by incessant mass rallies, divided communities, politicized bureaucrats, and stalled governance, turmoil that lasted for the next six months.³²

In attempting to explain controversies over election results such as Depok's, many commentators have directed their attention to the alleged missteps demonstrating the incompetence of the KPUD, the institutions governing elections of local government heads. In fact, these commissions have proven to be a weak link in Indonesia's direct local elections; their troubles commonly stem from their members' limited experience, dependence on external resources, and weak authority. Organizing and staging an election for the first time without national coordination and direction is a formidable task. Moreover, each KPUD has to do so with a limited and inexperienced staff whose members, in turn, have to rely on a dozen administrative staff persons dispatched by the local government. As in Depok, updating the list of registered voters is one of the most difficult tasks many KPUD confront, and it usually leads to charges against them for incompetence or logistical failures.³³

²⁷ Center for Electoral Reform, "Pernyataan Pers."

²⁸ Yuli Tri Suwarni and Abdul Khalik, "Court Overturns PKS Depok Win," *The Jakarta Post*, August 5, 2005.

²⁹ Kanis Dursin, "The Easy Way to Win an Election," *The Jakarta Post*, August 25, 2005. See also Mahdi Muhammad, "Pilkada Depok Dianulir, PKS: Putusan Pengadilan Tinggi Jawa Barat Dagelan," *Kompas*, August 5, 2005; and Saldi Isra, "Kepala Daerah Pilihan Hakim," *Kompas*, August 9, 2005.

³⁰ Interview with Zulfadli, December 12, 2005.

³¹ Interview with Ali Nurdin, December 10, 2005.

³² Observing the unyielding candidates, their supporters' incessant rallies, and increasingly polarized local communities, a journalist described the Depok case as "one of the most eye-catching phenomena" and said it deserved "to be noted in the history of the 2005 direct local executive elections." See Sidik Pramono, "Kisruh Pilkada: Ge(r)geran Wali Kota Depok," *Kompas*, January 3, 2006.

³³ To update the list of registered voters, each KPUD usually starts by obtaining the data used in the previous election from the Civil Registry Office (Dinas Kependudukan dan Catatan Sipil) of the respective local government. The KPUD then verifies the primary data and encourages eligible but unregistered

While the KPUD do indeed represent an outstanding problem in Indonesia's electoral system, these commissions have also become convenient scapegoats for those complaining about problems whose roots lie elsewhere. No matter where ultimate responsibility may lie, and frequently in the absence of any evidence, losing candidates now tend to routinely blame the KPUD for being partial or incompetent or both. While the KPUD's problems are important, most electoral disputes have been motivated by heightened competition among local elites over local power and governance, rather than the KPUD's deliberate or unintended maneuvering. The case of Depok exemplifies this sort of misplaced blame, and it became controversial nationally because the West Java High Court, particularly its chief justice, made a bizarre decision. It was the first and, so far, the last case in which the judiciary overturned post-New Order local election results in Indonesia. Judiciaries of other regions have dealt with similar complaints in different ways.³⁴ The root of the conflict in Depok was not the dispute over the fairness of the election results, but the capture of the local judiciary by entrenched power.

Conflict Management

No matter how controversial it proved to be, the West Java High Court's verdict was "final and binding," in accordance with the governing system of direct local elections, as outlined in Law No. 32 of 2004. To the PKS and its supporters, the decision was entirely illegitimate and unacceptable.³⁵ They were not alone in their outrage. The reversal of the election results by the court in the absence of evidence exposed the weakness and inconsistency of electoral rules and undermined the public's trust in democratic political institutions more generally.³⁶ To overturn the High Court's "binding and final" decision, the PKS placed pressure on the KPUD Depok, which, in turn, brought the case before the Supreme Court. Although the Supreme Court was

voters to register with the Subdistrict Election Committee (Panitia Pemilu Kecamatan, PPK), which has representatives at the village level. At a minimum, six months' residence in the subdistrict is required for a person to register as an eligible voter. Almost all the KPUD have faced two basic problems in updating the list of eligible voters: first, the quality of the updated list of registered voters heavily depends on the primary data provided by the Civil Registry Office, which operates under the authority of each respective local government. Many KPUD officials often argue that they do not have enough staff and resources to revise and update the data. Second, the level of voluntary registration tends to be quite low, since entrenched political parties and local assembly members offer very little support for new-voter registration. Voters themselves often appear indifferent to direct local elections and fail to make sure that they are registered for them. See Choi, "Indonesia's Direct Local Elections"; "Konflik KPUD-Kepala Daerah Sudah Dapat Diramalkan," *Kompas*, April 8, 2005; and Lukita Grahadyarini, "Pilkada dan Kelemahan Administrasi," *Kompas*, November 5, 2005.

³⁴ For example, the Banten High Court rejected similar complaints brought by the PKS with regard to the results of Banten's November 2006 gubernatorial election. See Michael Buehler, "The Direct Elections of Regents and Governors in Post-New Order Indonesia: Oligarchic Restructuring of Democratization?" paper prepared for delivery at the 2008 Annual Meeting of the American Political Science Association, Boston, MA, August 28–31, 2008.

³⁵ "Thousands of PKS Supporters Stage Rally in Jakarta," *The Jakarta Post*, August 8, 2005.

³⁶ Former Minister for Regional Autonomy Ryaas Rasyid related that "the controversy over the [Depok] case has made things awkward for the government." See A. Manan, R. Kustini, Olivia, and Nuraini, "A Fight to the Bitter end in Depok," *Tempo* 19/VI, January 10–16, 2006.

initially reluctant to hear the case, it finally did so, and the results further polarized Depok's political elites and their supporters.³⁷

On August 5, the PKS supporters staged a protest in front of the West Java High Court in Bandung, while hundreds of local people, organized by the Joint Forum for the Depok Community (Forum Bersama Masyarakat Depok, FBMD), held another rally in front of the Depok City Hall.³⁸ National leaders of the two parties also took up the battle to support their cadres' bid for local power and governance. Jusuf Kalla, Indonesia's vice president and Golkar's chairman, asked all the parties to accept the court verdict, while Hidayat Nur Wahid, the PKS's former president and the chairman of the People's Consultative Assembly (Majelis Permusyawaratan Rakyat, MPR), urged the Supreme Court to abrogate its delegation of mandate to the West Java High Court, which he denounced as unprofessional.³⁹ The PKS quickly made several additional strategic maneuvers. The party assailed the case, treating it as a litmus test of Indonesia's new electoral democracy. As the party's chairman of the Election Victory Board, M. Razikun, argued, the Depok case demonstrated how the country's new democracy was being threatened and damaged by "justice mafia" (*mafia peradilan*).⁴⁰ The party registered its complaints regarding the West Java High Court's decision at the Judicial Commission (Komisi Yudisial, KY) and also reported to the police that two election supervisory committee officials had given false testimony at the court hearing.⁴¹

The KPUD Depok held a plenary session on August 6, one day after the protest by the PKS supporters, and decided to challenge the West Java High Court's decision. From the KPUD Depok's standpoint, the court's decision to overturn the election results was a result of political maneuvering by certain groups of local elites. Given its limited resources, the KPUD Depok needed legal assistance to pursue its challenge, and that assistance came from both the provincial KPUD and the PKS.⁴² On August 16, the KPUD Depok appealed to the Supreme Court to review the West Java High Court's decision.⁴³ Following the KPUD Depok's move, the supporters of Badrul, on the one hand, and the PKS, on the other, staged pro- and anti-KPUD Depok rallies, respectively.⁴⁴ Diverse nongovernmental organizations, including the Center for Electoral Reform, urged the Supreme Court to make a decision as soon as possible in order to keep the masses from being carried away by emotional reactions. The chief judge of the Supreme Court, Bagir Manan, was initially reluctant to get involved in the

³⁷ Initially, the Supreme Court judged the West Java High Court's decision to be legally correct. See "MA Nyatakan Putusan Pengadilan Tinggi Jabar Sah," *Antara*, August 8, 2005; and "Putusan PT Final dan Mengikat: Depdagri Tidak Ikut Campur Tangan," *Kompas*, August 11, 2005.

³⁸ "Forum Masyarakat Depok Unjuk Rasa Tolak Putusan PT Jawa Barat," *Tempointeraktif*, August 6, 2005.

³⁹ "Kader PKS Unjuk Rasa, Partai Golkar Minta Putusan Pengadilan Dihormati," *Kompas*, August 6, 2005; Bambang Dwi Djanuanto, "PKS: Gelar perkara Pilkada Depok" and "Menunggu serangan balik Nurmahmudi," *Bisnis Indonesia*, August 10, 2005.

⁴⁰ Interview with M. Razikun, chairman of the PKS's Election Victory Board, Jakarta, December 12, 2005.

⁴¹ "PKS Reports Poll Officials for Deception," *The Jakarta Post*, August 12, 2005.

⁴² Interview with Zulfadli, December 12, 2005.

⁴³ KPU, "KPUD Depok Resmi Ajukan PK Ke MA Sebagai Upaya Hukum Luar Biasa," August 19, 2005, at <http://www.kpu.go.id>, last accessed September 6, 2005.

⁴⁴ "Giliran Penentang KPUD Depok Unjuk Rasa," *Tempointeraktif*, August 25, 2005; and "Demo Dukung Upaya Hukum KPUD Depok," *Tempointeraktif*, August 25, 2005.

case. When the controversy was reported in the media, he immediately stated that the Depok case could not be appealed to the Supreme Court because the West Java High Court's decision was "final and binding." Prominent lawyer Adnan Buyung Nasion criticized Bagir Manan for unwisely commenting on the Depok case. Given that he was going to deal with the case, the judge was not supposed to comment on it prematurely. Adnan Buyung Nasion decided to help advise Nurmahmudi's lawyers because, as he explained, "the High Court only implements the Supreme Court's authority because it is delegated. If the delegation of authority is misused or used incorrectly, of course the Supreme Court is authorized to re-examine it."⁴⁵

An investigation team of the Supreme Court evaluated the evidence and concluded that the five judges of the West Java High Court had exceeded the limits of the court's authority.⁴⁶ This finding did not mean that the decision itself was reversed, however. Judge Paulus E. Lotulung, the team's leader, only recommended the Supreme Court impose sanctions against the five judges.⁴⁷ On September 15, the Judicial Commission also concluded that the West Java High Court's judges had acted unprofessionally and recommended that chief judge Nana Juwana be suspended for a year and the other four judges be given written reprimands.⁴⁸ However, months passed before the Supreme Court decided to oversee the five judges and prohibited them from dealing with lawsuits for one or two years.

