
| RESEARCH ARTICLE

Democratic Regression in Indonesian Local Elections: Police in Political Positions Prior to The West Java Governor Election 2018

Sarah Nuraini Siregar¹ ✉ Rosita Dewi² and Dini Rahmiati³

^{1,2,3}*Research Centre for Politics, National Research and Innovation Agency, Indonesia*

Corresponding Author: Sarah Nuraini Siregar, **E-mail:** nurainisarah30@gmail.com

| ABSTRACT

This article examines the democratic regression in Indonesia before the local political competition, particularly the 2018 West Java regional election, by investigating the allocation of police officers to civilian political positions. This study contends that the government plays a role in the development of challenges in police professionalism that become apparent during democratic elections. In this study, the government achieved this by assigning serving police personnel to civilian political positions, particularly as temporary governors. This study employs a qualitative methodology that entails conducting desk research to analyze secondary data from many sources, such as books, journals, articles, reports, and official documents, with a specific focus on government regulations. The research findings validate that the connection between the police and the regime forms a political alliance between the state and the police, resulting in the police's role and engagement in the political sphere, particularly during elections. Local political competitions in Indonesia are currently experiencing degradation in democratic processes, which has become a notable phenomenon of democratic regression.

| KEYWORDS

Police, democracy, local election, politics

| ARTICLE INFORMATION

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1. Introduction

This article discusses the democratic regression in Indonesia prior to the local political competition, specifically the 2018 West Java regional election. We examine the assignment of police officers to civilian political roles. We contend that a political coalition exists between the government and the police, serving as an indication of a regression in democratic principles. The establishment of political alliances is inherently linked to the ruler's influence over the involvement of the police in political affairs. The government contribute to the emergence of difficulties in police professionalism that become evident during democratic elections. Within this study, the government accomplished this by appointing active police officers to civilian political roles, specifically as interim governors.

A study by Rahmawati and Djuyandi (2019) shows that the outcome of the 2018 West Java regional election had an impact on the 2019 presidential election. The 2018 West Java governor election garnered significant interest from the Indonesian populace. The reason for this is that West Java is the province with the highest count of voters in Indonesia, specifically 31,730,039 voters out of a total of 152,050,861 voters distributed across Indonesia, which accounts for approximately one-fifth of the total voters in the country. Thus, West Java holds considerable electoral influence for all contenders in the upcoming 2019 presidential election.

The 2018 West Java governor election saw four pairs of candidates competing. Four pairs of candidates competed in the 2018 West Java governor election. These pairs included: (1) Ridwan Kamil and Uu Ruzhanul Ulum, who received support from the National Democrat Party, National Awakening Party (PKB), United Development Party (PPP), and Hanura Party; (2) Tubagus (TB)

Hasanuddin and Anton Charliyah), who were backed by the Indonesian Democratic Party of Struggle (PDIP); (3) Sudrajat and Ahmad Syaikh, who had the support of the Gerindra Party, Prosperous Justice Party (PKS), and National Mandate Party (PAN); and (4) Deddy Mizwar and Dedi Mulyadi, who were supported by the Democratic Party and Golongan Karya (Golkar). Anton Charliyan, a member of the Indonesian National Police (INP), voluntarily retired from his position to participate in the public political competition. This article contends that the emergence of the police as a political coalition in West Java has been evident since the elections. In the 2018 West Java elections, the government appointed Commissioner General Iriawan as Interim Governor of West Java, including the police in the process.

2. Literature Review

The political configurations and democratic framework in Southeast Asia exhibit considerable diversity. The process of colonization led to the establishment of many political systems, transitioning from monarchy to democracy. The military's interference in civilian politics is a significant issue encountered by developing nations in Southeast Asia. Indonesia, the Philippines, Thailand, Myanmar, and Cambodia have all suggested that their armed forces have significant power. Nevertheless, several nations have effectively transitioned into democratic states (Chantana Banpasirichote Wungaeo, Boike Rehbein, 2016; Kingsbury, 2019).

