



2018 SIMULTANEOUS REGIONAL HEAD ELECTIONS: POLITICAL DOWRY AND POLICY IMPLICATION

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Abstract

According to previous studies and widely circulated news, potential political dowry was practiced in the 2018 simultaneous regional head elections as found in several cases although policies on the prohibition of rewards have been adopted. This is regrettable because political dowry has fairly destructive impacts. For instance, the local governments formed after the elections will have the potential to be corrupt. This study aims to analyze potential political dowry practices in the 2018 regional head elections, their factors, and the policy implication. The research method used in this study is a qualitative approach with a descriptive content analysis on some secondary data. This study found that potential political dowry practices had occurred in the 2018 regional head elections as found in several cases but were difficult to prove by regulations. The factors of a political dowry practice are three elements as involved in any transactional activity, i.e. seller (political party), buyer (prospective regional head candidate), and system (electoral system). The policy implication is to integrate Law No. 7 of 2017 concerning General Elections, Law No. 10 of 2016 concerning Regional Head and Deputy Regional Head Elections, and Law No. 2 of 2011 concerning Political Parties with reinforcement in several aspects, such as the appointment of an independent institution to be permanently responsible for the financial management of political parties, the system with fair, affordable, and accountable opportunities to attain political leadership positions, the rationalization of political finance, the verification of political parties to support participation in simultaneous regional head elections, the reinforcement of information systems in the financial management of political parties, and the reinforcement of the role and independence of the Elections Supervisory Body (Bawaslu) in handling political dowry practices in regional head elections.

Keywords: Political Dowry, Regulations, Political Parties

I. INTRODUCTION

The term "political dowry" is absent in the national legislation. However, the practice of political dowry is present in the general elections and the regional head elections despite the difficulty in proving it (Harris, 2018). Harris simply defines political dowry as a political cost that must be paid by a prospective candidate pair in a regional head election or a prospective legislative candidate in a regional legislative election to obtain consent and recommendation from a political party to be promoted and/or nominated in the election. This is in line with a statement that political dowry is any material or non-material possession given to a

political party to secure a political vehicle (Monita et al., 2018, p. 451). In contrast to the lawful and good status of dowry in the religious law, the term political dowry in the electoral context refers to an illicit (Azra, 2016) or underhanded practice (Susilo & Sa'bani, 2018, p. 159).

Illicitness is an integral part of political dowry practices. Some scholars even claim that political dowry is categorized as corruption. They argue that it is a form of gratification because it implies a sign of gratitude for providing a way to serve a certain political interest (Monita et al., 2018). Not only is political dowry corruptive in nature, it is also a form of transactional politics that can disrupt the elected government through the electoral process (Gunawan,

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2018) and lead to the formation of a politically transactional elected government that, in time, may commit acts of corruption (Solihah, 2016).

Although regional head elections are primarily aimed at getting regional government leaders directly and democratically (Redjo, 2016), there are still many cases where prospective regional head candidates are required to give political dowry to obtain recommendation from political parties to be nominated by paying a sum of money or promising a sum of money or their commitment to the political parties (Sutisna, 2017).

Among the cases of potential political dowry practices that emerged were that involving Sebastian Salang whose nomination as Manggarai regent candidate was cancelled due to his failure to give political dowry (Gabrillin, 2015); that involving Dedi Mulyadi, chairperson of the regional executive board (DPD) of the Golkar Party in West Java Province, who claimed to have been charged Rp10 billion to get recommendation from the party's central executive board (DPP) for West Java governor candidacy (Agustina, 2017); that involving Gerindra Party cadre La Nyalla Mataliti who claimed to have been charged Rp40 billion by the party's DPP on the excuse of witness honoraria in order for him to be nominated as a governor candidate in the East Java regional head election; that involving Serli Besi, chairperson of Hanura's branch executive board (DPC), who was asked for a total of Rp1.75 billion by the the party's DPP to obtain consent for Garut regent candidacy (Ihsanuddin, 2018); and that involving Police General Siswandi who was charged Rp1.5 billion for his nomination as Cirebon mayoral candidate. These practices actually contradict general election policies, especially Law No. 7 of 2017 concerning General Elections, which regulates the prevention of money politics, and Law No. 10 of 2016 concerning Regional Head Elections, which regulates the granting of rewards in the regional head candidate nomination process. Money politics is often interpreted as vote buying. However, in a broader sense it also includes political dowry (candidacy buying) (Indrayana, 2017).

