



Political Party Funding: Analysis of Defeated Independent Candidates in the 2020 Indonesian Regional Head Elections

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Abstract. Political party funding provides a significant impact on the defeated independent candidates in the 2020 simultaneous regional elections. This study aims to analyze the context related to this issue. The qualitative approach method was selected based on the type of secondary data obtained from the 2020 regional elections/Pilkada results. The data collection method was then obtained from the website of the General Election Commission (KPU) of the Indonesian Republic, Constitutional Court Decision Number 5/PUU-V/2007 dated July 23, 2007 concerning independent candidates, Pilkada Law Number 10 of 2016 Article 41 concerning administrative requirements for registration of independent candidates, as well as Regulation of the Minister of Home Affairs Number 36 of 2018 concerning financial assistance received by political parties journals, the internet, and online news. Furthermore, Descriptive analysis techniques were used to analyze the data. The findings in this study found that the regulation of administrative requirements for independent candidates and political party funding together had an impact on the defeat of independent candidates in the 2020 Pilkada. In conclusion, generalized and discriminated regional election regulations have a defeating effect on independent candidates in the Pilkada. Therefore, these regulations must be reviewed for realizing democratic elections.

Keywords: Independent Candidate Defeat, Political Party Funding, Regional Head Election

1 Introduction

The appearance of independent candidates on election ballot papers recently confirms the existence of the will of the people, which has often been ignored by political parties. Independent candidates are theorized as candidates for regional heads run without any political party affiliation in local election contestation [Ehin & Solvak, 2012; Brancati, 2008]. Independent candidates often face several election regulation challenges. These challenges are in the form of political party funding that has been regulated in Pilkada Law No. 10 of 2016. In this regulation, one of them regulates the provision of funds by the state to political parties based on the number of votes won by political parties in the previous election. However, the debate regarding the funding of political parties in the elections to date still raises pros and cons among academics and politicians [Ehin & Solvak, 2012; Brancati, 2008]. For instance, for those who are against, the existence of laws on political party funding creates disadvantages for certain candidates

(independent candidates), considering that the law is unnecessary and can ultimately eliminate equality and equal opportunities for every candidate for regional head who wants to contest [Hajnal et al., 2017]. The Brennan Center for Justice argues that electoral laws are often an effective barrier to limiting the participation of racial and ethnic minorities and other disadvantaged groups [Weiser, 2014]. Another opinion proposed by US Supreme Court Justice Ruth Bader Ginsburg stated that the laws are "highly discriminatory" [Lowry, 2014]. Proponents of the law, however, consider the administrative requirements of independent candidate support to be not the cause of defeat, but rather a minor hurdle that is easily overcome. [Bright & Lynch, 2017; Weiser & Norden, 2012; Kobach, 2011].

Besides political party funding, independent candidates suffer a similar fate in many parts of the world and their problems are greatly influenced by the culture and political climate of the country, such as what happened in Russia's local elections. These studies reveal significant barriers for independent candidates, with registration refusal rates of 61.9% in 2015, 63% in 2016, and 53% in 2017. This was triggered by municipal filters and deliberate administrative pressure exerted by the ruling party on local council members not to provide written support to independent candidates (Europe, 2022). In addition, the organization of the Republic of Moldova's local elections in 2019 due to an overly voluminous and complicated administrative process for collecting voter support signatures led to the defeat of independent candidates [Congress of Local and Regional Authorities, 2020a]. In the Republic of Macedonia's local elections on October 29, 2017, independent candidates were disadvantaged due to the absence of public campaign financing from the government [Adam Gendzwill, Ulrik Kjaer 2022; OSCE/ODIHR 2017]. In this regard, the 2020 simultaneous regional elections held in 261 provinces, regencies, and cities across Indonesia were attended by around 61 (23.3%) independent candidate pairs. Nevertheless, the defeat of independent candidates is still very large, reaching 90.1% in the 2020 Pilkada. See Figure 1.

