

## QUESTIONING THE 2015 SIMULTANEOUS REGIONAL ELECTION (*PILKADA*) ADMINISTRATION IN CENTRAL SULAWESI

*(PERSOALAN MENGENAI PENTADBIRAN PILIHANRAYA DAERAH  
(PILKADA) SECARA SERENTAK 2015 DI SULAWESI TENGAH)*

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### Abstract

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The research aims to answer the question on how the 2015 Regional Election was conducted simultaneously in Central Sulawesi Province. To answer such question, the 15 aspects stated by IDEA International are used to assess the execution of a democratic election. The execution of Simultaneous Regional Election with a democratic result is affected by the committee, especially the General Elections Commissions (KPU) of Central Sulawesi Province and General Election Commissions for Regional (KPUD) throughout Central Sulawesi, for their ability in performing the management functions which according to Donovan and Jackson there are 5 functions: planning, organizing, staffing, leading, and controlling. Furthermore, the descriptive-qualitative method is used in this research. The primary data are collected through observation and in depth interview with number of parties. While the secondary data are collected by document tracking, especially in KPUD (Central Sulawesi Province) and KPUD regency/city throughout Central Sulawesi, and literature review. The research finds that the election administration has not been conducted in a full spirit of democracy. Moreover, the management committee has not yet been able to implement all of the management functions. As a result, there was much bribery during the registration for Prospect Candidate of Head District/Deputy Head from political party as well as money politics practices during the campaign until the Election Day. In addition, during the election administration, the lack of socialization regarding the Election; the troubling DPS and DPT; and in transparency of votes counting was arising. Many violations of rules occurred as had always happened in previous Elections. As a result, disputes which led to claims from number of candidates towards KPU Central Sulawesi Province and KPUD in six regency/city to the Constitutional Court (MK), which at the end were all denied.

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**Key Words:** Regional Election, Administrator, Political Party, Head/Deputy Head District, Constitutional Court

### Abstrak

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Penyelidikan ini bertujuan untuk menjawab persoalan bagaimana Pilihan Raya Daerah 2015 dijalankan serentak di Provinsi Sulawesi Tengah. Untuk menjawab soalan tersebut, 15 aspek yang dinyatakan oleh IDEA International digunakan untuk menilai pelaksanaan pilihan raya demokratik. Pelaksanaan Pilihan Raya Serentak Daerah dengan hasil demokratis dipengaruhi oleh jawatankuasa, khususnya Komisi Pilihan Raya Umum (KPU)

*Provinsi Sulawesi Tengah dan Komisi Pilihan Raya Umum untuk Wilayah (KPUD) di seluruh Sulawesi Tengah, karena kemampuan mereka dalam melaksanakan fungsi-fungsi pentadbiran yang menurut Donovan dan Jackson terdapat 5 fungsi: perancangan, penganjuran, kakitangan, pemimpin, dan pengawalan. Selain itu, kaedah deskriptif-kualitatif digunakan dalam kajian ini. Data utama dikumpulkan melalui pemerhatian dan temu bual dengan banyak pihak. Sedangkan data sekunder dikumpulkan melalui pengesanan dokumen, terutama di KPUD (Provinsi Sulawesi Tengah) dan Kabupaten/Kota KPUD di seluruh Sulawesi Tengah dan kajian literatur. Penyelidikan mendapati bahawa pentadbiran pilihan raya tidak dijalankan dalam semangat penuh demokrasi. Lebih-lebih lagi, jawatankuasa pentadbiran belum dapat melaksanakan semua fungsi pentadbiran. Oleh itu, terdapat banyak rasuah semasa pendaftaran Calon Ketua Daerah/ Naib Ketua parti politik serta amalan politik wang semasa kempen sehingga hari pilihan raya. Di samping itu, semasa pentadbiran pilihan raya, kekurangan sosialisasi mengenai pilihan raya; DPS dan DPT yang mengganggu; dan ketidaksohonestan undi yang terhitung timbul. Banyak pelanggaran peraturan berlaku seperti yang selalu berlaku dalam pilihan raya sebelumnya. Akibatnya, perselisihan yang menyebabkan tuntutan dari jumlah calon ke KPU Provinsi Sulawesi Tengah dan KPUD di enam kabupaten/ kota ke Mahkamah Konstitusi (MK), yang akhirnya ditolak.*

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**Kata Kunci:** Pilihan Raya Daerah, Pentadbir, Partai Politik, Ketua/ Naib Ketua Daerah, Mahkamah Konstitusi