As government entity in the organization of simultaneous regional head elections, the Ministry of Home Affairs (MoHA) needs to review the existing regional head election policies in order to establish regional governments through non-transactional elections. To better understand the regional head election regulations and the phenomenon of political dowry in regional head elections, a study needs to be conducted with the problems as formulated in this paper, i.e. the modes of political dowry and the policy implication for the prevention of political dowry practices.

As a scientific work, this study seeks to examine previous studies. Among the studies with the closest theme to that of political dowry is a study conducted by Qodir (2016). In his study, Qodir examined the practices of money politics that occurred in the 2014 election with the conclusion that Bawaslu failed to crack down on such practices and they continued during the election period. In addition, a study on law enforcement in elections has been conducted by Mulyadi (2018), which concludes that the organization of elections must be protected by a general regulation that covers specific regulations and the discourse must be continued to produce electoral scholars, practitioners, and technocrats. With regard to simultaneous regional head elections, Chaniago (2016) has evaluated the 2015 simultaneous regional head elections with the conclusion that the simultaneous regional head elections were not efficient because they failed to increase political participation and close the opportunities for money politics and the process of nomination of prospective candidate pairs was not transparent.

Putra (2017) has conducted a study on money politics with the findings that each legislative member who was the resource person admitted practicing money politics and that money politics occurred in various modes, such as cash, assistance for organizations, and infrastructure assistance, among others. Political dowry is a form of money politics. A study on electoral policies and political dowry in regional head elections has never been conducted. This study is expected to continue the series of similar studies and contribute to studies related to local politics. The focus of this research is on the causes of political dowry practices in simultaneous regional head elections, the regulatory perspective on political dowry in regional head elections, and the policy implication for the prevention of political dowry practices.

II. METHOD

In general, the data analysis in this study uses descriptive qualitative methods for a more focused and in-depth research discussion. The data used are primary data collected through discussions and secondary data taken from news articles in print media relevant to the problems of the study. (Creswell, 2014).

The data analysis used is the triangulation of data sources with the research objects being regions participating in the 2018 regional head elections, in which potential political dowry practices reportedly occurred. The qualitative research data were taken from resource persons' statements and various documentation, including news articles in electronic and print media, which were examined using content

Table 1.

Collected Cases of Potential Political Dowry Practices in the 2018 Simultaneous Regional Head Elections

No.	Name	Location of Election	Political Party Involved	Party Membership Status	Amount
1.	La Nyalla	East Java Prov.	Gerindra	Member	Rp40 Billion – Rp170 Billion
2.	Dedi Mulyadi	West Java Prov.	Golkar	Member	Rp10 Billion
3.	Siswandi	Cirebon City	PKS	Non-member (Police General)	Rp500 Million – Rp1.5 Billion
4.	Jhon Krisli	Palangkaraya City	Gerindra, PPP	Member (PDIP Member)	Rp2.4 Billion
5.	Yan Mandenas	Biak Numfor Regency	Hanura	Member	Rp350 Million – Rp700 Million
6.	Budi H Dalimunthe	Batu Bara Regency	Golkar	Member	Rp3 Billion
7.	Serli Besi	Garut Regency	Hanura	Member	Rp1.75 Billion

Source: various sources, processed. Research Team, 2018

analysis. To obtain information and data relevant to the problems of the study, discussions were held by presenting expert resource persons from the following elements:

1. Political Party Executive Board
As resource persons who have direct experience in participating in the regional head elections
2. Regional Head Election Survey Institute
As resource persons who have experience and competence in reviewing the implementation of regional head elections
3. Election Observer
As resource persons who have experience and competence in reviewing the implementation of regional head elections
4. Political Research Institute
As resource persons who have competence in researching regional head election issues such as political dowry

These expert resource persons were selected based on the field of experience and frame of reference relevant to the implementation of regional head elections. The data were analyzed by organizing, sorting, grouping, coding or marking, and categorizing all data obtained from the discussions to obtain the findings of the formulated problems.