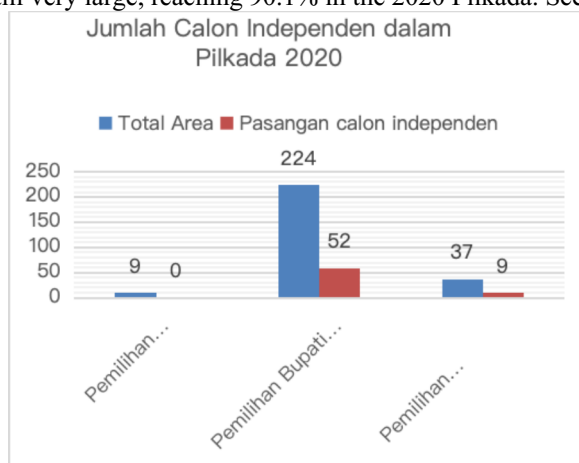


Figure 1. Number of Independent Candidates

Source: processed from data (KPU RI, 2020)

This condition is thought to be the result of the regulation of political party financing,

that usually causes political parties to get stronger, but on the contrary, this condition makes it more difficult for independent candidates to compete with political party candidates in the Pilkada (Regional Head Election) contestation [Kapoor & Magesan, 2018]. In addition, several changes in the regulations of administrative requirements for voter support that continue to change are a burden of their own problems that must be borne by independent candidates. Regulations can be seen in Table 1. The regulation of administrative requirements for independent candidate support was last amended through Pilkada Law Number 10/2016 Article 41, which essentially increases the burden of administrative requirements for voter support for independent candidates from a minimum of 6.5% based on the local population, then to 10% based on the number of Permanent Voters List (DPT) of the electoral district, and spread across 50% of the number of electoral districts. According to [OSCE/ODIHR, 2017], this interferes with citizens' equal right to participate in elections. It is contrary to good practice, which proposes that the number of signatures provided in writing by voters should not exceed 1% of the number of registered voters.

The problem of defeating independent candidates is not only about the absence of financial assistance by the state. However, they also face other problems, such as administrative requirements [Hidayatullah, 2018]. Regulations related to political party funding have been regulated in the Minister of Home Affairs Regulation Number 36/2018 concerning financial assistance obtained by political parties. One of these regulations requires political parties to report to a financial auditing agency that has been appointed by the state on how they report the funds used from the budget that has been obtained from the local government [Rachbi & Slamet, 2020]. The amount of funds obtained by each political party is presented in Table 2. According to [Uchenna-emezue, 2016], unregulated money flows in politics can create systemic inequalities that cause candidates and political parties to be unable to compete equally.

In a democratic state system, elections are a form of popular sovereignty institutionalized in an honest and fair manner to ensure that the constitutional rights of citizens can be channeled in accordance with the wishes of each voter [Nasrullah & Lailam, 2017]. On that basis, equal treatment and equality for all election participants is important in a modern democratic system where election standards that are considered democratic, such as elections with integrity, honesty, and fairness can be achieved if equality for all election participants is truly realized in election practices which will affect election results [Supriyanto, 2013].

Therefore, a literature mapping of articles published in Scopus-indexed journals was conducted. The search employed the keyword "independent candidate" on the Scopus indexing page, focusing on articles in the field of social sciences, written in English, and classified as article document types. The search was conducted without limiting the year of publication, and resulted in 131 article titles containing the keyword in the title, abstract, or keywords. Furthermore, the search results were explored in the form of RIS-extension files to be used for bibliographic analysis using VOSviewer. See Figure 2.

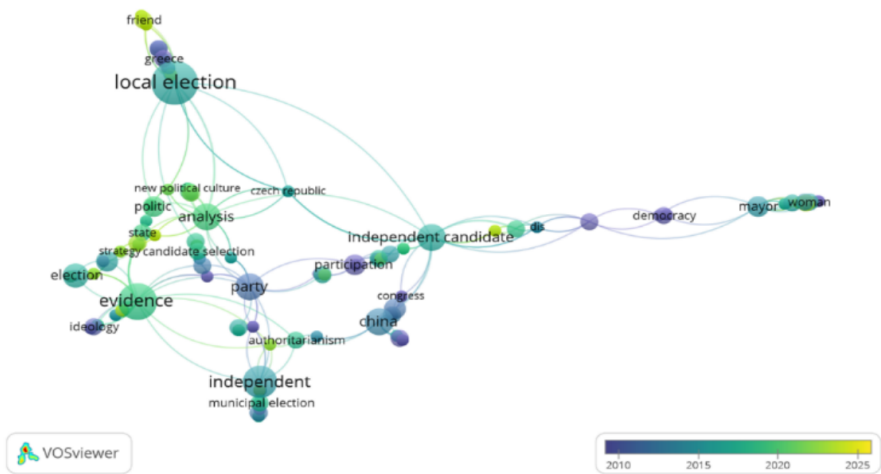


Figure 2. Mapping of Previous Research

Source: processed using VOSviewer (2024)