## INTRODUCTION

The 2015 simultaneous regional election has been done through the stages on the process. The Voting Day of the election was conducted on 9 December 2015 which was the day of voting for Head District/Deputy Head by the people. In Central Sulawesi, by the time this journal is made, 8 (eight) pairs Candidate for Head District and Deputy Head District have been inaugurated by the Governor of Central Sulawesi, Longki Djanggola, as the representative of the Minister of Home Affairs of the Republic of Indonesia, on 15 February 2016 in Palu. The Regent/Vice Regent and Mayor/Vice Mayor who won the election in Palu City, Sigi Regency, Toli-Toli Regency, North Morowali Regency, Banggai Laut Regency, Banggai Regency, Poso Regency, and Tojo Una-Una Regency. They, in this time being, have started working together with the people to develop their region, make improvement and prosperity.

The process of the Election took place in spite of many doubts from some parties. The Regional Election is the embodiment of democracy in regional level pursuant to the 1945 Constitution of the Republic of Indonesia Article 1, Paragraph 1, which put the people as sovereign. In fact, a direct; public; independent; confidential; honest; and fair Simultaneous Regional Election is the benchmark for the implementation of a democratic political system. The result of an election conducted with the spirit of openness with the freedom of speech and freedom of association accurately reflects participation as well as aspiration of the people (Budiardjo, 2008: 461). According to Mariana (2008:3), an Election always has important meaning for political history of a Country; it has an important role as: 1) an effort for a peaceful change; 2) an arena of fair dispute and competition amongst political power; and 3) an effort to make institutions closer to the people. As according to Olle Tornquist (2007:1) democracy manifested in an election will result in a political life or in which all people are equal in politics to control what they consider as public matters.

Such Simultaneous Regional Election is full of controversy, pros and cons. The political dynamics was started when some people think that the Regional Election starting since 2005 is a waste of money, and 'required' all candidates to prepare amount of money. There is an indication that such condition involves half of Head District who legally committed to corruption. Corruption is a deviant behavior of formal obligations of public office caused by any intentions to gain profit or status for oneself, family or click (Mas'ood, 1994: 167-168). Corruption might occur as a result of

great authority of a head district. According to the Corruption Eradication Commission (KPK) (2015: 2), Head District has a vital role in the design, process and evaluation for achievement of government affairs delegated to regions. Such authority that is not performed with clean and good governance will trigger any corruptive behavior and act.

In further development, the government initiated the preparation of regulations regarding Regional Election which emphasizing the Head District shall be elected by the Regional People's Representative Council (DPRD). The bill got various responses in the House of Representative (DPR). Pros and cons arose amongst fractions. After the Democratic Fraction did the walk out, the rest of the fractions mostly agreed with the proposed bill. Henceforth, the bill was passed and approved as Law No. 22 of 2014 Regarding Governor, Regent, and Mayoral Election providing the indirect election mechanism through DPRD. The Law that was stipulated at the end of President Susilo Bambang Yudoyono's term was challenged by most of the people. Considering the importance state of the Law, which was considered as critical pursuant to the Constitutional Court's Decree No. 138/PUU-VII/2009, President SBY at the end of his term issued the Government Regulation in lieu of Law No. 1 of 2014 Regarding Governor, Regent, and Mayoral Election which annulled Law No. 22 of 2014. The act was considered peculiar since the proposed bill which passed and approved as the Law was initiated by the government. When the bill was passed, SBY administration then annulled it through the government regulation in lieu of law. It is assumed that SBY administration put the effort to meet people's demand rejecting the implementation of Law No. 22 of 2014. (The Coalition of Civilians for Amendment of Law Regarding Regional Election, 2015: iii).

In further development, the elected President, President Joko Widodo, and the House of Representatives (DPR) stipulated the Government Regulation in lieu of Law regarding the Regional Election as the Law, which is the Law No. 1 of 2015 Regarding Stipulation of Government Regulation in lieu of Law Regarding Governor, Regent, and Mayoral Election. Soon after the issuance of the law, never been implemented yet, there was another amendment to it. The amendment caused the issuance of new law which was Law of the Republic of Indonesia No. 8 of 2015 Regarding the Amendment to Law No. 1 of 2015 Regarding the Stipulation of Government Regulation in lieu of Law No. 1 of 2014 Regarding Governor, Regent, and Mayoral Election into Law. Such Law was the legal basis during the execution of the simultaneous Regional Election in Indonesia, including Central Sulawesi.

The emergence of Law No.8 of 2015 was not able to eliminate pessimism and doubt, especially among expert concerning the readiness of the administrator and the quality of the Election. As the time was limited, the Regional Election should take place on 9 December 2015 making the preparation and execution were less than a year, putting doubts regarding the ability of administrator especially KPU and KPUD to prepare and conduct a democratic Regional Election process.