III. RESULTS AND DISCUSSION

A. Causes of Political Dowry Practices in the 2018 Simultaneous Regional Head Elections

With all their dynamics, the 2018 simultaneous regional head elections were not spared from

potential political dowry practices. **Table 1** presents some cases of potential political dowry practices in the 2018 simultaneous regional head elections.

None of the cases has been given a binding (in kracht) legal decision. Almost all of them ended in Bawaslu. Although the La Nyalla Mattalitti case proceeded to the Integrated Law Enforcement Center (Sentra Gakkumdu), it ended up without final decision—not only because La Nyalla Mattalitti withdrew his report, but also because Bawaslu claimed that it did not have sufficient evidence to resolve the case.

1) Factors of Political Dowry Practice in Regional Head Election

Simply put, the factors of a political dowry practice in a regional head election are such elements as involved in any transaction, i.e. seller (political party), buyer (prospective regional head candidate) (Solihah, 2016), and system (electoral system) (Harris, 2018) (Formulation of the results of Focus Group Discussion I (Pilkada Sedot Dana ke Pusat: Dampaknya terhadap Perekonomian Daerah) Research and Development Agency of the Ministry of Home Affairs, Central Jakarta – 13 February 2018)

There are several causes of a political dowry practice contributed by the first element, i.e. political party. First, the financial capacity of a political party is insufficient to provide for participation in an election as the cost of democracy is too high. The limited financial resources force it to seek alternative sources of income, which may lead to illicit or underhanded practices, such as imposing political dowry on a prospective regional head candidate. As an estimate, the amount needed to be allocated

for witness honoraria in a regional head election reaches [Rp400,000 (honorarium per person) x 2 (persons) x 67,646 (polling stations across East Java) =] Rp54,116,800,000. With such estimation, the required witness honorarium allocation will reach Rp59,963,200,000 in West Java with a total of 74,954 polling stations, Rp2,920,000,000 in Cirebon Regency with a total of 3,650 polling stations, Rp473,600,000 in Palangkaraya City with a total of 592 polling stations, Rp288,000,000 in Biak Numfor Regency with a total of 360 polling stations, Rp3,775,200,000 in Garut Regency with a total of 4,719 polling stations, and Rp840,000,000 in Batubara Regency with a total of 1,050 polling stations. This calculation does not include campaign finance and other election expenses that must also be borne by the parties involved, including the political parties. Furthermore, there are no regulations standardizing the number of persons to be hired as witnesses at a polling station and the formula for calculating witness honorarium allocation per region.

The high cost of democracy (in the form of witness honorarium, campaign finance, and other expenses) has become an excuse for political dowry practices. The La Nyalla Mattalitti case in East Java and the Dedi Mulyadi case in West Java are examples. It should be noted that both La Nyalla Mattalitti and Dedi Mulyadi were members of the supporting political parties but they were still required to give political dowry to fund witness honoraria and campaign finance. The elections at the regency and city levels actually required less allocated witness honoraria than at the provincial level but demands for political dowry remained. In the case of prospective Cirebon mayoral candidate Siswandi, witness honoraria became the factor of political dowry at the city level, as implied by an increase in the sum of money charged to him from Rp500 million to Rp1.5 billion based on the political party's subjective criteria (CNN Indonesia, 2018). Meanwhile, prospective Palangkaraya mayoral candidate Jhon Krisli said that survey costs were the excuse for the imposition of dowry on him. As for the cases in West Java Province, East Java Province, Palangkaraya City, Biak Numfor Regency, Batu Bara Regency, and Garut Regency, the prospective candidate nomination in the regional head elections seemed to depend on the financial capacity of the prospective candidates, as implied by the escalated amount of political dowry in the bargaining process. Based on his experience, Jhon Krisli said he had passed the fit and proper test only to find his name eventually removed from the list of prospective candidates because his financial capacity did not match the amount proposed by the political parties (Shihab, 2018). Second, a political party does not optimally prioritize their members in nominating

regional head candidates. Even a political party that is known to have a structured regeneration pattern such as the Prosperous Justice Party (PKS) (Noor, 2011) has not yet implemented an ideal nomination system, as implied by the elimination of the party's members from its prospective candidate list. Instead, an outsider such as retired Police General Siswandi was on the provisional list of candidates promoted by the party. Third, the leader of a political party does not have a good understanding of the notion of political dowry, thus belittling the issue. For example, Gerindra political party elite Prabowo Subianto said that collecting money from prospective candidates was reasonable because the cost of democracy in Indonesia was indeed high. Ahmad Riza Patria from the DPP of Gerindra also said that the request for a sum of money to La Nyalla Mattalitti in the interests of the election was not wrong (Bhawono, 2018). Hanura chairperson Oesman Sapta Odang even said that political dowry should not matter as long as it would neither be used for personal gain nor be given through an individual, such as the chairperson of a party (Mardiansyah, 2018).