Despite continuous mass rallies and the growing public concern about the vacuum of governance, it took almost three months for the Supreme Court to take action on the controversy.⁴⁹ While the case was waiting to be addressed by the court, the internal conflicts within the municipal government and the municipal assembly, as well as tension among citizens, were exacerbated.⁵⁰ On December 16, the Court decided to accept the KPUD Depok's request for a judicial review and annulled the West Java

⁴⁵ Manan et. al., "A Fight to the Bitter End in Depok." In fact, Ali Nurdin, Nurmahmudi's lawyer, was one of Adnan Buyung Nasion's assistants. Interview with Ali Nurdin, December 10, 2005.

⁴⁶ Even Golkar's cadres seemed startled by the regional court's decision. They then tried to redirect the controversy to focus on the poor judgment of the judges, rather than their decision *per se*. For example, Babay Suhani, Golkar representative at the Depok Municipal Assembly, argued that "if a judge made a mistake, the judge should be investigated, not the decision." See L. R. Baskoro, M. Kusuma, and A. Manan, "Perlawanan Bulan Sabit," *Tempo* 26/XXXIV, August 22–28, 2005.

⁴⁷ Komisi Pemilihan Umum (KPU), "Tim Panel MA Nilai Majelis Hakim PT Jabar Lakukan 'Unprofessional Conduct,'" August 26, 2005 (downloaded from <http://www.kpu.go.id> on September 6, 2005).

⁴⁸ The Judicial Commission, which had just been established about a week before the case was lodged, found that the West Java High Court's judges violated the "code of conduct," and were unprofessional because they did not consider the keystone issues of fairness, impartiality, and equal opportunity. See "Komisi Yudisial Minta Hakim Kasus Depok Diberhentikan," *Tempo* interaktif, September 16, 2005; and "Sengketa Pilkada Depok: Ketua PT Jawa Barat 'Diberhentikan' 1 Tahun," *Kompas*, September 16, 2005. The commission recommended that the Justice Board (Majelis Hakim Agung) give Chief Justice Nana Juwana one year's suspension and serve the four other judges with letters of reprimand. However, the Supreme Court decided not to respond immediately to the Judicial Commission's recommendations, but instead to focus on its own judicial review. After more than a month, the Judicial Commission urged the Supreme Court again to follow up on its recommendations concerning the West Java High Court judges. See "Komisi Yudisial Minta MA Laksanakan Rekomendasi Mereka," *Tempo* interaktif, October 24, 2005.

⁴⁹ "Supreme Court Delays Judicial Commission's Recommendation," *The Jakarta Post*, September 25, 2005; "Hubungan antar Lembaga: Komisi Yudisial Berharap MA Responsif," *Kompas*, September 29, 2005; and "Kepastian Politik Sangat Dinantikan: Pembangunan Fisik Tertunda," *Kompas*, October 20, 2005.

⁵⁰ Interview with Mukhlisin, December 12, 2005.

High Court's decision "because the High Court's judges exceeded [their] authority and the limits of the law."⁵¹

Old Tricks, Old Politics

By the time the Supreme Court announced its decision, the controversy had already spilled over into other arenas of Depok society, heightening tensions among different segments of local society. Depok's political atmosphere became highly polarized, particularly when some subdistrict heads (*camat*) and village heads sided with Badrul and refused to accept Nurmahmudi's victory. On December 19, representatives of four parties that had supported the Badrul-Syihabuddin pair (i.e., Golkar, PAN, PPP, and PKB) submitted a written rejection of the Supreme Court's decision to the Department of Home Affairs. The PD also criticized the Supreme Court for its inconsistency.⁵² The next day, grassroots supporters, divided into Badrul's and Nurmahmudi's groups, clashed at the Cibinong Court, where a corruption case against seventeen Depok municipal assembly members (1999–2004) was being held. The two groups encountered each other again in front of the Depok City Hall later the same day.⁵³

On December 30, forty-two out of sixty-three village heads in Depok sent a statement rejecting the Supreme Court's decision to President Yudhoyono and a number of state institutions, including the national assembly (Dewan Perwakilan Rakyat, DPR) and the Minister of Home Affairs.⁵⁴ Surprised by such an unusual move by low-level civil servants, the Public Servant Corps (Korps Pegawai Republik Indonesia, Korpri) warned that it would sanction the forty-two village heads because they should have maintained their impartiality in such a case.⁵⁵ However, as it later turned out, the letter was a result of some kind of political maneuvering on Badrul's side. A *Kompas* report disclosed that some of the village heads had thought they were simply signing a guest list when they visited Badrul's house on December 28, and that this list of signatures was later attached to the statement rejecting the Supreme Court's decision without their consent.⁵⁶ Badrul Kamal acknowledged that he had met with village heads, but denied that he had tricked them in this way. However, then some village heads argued that they had not even attended the meeting at Badrul's house.⁵⁷ Seven village heads issued a letter of protest, arguing that they were not informed about the statement rejecting the Supreme Court's decision and that they would not have signed the list if they had been informed of such an intention beforehand. They sent the letter to the president and other state institutions.⁵⁸

⁵¹ "Sengketa Pilkada: MA 'Menangkan' Nur Mahmudi-Yuyun," *Kompas*, December 17, 2005; and Manan et al., "A fight to the bitter end in Depok."

⁵² "Empat Partai Hadang Nurmahmudi Ismail," *Tempointeraktif*, December 19, 2005.

⁵³ "Bentrok di Cibinong Berlanjut di Balaikota Depok," *Tempointeraktif*, December 20, 2005.

⁵⁴ "42 Lurah Depok Tolak Putusan MA," *Tempointeraktif*, January 3, 2006.

⁵⁵ "Korpri Akan Peringatkan 42 Lurah Depok," *Tempointeraktif*, January 4, 2006.

⁵⁶ "Manuver Politik ala Pak Lurah," *Kompas*, January 5, 2006.

⁵⁷ "Mendagri Tunggu Depok: Realitas Politik Pilkada Dipertimbangkan," *Kompas*, January 5, 2006.

⁵⁸ "Tujuh Lurah Depok Sanggah Tolak Nurmahmudi," *Antara*, January 8, 2006.

On January 2, 2006, members of the Depok Municipal Assembly finally agreed to take action. They sent to West Java's governor both a request that Nurmahmudi be inaugurated and a protest letter from Badrul's lawyers.⁵⁹ Still, both Governor Denny Setiawan and secretary general of the Department of Home Affairs Progo Nurdjaman were reluctant to take the responsibility of making a final decision.⁶⁰ Meanwhile, Badrul's side tried to overturn the Supreme Court's decision. On January 4, Badrul's attorney presented an appeal to the Constitutional Court arguing that the Supreme Court's decision had violated Law No. 32 of 2004.⁶¹ He argued that the law states election disputes at the district/municipal level should be handled by regional high courts and that their decisions are "final and binding." However, the next day Governor Denny Setiawan finally requested the Minister of Home Affairs to approve the inauguration of Nurmahmudi Ismail and Yuyun Wirasaputra. The Ministry of Home Affairs was still hesitant to make its final decision, while Badrul's supporters continued to stage protests against the inauguration plan.⁶² On January 25, the Constitutional Court officially rejected the petition submitted by Badrul's allies. The following day, Nurmahmudi Ismail and Yuyun Sirasaputra were finally sworn in as the first directly elected Depok mayor and deputy mayor.⁶³

The conflicts over the Depok mayoral election were triggered by a flawed legal decision made by the West Java High Court, but the case also illustrates the impact of Indonesia's ongoing political and administrative decentralization on its local politics: increasingly intense power struggles are taking place between competing political and economic elites in the country's regions. Nationally, Depok's election was seen as critical to the Jakarta gubernatorial election and the general elections in the following years. In Depok, the election was about Badrul Kamal's administration, which seemed to have nurtured corrupt and paternalistic relationships with assembly members and bureaucrats. The election results were thus seen as reflecting the local population's longing for cleaner and more accountable governance. As one of the few high-profile cases of local election disputes, the Depok mayoral election shows that Indonesia's local power struggle is now much more intense than ever. Indonesia's local power contestation has also become oligarchic, as entrenched and well-financed elites have dominated the electoral stage across the country.

In addition, the response of Depok's local elites to the conflict shows that the intensified local power struggle has been accompanied by old-fashioned elite political maneuvering, rather than ideal democratic processes, such as expanded popular participation and the strengthening of civil society. Elite politics and the politics of mobilizing the masses through patrimonial networks played significant roles in deciding Depok's political dynamics. Two rival elite groups not only tried to take advantage of their national connections in their bid for local power, but also relied

⁵⁹ "Pilkada Depok: DPRD Serahkan Soal Depok Kepada Mendagri," *Kompas*, January 3, 2006.

⁶⁰ "Saling Lempar Masalah Depok: Partai Golkar Tawarkan Konsensus sebagai Solusi," *Kompas*, January 4, 2006.

⁶¹ "Pengacara Badrul Kamal Minta Mendagri Tunda Pelantikan Walikota Baru," *Tempo*interaktif, January 10, 2006.

⁶² "Perlawanan Pendukung Badrul Kamal, Macetkan Depok," *Tempo*interaktif, January 12, 2006.