IDEA International, as quoted by the Coalition of Civilians for Amendment of Law regarding Regional Election (2015: 7-8), stated that there are 15 aspects of a democratic election: (1) preparing the legal framework; (2) determining the electoral system; (3) determining the electoral sites; (4) right to vote and to be voted; (5) election administrator; (6) voter registration and voter list; (7) access to ballot for political party and candidate; (10) funding and expenditure; (11) voting; (12) counting and recapitulation; (13) the role of political party's representative and candidate; (14) monitoring the election; and (15) implementing the Law concerning elections. In order to have a democratic Regional Election process, such aspects shall be expressly stated in the Regulations concerning Simultaneous Regional Election and shall be enforced by the administrator.

The Regional Election Administration is the manifestation of regional autonomy as a policy of decentralization and democratization. According to Rasyid (2002: 16), such thing shall be understood as a process to create an opportunity for a democratic election to choose local

government, to have a responsive government towards people's interest, and to maintain a decision-making mechanism that complies with the principles of public accountability.

The democratic administration process of simultaneous Regional Election is the aim of performing organizations as administrator (KPU and KPUD; Election Supervisory Agency (Bawaslu) and Election Supervisory Committees (Panwaslu); and the Election Organizers Ethics Council (DKPP)). In other words, to achieve such goal the administrator, especially KPU and KPUD, shall be able to implement the management functions by using Regulations about Simultaneous Regional Election as the principal or legal basis in executing the activity. Donovan and Jackson (1991: 13) stated that there are 5 management functions: planning, organizing, staffing, leading, and controlling.

This research is questioning the administration of Simultaneous Regional Election in Central Sulawesi in 2015. It aims to find out whether the Election was conducted in a democratic way or not; and whether the administrator, in this case is KPU Central Sulawesi Province and KPUD regency/city throughout Central Sulawesi, implemented the management functions during such Election. The research uses a qualitative method and descriptive type.

Some sources were involved as subject of the research, such as from Simultaneous Regional Election administrator (KPU Commissioner for Central Sulawesi Province, Bawaslu in Central Sulawesi Province, KPUD throughout Central Sulawesi, and Voter Supervisory Committees (Panwaslih) in Central Sulawesi), Subject of Simultaneous Regional Election (Political Party bearing Candidates of Head District/Deputy Head, and Campaign Team), and public figures.

Since this research uses a qualitative method, the main instrument of the research is the researcher. Primary data is collected by conducting field observation (direct observation) and indepth interview to number of sources. The secondary data is collected by searching the data in several institutions related to the 2015 Simultaneous Regional Election in Central Sulawesi. In addition, literature review was done to strengthen the analysis; document review to find theories and experts' opinions for any relevant information. The data is analyzed using the qualitative method; it is a process from the beginning right until the end of the research. The analysis, therefore, is done using analysis flow previously conducted by Miles and Hubermann (1992:20), which are collecting data, presenting data, reducing data, concluding, and verifying data. Each components of the data analysis is related to, sustainable and affecting each other.

## DISCUSSION

The Simultaneous Regional Election in Central Sulawesi was conducted in 2015 to elect the District Head/Deputy: Central Sulawesi Province, Palu City, Sigi Regency, Toli-Toli Regency, Poso Regency, Tojo Una-Una Regency, North Morowali Regency, Banggai Laut Regency, and Banggai Regency. The Election Day was on 9 December 2015, after the series of Election stage as stipulated in PKPU No. 2 of 2015 Regarding the Stages, Program and Schedule for Governor and Vice Governor, Regent and Vice Regent, and/or Mayoral and Vice Mayoral Election. The simultaneous Regional Election to elect the Governor and Vice Governor of Central Sulawesi Province involved 1.954.123 voters based on Voter Registration List (DPT) stipulated by KPU of Central Sulawesi Province which consisted of 992.511 males and 961.612 females. As for the Regent/Vice Regent and Mayoral/Vice Mayoral Election in 7 (seven) regency/city in Central Sulawesi involved the voters in Voter Registration List according to KPUD in each Regency/City as mentioned in the table below.

Table 1. Voters Based on DPT for the Regional Election in Regency/City in Central Sulawesi

No.	Regency/City	Male	Female	Total
1	Palu	117.984	120.563	238.547
2	Sigi	88.466	85.460	173.926
3	Toli-Toli	77.824	75.019	152.843
4	Banggai Laut	21.513	21.526	43.039
5	Banggai	128.072	125.199	253.271
6	Tojo Una-Una	55.347	52.100	107.447
7	Morowali Utara	39.285	36.765	76.050

Source: KPU Regency/City organizing the 2015 Simultaneous Regional Election.