The democratic status of most Southeast Asian countries is subject to debate. Thus, the democratic system that has been adopted is still classified as a defective democracy (EIU, 2016, 2020, 2022). While such countries have embraced the ideas of democracy and human rights, the execution of these principles remains uncertain. The governments staged elections throughout the area since they still consider elections to be the benchmark for measuring democracy (Simandjuntak, 2018). Money politics, military involvement, and manipulation have cast doubt on the integrity and impartiality of elections in Southeast Asian countries. This issue is evident in the region's democratic systems (Berenschot, 2019a; Embong, 2016; Power, 2018).

According to the article launched by the Council on Foreign Relations, there was a trend of democracy regression in Southeast Asian countries. Kurlantzick (2023) mentioned that the state of democracy in Southeast Asia is getting worse. He mentioned that Southeast Asian countries are getting far to be democratized, except Timor-Leste, the only fully free democracy according to Freedom House's ranks. Similar to other countries in Southeast Asia, many scholars argued that Indonesia's democracy has ended up "getting stuck" or even regression during the second period of President Jokowi's government (Aspinall & Berenschot, 2019b; Aspinall & Mietzner, 2019; Power & Warburton, 2020; Aspinall et al., 2020).

This situation poses a formidable obstacle for Indonesian democracy following almost two decades of reformasi. In 2015, Indonesia was ranked 49th out of 164 countries worldwide. Nevertheless, following his second term in office, Indonesia's democratic ranking experienced a decline of 15 positions in the 2019 index (EIU, 2020). In 2023, according to the EIU, as President Jokowi's term nears its end and the general election in Indonesia approaches, the country's democracy ranking stands at 54 (EIU, 2022).

Many scholars have an optimistic outlook regarding the implementation of democratic systems and principles in Indonesia. Indonesian democracy is currently at a critical juncture. The democracy in Indonesia is currently under threat from oligarchy, which arises due to the significant accumulation of wealth and its utilization to exert influence over political activities and policy-making processes. Exorbitant political expenses lead them to become "political sponsors" (Aspinall & Berenschot, 2019a). The presence of oligarchs, poverty, a non-neutral bureaucracy, corruption, a weak civil society, limited adherence to the rule of law, and the politicization of identity pose challenges to the full development of democracy in Indonesia.

The current state of democracy, whether at the national or municipal level, has led to a decline in the neutrality and professionalism of bureaucracy. Politicians are using them as tools to manipulate elections and garner votes. These factors signify the persistence that experts have identified as a defect in Indonesian democracy, characterized by a trend towards oligarchy (Davidson, 2015; S. Hidayat, 2019; Klinken, 2009; Pepinsky, 2014; Rahmawati, 2018; Robison & Hadiz, 2004; Slater, 2004; Power & Warburton, 2020; Uffen, 2009; Webber, 2006; Winters, 2011, 2014).

Many observers characterize Indonesian democracy, hence, as flawed, illusive, delegative, or unconsolidated. Furthermore, the Indonesian democracy score is unsatisfactory, as evidenced by the assessments of the Economist Intelligence Unit (which categorizes it as a flawed democracy) and Freedom House (which classifies it as partly free). These attributes typically arise from the erosion of democratic institutions and civil societies, the rise of opportunistic politicians, economic disparities, and inadequate political education that undermines democratic principles. Indonesia's susceptibility to democratic regression is fairly evident. The events described in this article suggest that despite Indonesia's successful democratic transitions following 20 years of reformation, the outcome has not yet achieved the desired standard of democracy.

3. Methodology

This study employs a qualitative research methodology, utilizing desk research as the primary technique of data gathering. The study approach of desk research involves analyzing secondary data, which has already been collected and examined by other researchers. Researchers acquire secondary data from diverse sources, including books, journals, articles, reports, and official documents, particularly government regulations. Through the proficient execution of desk research, researchers can gain a more profound comprehension of the phenomena being investigated.

4. Results

Police involvement in the West Java regional elections has been observed in the presence of a candidate pair consisting of Major General (Ret.) TB Hasanuddin and Inspector General of Police Anton Charlian. Anton assumed the position of Chief of the West Java regional police in 2016. Police members' participation in local political competitions in West Java took place one year before the commencement of the 2019 elections. In 2017, Anton, who was still a member of the police, sought authorization from the chief of INP to be nominated despite not having received an official endorsement from the party.

