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Author(s)  
Corresponding Author  
 Yunita Ratna Sari  
 000-0001-6639-2834  
 [yunitaratna36@uinsaizu.ac.id](mailto:yunitaratna36@uinsaizu.ac.id)  
 UIN Prof.K.H.Saifuddin Zuhri Purwokerto

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## High Political Costs: Private Political Donations in the 2018 East Kalimantan Regional Election

Yunita Ratna Sari

**Abstract:** This study examines the misuse of private political donations in the 2018 regional head elections in East Kalimantan. The high political cost of patron-client relationships, where entrepreneurs act as patrons and candidates act as clients, motivates this study. The study aims to investigate political influence in the 2018 regional head elections in East Kalimantan. It employs a literature review, utilizing secondary data from journals, national survey results, and government publications relevant to the research problem. The findings indicate that concerning the issuance of mining business permits (IUP), there is political influence in the regional head elections in East Kalimantan. In 2017, the number of IUP were 1,194. This number increased to 1,404 from 2018 to 2020. Out of these, 428 IUPs have not yet been certified as Clean and Clear (C n C), and 160 are classified as illegal mining.

### About the Author(s)

Yunita Ratna Sari, is a lecturer majoring in constitutional law at Prof.K.H.Saifuddin Zuhri State Islamic University Purwokerto located at Jalan. A. Yani No.40A, Karanganjing, Purwanegara, Jalan. A. Yani No.40A, Karanganjing, North Purwokerto Sub-district, Banyumas Regency, Central Java. Yunita earned a Bachelor's degree in Political Science from Diponegoro University Semarang, graduating in 2015, and a Master's degree in Political Science from Diponegoro University Semarang, graduating in 2017. Yunita teaches and writes articles in various journals related to political issues, public sector innovation, and elections. She can be contacted at [yunitaratna36@uinsaizu.ac.id](mailto:yunitaratna36@uinsaizu.ac.id) and on Whatsapp number +6285704553072.

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## I. Introduction

Direct regional head elections (pilkada) are a consequence of the implementation of regional autonomy to achieve political democracy at the local level. The regulations for holding simultaneous regional head elections are outlined in Law No. 32/2004 on Regional Government. Indonesia started to conduct direct regional head elections in 2005 and has been conducting simultaneous regional head elections since 2015.

Table 1. displays the Implementation of Regional head elections in Indonesia from 2005-2020.

Year	Total	Details
June 2005-December 2014	1.027 times	<ul style="list-style-type: none"> <li>64 Governor and Deputy Governor Elections</li> <li>776 Regent and Deputy Regents Elections</li> <li>187 Mayor and Deputy Mayor Elections</li> </ul>
2015	269 times	<ul style="list-style-type: none"> <li>9 Governor and Deputy Governor Elections</li> <li>224 Regent and Deputy Regents Elections</li> <li>36 Mayor and Deputy Mayor Elections</li> </ul>
2020	Times	<ul style="list-style-type: none"> <li>9 Governor and Deputy Governor Elections</li> <li>224 Regent and Deputy Regents Elections</li> <li>37 Mayor and Deputy Mayor Elections</li> </ul>

Source: Extracted from various journal sources (Jamaludin, 2019, p.9),(Indraswari, 2015, p.1), (Saihu, 2021, p.1).

Indonesia faces significant challenges in implementing direct and simultaneous elections due to the high cost of politics. This is exemplified by the exorbitant expenses incurred by candidates running for governor, ranging from IDR 60 to IDR 200 billion. The political costs incurred by governors do not correspond to their official income, which is approximately IDR 8.6 million per month or a total of IDR 516 million during their five-year term (Asnawi, 2023, p.4). The most expensive component of regional head elections is the campaign, which is conducted spontaneously and may involve door-to-door canvassing or the use of print media. During the direct election campaign, the field coordinator disbursed IDR 50,000 per person. For 1,000 people, the cost would amount to IDR 50 million. Should the campaign be conducted five times, the total cost would amount to IDR 250 million (Hayati dkk, 2020, p.9). A report by the Ministry of the Home Affairs' Research and Development stated

that the average cost of becoming a regent or mayor is IDR 30 billion (aclk.kpk.go.id, 2023).

High political costs in regional head elections result from candidates paying political parties for nomination and from money politics by regional leaders for vote-buying (Perludem.org, 2022). Another cause of high political costs is the current social culture, which does not consider political parties as a way to realize the state philosophy. Additionally, the public does not perceive regional head candidates as representatives who will fight for the people. Furthermore, the direct election system raises concerns about voter readiness as well as the perceived lack of honesty and independence of the KPU, which necessitates the placement of witnesses at each polling station (Direktorat Jenderal Politik dan Pemerintahan Umum Kemendagri, 2018).