From the point of view of the second element, i.e. prospective candidate, weak law enforcement against political dowry actors causes a prospective candidate to regard the practice of political dowry as a political tradition that has never been legally acted on (CNN Indonesia, 2018). As for the third element, i.e. electoral system, it contributes to several causes of a political dowry practice. First, the electoral system is based on the deep-rooted culture of clientelism (Hanafi, 2014) so that elites in the DPP of a political party have an interest in controlling the economic pyramid within the party (Gunawan, 2018). Second, according to Badrun (resource person in Focus Group Discussion: Kajian Aktual Pilkada Sedot Dana Pusat ke Daerah. Central Jakarta: Research and Development Agency of the Ministry of Home Affairs, 2017), provisions in the legislation have not benefited all stakeholders organizing regional head elections and seem to be designed in favor of oligarchic interests of political parties.

In addition, the existing political party capacity building policies still open opportunities for the practice of clientelism (Hanif, 2009). Unfortunately, the culture of clientelism has supported the existence of political parties for a long time. Central executive boards, where political party elites belong, have long enjoyed privileges that the subordinate structures do not have. Institutionally uncorrected central executive boards, compounded by the attitude of elites who also justify political dowry practices, have rolled out the red carpet for potential political dowry practices (Harris, 2018).

The potential practice of political dowry in West Java in the Dedi Mulyadi case was due to the interests of DPP Golkar. The Serli Besi case also proves that the potential political dowry transaction would only benefit the interests of DPP Hanura. The same holds true in the Yan Mandenas and Budi Heryanto Dalimunthe cases. This is evident from the fact that the amount of political dowry in the regional head elections was not consistent and only determined by the decisions of the elites in the relevant parties' central executive boards (CNN Indonesia, 2018). The cases of potential political dowry transactions in the 2018 regional head elections can also be seen from the clientelism perspective with the prospective candidates as political dowry grantors and the political party figures as political dowry recipients. Such relationship has long lasted, at least since the beginning of the post-New Order era (1999 and onwards) when the regional autonomy regime with direct regional head elections was established. (Formulation of the results of Focus Group Discussion II (Pilkada Sedot Dana ke Pusat: Dampaknya terhadap Perekonomian Daerah) Research and Development Agency of the Ministry of Home Affairs, Central Jakarta – 1 March 2018).

Among the provisions in the electoral system that open up opportunities for political dowry practices is the provision on the definition of reward in Law No. 10 Year 2016 concerning the Second Amendment to Law No. 1 of 2015 concerning the Enactment of Government Regulation in lieu of Law No. 1 of 2014 concerning the Elections of Governors, Regents, and Mayors into Law because the definition of reward as set out in such law does not include political dowry as in several cases of potential political dowry practices in regional head elections.

2) *Modes in Political Dowry Practices in Regional Head Elections*

The cases of potential political dowry practices that emerged in the 2018 simultaneous regional head elections indicate that there was a mode in each case. Mode in the practice of political dowry refers to a way to disguise political dowry so that it does not appear to be what it really means. In the context of money politics, the mode may be in the form of 'dawn attack money' (serangan fajar), 'shock money' (uang kaget), gifts, or door prizes (Qodir, 2016). In the seven cases potential political dowry practices in the 2018 simultaneous regional head elections, the mode was in the form of witness honoraria, campaign finance, recommendation from the chairpersons of the political parties' central executive boards, seat fees, and donations. The mode in the form of witness honoraria was used in the La Nyalla Mattalitti case. The amount of witness honoraria that must be

allocated in East Java Province was quite large. Based on an estimate with two witnesses per polling station, the required allocation for witness honoraria could total up to Rp54,116,800,000. This figure is tentative and will rise if a polling station requires more than two witnesses. Another estimate was revealed by National Mandate Party (PAN) chairperson Zulkifli Hasan who said that the required allocation for witness honoraria in East Java could reach Rp200 billion (Dariyanto, 2018). In addition, there are no strict regulations governing polling witnesses. As a result, the amount of political dowry charged on the excuse of witness honoraria varies and tends to escalate.