### The Quality of Simultaneous Regional Election (Democratic)

According to IDEA International, there are 15 aspects in assessing the quality of democracy during Election including the 2015 Simultaneous Regional Election in Central Sulawesi. Despite the implementation of those 15 aspects in the stages of the Election process, the quality of such implementation for each aspect was not equally nor constant. Such thing, therefore, refers to the quality of the Election; whether it is held in democratic way or not.

The legal framework which was the first aspect in conducting the democratic Simultaneous Regional Election was already determined. In this case, the provided regulations concerning elections were the principal as well as guidance for the administrator. Such regulations or laws regarding the Simultaneous Regional Election were prepared by the government along with the House of Representatives after previously some pros and contras had occurred questioning whether a district head should be elected by the DPRD or directly by the people. The political dynamics regarding such matter was very tense, and eventually was able to persuade President SBY issuing the Government Regulation in lieu of Law No. 1 of 2014 at the end of his term. The Government Regulation in lieu of Law, however, has not been able to reduce the tension which made President Joko Widodo, who was just being elected, approve the issuing of Law of the Republic of Indonesia No. 8 of 2015 Regarding Amendment to Law No. 1 of 2015 the Stipulation of the Government Regulation in lieu of Law No. 1 of 2014 Regarding Governor, Regent, Mayoral Election into Law. Pursuant to the laws, henceforth, the election administrator, in this case were KPU and KPUD, prepared the plan for the election including stages, program, and schedule the election administration for Governor/Vice Governor, Regent/Vice Regent, and/or Mayor/Vice Mayor stated in the regulation of KPU which was the KPU Regulation No. 2 of 2015. As far as it concerned, the preparation for regulations, both by government along with DPR and KPU as main administrator, was implemented.

Regulations regarding Simultaneous Regional Elections were welcomed by many people, especially political experts who felt pessimist for such regulations. They argued that it would be difficult to create a democratic election using such regulation. They believe that the regulations were prepared in a rush, could limit the democracy itself such as disputes over an outcome of such Election in the Constitutional Court, and were not well-prepared. Moreover, the regulations did not merely eliminate the possibility of money politics; instead, there was no clear penalty for any fraudulent political practices. As soon as the Elections were done, many of the concerns mentioned happened. There was money politics involved, which had happened in previous elections. According to one of the sources from the candidate's campaign team, there were no candidates who did not use money when interacted with the people. In addition, the people seem to "require" the money (in many kind of forms) should any candidates wanted respect and acknowledgement as candidates of the elections. However, according to the source, being respected and acknowledged did not merely being chosen. The people, he believed, had their own choices based on many criteria, however, to at least gain their attention it had to involve money in many kinds of form (such as: cash, food supply, aid for building a House of Worship, promises to repair the road, bridges , etc.). In other words, each time candidates offered some money; the people would accept

the money. According to an source from public figure, there are some rational criteria: paying attention to the people, interaction in many ways had been carried out way before the Election process, local people, coming from a good family background, having a good morale/spiritual belief, trying to improve and give welfare to the people. From this point of view, the regulations regarding Simultaneous Regional Election were considered irrelevant to order the candidates as well as the people. The people who voted, as a matter of fact, had chosen a candidate based on their rationality. Hence, it is fair to say that money politics were considered as a prerequisite in the elections; nevertheless, it would not affect their choice. Therefore, it must be recognized that the existing regulations have not been able to end money politics which resulted in a non-democratic Simultaneous Regional Election.

The regulation underlined the Simultaneous Regional Election in 2015 (especially Law No. 8 of 2015) has not been able to prevent money politics practices in political party during the registration for candidates who were willing to run for head district/deputy head. In fact, political party should not allow such practices happened inside the party; instead, it should look for and select with a proper way regional leader to be offered to the people to choose (Cangara, 2009: 231-232). Besides, according to Agustino (2006: 93), political party as an organization with the orientation of representation of ideas was aimed to represent people's interest, to compromise with different opinion, and to give an opportunity to its activists leading the politics in a peaceful and legitimate ways.