⁶³ "Upaya Badrul Kandas: Pagi ini Nur Mahmudi Dilantik Jadi Wali Kota Depok," *Kompas*, January 26, 2006; and "Court Refuses to Get Involved in Depok Election Dispute," *The Jakarta Post*, January 26, 2006.

heavily on top-down mass mobilization to show their political muscle. They asked national agencies, such as the Ministry of Home Affairs and the Supreme Court, to intervene in the case because of the ambiguity of the related law and regulations. At the same time, they exercised informal patrimonial politics in their attempts to justify and defend their positions, an effort reflected in the relentless mass rallies, the engagement of highly politicized bureaucrats, and growing tension among different communal groups. Eventually, the original election results were proved to be legitimate and the original winning candidates were allowed to claim their victory. Nonetheless, the informal and personal politics that Depok's local elites depended on in their bid for power exemplify the persistent influence of patrimonial elite politics in Indonesia's heated struggle over local power and governance.

The 2005 Banyuwangi Regent's Election

Banyuwangi is a district located on the Bali Strait, at the easternmost end of Java Island. Its economy is based largely on agriculture and small-scale trade. Although Banyuwangi has a good-sized port, its economy is small and a large number of its people live in poverty. A distinctive feature of Banyuwangi is its ethnic diversity. Its population includes the indigenous Osing people, the descendants of Majapahit's nobles and literati who refused to convert to Islam in the sixteenth century and fled to this region. The Osing retain distinctive linguistic and religious practices and a strong ethnic identity, despite (or perhaps because of) their increasing social interaction with other ethnic groups that have migrated to the region over time.⁶⁴ These include Javanese, Madurese, and Balinese. Such an ethnic composition seems to have figured in Banyuwangi's politics, if not always prominently and straightforwardly.

Under the Soeharto regime and since its fall, local politics in Banyuwangi has developed into a competitive patrimonial system animated by continuous infighting within different elite groups and sporadic violence among them. Banyuwangi's elites have managed the district through patrimonial governing strategies and state-society relations. Local leaders, whether politicians, bureaucrats, Islamic clerics, or black-magic practitioners, have always held special positions in their relationships with the local people.⁶⁵ As in many other local societies in rural Indonesia, they have efficiently used their patrimonial networks to reduce tension among different ethnic and religious groups. Throughout the twentieth century and until very recently, however,

⁶⁴ Mostly concentrated in East Java and Banyuwangi District in particular, the Osing speak their own dialect (a dialect of Javanese) and have relatively successfully kept their Hindu traditions, although they have increasingly converted to Islam and integrated with other cultures into their own. Banyuwangi is also known as one of the most powerful centers of black magic in Indonesia. In the late 1990s, the remote district drew serious attention from domestic and international journalists and scholars because of a series of mysterious murders of black-magic practitioners and local Islamic clerics during 1998. Regarding the Osing's culture and religion, see Andrew Beatty, *Varieties of Javanese Religion: An Anthropological Account* (Cambridge and New York, NY: Cambridge University Press, 1999), pp. 11–12 and 18–20. For analysis of black magic and these mysterious murders, see Jason Brown, "The Banyuwangi Murders," *Inside Indonesia* 62 (2000); and Sunarlan, "Kekerasan Negara dan Konflik Elite (Studi Kasus di Banyuwangi 1998–1999)," *Jurnal Demokrasi & HAM* 2,1 (2002): 110–36.

⁶⁵ Sunarlan, "Kekerasan Negara dan Konflik Elite"; Sunarlan, "Rezim Patrimonial di Tingkat Lokal Pasca-Reformasi: Studi Kasus Kabupaten Banyuwangi," in *Pendekatan Kebudayaan dalam Pembangunan Jawa Timur*, ed. Ayu Sutarto and Setya Yuwana Ducikan (Jember: Kelompok Peduli Budaya dan Wisata Daerah Jawa Timur, 2004), pp. 147–80.

Banyuwangi people have been frequently involved in violent incidents. Although this violence is hard to attribute to any single factor, some observers have suggested that local elites' patrimonial roles have contributed to such incidents.⁶⁶ A decade of political reform and socio-cultural change has localized political processes, but politics in Banyuwangi has remained, by and large, an elite business. As an expert of Banyuwangi politics argues, the district's elites seem to have even expanded their domination with the help, ironically, of the democratic reforms and decentralization introduced since 1998.⁶⁷ Taking advantage of the substantially expanded powers and resources given to district governments, those who have traditionally controlled the district's post-Suharto politics and governance have renewed, modified, and, in some cases, extended the patrimonial system.

Therefore, Banyuwangi's 2005 regent's (*bupati*) election was a high-stakes contest. The election became nationally controversial after the results were announced. As happened in Depok, losing candidates attempted to nullify the election results, but unlike in Depok, the electoral dispute in Banyuwangi soon spilled over into other sensitive areas, such as religion and culture, provoking widespread social upheavals. That Banyuwangi's religious leaders have become more influential over, and sometimes directly involved in, local political processes made the case even more complex. Overall, Banyuwangi's first direct regent's election shows how political decentralization in Indonesia, though it has provided local elites opportunities to vie for local power, has been inadequate to ensure a convincingly democratic political process.

In what follows, I discuss the impact of political parties' gatekeeping role on the selection of candidates in Banyuwangi's 2005 regent election, focusing particularly on how the internal fragmentation of major parties shaped the electoral field. I then examine the attempts by the incumbent regent and other entrenched elites to intervene in the electoral process and ultimately maintain their hold on power. Finally, I analyze the conflicts over the unexpected election results that swept the district's political and social life for the following four months. I conclude the analysis by discussing how and with what effect Banyuwangi elites' patrimonial politics contributed to the conflicts over the district's first direct regent election.

Parties' Internal Conflicts and the Selection of Candidates

Nominating candidates for Banyuwangi's regentship turned out to be far more complicated and full of twists and turns than anyone had predicted. The selection process culminated with a major surprise.

The first notable feature of the process for selecting candidates was the counter-intuitive weakness of political parties in direct local elections. As we have observed,

⁶⁶ For example, it is well documented that during the turmoil of the 1965–66 massacres, local political and religious elites mobilized youth to carry out political violence against members and supporters of the Indonesian Communist Party (Partai Komunis Indonesia, PKI). For further discussion, see Robert Cribb, ed., *The Indonesian Killings of 1965–1966: Studies from Java and Bali* (Clayton, Victoria: Monash University Centre of Southeast Asian Studies, 1990); and Geoffrey Robinson, *The Dark Side of Paradise: Political Violence in Bali* (Ithaca, NY and London: Cornell University Press, 1995).

⁶⁷ Sunarlan, "Rezim Patrimonial di Tingkat Lokal Pasca-Reformasi," p. 150.

Indonesia's laws regarding direct local elections favor entrenched parties by stipulating that only political parties holding more than 15 percent of the seats in local assemblies can nominate candidates for elections. But while this arrangement promotes some parties over others, it does not always mean that local party politicians benefit from their parties' gatekeeping role in direct local elections. This is because, in many instances, it is national party officials who have the final say in the selection of nominees. In Banyuwangi, the laws that guided the nominating process guaranteed that three major parties would contest the regent election. As Table 4 (below) shows, these were the PKB, the PDI-P and Golkar. Based on the traditionalist Islamic communities, the PKB has held the most seats in the district since 1999.⁶⁸ The nationalistic PDI-P is the second biggest with twelve seats, while Golkar holds the third position with eight seats. The PD and the PPP hold the remaining nine seats.

Table 4: Party Composition in the Banyuwangi District Assembly (2004–2009)

Political Parties	Number of Seats	Percentage of Total
PKB	16	35
Golkar	8	18
PDI-P	12	27
PPP	4	9
PD	5	11
Total	45	100

Given the strength of the PKB and the PDI-P in the district assembly, one might expect that these two parties' candidates would be the most formidable competitors for the district's regentship. However, throughout the electoral process, severe internal conflicts and fragmentation within these two major parties twisted the electoral map and weakened both parties' chances to win the election outright. Over the course of the election, both the PKB and the PDI-P in Banyuwangi saw tension grow not only at the district level (i.e., among prominent local figures) but also between the national and local leaderships.

The outcomes of the process for selecting candidates in the PKB defied expectations, as the apparently strongest pair of candidates fell victim to the party's internally polarized politics. The PKB's Banyuwangi chapter was split into two factions, mirroring the central board's fragmentation into the Choirul Anam (or Ulama) faction and the Iskandar Muhaimin faction. In Banyuwangi, the Ulama faction was stronger, while the Muhaimin faction controlled the central board. With support from the East Java provincial board, the Ulama faction in Banyuwangi nominated Achmad Wahyudi, chairman of the Banyuwangi district assembly, and Eko Sukartono, a long-term Golkar politician and deputy chairman of the district assembly. In the

⁶⁸ East Java is one of the strongholds of Nahdlatul Ulama (NU), the traditionalist Islamic organization that claims around thirty million members across the country. Founded by NU leaders, including former President Abdurrahman Wahid, the PKB holds sixteen seats in the Banyuwangi district assembly for the period 2004–09.

meantime, with support from the central board, the district's Muhaimin faction endorsed the incumbent Samsul Hadi, who had only garnered six out of sixteen PKB representatives at the district assembly.