Based on the map output from VOSviewer, this platform combines the colors of red, green, blue, yellow, and purple (RGBYP) to describe groups or classifications of issues that have been discussed by previous researchers, including the issue of New Political Culture, Regional Head Elections, Candidate Selection Strategies, Authoritarianism, and others. On the issue of Independent Candidates shown in green, the issue is still relevant to be reviewed because it was still researched in 2015.

There have been many studies conducted by academics in various elections in the world, including in Indonesia itself, which specialize in the defeat of independent candidates, such as Voting Law Changes [Weiser & Norden, 2012; Argote & Visconti, 2023] and Kansas Voter ID Laws [Bright & Lynch, 2017], Electoral Integrity Matters [Mauk, 2022]. In contrast to these studies, this article specifically examines how political party funding affects the defeated independent candidates in the 2020 Indonesian regional elections.

2 Methodology

This research selected the type of descriptive research by basing itself on a qualitative approach. It aims to examine and analyze the processes that occur in the field in line with the subject's point of view [Kaharuddin, 2020]. This research is related to the defeat of independent candidates in the 2020 Indonesian regional elections. An observation technique conducted indirectly was selected to observe the causes of the defeat of independent candidates in the 2020 regional elections in Indonesia. Archival documentation method by utilizing national data and other archival documents in which there is data or information for social science research purposes [Taylor, et al., 202010].

This research employed primary data from the election results in 261 regencies/cities in Indonesia in 2020, Election Law Number 10 of 2016, Constitutional Court Decision Number 5/PUU-V/2007, Minister of Home Affairs Regulation Number 36 of 2018 concerning the amount of funds received by political parties, Law Number 12 of 2008, Law Number 8 of 2015, and Law Number 10 of 2016 concerning administrative requirements for independent candidates as well as secondary data taken from various literature related to the defeat of independent candidates in the elections, journals, the internet, social media and online news, both KPU RI, Provincial, and Regency/City KPU. Furthermore, conclusions are based on descriptive analysis techniques [Wright, 2014].

3 Findings and Discussion

3.1 Impact of Administrative Requirements for Independent Candidate Registration

Independent candidates mean the candidates who are not associated with political parties and only work for themselves during the election process. The involvement of independent candidates in regional election competitions is considered as one of the alternatives in presenting non-political party leaders. According to international electoral standards, all candidates are equal in contesting elections with equal conditions and opportunities to participate fairly in elections. [OSCE/ODIHR, 2017]. The principle of universal international electoral standards can be seen in the 1945 Constitution of the Republic of Indonesia (NRI), for example Article 18 paragraph (4) stipulates that "the head of government at the level of governor, regent/mayor as the head of the provincial, regency and municipal governments, respectively, is democratically elected". The meaning of the word "democratic" contained in this paragraph means that every citizen is free to participate in the national and regional political arena without any obstacles and coercion. Article 27 paragraph (1) of the 1945 Constitution reaffirms that "all citizens have the same position in the law with no exceptions to the status they have and the government must run it properly and correctly". Then, an Article 28d reads that "those who have the status of citizens have the same rights in government" [Firmansyah et al., 2022; Marcel, 2018].