Based on interviews with sources (political party leaders and campaign team) it was discovered that money politics known as the political dowry, did exist. Political party official, allegedly, made the registration for the candidates for regional head / deputy head of the region as an opportunity to raise funds, especially for the other purposes beside the campaign or elections, and even might be used for personal interest. According to the sources, political party leaders usually argued that the deposited funds would be used for the benefit of future campaigns. Money politics started when the candidates registered in political parties. The candidates were usually asked to follow some sort of convention or assessment with particular mechanism. It was really just a formality, for candidates who would actually be promoted are those who were willing to invest more money and received the blessing from the parties' authorities. It is allegedly speaking that political dowry was also paid to the political party leaders at the central level. Such practice of money politics actually is not prohibited by the regulations on Simultaneous Regional Election. However, the regulation does not expressly and convincingly states the sentence of imprisonment for such practices. Political dowry game between political party leaders and candidates, as well as other money politics practices, according to an source, existed but would be hard to prove, for the perpetrators were being exclusive and protective. In spite of the existence of a witness (for instance there was someone who witness the bribery), it would mean nothing without any valid evidence. It is also assumed that some administrators were aware about such thing, but they kept silent because they felt that they had no power against those who were the local strongman; in addition, if a word got out, there might be trouble for their and their family's safety.

Hence the bribery existed as in previous elections. Such practices are definitely eliminating the democracy aspect in the Simultaneous Regional Election. The recruitment pattern for head district conducted by the Political Parties as illustrated above seems to rule out other prospective candidates who actually fight for the party, work hard for the party, and are well-known by the people as political parties' figures who have good attitude and leadership skill to be the leader for the people. Those prospective candidates lost their chances to be the leader, for they did not have much money to be recognized enough by the political parties. Therefore, it is fair to say that such recruitment pattern will eventually give the political parties a dead end; considering activists in political parties do not have the desire to develop the party since they are not given the opportunity to nominate themselves to lead the region.

Another aspect of a democratic election that is also interesting to be questioned is campaign. Campaign is the most important thing in the stages of Simultaneous Regional Election. According to an source involving in this research, a campaign is closely related to money politics, starting from

the subtle to obvious money politics practices. The subtle way of money politics can be illustrated by providing health center, ambulance for the people, and even shroud if someone is passed away. Other ways that are considered obvious are donating some money for the construction of place of worship, coming to the people events (wedding, circumcisions, etc.), donating electronic devices and even food supply to be consumed in such events. Other obvious ways of money politics are giving cash or food supply to the people and stating to choose the candidate in the upcoming election. Sometimes, unfortunately, such money politics practices involve threat to choose one particular candidate on the Election Day. As it says, such money politics practices are hard to prove since the perpetrators are protecting each other.

The compliance with the law and the enforcement of the law regarding election as one of the aspects needs to be addressed on the Simultaneous Regional Election in Central Sulawesi in 2015 seem interesting to be discussed further. The compliance with the law and the enforcement of the law were not well performed during the election. According to an source involving in this research, despite the negligence to comply with and enforce the law, it was better compared to previous elections. According to the sources, all parties involving in the Election (administrator, candidates, and voters) were started to comply with the rules. For instance, money politics practices still existed; nevertheless, some of the people were starting to realize that such thing was not allowed and could impact the outcome of an election. Should such practices continue to exist, any Regional Elections will hardly result in having good leaders who are willing to work along with the people, develop the region, and give prosperity to the people.

Moreover, some candidates were aware of and against the money politics practices. Some candidates even gave up their candidacy, for they did not want to use money when registered to be candidates. Unfortunately, they did not use the opportunity given by the Law to nominate themselves as an independent candidate. They believed that Law No. 8 of 2015 as the first regulation regarding Simultaneous Regional Election in 2015 did not give them enough time to prepare themselves to be the independent candidate; considering the difficult requirements which cost a lot of money.

Moreover, regarding the compliance with and enforcement of the regional election regulations, according to the record from Election Supervisory Agency (Bawaslu) of Central Sulawesi Province and report from Voter Supervisory Committees of Regency/City, there were several violations during the Election: in administration, criminal, and code of ethic. Besides violations, some disputes arose during the Election.

Table 2. Recapitulation of Alleged Violations during the Simultaneously Regional Election for Governor/Vice Governor, Regent/Vice Regent, and Mayor/Vice Mayor in Central Sulawesi

No.	Province/Regency/City	Report	Finding	Total
1	Central Sulawesi	8	8	16
2	Palu City	8	25	33
3	Donggala	1	5	6
4	Sigi	8	6	14
5	Parigi Moutong	4	16	20
6	Tolitoli	10	5	15
7	Buol	0	3	3
8	Poso	18	5	23
9	Morowali	1	1	2
10	North Morowali	12	13	25
11	Tojo Una-Una	6	4	10
12	Banggai	43	3	46
13	Banggai Kepulauan	0	0	0
14	Banggai Laut	13	6	19
	Total :	132	100	232

Source: Bawaslu Sulteng, Year. 2016

The parameter of compliance with and enforcement of the Simultaneous Regional Election regulation are reflected from the awareness of the voters in supervising the election. The alleged violations recorded by Bawaslu in Central Sulawesi and Panwaslih regency/city throughout Central Sulawesi, especially in 7 (seven) regency/city conducted the simultaneously regional election there were 232 cases. The total 57% (132 allegations) was reported by the people, 43% (100 allegations) was found out by Bawaslu/Panwaslih. Such data reflects the awareness of the voters is starting to arise which makes them voluntarily report such findings. The voters seemed to realize that their important role was not merely in voting, but also in supervising the election to look for any violations during the election.