In terms of popularity and electability, the Ulama faction's candidates appeared to be in a better position. Wahyudi was a charismatic figure, with broad personal networks among local leaders and Muslim communities, while Eko was a veteran politician who had been elected four times to the district assembly as a Golkar representative.⁶⁹ Many local people viewed the two long-established and well-entrenched local politicians as the most likely to win (or *pasangan jadi*). In contrast, Samsul's nomination came to a dead end. At the time of nomination, he was under investigation by the East Java Provincial Police for having allegedly embezzled Rp.251 million from the district budget.⁷⁰ Yet despite their popularity among local populations and their good connections with other elites, the Wahyudi–Eko pair failed to garner support from the other faction at the district level. Neither could they secure their candidacy from the party's fragmented and dysfunctional central board.⁷¹ Nevertheless, the Banyuwangi branch of the Election Commission (KPU Banyuwangi) accepted the Wahyudi–Eko pair's candidacy as legitimate, referring to the law on political parties to justify its decision.⁷²

Infighting in the PDI–P was no less chaotic. The PDI–P's national leaders had already displayed a tendency to force their chosen candidates on local party chapters in other regions. Sure enough, when Banyuwangi's rank-and-file members unexpectedly chose a female candidate from outside Banyuwangi, the party's central board rejected the decision and selected their own candidates. Ratna Ani Lestari, the favorite of the PDI–P's local cadres, was born in Banten, West Java, but grew up in Banyuwangi. When the election took place, she had been living in neighboring Bali. Married to Gede Winasa, the popular regent of Jembrana district on Bali, Ratna was also politically active in that district. Indeed, at the time of the Banyuwangi election, Ratna was a member of the PDI–P *fraksi* in the Jembrana district assembly. Remarkably, Ratna won the hearts of the majority of PDI–P cadres in Banyuwangi. But she failed to secure support from the party's central board, which instead backed Ali

⁶⁹ Although Golkar nominated another pair of candidates, Eko argued that he had received unofficial support from his fellow Golkar representatives and cadres. Interview with Eko Sukartono, deputy chairman of the Banyuwangi District Assembly, Banyuwangi, December 14, 2005.

⁷⁰ "Bupati Banyuwangi Diperiksa sebagai Tersangka Kasus Korupsi," *Kompas*, January 19, 2005; and "Bupati Banyuwangi Akui Terima Sejumlah Uang," *Kompas*, March 2, 2005.

⁷¹ In fact, it seems that the PKB's fragmentation at the national level worsened as the controversy evolved in Banyuwangi over which faction was legitimately eligible to nominate the party's candidate. By the time of Banyuwangi's 2005 regent's election, the South Jakarta National Court had ruled that the Muhaimin faction was the only legitimate representative of the PKB in that region. However, on November 15, 2005, the Supreme Court ruled that the sacking of Alwi Shihab, one of the Ulama faction's prominent leaders, by the Muhaimin faction had been an unauthorized decision; this ruling enabled the Ulama faction to argue that it was the legitimate voice of the PKB. The Supreme Court finally brought the conflict to an end in September 2006 by issuing a ruling that the Muhaimin faction was the only legitimate agent for the party. The Ulama faction declared the establishment of the National Ulama Awakening Party (Partai Kebangkitan Nasional Ulama, PKNU) in November 2006.

⁷² Hary Supriyanto, member of the KPU Banyuwangi, argued that "if there is dualism in the party's leadership, and the court has not decided which one is legitimate, the leadership [that existed] before conflict began should be regarded as legitimate," referring to Law No. 31 of 2002 on political parties. "KPU Banyuwangi Akan Melawan Terus Ketetapan PTUN," *Kompas*, April 12, 2005.

Syarani, former official in the East Java provincial government, together with Yusuf Widyatmoko, chairman of PDI-P's Banyuwangi district board.⁷³ The central board's decision incensed many of Banyuwangi's PDI-P cadres, as Ali Syaroni ranked only fourth in the party's selection convention. While the Banyuwangi chapter's leadership officially followed the central board's instruction, the party's rank-and-file members continued to rally around Ratna.⁷⁴

Other parties' selections of candidates went relatively smoothly and uneventfully. As conflicts bedeviled the PKB and PDI-P, Golkar nominated a pair of candidates on its own, but their chance to win the election was dim from the beginning. Soesanto Soewandi, Golkar's candidate for regent, was a former secretary of the district government, but he had been indicted in a corruption case when the election occurred.⁷⁵ Golkar was not as severely fragmented as the other two major parties, but it was organized in quite a loose and patchy way. Individual cadres took sides in support of different candidates and pursued their personal interests without restraint from party leaders. The candidates of the PD-PPP coalition also drew relatively little attention, not only because major parties' candidates dominated the electoral stage, but because of their past performance. According to Sunarlan of Jember University, who has long observed and analyzed Banyuwangi politics, the Masduki-Asyari pair was widely regarded as corrupt.⁷⁶ Therefore, as both Golkar's and the PD-PPP coalition's candidates were blemished by corruption charges, they had little chance to win the election, a situation that improved the outlook for PKB's Wahyudi and Eko pair in their contest to claim the district's top two positions.⁷⁷

Then there came a last-minute surprise. As all major parties finalized their selection of candidates, Ratna managed to collect support from eighteen small parties that had no representatives seated in the assembly. The coalition, named the Coalition of Non-Parliamentary Parties (*Gabungan Partai Politik Non Parlemen, GPPNP*), astonishingly managed to amass 15.2 percent of the vote out of the 2004 general election results, only 0.2 percent more than the required minimum.⁷⁸ After securing her candidacy, Ratna strategically chose Yusuf Noeris as her running mate for the deputy regent position. Coming from a well-regarded *kyai* (Islamic preacher) family, Yusuf Noeris was

⁷³ According to Komang Laksana and Bomba Sugiarto, chairman and secretary of the PDI-P in the Banyuwangi district assembly, the party originally had twelve potential candidates, but Ratna Ani Lestari received the majority of the vote at the party's subdistrict level special convention. The convention selected three pairs of candidates and proposed them for a "fit and proper" test to the district board, which then short-listed two of them, including Ratna's pair. Interviews with Komang Laksana and Bomba Sugiarto, Banyuwangi, December 15, 2005. See also "Di Banyuwangi, Partai Gurem Jadi Kendaraan Alternatif Menuju Pencalonan," *Kompas*, April 6, 2005. Some other sources, including Achmad Wahyudi, inferred that Ratna had paid party cadres for their votes. Interview with Achmad Wahyudi, chairman of the Banyuwangi District Assembly, Banyuwangi, December 14, 2005.

⁷⁴ "Kejutan Parpol Gurem di Banyuwangi," *Sinar Harapan*, June 22, 2005; and "The Disappointed Electorates," *Tempo* 43/V, June 28–July 3, 2005.

⁷⁵ Interviews with Sunarlan, Lecturer at Jember University, Banyuwangi, December 14–15, 2005.

⁷⁶ *Ibid.*

⁷⁷ My conversations with Banyuwangi people often centered on issues related to corruption, which appeared to be one of the determinant issues in the election. See also "Warga Berharap: Banyuwangi Perlu Pemimpin Bebas Korupsi," *Kompas*, April 18, 2005.

⁷⁸ "Di Banyuwangi, Partai Gurem Jadi Kendaraan Alternatif Menuju Pencalonan," *Kompas*, April 6, 2005.

perceived as an influential figure among the NU and *pesantren* (traditional Islamic boarding school) communities.⁷⁹

Therefore, as Table 5 (below) shows, ultimately five pairs of candidates contested for the Banyuwangi regentship. Three major parties nominated three pairs of candidates, and the PPP–PD coalition nominated another pair of candidates, while eighteen small parties that held no seats in the assembly managed to build a coalition and added a pair of candidates to the electoral field.

Table 5: Candidates and Supporting Parties in Banyuwangi's 2005 Regent Election

Candidates	Supporting Parties (Percentage of the Vote Gained in the 2004 Elections)
Achmad Wahyudi & Eko Sukartono	PKB (34.5 %)
Masduki Soe'oad & Syafi'i Asyari	PD and PPP (11.6 %)
Soesanto Suwandi & Abdul Kadir	Golkar (15.0 %)
Ratna Ani Lestari & Yusuf Noeris	18 small parties (15.2 %)*
Ali Syahroni & Yusuf Widyatmoko	PDI-P (23.7 %)

* Freedom Bull National Party (Partai Nasional Banteng Kemerdekaan, PNBK), Freedom Party (Partai Merdeka), National Mandate Party (PAN), Reform Star Party (PBR), Pancasila Patriots' Party (Partai Patriot Pancasila), Indonesian Nahdlatul Community Party (Partai Persatuan Nahdlatul Ummah Indonesia, PPNUI), Crescent Star Party (PBB), Prosperous Peace Party (PDS), Pioneers' Party (Partai Pelopor), Prosperous Justice Party (PKS), Concern for the Nation Functional Party (PKPB), Indonesian Justice and Unity Party (PKPI), Socialist Democratic Labor Party (Partai Buruh Sosial Demokrat, PBSO), Marhaenism Indonesian National Party (PNI Marhaenisme), United Democratic Nationhood Party (Partai Persatuan Demokrasi Kebangsaan, PPDK), Indonesian Democratic Vanguard Party (Partai Penegak Demokrasi Indonesia, PPD), Indonesian Unity Party (Partai Sarikat Indonesia, PSI), and Regional United Party (Partai Persatuan Daerah, PPD).

The Hazards of Patrimonial Politics

The electoral process in Banyuwangi was complicated not only by the major parties' internal fragmentation and intervention from the central boards, but also by entrenched elites' patrimonial manipulations. In particular, the incumbent regent, Samsul Hadi, did not willingly give up his political ambitions. He not only vigorously lobbied the PKB's central board and various local leaders to seek re-election, but tried to intervene in the electoral process by using his patrimonial relationships. He also

⁷⁹ Interviews with Nurhadi, lawyer at the Surabaya Legal Aid Institute, a branch of the Indonesian Legal Aid Foundation (Yayasan Lembaga Bantuan Hukum Indonesia, YLBHI), Surabaya, December 13, 2005. Nurhadi was originally from Banyuwangi,

relentlessly mobilized his mass base and tried to wield leverage over local institutions, as well as lower-ranking bureaucrats.