To institutionalize the interests of the presence of independent candidates, the rules of the game were needed, one of which was the regulation of the administrative requirements for the nomination of individual candidates. These administrative requirements were used as a tool to assess and determine whether independent candidates meet the formal and material requirements as candidates for regional heads or not. If then, at the time of verification and factual data checking in the field, it turns out that the Regional General Election Commission (KPUD) and its ranks find complete data and does not meet the requirements. The candidate is given a grace period to improve the manuscript or document in accordance with the terms and conditions of the applicable law. However, on the contrary, the independent candidate pair after factual verification fulfills both formal and material KPUD requirements can be determined as a candidate pair for regional head. In that context, the regulation of administrative requirements for the nomination of independent candidates has been

regulated in Law 12 of 2008 concerning the Second Amendment to Law 32 of 2004, then Law Number 8 of 2015, and finally Law Number 10 of 2016. The three laws both regulate the administrative requirements for the nomination of independent candidates. However, the three laws are distinguished by the percentage of support required to meet the minimum administrative requirements for independent candidates [Firmansyah et al., 2022] [Sukmajati, 2019]. For more details, see Table 1.

Table 1. Administrative Requirements for Registering Independent Candidates in Local Elections

Law Number 12 of 2008 concerning Second Amendment to Law No. 32 Year 2004		Law Number 8 of 2015		Law Number 10 Year 2016	
Total Population	% minimum support	Total Population	% minimum support	Number of DPT (Permanent Voters List) in the Last Election	% minimum support
Up to 250.000 people	6,5%	Up to 250.000 People	10%	Up to 250.000 people	10%
250.000-500.000 people	5%	250.000-500.000 people	8,5%	250.000-500.000 people	8,5%
500.000-1.000.000	4%	500.000-1.000.000	7,5%	500.000-1.000.000	7,5%
> 1.000.000	3%	> 1.000.000	6,5%	> 1.000.000	6,5%

Source: Law Number 12 of 2008, Law Number 8 of 2015, and Law Number 10 of 2016 on Regional Government.

Table 1 above illustrates the percentage (%) of minimum support requirements for independent candidates. For instance, Law Number 12 of 2008, which amends Law Number 32 of 2004 concerning local political regimes stipulates that the administrative support requirements for independent candidates must be between 3% up to a maximum of 6.5% of the population. Then, the administrative support requirements for individual candidates were later increased through the amendment of Law Number 8 of 2015 concerning the implementation of Government in the Region with a minimum of 6.5% to a maximum of 10% based on the number of voter lists (DPT) ratified by the KPU from the most recent election. The latest change in administrative support requirements was introduced by Law Number 10 of 2016, setting 6.5% to a maximum of 10% based on the number of voters from the results of the previous election by considering the representation of the distribution of support in 50% of the electoral district and the obligation to use the nomination information system (SILON). The difference from previous regulations on administrative requirements can be found in the increase in administrative burden to 6.5% to 10% [Law No. 12/2008; Law No. 8/2015; Law No. 10/2016].

Regarding the regulation of the administrative requirements on the nomination of

individual candidates above, it actually only fulfills the procedural elements but the substance is still far from the expectations. The burden and difficulty of independent candidates when they are in the field to meet the formal requirements of registration becomes one evidence that the regulation in question only meets procedural requirements, such as the percentage of the number of compulsory voting support that must be obtained by independent candidates, a relatively short time to meet the administrative requirements of candidacy, and must represent 50% of voter support spread across villages and sub-districts. This should not be the case, the basic right as a citizen in the state to take part in the public agenda should be prioritized. According to OSCE/ODIHR [2017], this interferes with the equal ability of citizens, especially independent candidates to contest elections and is contrary to democratizing practices, which propose that the number of signatures indicating compulsory electoral support should not exceed 1% of registered voters. Therefore, the implementation of such a rule is in direct contradiction to the conceptual framework of fair and democratic elections as per international electoral standards [Marcel, 2018].

3.2 Impact of Political Party Funding

Regulation of the Minister of Home Affairs Number 36 of 2018, which regulates the financing of political parties in Indonesia, where the amount of funds received by political parties is sourced from the Regional Budget (APBD). The allocation is based on the number of votes for each political party in the previous election. The databoks.katadata.co.id released the funds received by each political party in 2023 [Ahdiat, 2023]. For more details, see Figure 3.