Table 3. Recapitulation of Case Management in Simultaneous Regional Election Supervisory Committee in Central Sulawesi in 2015

No .	Povince/Regency /City	Administrative	Criminal	Code of Ethic	Stopped	Dispute	Total
1	Central Sulawesi	7	0	1	8	0	16
2	Palu City	21	1	0	11	0	33
3	Donggala	3	0	0	3	0	6
4	Sigi	5	0	0	9	0	14
5	Parigi Moutong	13	1	0	6	0	20
6	Tolitoli	4	0	0	11	0	15
7	Buol	2	0	0	1	0	3
8	Poso	3	1	2	15	2	23
9	Morowali	0	0	0	2	0	2
10	North Morowali	12	2	0	11	0	25
11	Tojo Una-Una	2	1	0	7	0	10
12	Banggai	5	1	0	40	0	46
13	Banggai Island	0	0	0	0	0	0
14	Banggai Laut	0	0	0	19	0	19
	Total :	77	7	3	143	2	232

Source: Bawaslu Sulteng, Year. 2016.

Unfortunately the better awareness of the voters was not in balance with the performance of supervisory institution, both Bawaslu in Central Sulawesi Province and Panwaslih regency/city. The condition is illustrated in table 3: out of 232 alleged violations (57% reported by the people), 143 (61, 64%) reports was deprecated. Based on the information form an source, there are many reports from the people that should have been followed up by the supervisor, not the other way around. The reports form the people mainly claimed having insufficient evidence; nevertheless, that should be the opportunity for the supervisor to conduct an investigation. Besides, the time limitation, in accordance to the law, caused such reports hard to prove. There should be a better cooperation and performance of the supervisor in every level so that the election process would be liable and democratic. It is reasonable to assume that spirit of the people to participate in supervising the next Simultaneous Regional Election will decrease due to the lack of attention as well as response to their reports.

The violations of regulations solved properly by the supervisor of Simultaneous Regional Election consisted of 77 administrative cases (89%), 7 criminal cases (8%), and 3 code of ethic violation cases (3%). The administrative cases were concerning the involvement of government officials, the installation of APK and campaign materials, and the preparation of Voter Registration List (DPT). As for the criminal cases, they consisted of the involvement of head village in campaign, eliminating the voting rights of others, and vandalism as well as burning of APK. The violation of code of ethic was concerning the violation of professionalism of the administrator during the public debate campaign.

### **The Implementation of Management Functions in Simultaneous Regional Election**

The Simultaneous Regional Election would not be held in a democratic way without the presence of the administrator performing the management functions. The simultaneous Regional Election in Central Sulawesi – Governor and Vice Governor, Regent and Vice Regent, and Mayor and Vice Mayor – was conducted with the outcome: 8 (eight) head district/deputy head won the Election in regency/city have been inaugurated by the Governor of Central Sulawesi in Palu on 17 February 2016. As for the incumbent Governor and Vice Governor, Longki Djanggola and Sudarto, who won the Election, will soon be inaugurated by the Minister of Home Affairs, Tjahjjo Kumolo, after their first term ends.

In the context of administration of the 2015 Simultaneous Regional Election in Central Sulawesi, it is interesting to question whether such activities in each stage were managed by the administrator using the management functions. Based on the information collected from observation and indepth interview with some sources, there were several activities as part of the stages of the Election were conducted by the administrator, especially in KPU Central Sulawesi Province and KPUD regency/city throughout Central Sulawesi, with little implementation of the management functions. As a result, the activities did not meet their expected goals.