For example, in the case of La Nyalla, he had the amount of money imposed on him as political dowry increased. He said he had given Rp40 billion and then Gerindra increased the required amount to around Rp100 billion. The amount of political dowry charged to Siswandi in a witness honorarium mode in the Cirebon mayoral election also increased from around Rp500 million to Rp1.5 billion.

The issue of witness honorarium is unique to Indonesian elections as there are no witness honoraria in other countries' elections. (Formulation of the results of Focus Group Discussion I (Pilkada Sedot Dana ke Pusat: Dampaknya terhadap Perekonomian Daerah) Research and Development Agency of the Ministry of Home Affairs, Central Jakarta – 13 February 2018) Furthermore, Law No. 7 of 2017 concerning General Elections does not yet provide a legal basis or derivative regulations as a guideline for determining the amount of polling witness honorarium. Political dowry practices disguised as campaign finance also occurred in the 2018 simultaneous regional head elections. The case of potential political dowry practice in the Garut regent election was an example. Serli Besi as a prospective Garut regent candidate was asked for a campaign fund of around Rp1.75 billion. Campaign finance is a classic issue in the organization of regional head elections. Inequality between political parties in organizing campaigns has long colored the history of elections. The General Election Commission (KPU) has changed its regulations several times with amendments to the provisions on the organization of campaigns.

In addition, the authority of the central executive boards of political parties in Indonesia is very centralized and dominant. All decisions related to the nomination of candidates by political parties from the lowest to the highest level require consent or recommendation from the chairpersons of the central executive boards. The cases of La Nyalla, Dedi Mulyadi, Serli Besi, and Yan Mandenas show that communication with the chairpersons of the relevant parties' central executive boards was the

key to opening access to the nomination of regional head candidates.

Political parties tend to be centralized and ignore the lower levels. This patronage has preserved the tradition of transactional politics in the nomination of regional head candidates by political parties. Political dowry thrives when centralism without checks and balances is rooted in the body of the central executive boards of political parties. The amount of political dowry on the excuse of seat fees is relative to the number of seats available per political party faction in the Regional House of Representatives (DPRD). This phenomenon occurred in the cases of Serli Besi, Budi Heriyanto Dalimunthe, and Yan Mandenas. If you look closely, political dowry practices in this mode do not have a clear pattern. This mode seems to be used only as an alternative because the political dowry practices in this mode were found at the regency and city levels, where the required witness honoraria per polling station were not as much as at the provincial level. If witness honoraria cannot be used as an excuse to impose a political dowry, seat fees become an alternative.

Political dowry is different from political cost. Political costs consist of: registration fees, fit and proper test fees, psychological team fees, costs for conducting branch and regional consultation meetings, transportation and accommodation costs, costs for campaign props and their installation, and campaign props guard service fees (props funded by the KPU is that used after the nomination but prospective candidates need to introduce themselves before the nomination).

Another term that is often used to refer to the same meaning as political dowry is "boat fees" (*biaya perahu*), i.e. the expense imposed on a potential regional head and deputy regional head candidate pair or a potential legislative candidate to be promoted or nominated in a regional head election or a legislative election. Since it is illegal, there is no standard amount of political dowry that must be given by a prospective candidate.

Consent or recommendation for nomination determines whether a reward constitutes a political dowry. Political parties may disguise political dowry as donations. However, donations in the context of political party financial resources are legal and not transactional, unlike the case between political dowry and recommendation for nomination.