Under investigation for a corruption charge, Samsul Hadi first attempted to delay the electoral process. He did so by intimidating the KPUD Banyuwangi. On March 28, the PKB's first chairman and former President Abdurrahman Wahid warned that his party would boycott the Banyuwangi regent's election if the KPUD Banyuwangi continued to reject Samsul's candidacy.⁸⁰ Samsul then threatened the KPUD, claiming that his regency would not approve its request for election funds, even though the funds were already allocated from the district budget.⁸¹ In response, the KPUD warned him that it would report him directly to President Yudhoyono.⁸² Samsul also lobbied assembly members to consider delaying the election. However, a legal case against Samsul proceeded as these events were unfolding, and the East Java Provincial Police confiscated his properties and house.⁸³ The next day, several placards appeared on Banyuwangi's main streets with messages of support for Samsul.⁸⁴ Taking Samsul's side, the Banyuwangi branch of the Election Supervisory Committee (Panwas Banyuwangi) refused to pull them down, arguing that it did not have enough manpower to do so.⁸⁵ Panwas Banyuwangi also called for delay of the election.

In addition, Samsul mobilized his grassroots supporters. After the KPUD finalized the list of candidates on April 22, hundreds of Samsul's supporters staged a demonstration in front of the KPUD office.⁸⁶ On April 27, Samsul's supporters held a press conference under the banner of the Struggle Committee for Democracy (Komite Perjuangan untuk Demokrasi, K-PUD) and asked that the election be delayed.⁸⁷ Village heads organized under various organizations, including the Banyuwangi District Forum of Village Heads (Forum Kepala Desa Kabupaten Banyuwangi, Fokus), also protested against the KPUD's decision.⁸⁸ Various groups of Samsul Hadi's supporters staged sit-in protests in the KPUD's office, demanding the withdrawal of its decision.⁸⁹ The KPUD had to move to a temporary office at the local assembly building, and a

⁸⁰ The PKB's central board also annulled cadre Achmad Wahyudi's membership in the party, a move that was immediately criticized by the Ulama faction's Choirul Anam for violating the party's internal regulations. The Banyuwangi State Court later ruled that the cancellation of Wahyudi's membership as a PKB cadre was illegitimate. See "DPP PKB Resmi Gugat KPU Banyuwangi," *Kompas*, April 9, 2005; and "Pembekuan DPC PKB Achmad Wahyudi Tidak Sah," *Kompas*, April 23, 2005.

⁸¹ "Soal Dana Pilkada: Gubernur Akan Laporkan ke Pusat," *Kompas*, March 31, 2005; "Bila Dana Pilkada Tak Kunjung Cair," *Kompas*, April 11, 2005; and "10 Kabupaten/Kota Jatim Siap Pilkada," *Suara Merdeka*, June 6, 2005.

⁸² "KPUD Banyuwangi Akan Laporkan Bupati ke Presiden," *Tempointeraktif*, March 30, 2005.

⁸³ "Tanah dan Rumah Bupati Banyuwangi Disita," *Kompas*, April 14, 2005.

⁸⁴ "Marak, Spanduk Dukungan untuk Samsul Hadi," *Kompas*, April 14, 2005.

⁸⁵ "Spanduk Bukan Urusan Pemkab Banyuwangi," *Kompas*, April 16, 2005. According to Pebdi Arisdiawan, a Golkar representative in the district assembly, some of KPUD's members were in conflict with Samsul Hadi, while members of Panwas Banyuwangi were Samsul's delegates (or *titipan*). Interview with Pebdi Arisdiawan, a Golkar representative at the Banyuwangi District Assembly, Banyuwangi, December 14, 2005.

⁸⁶ "Pendukung Samsul Ancam Jegal Pilkada," *Kompas*, April 27, 2005.

⁸⁷ "40 LSM Minta Pilkada Ditunda," *Kompas*, April 28, 2005.

⁸⁸ "Tak Perlu Saling Menyalahkan," *Kompas*, June 2, 2005.

⁸⁹ "Warga Banyuwangi Kembali Tuntut Pembekuan KPUD," *Kompas*, May 11, 2005; and "Pendukung Samsul Tekan KPU Banyuwangi," *Kompas*, May 27, 2005.

week passed before the police eventually took action to drive the demonstrators out of the KPUD office.⁹⁰ As the campaign went on, Samsul Hadi's supporters attempted to disrupt the electoral process. In mid-May, for example, an organization called the City Society Forum (Forum Masyarakat Kota, Maskot) sent out a letter to several subdistrict heads asking for them to delay setting up village-level committees to organize and oversee polling stations.⁹¹ In a separate move, five organizations filed a class-action suit against the KPUD in the Banyuwangi State Court and asked for the court to suspend all preparation and campaigning for the election.⁹²

Despite the pressure from Samsul and his administration, the KPUD Banyuwangi remained resolute in sticking to its original timetable.⁹³ However, in the middle of the electoral process, four secretaries assigned by the district government to the KPUD suddenly resigned from their positions.⁹⁴ This tactic was apparently intended to disrupt the electoral process, because all the KPUD's administrative decisions required the signatures of these officials. Those who were trying to set up polling stations in villages also faced problems. Some villages were reportedly unprepared for voting because civil servants had not (intentionally or unintentionally) obtained the necessary permit from the district government that would license them to monitor the voting.⁹⁵ In response to this hurdle, the KPUD had to recruit volunteers to help monitor polling stations.⁹⁶

Notwithstanding Samsul's powerful networks and influence, the people of Banyuwangi did not unanimously support his political ambition. According to Sunarlan's observation, Banyuwangi's residents had grown discontented with Samsul's governing style, which relied heavily on patronage networks and a patrimonial influence.⁹⁷ As his supporters staged rallies to interrupt the electoral process, opposition against Samsul's political maneuvering gradually gathered force. Prominent local Islamic preachers (*kyai*) expressed their support for the KPUD. Hundreds of local people staged a demonstration under the banner of the Democracy Society Forum (Forum Masyarakat Demokrasi), asking for the KPUD to stick to its

⁹⁰ "Pendukung Samsul Duduki KPUD," *Kompas*, May 28, 2005; "Kantor Diduduki, KPUD Pindah ke DPRD," *Kompas*, June 4, 2005; and "KPU dievakuasi ke DPRD," *Radar Banyuwangi*, June 4, 2005.

⁹¹ "Camat Didesak Menunda Pembentukan PPS," *Kompas*, May 13, 2005.

⁹² The five organizations include the Banyuwangi Society Forum Caring for Education (Forum Masyarakat Peduli Pendidikan Banyuwangi), the Asia Pacific Institute (Asia Pasifik Institut), the Annisa Image (Citra Annisa), the Ulama Work Squad (Satuan Karya Ulama), and the National Development Foundation (Yayasan Pembangunan Bangsa). In a separate legal case, the State Administrative Court (PTUN, Pengadilan Tata Usaha Negara) in Surabaya ruled on May 25 that the KPUD should accept the candidates nominated by the Hasyim Cholil faction, i.e., Samsul Hadi and Gatot Sirajuddin. However, it contradicted an earlier ruling by the Banyuwangi State Court that Wahyudi's leadership was the only legitimate one for the PKB's Banyuwangi district board. This legal inconsistency certainly added confusion to the dispute between the two factions. See "Dinilai Inkonstitusional, KPU Banyuwangi Digugat Lima LSM," *Kompas*, May 25, 2005; and "DPP PKB Menangi Gugatan di PTUN," *Kompas*, May 26, 2005.

⁹³ "Pendukung Samsul Ancam Jegal Pilkada," *Kompas*, April 27, 2005.

⁹⁴ "Sekretaris KPUD Mengundurkan Diri," *Kompas*, May 3, 2005.

⁹⁵ "Separuh PPK dan PPS Belum Siap Gelar Pilkada," *Kompas*, May 28, 2005; "Tak perlu Saling Menyalahkan," *Kompas*, June 2, 2005; "Izin PNS Dikeluhkan: Bagi Yang Terlibat Kepanitiaan Pilkada," *Radar Banyuwangi*, June 11, 2005; and "PNS Belum Boleh Jadi PPS dan KPPS," *Kompas*, June 11, 2005.

⁹⁶ "KPU Siapkan 17,000 Relawan," *Radar Banyuwangi*, June 9, 2005; and "KPU Banyuwangi Turunkan 17,000 Relawan," *Kompas*, June 9, 2005.

⁹⁷ Sunarlan, "Rezim Patrimonial di Tingkat Lokal Pasca-Reformasi."

original election-day schedule.⁹⁸ Local politicians were apparently distressed by Samsul's personalistic politics and style of governance.⁹⁹ Ultimately, despite his extensive personal networks, Samsul failed to garner support from influential local elites, particularly religious leaders and assembly members.¹⁰⁰

Samsul failed to secure his own candidacy, but his patrimonial manipulation and intimidation disrupted the smooth implementation of the election. Threatened by incessant mass rallies, uncertainty about the KPUD's capacity, and growing social instability, assembly members and government officials even contemplated delaying the election. However, the KPUD Banyuwangi and some other local leaders were under enormous pressure to stage the election successfully, which meant that they needed to implement the rest of the electoral process as scheduled.¹⁰¹ Under these circumstances, a week before the voting, the Department of Home Affairs made clear that it rejected the proposal to delay the polling.

The Election Results: Neither Anticipated Nor Surprising

On June 20, voting for Banyuwangi's first direct regent's election proceeded as scheduled. Slightly over two-thirds of 1.2 million registered voters (67.7 percent) cast votes that day. The turnout was low compared to the percentage of voters who had participated in the previous year's national elections—78.5 percent at the April general election and 79.5 percent in the first round of the presidential election. One of the factors dampening participation was that many local people, including three candidates from outside Banyuwangi, had failed to register at the KPUD.¹⁰² The results of Banyuwangi's first direct regent's election were a big surprise to many people, especially the elites. As Table 6 (below) shows, Ratna Ani Lestari and Yusuf Noeris unexpectedly won the election with more than a third of the vote (38 percent), taking twenty-one out of twenty-four subdistricts. The favorite Wahyudi–Eko pair received only 15 percent of the vote, coming in behind the Soesanto–Kadir pair, which gained 19 percent. On July 1, the KPUD Banyuwangi announced Ratna Ani Lestari and Yusuf Noeris as the winners.