Socialization as one of the activity in the stages of the 2015 Simultaneous Regional Election should be conducted in continuance from the beginning to the end of the election. In this case, all of the stages were informed well to the public, especially those who vote. Based on the information collected from the observation and given by the sources, the socialization was not fully executed during the Election process which made the people still did not understand well about many things regarding the Election. The fact that there were still many violations of the Election indicated the failure of proper socialization. In other words, the understanding among related parties in the Regional Election was not at the same level. Data from Bawaslu in Central Sulawesi Province and Panwaslih regency/city after being compiled stated that there were 87 violations which did not get any proper follow ups. There are: 77 administrative cases concerning the involvement of government officials, the installation of APK and campaign materials, and the preparation of Voter Registration List (DPT); 7 criminal cases concerning the involvement of head village in campaign, eliminating the voting rights of others, and vandalism as well as burning of APK. The other violation was the violation of code of ethic was concerning the violation of professionalism of the administrator during the public debate campaign.

According to Bawaslu of Central Sulawesi Province and Panwaslih regency/city, overall there were 232 allegations for violations of which 87 cases were not followed up properly, and the rest of 143 cases were closed without further investigation. The unfollowed-up cases were not merely having any problems at all; instead, it is possible that the supervisor of the Regional Election was not proactive enough to investigate after receiving such report from the people that were considered lack of evidence. The supervisor should not only put himself as the one who receive the report, but also the one who conducts an immediate investigation. According to Santoso (2006: 3), the protests regarding the dissatisfaction towards the process as well as the outcome of the election were triggered by the unsolved violation cases and the feeling of unfair treatment given by the administrator. Such thing indicates problem of law enforcement in every election administrations.

Other things that indicated the lack of implementation of management functions by the administrator of the 2015 Simultaneous Regional Election in Central Sulawesi were the troubling Temporary Voter Registration List (DPS) and Voer Registration List (DPT) as happened in previous elections which should be better and eliminated from time to time. Based on the information gathered through observation during the Regional Election and given by the source, the troubling DPS was started when the Potential List Upgrading Committees (PPDP) was not serious in upgrading and verifying voters' data. In addition socialization on upgrading the voters' data was not conducted massively by the Regional Election administrator, in this case was the KPU in Central Sulawesi Province and KPU in regency/city, which resulted in some of the people were not aware of their rights to vote or whether they were registered in the DPS. For some of the

people who were aware of their unregistered data, unfortunately, they did not know where to report. The error kept going on concerning: minor voters, deceased voters, moving voters, and voters with unidentified address. On the other hand, the others were not registered on the list which made them lost their right to cast. One of the public figures in Palu City indicated that there was a possibility of fraud in the making of DPT for the certain interest of certain candidates.

The other thing is campaign stage. In this stage, not only money politics practices that took place, but also the involvement of state officials. It is indicated that the administrator of the Regional Election were not aware of the possibility for the state officials to be used by candidates who run for the election. For instance, involving them in the campaign as spoke person or campaign manager. Such thing should indeed prohibited by law. However, there were many officials who put campaign attributes in their vehicle or house. The administrators, as a matter of fact, were aware of the situation; nonetheless, they ignored the fact (according to a public figure in Parigi Moutong Regency)

The most critical part that illustrated the lack of management functions in the administration of Regional Election was during the vote counting. According to the sources, fraud still occurred during the vote counting. It is undeniable that the administrator and candidates of the Election (campaign team and certain candidates) were involved in 'dirty game' which led to the allegation of fraud in the vote counting. The 'dirty game', however, was hard to prove since the 'player' were very protective closing all the doors of exposure. Hence, in this context, if such thing did happen, the integrity and commitment of the administrator of Regional Election should be put in question. They should be the one who represent the Country in preventing such actions by implementing the management functions so that all related parties could work based on their job description and function. The question would be: why the management functions were not implemented well? Based on interview with number of sources, it is found out that the reason behind such thing was the improper recruitment of administrator for Simultaneous Regional Election, KPUD (Central Sulawesi and regency/city, District Election Committees, Ballot Committees, Polling Station Working Committee, and Potential List Upgrading Committees). If the recruitment was conducted in a proper way, the qualified, decent, and committed commissioners as well as officials would recruited and appointed which eventually would implement well all of the management functions.

The administrator of the Simultaneous Regional Election had lack of qualified people both in Central Sulawesi Province level and KPUD regency/city which was resulted from the recruitment and appointment of selection team for commissioner in KPU Central Sulawesi Province and KPUD regency/city throughout Central Sulawesi. In this case, the selection team was not those who knew and understood well about aspects of General Election and Regional Election. In addition, they had little integrity and commitment to develop the Country and the region. As a result, during the selection, it was too much to expect in having candidates for commissioner who were capable because of the low competence and possibility of cooptation by third party with certain interest and purpose for the Regional Election. The same thing happened in the appointment of personnel working for PPK and PPS.