B. Regulatory Perspective on Political Dowry in Regional Head Elections

The term political dowry is not found in the national legislation. However, if political dowry is disguised as witness honoraria or campaign finance,

legally it is categorized as a rewards or a donation for political parties (Susilo & Sa'bani, 2018) Article 47 paragraphs 1-5 of Law No. 8 of 2015. In addition, Law No. 10 of 2016 concerning the Second Amendment to Law No. 1 of 2015 contains sanctions/penalties for parties who violate the provisions of Article 47. Article 187B expressly states that any member of a political party or any member of joint political parties who intentionally commits an illegal act of receiving a reward in any form in the process of nominating a candidate for governor and deputy governor, regent and deputy regent, and mayor and deputy mayor as referred to in Article 47 paragraph (1) shall be liable to imprisonment for a minimum of 36 (thirty six) months and a maximum of 72 (seventy two) months and a fine of no less than Rp300,000,000.00 (three hundred million rupiahs) and a maximum of Rp1,000,000,000.00 (one billion rupiahs). Article 187C states that any person or institution proven to have committed an illegal act of giving a reward in the process of nominating a candidate for governor and deputy governor, regent and deputy regent, and mayor and deputy mayor as referred to in Article 47 paragraph (5) shall be liable to imprisonment for a minimum of 24 (twenty four) months and a maximum of 60 (sixty) months and a fine of at least Rp300,000,000.00 (three hundred million rupiahs) and a maximum of Rp1,000,000,000.00 (one billion rupiahs).

As for campaign finance, candidate pairs may actually receive donations as provided for in Law No. 10 of 2016 Article 74 paragraph 5 in the amount of Rp75,000,000 for individuals and Rp750,000,000 for private legal entities, and according to Law No. 2 of 2011 concerning the Amendment to Law No. 2 of 2008 concerning Political Parties Article 35 paragraphs (b) and (c), political parties may obtain financial resources from donations from individuals who are non-members of political parties and from companies, respectively in the amount of Rp1,000,000,000 and Rp7,000,000,000. However, the cases that occurred in the 2018 regional head elections are as follows: Golkar's West Java Provincial DPD chairperson Dedi Mulyadi claimed to have been charged Rp10 billion to get recommendation from the party's DPP to be nominated as West Java governor candidate; Gerindra cadre La Nyalla Mataliti claimed to have been charged Rp40 billion for witness honoraria by the party's DPP to be nominated as East Java governor candidate; Hanura's Garut DPC Serli Besi was asked for a total of Rp1.75 billion by the party's DPP to obtain consent for his candidacy for Garut regent; and Police General Siswandi was charged Rp1.5 billion for his nomination as Cirebon mayoral candidate. This shows that the potential political dowry practices were violations against the law in terms of recommendation and

the amount of donations. Furthermore, the political dowry practices occurred within the political parties, where leadership regeneration is supposed to be carried out by internal mechanisms.

As for campaign finance, the regulations that govern it, such as KPU Regulation No. 12 of 2016 concerning the Amendment to General Elections Commission Regulation No. 7 of 2015 concerning Campaigns for the Elections of Governor and Deputy Governor, Regent and Deputy Regent, and/or Mayor and Deputy Mayor, open space for charging campaign finance to political parties or candidate pairs. Such provisions are implied in Article 5 paragraph which directs the imposition of responsibility for campaign finance on candidate pairs. As for political dowry in a witness honorarium mode, there are no regulations governing it.

1) *Regulatory Problems in Covering Political Dowry*

Provisions on the granting of rewards to a political party or joint political parties are still considered too general. More specific provisions should be designed by adding conditions, such as the purpose of transaction in the form of recommendation from the central executive boards of political parties. Political dowry is not included in lawful financial resources of political parties unlike donations or rewards because the purpose is often disguised as witness honoraria or campaign finance. Although the authority of Bawaslu has been updated by Article 95 letter c of Law No. 7 of 2017 concerning General Elections to the effect that Bawaslu currently has the authority to investigate, assess, and decide on money politics practices, the institution remains constrained by the brief definition of reward in Article 47 of Law No. 10 of 2016.

Political dowry practices also cannot be categorized as a criminal act of corruption but a criminal act of election because it does not involve state finances or state facilities even though the threat of sanctions in current regulations is already good. In fact, besides being affirmed in Law No. 10 of 2016, Article 49 paragraph 2 of Law No. 2 of 2011 has stipulated that executive boards of political parties that receive donations exceeding the specified amount from individuals and/or companies shall be liable to imprisonment of a maximum of 6 months and a fine twice the amount of the donation. Such sanctions also apply to dowry givers in addition to administrative sanctions, such as ineligibility for participation in the next election.