Although it had not been anticipated, Ratna's victory was not that surprising to some Banyuwangi voters. While local party leaders were busy juggling with internal conflicts, a series of interviews conducted by the national daily *Kompas* revealed that many citizens in Banyuwangi regarded "free from corruption" (*bebas dari korupsi*) as the most important criterion of the election. The interviews also unveiled a high level of pessimism among local people about their first direct regent's election. Those interviewed related that almost all the candidates had been involved in corruption and

⁹⁸ "Pembkab Banyuwangi Kembali Tawarkan Pengunduran Pilkada," *Kompas*, May 31, 2005.

⁹⁹ Interview with Pebdi Arisdiawan, December 14, 2005; interview with Eko Sukartono, December 14, 2005; and interviews with Komang Laksana and Bomba Sugiarto, December 15, 2005.

¹⁰⁰ "Pilkada Ditunda, Peserta Ancam Ajukan Gugatan," *Kompas*, June 2, 2005.

¹⁰¹ See a media interview with Ahmad Syakib, chairman of the KPUD Banyuwangi, "Pilkada Banyuwangi Tetap 20 Juni," *Kompas*, May 30, 2005.

¹⁰² Voters were required to have lived in the appropriate voting district for six consecutive months to be qualified. At the time of the election, Ratna lived in Jembrana, Bali, and Ali Syaroni and Syafi'i Asyari resided in Surabaya and Jember, East Java, respectively.

that none could change the situation and reform the local government to make it more honest and responsive.¹⁰³ Given this evidence, one can infer that Banyuwangi voters

Table 6: The 2005 Banyuwangi Regent's Election Results

Candidates	Received Votes (Percentage)	Received Votes in the 2004 General Elections (Percentage)
Achmad Wahyudi & Eko Sukartono	120,865 (15.3)	306,207 (34.5)
Masduki Suud & Syafi'I Asyari	114,677 (14.5)	103,294 (11.6)
Soesanto Suwandi & Abdul Kadir	150,829 (19.0)	132,828 (15.0)
Ratna Ani Lestari & Yusuf Noeris	311,653 (39.3)	134,755 (15.2)
Ali Syahroni & Yusuf Widyatmoko	94,454 (11.9)	210,305 (23.7)
Total	792,478 (100)	887,389 (100)

Source: Banyuwangi's Election Commission (KPU Banyuwangi)

decided to pursue practical benefits, such as the "free education" and "free health services" that the Ratna campaign promised.¹⁰⁴ They had heard a lot about her husband's administration in Jembrana, which successfully implemented free education and health-service programs. In fact, Jembrana's success stories had already drawn wide attention from both domestic and international observers.¹⁰⁵ While other candidates relied on religious rhetoric and large-scale outdoor rallies, the Ratna-Yusuf pair campaigned by visiting residents door-to-door, promising to work for a clean government and vowing to fight corruption. The media's positive coverage of the programs advocated by Ratna and her partner that targeted poor families in need of better access to education and medicine further boosted her campaign.¹⁰⁶

Additionally, Ratna took advantage of the dual leadership within the PKB and, particularly, of the personal rivalry between district assembly chairman Achmad Wahyudi and incumbent regent Samsul Hadi.¹⁰⁷ As mentioned earlier, Banyuwangi's

¹⁰³ Anita Yossihara, "Warga Berharap: Banyuwangi Perlu Pemimpin Bebas Korupsi," *Kompas*, April 18, 2005.

¹⁰⁴ Samuel Batarede, "Kekalahan Sejumlah Calon adalah Kegagalan Partai," *Kompas*, June 27, 2005; and Ambrosius Harto, "'Dinamit' Itu Pasangan Ratna-Yusuf: Partai Politik Lokal Tak Bisa Jual Jagonya," *Kompas*, July 8, 2005.

¹⁰⁵ Indira Permanasari, "Di Jembrana, Bali: Pendidikan dan Kesehatan Bukan Barang Mewah," *Kompas*, November 6, 2004; and Arya B. Gaduh and Laila Kuznezov, "Making Services Work for the Poor in Indonesia, Case Study 6: Health Insurance Reform in Jembrana District, Bali Province," report, The Ash Institute and the World Bank, September 2005.

¹⁰⁶ Interview with Nurhadi, December 13, 2005; interview with Samsudin Adlawi, director of *Radar Banyuwangi*, Banyuwangi, December 15, 2005; and see also "Pilkada Masih Terkendala Dualisme Calon," *Kompas*, April 30, 2005.

¹⁰⁷ It was rumored that Samsul decided to support Ratna when he finally gave up seeking re-election. Supposedly, by endorsing Ratna rather than his rival Sahyudi, he tried to maintain his influence over

two most powerful figures had to deal with internal strife in their party, as well as charges or rumors about their involvement in corruption. Banyuwangi's voters were also disappointed with the PKB's leaders, both national and local, who tended to impose their decisions on the local branches and value their own political and economic interests above the constituents' aspirations.¹⁰⁸ Embracing local people's disenchantment, Ratna developed a strong mass base with promises about free education and health services. Unable to rely on strong party machines, Ratna instead contacted voters directly and, in doing so, her partner Yusuf Noeris's support among the NU and *pesantren* communities proved to be helpful.

"Denying" the Election Results

While it did not shock the masses, the election outcome was a big surprise to many local elites. Both Banyuwangi's politicians and religious leaders saw the newly elected regent as a political threat and cultural challenge to their patrimonial domination, and they shared a sense of crisis, as they feared loss of their control over power and resources.¹⁰⁹ Accustomed to an overwhelmingly male-dominated political leadership, they also showed some degree of reluctance to pay respect to a female *bupati*. Banyuwangi elites' unhappiness about the election results was transmitted into two sensitive issues: religion and money. By translating the electoral dispute into issues concerning faith and morality, Banyuwangi's dominant elites justified their collective aversion to the newly elected regent and inflamed their own supporters' passions. Below I briefly look at each issue in turn, and then examine the elites' attempt to politicize the district assembly to maintain their power.

First, Ratna's unforeseen electoral victory put her under scrutiny by Banyuwangi's Muslim communities. Her religious background as a Muslim married to a Hindu quickly dominated the post-election discourse. It was actually one of the major issues addressed during the campaigns, but it became a divisive issue only after the polling was over.¹¹⁰ Islamic leaders suspected that she could not maintain her Muslim identity while being married to a Hindu and even argued that her government would threaten the safety of Banyuwangi's Muslim communities. However, what they seemed to be more concerned about was Ratna's personality. Some leaders commented on her style or image as "arrogant," "unfriendly," and "vulgar." They also criticized Ratna for showing a tendency to be "suspicious of local bureaucrats as dishonest and corrupt." Interestingly, ordinary Banyuwangi people portrayed Ratna in very different ways. Local people and journalists usually described her as "accessible," "friendly," and "caring."¹¹¹ Drawing on conversations with various sources, one could conclude that it

bureaucrats and other personal connections. Interview with Samsudin Adlawi, director of *Radar Banyuwangi*, Banyuwangi, December 15, 2005.

¹⁰⁸ Sunarlan, "Rezim Patrimonial di Tingkat Lokal Pasca-Reformasi."

¹⁰⁹ Samsudin Adlawi pointed out that the complaints filed by the thirteen small parties were just "made up" (or *diada-adakan*). Interview with Samsudin Adlawi, December 15, 2005.

¹¹⁰ Interview with Nurhadi, December 13, 2005.

¹¹¹ From various interviews, Surabaya and Banyuwangi, December 13–15, 2005. According to Samsudin Adlawi, Ratna adopted Banyuwangi's native egalitarian culture (originally derived from the Osing communities, for the Osing speak a non-hierarchical dialect rather than hierarchical Javanese). Unlike other local elites who commanded traditional paternalistic networks, Ratna became popular among local

was Ratna's political, rather than religious, platform that made many Banyuwangi elites uncomfortable with her victory. In an interview with me, the well-respected *kyai* K. H. Samsul Mu'arif implied that Banyuwangi's local elites were frustrated by her unwillingness to compromise with the district's entrenched elites.¹¹²

Though most agreed that Ratna's religious situation was politically scandalous, the district's Islamic leaders were far from being united in making this case. A few Islamic leaders did not wish to insult her partner, Yusuf Noeris, whose grandfather and father were widely respected for their contributions to Nahdlatul Ulama. Also, although religious leaders have often exerted political leverage over the political process in Banyuwangi, some segments of Banyuwangi society have grown increasingly less tolerant of the *kyai's* involvement in politics. In a one-day seminar held during the election, for example, some local youth leaders and NU followers openly criticized the *kyai* for becoming too deeply involved in local politics and power struggles.¹¹³

Choosing a different approach to challenge the victor's popular mandate, Banyuwangi's political elites leveled allegations that Ratna had been involved in money politics. Those allegations had already circulated during the campaigns but gained serious attention only after the election results were announced.¹¹⁴ Members of the Banyuwangi district assembly, including assembly chairman Achmad Wahyudi, attributed Ratna's electoral victory to her exploitation of money politics.¹¹⁵ Both the Masduki-Asyari and Soesanto-Kadir pairs also accused the Ratna-Yusuf pair of buying votes.¹¹⁶ However, given that other candidates staged much bigger rallies and that most accusations against the Ratna camp emerged after the election results were known, it became clear that such allegations were meant to undermine the legitimacy of her mandate and justify a call for a new round of voting. As evidence from other elections shows, the significance of money politics in Indonesia's direct local elections has, indeed, not decreased.¹¹⁷ On the contrary, it is now an established practice that candidates have to make financial contributions to the parties from which they seek nominations. All the successful nominees, then, have to finance their campaigns without much financial support from party machines. The nominees usually distribute food, T-shirts, cigarette money (*uang rokok*), transportation money (*uang transportasi*), or gifts (often through lucky draws, or *hadiah undian*) to rally attendants. Candidates also

people with her low-key manner. Even after being elected, Ratna was reported to have continued making regular visits to villages (*turun ke bawah*), sometimes with her husband, over the weekends. Interview with Samsudin Adlawi, December 15, 2005; see also Beatty, *Varieties of Javanese Religion*, pp. 18–19.