The 2018 West Java governor election is a component of the concurrent elections held in Indonesia during that year. A total of 171 regions, including 17 provinces, 39 cities, and 115 regencies, hosted the 2018 simultaneous regional elections. Aside from the governor election, this election will also select 16 regional leaders at the district or city level. The aforementioned territories include Sumedang Regency, Bogor, Purwakarta, Subang, Kuningan, Majalengka, Cirebon, Garut, Ciamis, and West Bandung Regency, as well as Bandung City, Bogor, Banjar, Bekasi, Cirebon, and Sukabumi City (Solehudin, 2018). During the West Java governor election, voters will select new candidates to replace the current Governor and Deputy Governor of West Java, Ahmad Heryawan and Deddy Mizwar, for the 2013–2018 term.

Deddy Mizwar, the incumbent, ran for re-election as a candidate for governor in the 2018 West Java gubernatorial election. The incumbent's promotion inevitably leads to a vacancy in the office. The incumbents' progress was not limited to the governor's election but also extended to all 171 areas that conducted regional elections. Thus, the government, under the purview of the Ministry of Home Affairs, needs to temporarily appoint individuals to these posts, either as interim, daily interim, interim officials, or interim officials.

The government appoints an interim regional head based on the vacancy's situation. The reason for this is that the phrases Plt, Pjs, and Pj, when applied to an individual, are based on distinct legal principles. The incumbent's tenure in the 2018 West Java Governor Election has expired, although a definitive successor has not been determined. In this scenario, the government has to designate an interim with complete jurisdiction as the governor, who is appointed through a Presidential Decree and formally inaugurated by the Minister of Home Affairs, wearing the appropriate attire as the regional head (Sumarsono, 2020). Regional leaders are selected from the central echelon of officials who are deemed deserving and have expertise in the field of governance. The tenure of this position will conclude upon the election and subsequent inauguration of a new permanent regional head based on the election results.

The appointment process reveals political issues. The government proposed Iriawan in early 2018 because of his position as the Assistant National Police Chief for Operations. On February 23, 2018, the Coordinating Minister for Political, Legal, and Security Affairs, Wiranto, canceled the proposal after coordinating with the Chief of INP, General Tito Karnavian (Saraswati, 2018). The cancellation occurred due to Iriawan's ongoing membership in the INP and his current position at the INP. The cancellation did not deter the government from re-proposing Iriawan. The government's strategy was to promote Iriawan to a higher position. In mid-March 2018, the chief of INP assigned several senior and middle-ranking personnel, one of whom was Inspector General of Police M. Iriawan. His reassignment was a result of his promotion to the role of Principal Secretary at the National Resilience Institute (Lemhanas), transitioning from his previous position at the INP (Faqih, 2018). As a result of the mutation being linked to a promotion, Iriawan was subsequently promoted to the position of Commissioner General of Police. Following the mutation process, Iriawan was officially inaugurated as a Principal Secretary, holding the echelon one position of Senior High Leadership, on April 30, 2018.

The decision to assign Iriawan to assume the role of a high-ranking official in Lemhanas indicates a very expedited procedure for placement in non-military roles. Iriawan's role as the Principal Secretary of Lemhanas provides a compelling rationale for the government to re-appoint him as the Acting Governor of West Java. His disassociation with active officialdom as a member of the INP makes Iriawan eligible to be proposed as the Pj Governor of West Java. Hence, on June 18, 2018, the government formally appointed Komjen Pol. Iriawan as the Acting Governor of West Java following Presidential Decree No. 106/ 2018.

5. Discussion

Researchers argue that, within the framework of the 2018 West Java Governor Election, there exists a pronounced inclination for the government to appoint a candidate with a background in law enforcement as the West Java Governor. Political factors, rather than rational justifications, drive the government's decision-making process. One reasonable rationale is that the selection of an interim for the police position should prioritize the urgent requirements of the specific area in need, particularly regarding security concerns.

Nevertheless, the government employed the security narrative as a means to refute the criticism surrounding Iriawan's selection. We contend that this narrative lacks coherence. According to several official reports, the Ministry of Home Affairs did not classify West Java as a region with a high risk of security issues during the 2018 regional elections. The Ministry of Home Affairs, in a statement to BBC News Indonesia, asserted that the security of West Java is not susceptible to vulnerability. Conversely, the government, specifically the Ministry of Home Affairs, identified several regions as the most susceptible during the elections, relying on the findings of the General Election Supervisory Agency (Bawaslu) investigation. These areas include Papua, North Sumatra, West Kalimantan, South Sulawesi, and East Java (R. Hidayat, 2018). To clarify, the statement does not consider West Java to be susceptible to the mentioned vulnerability.