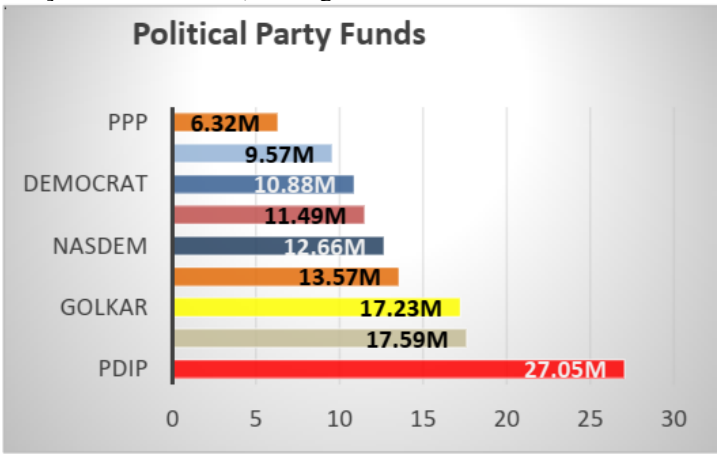


Figure 3. Financial Allocation for Political Parties

Source: databoks.katadata.co.id data in 2023, processed by the author, [2024].

Based on Figure 2 above, the list of the funds amount obtained by each political party in 2023, starting from the political party that received the smallest funds; Partai Persatuan Pembangunan (PPP) received funds of IDR 6.32 billion, Partai Amanat Nasional (PAN) received funds of IDR 9.57 billion, Partai Demokrat received funds of IDR 10.88 billion, Partai Keadilan Sejahtera (PKS) received IDR 11.49 billion, Partai

Nasdem received IDR 12.66 billion, Partai Kebangkitan Bangsa (PKB) received IDR 13.57 billion, Partai Golkar received IDR 17.23 billion, the received Rp. 17.59 billion, and the largest Partai Demokrasi Indonesia Perjuangan (PDIP) received IDR 27.05 billion. The funds obtained by political parties can indirectly provide support for the work of political parties in the Pilkada to support the candidates being promoted.

In modern electoral systems, political funding for candidates is important. Funds are commonly used to finance election operations, such as the cost of mobilizing voter support by political parties or the Campaign Team (winning) for independent candidates. However, elections will have different results if the election budget is only obtained by political parties, then independent candidates do not get anything. For this reason, an adequate political budget can influence the outcome of an election in many election cases. For example, the research conducted by [Europe, 2022; Tkacheva & Turchenko, 2022; Leonard Hijino, 2021; Ehin & Solvak, 2012; Weeks, 2011; Ayearst, 1971:185 [in Weeks, 2011]]. In the context of the 2020 regional head elections in Indonesia, political funding in the elections applies only to political parties, not to independent candidates. In fact, both political parties and independent candidates have the same rights and obligations in the democratic system, so there should not be any party that benefits or is disadvantaged by the rules for funding political parties. If so, it can be said that this law is discriminatory against independent candidates.

In terms of financial support provided by the state for political parties, according to the Copenhagen document OSCE DOCUMENT [1990], regulations regarding access and financing should not be discriminatory for independent candidates or provide unjustified privileges to political parties. In addition, Lowry also stated that the regulation of political party funding should not be discriminatory and must still concern to the same equality between independent candidates and political party candidates because neither independent candidates nor political party candidates are justified to benefit unilaterally or otherwise be partially disadvantaged by the enactment of these funding rules [Lowry, 2014]. If so, it will be difficult for independent candidates to win in the election contestation.

4 Conclusion

The existing regulations regarding administrative requirements for independent candidates present significant obstacles for many individuals seeking to run for office. In addition, funding for political parties has until now been seen as discriminatory, especially for independent candidates contesting local elections in 2020. Regarding the problems above, both administrative requirements and political party funding contributed greatly to the defeated independent candidates during their participation in the 2020 Pilkada. Among the 68 independent candidate pairs that participated in the 2020 local election contest, 62 (or 93.4%) independent candidates lost. This regulation, if it continues, could threaten the self-existence of independent candidates to become leaders in local elections. Therefore, it is very important to revise the issues related to the regulation of political party funding and the regulation of administrative requirements for the nomination of independent candidates to create equality between political party candidates and independent candidates, as well as provide administrative

ease of nomination for independent candidates in Pilkada.

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