Furthermore, Law No. 31 of 1999 concerning the Eradication of Criminal Acts of Corruption cannot be applied to handle political dowry practices because

such practices do not involve state finances or state officials (Scott in (Heidenheimer, 2007)).

Law No. 31 of 1999 concerning the Eradication of Criminal Acts of Corruption as amended by Law No. 20 of 2001 concerning the Amendment to Law No. 31 of 1999 concerning the Eradication of Criminal Acts of Corruption states that the characteristics of political dowry constitute criminal acts of corruption except that political dowry practices do not involve state officials. Therefore, political dowry practices are difficult to be categorized as a criminal act of corruption based on the existing regulations.

In line with this, Feri Amsari distinguishes between electoral corruption and election-related political corruption. According to him, election corruption is corruption whose potential to harm state finances is very obvious, such as theft in terms of the context of general crimes where the dispute object is very obvious, namely lost items. Conversely, it is very difficult to prove that election-related political corruption is detrimental to state finances unless law enforcers are able to think very progressively with a progressive legal framework. According to Marcin Walecki, the main problem in election corruption is related to finance or in this case the collection of campaign funds (Irawan et al., 2014).

C. Policy Implications for the Prevention of Political Dowry Practices

The development of national general elections and simultaneous regional head elections is discouraging, even the country's experience shows that, conceptually, electoral policies in Indonesia are designed in a dysfunctional framework, with manipulatable donations for political parties, oligarchic system, and open opportunities for political corruption (Mietzner, 2015). New Zealand's experience shows that political parties' financial management needs to be reformed on the principle of political equality, such as equal rights to participate, equal voting weight, and equal opportunities to provide effective political influence. This principle rejects all forms of fraudulent practices in controlling government institutions and political participation (Mladenovic, 2010). Political parties' financial management reforms have proven to be effective in reducing corruption, even in countries that implement partial reforms. Reforms are clearly needed to clarify legal products and open up opportunities for the imposition of sanctions on violators. Public donations are also proven to narrow opportunities for corruption due to less urgency to seek donations from individuals participating in elections (Hummel et al., 2019). The issue of political dowry is also inseparable from the management of political parties,

so that reforms that lead to improvement will have implications for policy products related to political parties, especially financial management of political parties, not only those related to elections (Ayeni, 2019).

In view of the cases of potential political dowry practices in the 2018 regional head elections, future regional head election policies need to be developed to be able to prevent the recurrence of such practices. Based on research findings, electoral policy interventions need to address the following. First, regional head elections need to be held on the basis of strong public integrity. Political party leaders need to be given political insights that emphasize the principle of political equality, especially in terms of political finance transparency, and the importance of affordable candidate nomination. Considering that KPU is only responsible at the stage of electing regional heads out of the candidates but not at the stage of nominating prospective regional head candidates as regional head candidates, it is important to think about reinforcement of policies at the latter stage. Campaigns to increase the awareness of all citizens that equal opportunities to become regional heads are equally open and low-cost participation in political leadership is guaranteed need to be intensified.

Second, the existing regulations are not sufficiently strict in governing witness honoraria, hence potential political dowry practices as in some cases in the 2018 regional head elections. The supporting political parties were free to determine the number of witnesses and the amount of witness honoraria unilaterally. In addition, they set large and escalated amounts of witness honoraria.

In fact, Law No. 7 of 2017 has set the affairs of electoral witnesses but only related to the main tasks and functions, not the number of witnesses per polling station and the amount of honorarium although these are important to prevent political dowry practices on the excuse of witness honoraria.

Third, campaign finance is also a mode that is often used in potential political dowry practices. KPU regulations have been adjusted several times and already contain detailed provisions on campaign finance. Provisions that should be reconsidered are those on the parties responsible for campaign finance. In the future, the provisions governing the parties responsible for campaign finance should not open space for candidate pairs to be among campaign funders. Campaign finance should be the responsibility of political parties or KPU alone. Even if candidate pairs can become a campaign funder because they belong to the independent category, the relevant provisions must be clarified with the specifics for independent candidacy. In addition, the budget for witness honoraria needs to be prepared

accountably with the right calculation formula. This is important to realize the state's commitment to low-cost nomination for regional head candidates. Rationalization of political parties' financial budgets needs to be pursued.