¹¹² Interview with KH Syamsul Mu'arif, *kyai*, Banyuwangi, December 15, 2005.

¹¹³ "Legitimasi Kyai dan Kekuasaan" [Kyai's Legitimacy and Power], seminar organized by the NU Student Association (Ikatan Pemuda Nahdlatul Ulama, IPNU) in the Glenmore subdistrict on June 16, 2005. See "Kiai Tidak Harus Netral Dalam Politik Praktis Pilkada," *Radar Banyuwangi*, June 17, 2005.

¹¹⁴ Such allegations appeared in various media reports, including "Politik Uang, Uang, Uang Politik...," *Kompas*, June 14, 2005.

¹¹⁵ Interview with Achmad Wahyudi, December 14, 2005.

¹¹⁶ "Penghitungan Akhir Pilkada nyaris Bentrok," *Bali Post*, June 29, 2005.

¹¹⁷ See, for example, Syarif Hidayat, "Pilkada, Money Politics, and the Dangers of 'Informal Governance' Practices," in *Deepening Democracy in Indonesia? Direct Elections for Local Leaders (Pilkada)*, ed. Erb and Priyambudi Slistiyanto (Singapore: Institute of Southeast Asian Studies, 2009), pp. 125–46.

often promise village leaders that they will make contributions (*sumbangan*) to their communal projects if they are elected.¹¹⁸

Although their discourse focused on religion and money politics, Banyuwangi elites seemed to be particularly concerned about the impact of Ratna's election on the district's political dynamics. The prospect that her regentship would change the usual ways of getting things done in Banyuwangi—including relations among various political institutions, and between the government and diverse political, economic, and social interests—could be particularly troublesome. It is also apparent that they were embarrassed by the fact that Banyuwangi's people chose Ratna despite the established linkages and networks that should have joined the elites to the masses and secured the people's allegiance. As director of local daily *Bandar Banyuwangi*, Samsudin Adlawi, pointed out, Banyuwangi's entrenched elites were alarmed by the fact that Ratna successfully penetrated into their bases of grassroots support.¹¹⁹ Therefore, even before taking office, Banyuwangi's first directly elected regent faced strong resentment from various groups of local elites.

Ratna's first challenge came from within the party coalition that nominated her: thirteen of the eighteen parties filed complaints regarding her and Yusuf's candidacy at the district court.¹²⁰ But the Banyuwangi National Court rejected the case because of insufficient evidence.¹²¹ Then, a bigger challenge came from the Banyuwangi district assembly, which decided to reject the election results. In principle, local assemblies have no authority to reject election results. They can only submit recommendations regarding the inauguration of elected government heads to the Ministry of Home Affairs.¹²² However, Banyuwangi assembly members argued that the Ratna–Yusuf pair's nomination was legally flawed because some of the supporting parties actually had not endorsed the victors' candidacy. For the next four months, both political and religious leaders, sharing a sense of crisis, jointly fought to block Ratna from taking

¹¹⁸ It is interesting to question how much more money has been used under a direct electoral system compared with the previous indirect system, but it is not easy to answer. All the pairs of candidates have to report their campaign funds to the KPUD after voting is complete (the Ratna–Yusuf pair reported the largest campaign fund among the five pairs), but this routine is fairly procedural, and the KPUD usually accepts the reports without submitting them to any validation process. It can be assumed that buying votes from a large pool of ordinary voters might be more costly than the earlier practices, but the previous indirect electoral system was also notoriously costly, for candidates had to “secure” assembly members' votes by paying or promising (tens of) millions of Rupiah per vote. For a case study of the indirect electoral system, see Choi, “Local Elections and Party Politics in Post-*Reformasi* Indonesia.” For more detailed discussion of the relationship between the change to a direct electoral system and money politics, see Choi, “Local Elections and Democracy in Indonesia,” and Choi, “Elections, Parties, and Elites.”

¹¹⁹ Interview with Samsudin Adlawi, Banyuwangi, December 15, 2005.

¹²⁰ In fact, even before election day, five parties of the GNNP coalition tried to withdraw their support for the Ratna–Yusuf pair. On May 30, the PKS, PAN, PKPB, PNBK, and the Freedom Party officially informed the KPUD of their withdrawal, arguing that their nomination of the Ratna–Yusuf pair had been flawed because the nomination letter was not signed by the parties' chairmen. The KPUD Banyuwangi did not accept such an argument. See “18 Partai Cabut Pencalonan Ratna-Yusuf,” *Kompas*, May 31, 2005.

¹²¹ “Gugatan Parpol Gurem Ditolak,” *Radar Banyuwangi*, August 13, 2005.

¹²² Addressing the ambiguity of Law No. 32 of 2004 on this matter, the Department of Home Affairs issued a circulation letter (*Surat Edaran* No. 120/1559/SJ) on June 27, 2005. The letter disallows local assemblies to intervene in determining the fate of elected local government heads. In legal terms, local assemblies have no right or authority to reject the KPUD's determination regarding the election results. Sidik Pramono, “Cara Baru Mengganjal Kepala Daerah Baru,” *Kompas*, July 20, 2005.

office. Threatened by an outsider's seizure of power, Banyuwangi's entrenched elites collectively rejected the legitimacy of the new government.

However, unity among Banyuwangi political elites did not last long. The PDI-P's central board changed its position to recognize Ratna as its cadre and instructed its Banyuwangi chapter to support her inauguration.¹²³ Accordingly, the PDI-P representatives at the district assembly changed their position, splitting the assembly. Additionally, an informal cross-party alliance added some more twists to the political dynamics at the assembly. Consisting of around fifteen young party politicians, the Young Caucus (*kaucus muda*) voiced views different from their parties' official lines. Pebdi Arisdiawan, a Golkar representative who had been present at the assembly and had acted as the group's spokesperson, explained to me that, as a loose and non-binding group, the Young Caucus tried to mediate among different views in the midst of growing political havoc.¹²⁴ Samsudin Adlawi attributed the emergence of such a group to the young politicians' mutual dissatisfaction with the entrenched leaders.¹²⁵ With the pressure building within the assembly, the assembly's leaders finally held a series of meetings with party leaders to discuss the newly elected regent's inauguration.

Unyielding Patrimonial Domination

Four months after the voting, the Banyuwangi district assembly finally accepted the election results and let the winners take office. However, this was not the end of the mayhem that the district's first direct regent's election introduced into local society. In fact, Banyuwangi's politics and governance continued to be fractured by a bitter power struggle between the new regent and entrenched elites who were unwilling to yield their patrimonial dominance.

On October 20, along with deputy regent Yusuf Noeris, Ratna was sworn in at the district hall, not at the conventional assembly building. The ceremony was markedly Islamic, assuaging many people's doubts about the regent's religious commitment. However, the inauguration did not put an end to the Banyuwangi elites' manipulations. Right after the inauguration ceremony, for instance, Achmad Wahyudi, the losing candidate who was now back to being district assembly chairman, warned that "the tension between the executive and the legislature may [continue to] happen and [the district's political future] depends on the new regent's and deputy regent's ability to create good communication [with other local leaders]."¹²⁶ Unfortunately, the district government had been highly politicized under Samsul Hadi's leadership, and Ratna's attempt to run her government on the basis of performance, rather than patrimonial networks, proved to be unworkable. Reluctant to compromise with the

¹²³ Interviews with Komang Laksana and Bomba Sugiarto, December 15, 2005.

¹²⁴ Interview with Pebdi Arisdiawan, December 14, 2005. Members of the Young Caucus visited the Department of Home Affairs in Jakarta to mediate among different factions at the assembly. See "Geng Muda DPRD Segera Temui Mendagri," *Radar Banyuwangi*, August 12, 2005.

¹²⁵ Interview with Samsudin Adlawi, December 15, 2005.

¹²⁶ "Ratna-Nuris Dilantik: Pengamanan Dilakukan Secara Ketat," *Kompas*, October 21, 2005. In an interview with me, Achmad Wahyudi criticized the elected regent's style as "arrogant" and called her "unapproachable." Interview with Achmad Wahyudi, December 14, 2005.

entrenched elites, Ratna also failed to integrate different groups of political and religious interests into her administration.¹²⁷

The continuing struggle culminated in May 2006, almost a year after the election. On May 4, thousands of Banyuwangi people staged a demonstration in front of the regent's office and asked her to resign within twenty-four hours.¹²⁸ Joining the mass rally, Islamic leaders led by K. H. Hisyam Syafa'at argued that Banyuwangi's social conditions had not improved since Ratna took power.¹²⁹ As a response to this protest, district assembly members held a special session and decided to impeach Ratna (the meeting did not have a quorum, which requires that two-thirds of the members be present). Ratna fought back by pointing out that the local assembly had no authority to impeach her, but district assembly members intensely lobbied East Java's governor and the national assembly.¹³⁰ Ultimately, Banyuwangi's elites failed again to garner enough support to regain their control over local governance, while Ratna survived another crisis. However, Banyuwangi's politics have continued to stagger, crippled by the ongoing tension between a directly elected regent's fight to establish her legitimacy and entrenched elites' refusal to give up their privileges.¹³¹

Conclusion: Democracy and Patrimonial Politics

Indonesia's direct local elections are the latest step in a series of political reforms that have transformed the country's political system to become more democratic and

¹²⁷ It seems that Ratna chose to confront, rather than compromise with, the district assembly. It was reported that she had issued a number of decrees without consulting party leaders at the assembly. For instance, her decision to include pork prices in the district's consumer-price index became highly controversial, since over 90 percent of the local population was officially Muslim. Decrees concerning the provision of free healthcare and education also stirred up controversy because the policies excluded private schools that enroll students from poor families. More importantly, as many Islamic leaders complained, the education policy excluded Islamic educational institutions from receiving benefits. See "Banyuwangi: Kiai Datangi Gubernur Jawa Timur," *Kompas*, May 9, 2006. Similarly, the free healthcare provision was criticized because the policy caused financial problems for many community health centers. See Indra Harsaputra and Iman D. Nugroho, "Banyuwangi Regent Reaches out to Ulema," *The Jakarta Post*, May 10, 2006. Ratna's administration also ignored the district assembly's budgetary request for the district's 2006 budget. According to Samsudin Adlawi, she also tried to eradicate corruption from the government. Under Samsul Hadi, around Rp.30 billion had been transferred to the regent, department heads, and assembly members as "fees," fees that comprised, in total, on average, 10 to 25 percent of the cost of any government project. Ratna instead tried to introduce the "functional bonus" in order to discourage officials' involvement in corrupt practices: Interview with Samsudin Adlawi, December 15, 2005.