Amidst the controversy surrounding Iriawan's nomination as the Interim Governor of West Java, the Ministry of Home Affairs is persistently shaping the perception and narrative of West Java, emphasizing its susceptibility to potential issues during the 2018 Pilkada. This narrative emphasizes the importance of Iriawan's position in maintaining stability in governance (Pranata & Makawi, 2020). Contrary to the Ministry of Home Affairs' previous assertion that West Java province is not prone to security issues, this remark directly contradicts it.

The inauguration raised controversies among the general public. Regarding the drawbacks, the primary concern revolved around the allocation of civilian roles to the INP, which indirectly mirrored the dual-function pattern of the Armed Forces of the Republic of Indonesia (ABRI) during the New Order era. As stipulated by the 1998 reform, the INP is an impartial and proficient organization, hence abstaining from any involvement in political matters. Furthermore, the impartiality and expertise of the INP are crucial in upholding community security and safeguarding the exercise of voting rights amidst the possibility of unrest arising from political competition in regional elections (Puspaningtyas, 2018). Hence, the selection of Iriawan as the interim governor disregards the call for reform and represents a regression in democratic principles.

On the other hand, the administration argued that the pressing requirements of regions, particularly West Java, which had a vacant governorship position in the 2018 regional elections, necessitated the appointment and inauguration. During that period, there were 17 provinces where the position of governor was vacant, requiring the Ministry of Home Affairs to designate an interim Governor. The Ministry of Home Affairs appointed police officers as Interim Governors of West Java in consideration of their earlier policy of naming Inspector General of Police Carlo Brix Teri as Acting Governor of West Sulawesi in 2016 (Makawi, 2020). The government hesitates to endorse the appointment of the Regional Secretary as Interim or Interim Governor due to concerns that the Regional Secretary may utilize the State Civil Apparatus to support a certain candidate.

The government justifies Iriawan's appointment by asserting that it complies with regulations. The primary regulation is Law No. 10/2016 on Direct Local Election, under Article 201 Paragraph 10. This law highlights that the nomination of Iriawan is within its jurisdiction. Additional legal frameworks include Law No. 5/2014 on State Civil Apparatus, Government Regulation No. 11/2017 on State Civil Apparatus Management, and Minister of Home Affairs Regulation No. 1/2018 on Leave of Absence for Governors, Deputy Governors, Regents, Deputy Regents, Mayors, and Deputy Mayors (Makawi, 2020). Regarding the dispute over the status of active police, the Ministry of Home Affairs has said that Iriawan still has a structural role at the INP. The administration stated that when Iriawan was transferred and appointed as the Principal Secretary of Lemhanas, he automatically assumed a civilian role. Put simply, he is no longer actively engaged in his duties within the National Police. Based on this rationale, the Ministry of Home Affairs concludes that Iriawan's appointment complies with the regulations. In 2018, despite facing criticism, the Indonesian Minister of Home Affairs, Tjahjo Kumolo, officially appointed Iriawan as the Interim Governor of West Java.

While the government justified Iriawan's nomination based on the rule of law, some raised concerns about its legality. Iriawan, who currently serves as an official in a civilian capacity, holds one of the positions in question. However, it is important to note that he remains an active member of the INP and has not retired yet. Given this status, the interrogating party believes that the regulations that apply to all current members of the INP, including Iriawan, are still in effect, specifically Law No. 2/2002 regarding the INP. Article 28 Paragraphs 1, 2, and 3 of P reiterate that police are required to maintain a neutral stance in practical politics. It also outlines the sanctions that they will face if they engage in political activities (UU Polri No.2/2002).