Based on the observation conducted and information given by the sources, it can be inferred that the appointment of selection team was not done in a transparent way. KPU did not do an open and transparent recruitment as it should. As a result, those who had capability to be the selection team such as scholars and public figures did not aware of the selection for commissioner candidate in KPUD (province/regency/city). Moreover, KPU also did not put an effort to do the tracking on the list of candidate names for Selection Team received from several sources in regions. To put it in contrast, the selection for commissioner in KPU (central) was done in open, transparent, and competitive process. That resulted in the appointment of commissioner for KPU (central) who were capable, competent, willing to do a good work, and willing to implement the management functions accurately and at their best endeavor.

The appointment of commissioner in KPUD Central Sulawesi Province, according to the source, was getting worse from time to time. As a result, the appointed commissioners both in

provincial level and regency/city level were considered incapable in implementing the management functions using the liable standard. Notwithstanding, there are other factors affecting the performance in running the event. According to Prihatmoko (2008: 32-33), other affecting factors are such as political awareness, educational level, social economy of the people, ideological diversity, ethnic and tribe, maturity of the party, and geography.

## CONCLUSION AND RECOMMENDATION

The research concludes that the 2015 Simultaneous Regional Election held in Central Sulawesi was not conducted in a full respect of democracy as it should in accordance to aspects of a democratic Election stated by the IDEA International. Aspects of preparation for legal framework resulted in regulations regarding Simultaneous Regional Elections, such as Law No. 8 of 2015, which as a matter of fact has not been able to guide and direct the administrator, voter, and people to a democratic Election. Moreover, the campaigns were dominated by money politics. Law No. 8 of 2015 has not been able to prevent such fraudulent political practices occurring during the candidates' registration in political party or coalition of political parties. Likewise, the compliance with law and law enforcement during the Simultaneous Regional Election as one of the main aspects for a democratic election were not, in fact, implemented well. As a result, there were many rules violations committed by voters, administrators, or the people. Besides, the disputes over the outcome results are still taking place caused by the weak performance of the administrator.

In the event of the application of management functions, the research concludes that the administrator of the Simultaneous Regional Election has not been able to apply all such functions; therefore, the expected democratic, direct, general, independent, confidential, honest, and fair Election was not successfully conducted, which reflects the poor performance of the administrator. Their integrity and commitment in making the election successful were not at the best endeavour which resulted in the execution of the 2015 Simultaneous Regional Election in Central Sulawesi that did not meet the expectation.

For the improvement of Simultaneous Regional Election in the near future, it is suggested that the regulations regarding such Election, in particular Law No. 8 of 2015, shall be modified and refined concerning: the prevention of money politics practices, the appointment of commissioner selection team in KPUD, requirements for candidate of commissioner in KPU/KPUD, independent candidate, and dispute over the determining winner.

The prevention of money politics should be reflected in the law regarding Regional Election by including the clause on strict and heavy sanctions in the form of imprisonment. Furthermore, in the event of appointment for selection committee to find commissioner with integrity and commitment to help conducting Simultaneous Election and other Elections, the law, therefore, shall regulate: open recruitment for the selection committee consisting of individuals with the knowledge and understanding on General Election/Regional Election; the candidate shall have minimum Bachelor degree related to election (Social, Politics, Economics, and Constitutional Law Study) along with other requirements.

Furthermore, the requirements for independent candidates need to be simplified. Therefore, there will be more candidates for head district from various backgrounds that will give more choices to the people to vote democratically. Such thing is not the act to eliminate political parties as concerned by some parties recently; instead, it gives the opportunity for any individuals with no political party background to nominate himself as the head district.

The regulations for dispute over the Simultaneous Regional Election results as stipulated in Article 158 Law No. 8 of 2015 shall be eliminated. The Article seems only consider the possibilities of arising disputes which will hassle or occupy the Constitutional Court. The enforcement of such Article resulted in the outcome of the Simultaneous Regional Election that was hardly considered democratic regarding some arising disputes. With the 1% to 2% victory for the election of Regent

and Vice Regent or Mayor and Vice Mayor, just has been suppressed for the participants of the Simultaneous Regional Election.

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## REGULATION

- The 1945 Constitution of the Republic of Indonesia, Article 1, Paragraph 1
- Law of the Republic of Indonesia No. 8 of 2015 Regarding the Amendment to Law No. 1 of 2015 Regarding the Stipulation of Government Regulations in lieu of Law No. 1 of 2014 Regarding Governor, Regent, and Mayoral Election into Law.
- KPU Regulation No. 2 of 2015 Regarding Stages, Program and Schedule for Administration of Election for Governor and Vice Governor, Regent and Vice Regent, and/or Mayor and Vice Mayor.

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