¹²⁸ "Demo 7,000 Orang: Bupati Banyuwangi Didesak Mundur," *Kompas*, May 5, 2006.

¹²⁹ "Dewan Copot Bupati Ratna," *Surya*, May 5, 2006.

¹³⁰ "Ratna Ani Lestari Refuses to Resign against Strong Pressures," *Antara*, May 7, 2006; and "Perbaiki Komunikasi Politik: Wakil Bupati Banyuwangi Dekati Tokoh Ulama," *Kompas*, May 10, 2006. The fact that local assembly members have no authority to impeach local government heads (Article 29 of Law No. 32 of 2004) could have given Ratna more leverage in managing her administration and implementing major policies, but, at the same time, it appeared to motivate local elites to try to mobilize their mass base in an attempt to destabilize her government.

¹³¹ According to a report, candidates nominated by majority parties won in only a third of the elections held between June 2005 and June 2006, while candidates nominated by minority parties or party coalitions won in the rest. As the Banyuwangi case demonstrates, local government heads with weak support at local assemblies have faced difficulty in working with assembly members, a widespread pattern that could result in "a nightmare to democratic process at the local level." See Suwardiman, "Hubungan Legislatif-Eksekutif: Di Tengah Samarnya Mekanisme Perundangan," *Kompas*, July 13, 2006.

decentralized. There is little doubt that these elections have, indeed, further localized power and electoral democracy in Indonesia. However, this does not necessarily mean that the decentralized elections have made local power struggles more accessible, transparent, or fair. Two notable features have instead characterized Indonesia's direct local elections: intensified power struggles for local governance and the fragility of democratic institutions in the face of local elites' patrimonial manipulations.

Local governments have for a long time been important sources of power and patrimonial networks in Indonesia. They have often functioned as the greatest sources of employment and the most important conduits for granting access to resources in the regions. Local governments have also been at the center of production (and reproduction) of patrimonial networks connecting diverse local interests.¹³² Under the New Order, local elites were weaker in their relation to national decision-makers, but it does not mean that they were powerless in their own localities. In fact, under Suharto's patrimonial governance system, civil servants and local politicians lived comfortably and gained considerable power and wealth, with privileged access to resources and power.¹³³ During this period, local elites relied on their informal networks to obtain local power and prestige, and, in turn, used their positions and access to resources to maintain their informal networks. The 1998 regime change and subsequent political reform have brought considerable changes to Indonesia's political system, particularly at local levels. Extensive decentralization measures put district-level governments at the center of administrative, fiscal, and political reforms. In consequence, district governments have assumed a wide range of authority, along with funds distributed by the central government.

However, these institutional changes have not fundamentally transformed the power configurations in the regions. Decentralization has certainly brought decision-making closer to local people, but the act of devolving power and resources has proved to be "only a necessary and not sufficient condition for effective and transparent local governments."¹³⁴ In practice, Indonesia's decentralization has allowed entrenched local elites to enhance their power bases and access to resources and, most importantly, provided them with new opportunities to contest for decentralized power and governance. Well-established local elites promptly adapted themselves to new political and social circumstances in order to maintain their privileges and access to resources.¹³⁵

¹³² Schulte Nordholt, "Renegotiating Boundaries: Access, Agency, and Identity in Post-Soeharto Indonesia."

¹³³ Hans Antlöv, "The Making of Democratic Local Governance in Indonesia," paper presented at the International Workshop on "Participatory Planning: Approaches for Local Governance," Bandung, January 20-27, 2002, pp. 2-3.

¹³⁴ Ibid. p. 13; see also, Derick Brinkerhoff and Arthur A. Goldsmith, "Clientelism, Patrimonialism, and Democratic Governance: An Overview and Framework for Assessment and Programming," paper presented for the US Agency for International Development Office of Democracy and Governance (2002), p. 32.

¹³⁵ Using research data compiled by Demos (Centre for Democracy and Human Rights Studies), A. E. Priyono suggested that state institutions and resources are the main resources of local power in post-New Order Indonesia. Regarding the phenomenon that he defines as the rise of "oligarchic democracy," he argues that "the economic-political sources of the state has become the pillar of the power of the dominant (local) actors—just the way it has been taught to them by their teachers from the New Order era." See A. E. Priyono, "Local Politics in Post-New Order Indonesia: Local Democratization or Decentralization of Oligarchy?" paper presented at the workshop on "Democratizing Decentralisation and Deconcentration:

Along with a small group of new faces, well-established bureaucrats and businesspeople quickly joined the local chapters of major parties and ran for seats in local assemblies or competed to become local government heads.¹³⁶ As a result, today Indonesia's local political system displays some degree of hybridity, in which patrimonial elite politics pervade democratic political institutions and processes. Political parties' monopoly over the nomination of candidates in direct local elections has certainly helped affluent and well-connected local elites dominate the electoral field. Dominant parties still act as gatekeepers, and entrenched local elites who pay those gatekeepers contest elections. Under such conditions, direct local elections have benefited only selected elites, challenging the dominant assumption that the country's recent political reforms would herald the arrival of local democracy.

Through the analysis of Depok's and Banyuwangi's local elections, I have shown that intensified power struggles do not, in and of themselves, improve the quality of local politics and governance in Indonesia. They rather reveal the fragility of formal democratic institutions in the face of entrenched elites' patrimonial domination. Formal institutional change should not be equated with substantive change in local politicians' behavior and practices. As Schulte Nordholt and van Klinken have observed, institutional changes at local levels tend, rather, to make certain hidden aspects of the state more explicit as they reveal the extent to which local actors use the state for their own interests.¹³⁷ This is particularly true when decentralization creates greater space for local elites to build and develop informal networks with local state actors. When this happens, local institutions and processes turn out to be so fragile that, in some cases, such as those of Depok and Banyuwangi, local elites can manipulate them to further their private interests. Under a democratic and decentralized political system, Indonesia's local elites have managed to extend their informal networks into formal state institutions and governance. Furthermore, the country's recent experiment with direct local elections has exposed the stubborn, though changing, continuities that characterize old patterns of politics. Informal networks are still a key factor in local power struggles, particularly in societies where personalized state-society relations dominate politics and governance.

In the end, entrenched elites in Depok and Banyuwangi failed to secure their political monopoly over local power and governance. The ultimate outcomes of the cases demonstrate both the limits of entrenched elites' authority and the resilience of Indonesia's democratic institutions. In most other elections, however, politically powerful elites managed to win the elections, secure their control over local governance, and maintain their patrimonial domination without difficulty. Distinctively, the elections in Depok and Banyuwangi reveal the potential threat of

Implication for the Role of Civil Society," Commune Council Project Support, Phnom Penh, April 25-27, 2005.

¹³⁶ As the Centre for Political Study-Soegeng Sarjadi Syndicate (CPS-SSS) survey shows, and my other election cases demonstrate, many of the elected local government heads have turned out to be long-established and well-resourced local officials paired with local businessmen. See Sukardi Rinakit, "Indonesian Regional Elections in Praxis," *IDSS Commentaries* 65 (Singapore: Institute of Defence and Strategic Studies, Nanyang Technological University, 2005). Comparing the 2006 Papuan gubernatorial election with elections in other regions, Marcus Mietzner also points out that entrenched local political and economic elites dominated the contest for local governance: See Marcus Mietzner, "Local Elections and Autonomy in Papua and Aceh: Mitigating or Fueling Secessionism?" *Indonesia* 84 (2007): 1-39.

¹³⁷ Schulte Nordholt and van Klinken, *Renegotiating Boundaries*, p. 24.

decentralized power struggles. When new power-seekers' political aspirations clash with the entrenched elites' patrimonial operation of political institutions, democratic rules of the game seem incapable of changing old patterns of local politics, in which patrimonial relationships and practices still dominate. Although new leaders have shown some, though limited, change in their style of politics and policies, they also rely on patrimonial networks in operating local institutions, and particularly in facing the continuous challenge from the elites who have traditionally ruled local politics.

Direct local elections have certainly changed the political dynamics in Indonesia's regions. However, the direct local elections carried out in Depok and Banyuwangi have also revealed the unexpected and unintended dimension of Indonesia's changing local political system. Entrenched bureaucrats and affluent businesspeople have dominated local power struggles. Meanwhile, the intensified competition over local power and governance has not yet improved the quality of local democracy and state-society relations more broadly. Direct local elections have not reached a point where they empower local constituents to be able to jump onto the stage where political power is truly contested. What made the cases of Depok and Banyuwangi distinct from many other cases was that conflicts among contestants could not be settled by political compromise, and elite groups relied on mass mobilization and questionable stalling tactics. The two cases also demonstrate how the coincidence of formal democratic institutions, patrimonial domination, and emotional mass mobilization can easily destabilize local politics. Democratic institutions and procedures in local Indonesia are still vulnerable to the patrimonial manipulation of local elites, entrenched or not.