Additional opposing arguments stem from the government's rules, including Law No. 5/2014 about the State Civil Apparatus (ASN) and Government Regulation No. 11/2017 regarding ASN Management. This legislation restricts the positions that police officers can occupy. According to Article 20, Paragraphs 2 and 3, personnel of the INP are restricted to occupying posts within central government agencies, including ministries, non-ministerial institutions, secretariats of state institutions, and secretariats of non-structural Institutions. The INP prohibits the appointment of INP personnel to regional agencies, including Official Regional Heads (Pranata & Makawi, 2020). Furthermore, when assigning the INP members to central agencies, it is imperative to consider the norms of propriety outlined in Article 1339 of the Civil Law Code. This principle is an assessment of the correlation or endorsement of a decision that must take into account a notion of societal fairness.

Another citation in the ASN Law is found in Article 204, specifically in Paragraph 2. This article allows members of the INP to hold middle-high leadership positions, provided that they resign from active service if necessary and meet the competencies established through an open and competitive selection procedure. The nomination of Iriawan has sparked controversy and received criticism due to his current active status as a member of the INP. The Ministry of Home Affairs justifies its decision by stating that Iriawan's formal standing in the INP is no longer operational due to his civilian role as the Principal Secretary of Lemhanas. However, counterarguments have arisen against this excuse, as Iriawan's civilian role does not inherently negate his active membership in the INP.

Aside from the previously discussed restrictions that oppose Iriawan's appointment, there is one regulation that presents problems. The accuracy of Ministry of Home Affairs Regulation No. 1/2018 on Leave Outside State Dependence is questionable. This section specifically pertains to the designation of interim officials rather than governor officials (Pranata & Makawi, 2020). However, the Ministry of Home Affairs' contention that Iriawan's appointment complied with the Permendagri was contradicted. Consequently, the decree issued by the Ministry of Home Affairs for Iriawan is legally defective since it fails to designate him accurately as an interim official rather than a regular official. Therefore, objections to Iriawan's appointment on legal grounds are justified and rational. The nomination of Iriawan by the Ministry of Home Affairs is deemed to be in direct conflict with three policies simultaneously, notably Law No. 2/2002 regarding the INP, Law No. 5/2014 regarding ASN, and Law No. 10/2006 regarding direct local elections.

From the counterarguments, it is evident that the government has a vested political interest in this problem. The government's grounds, particularly the legal-formal ones, are insufficient to justify the appointment. Contrarily, the researcher asserts that the counterarguments effectively undermine the government's answers. Furthermore, in the realm of political competition, the subtleties of politics are more apparent than the factors related to procedures. Iriawan's role as the official 2018 West Java Governor is seen as advantageous for one of the couples in the West Java local election and can also facilitate the planning of a significant political agenda in this region, specifically the 2019 Presidential Election. According to the research findings, we contend that the appointment of Iriawan as Acting Governor of West Java demonstrates the government's intention to prepare for consolidation in the next 2019 presidential election. Experts anticipate that this statistic will unify all of the government's political factions, preventing a significant decline in the incumbent candidate's votes during the 2019 presidential election. The objective of the 2018 West Java Regional Head Election was to prevent voters from exclusively aligning with a single candidate who supported a non-incumbent presidential candidate.

6. Conclusion

Governor Iriawan's appointment in West Java can effectively mitigate the possible backing of the bureaucrats (ASN) in the West Java Provincial Government. The researcher's analysis is corroborated by the informant's testimony, which asserts that Iriawan's location is specifically intended to establish connections with influential religious figures in West Java who hold considerable sway over the local population. The interaction between the police and the regime establishes a political alliance between the state and the police, leading to the police's position and involvement in the political domain, especially during elections. This demonstrates that there is an erosion in democratic practices occurring in local political competitions in Indonesia.

Nevertheless, this research is subject to constraints, particularly in its ability to present original data. This constraint pertains to the identification of police informants who prove elusive to locate. Consequently, this study is inadequate since it solely examines the overall depiction of the occurrence of democratic regression in municipal politics in Indonesia. The collection of primary data in upcoming research would help the study's findings because they currently lack precision.

In order to conduct a more extensive study for further research, it is necessary to thoroughly examine two specific factors. Initially, a study will be conducted to examine the correlation between the government and law enforcement agencies in a political dispute. It would be beneficial to examine the affiliations that exist between the government and the police as tools of the state in this study. Secondly, to investigate the surveillance methods that occur prior to and during direct local elections. This investigation is crucial for evaluating the functionality of these systems and validating the conclusions presented in this article.

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