Fourth, such policies must be integrated with the verification of political parties so that the sustainability of political parties will be supported by the financial accountability of political parties. Every political party must go through a preliminary audit to find out its financial capacity, at least in the lead up to regional head elections. Thus, a prospective regional head candidate would know the financial capacity of a political party before registration so as to avoid transactional politics. Verification gives legitimacy that a political party is considered capable of carrying out the nomination process for regional head candidates for free.

Fifth, policy makers need to reconsider the provisions on donations to political parties, campaign finance, and witness honoraria. The three should be accounted for in a special account by integrating this provision in Law No. 2 of 2011 concerning Political Parties and strengthened by information systems that support transparency features, such as non-cash payments, real-time reporting, and so on. That way, the flow of political dowry funds will be more controlled.

Regulations that provide clear definitions to distinguish among donation, reward, and political dowry are also required. Law No. 7 of 2017 is actually a stepping stone because it contains the term money politics. However, the law does not yet contain provisions that expressly state that political dowry or reward constitute money politics.

As for political dowry in the form of donations to political parties, policy makers only need to enforce the existing provisions in the Political Party Law and the Regional Head Election Law. Provisions on rewards in the regional head candidate nomination process must also be perfectly enforced. In order to optimize law enforcement efforts, Bawaslu needs to be reinforced. Although the institution has been strengthened by Law No. 7 of 2017 concerning General Elections, some provisions are not yet optimally supportive. Among Bawaslu's weaknesses in handling political dowry practices is that the institution is passive because it is only able to act upon receiving reports. The institution should be strengthened by the authority to conduct sting operations (Operasi Tangkap Tangan) against political dowry practices as have been quite effectively conducted by law enforcers in arresting perpetrators of corruption. Bawaslu needs to be more aggressive to eradicate political dowry practices in regional head elections. Bawaslu is expected to be able to arrest perpetrators

of electoral crimes in sting operations as KPK arrests perpetrators of criminal acts of corruption in such operations.

Finally, electoral policies need to be reformed by developing anti-political dowry policies that are integrated into one policy product. While the issue of planned Omnibus Law to support the Indonesia's investment climate is widely discussed today, an Omnibus Law that integrates political policies also needs to be drafted to support the country's political reforms.

This study leaves room for further research to examine the factors that determine whether the cost of holding a regional head election is considered low or high. Such study can be a benchmark for making measurable regional head election budgeting policies.

IV. CONCLUSION

Political dowry practices occurred in the 2018 simultaneous regional head elections as found in several cases but were difficult to prove by regulations. As a transactional political activity, the practice of political dowry is analogous to a transactional activity on the market. Like a transactional activity on the market, the practice of political dowry is made possible by a seller (political party), a buyer (prospective candidate), and a system (electoral system, including policies on political party management and elections). Witness honoraria and campaign finance were among the modes used for political dowry in the 2018 simultaneous regional head elections. Although the existing policies already contain provisions on sanctions but they are not yet sufficiently comprehensive to be applied to the practice of political dowry, so it is necessary to reform related political policies.

A. Recommendations

The following are recommendations based on the above conclusion:

First, the MoHA together with KPU should initiate changes to Law No. 7 of 2017 concerning General Elections to expressly define political dowry as part of money politics.

Secondly, the MoHA together with KPU should initiate the integration of Law No. 7 of 2017 concerning General Elections, Law No. 10 of 2016 concerning Regional Head Elections, Law No. 2 of 2011 concerning Political Parties, and other related regulations into a Political Omnibus Law.

Third, the recommended integrated laws and regulations need to contain reforms of political party management, including:

1. Appointment of an institution to be permanently responsible for the financial management of political parties.

2. Fair, affordable, and accountable opportunities to attain political leadership positions.
3. Rationalization of political finance, such as rationalization of political party financial reporting, witness honoraria, and campaign finance.
4. Verification of political parties, which is strengthened by auditing the financial capacity of political parties to support participation in simultaneous regional head elections.
5. Reinforcement of information systems in the management of political parties' finances that support transparency (including the opening of a special account).
6. Reinforcement of the role and independence of Bawaslu in handling political dowry practices in regional head elections.

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