Therefore, it can be concluded that the high political costs in regional head elections stem from the political dowries paid by candidates to political parties in exchange for party nominations and the buying and selling of votes, which is a form of money politics. Due to the high political costs associated with regional head elections, candidates must possess significant economic capital. High political costs are typically associated with "uang perahu," where candidates pay money to receive approval from political parties to advance in regional head elections. (aclc.kpk.go.id, 2023). Funds are needed not only for political dowries, but also to pay the campaign team, online and offline campaign expenses, donations for voters, and even witnesses at polling stations (PUSKAPOL UI, 2018).

However, candidates for regional heads often don't have sufficient assets, which leads to competition for sponsorship from entrepreneurs, individuals, and the private sector. According to a study by the KPK in 2020, the average political cost for regent/mayor candidates was IDR 30 billion, while becoming governor required political costs of up to IDR 100 billion (kpk.go.id, 2023). Upon deeper analysis, this amount falls significantly short of the LKHPN submitted by candidates, which typically ranges from IDR 6 to IDR 8 billion. The lack of funding creates an opportunity for a practice referred to as Political Ijon (Private Political Donations) (Pusat Edukasi Anti Korupsi.go.id, 2023). The Private Political Donations serves as

a means for collecting political capital with ease, with entrepreneurs acting as political financiers. This political capital support must be “paid back” by the winning candidate by guaranteeing the sustainability of the donors’ business, such as licensing, project offers, ease of public policy, and allowing misconduct ([kontras.org](https://kontras.org), 2018).

Private Political Donations take the form of sponsorship to candidates running in regional head elections by businessmen, private companies, or individuals. According to KPK’s 2018 audit, on average, 82.3% of regional head candidates reported receiving funds from donors during the regional head elections. During a webinar broadcast by YouTube KASN on October 7, 2020, Firlil Bahuri, the Chairman of KPK, stated that sponsors financed 82.6% of the 2017 regional head elections and 70.3% of the 2018 regional head elections ([KASNRI](https://kasnri.org), 2020). The private political donations in the regional head elections are essentially a reciprocal relationship between the private sector and the candidates, where the private sector is willing to finance all political expenses in exchange for receiving support in developing their businesses after the candidates win the elections.

Private political donations are integral parts of money politics, including in regional head elections. An example of the practice of money politics in regional head elections occurred in the 2020 North Sulawesi Governor Election, where money was distributed to the voters when they came to the polling station. This practice occurred in the North Kawangkoan subdistrict, Minahasa Regency, where several people distributed money to voters and ensured that people who had received the money voted for the designated candidate by monitoring the recipients who voted at the polling stations ([Rumajar](https://rumajar.com), 2022, p.5).

Money politics in regional head elections has undermined the purpose of the elections, which is to appoint leaders through a direct election system that allows voters to choose their leaders based on the candidates’ insight, work program goals, and credibility. Money politics in regional head elections can often produce leaders who do not reflect the will of the people, as candidates buy votes to influence the outcome ([Achir & Kamba](https://achir.com), 2021, p.3). This practice undermines democracy and electoral integrity because candidates give

money to voters to win votes or influence election results. Such practices threaten the rights, justice, and sovereignty of the people, which are the core of democracy. Money politics make it impossible to have a clean, honest, and fair election. It is difficult to eliminate money politics due to various obstacles in enforcing the law. Regional Election Law No. 10/2016 article 187 A paragraph 1 states that anyone who gives money to influence voters is subject to a minimum sentence of 36 years and a maximum of 72 years. According to this article, both the recipient and the patron are subject to sanctions.

The prevalence of money politics at the regional level is attributed to the fact that people are susceptible to it and consider it a norm due to their indifference to the consequences ([Baehaki](https://baehaki.com), 2021, p.4). According to Bawaslu RI data dated June 27, 2018, at 15.00 WIB, during the no-campaign period of June 24-26, 2018, there was a total of 99 alleged violations. Out of these cases, 35 cases were suspected to involve money politics ([bawaslu.go.id](https://bawaslu.go.id), 2018). According to Bawaslu RI data dated December 17, 2020, there were 262 cases of suspected money politics irregularities in the 2020 regional head elections being assessed and investigated. Out of these cases, 197 were reported by the people, and 65 were the result of scrutiny by the Election Supervisory Agency ([bawaslu.go.id](https://bawaslu.go.id), 2020).

East Kalimantan is one of several regions that are highly dependent on natural resources, at 75.72, compared to 14.84 for Aceh, 50.86 for West Papua, 31.88 for Papua, 12.86 for South Kalimantan, 16.82 for the Riau Islands, and 21.50 for Riau. Ross identified natural resources as the source of the dispute. Countries with abundant natural resources often negatively impact the quality of democracy and economic equality ([Sholikin](https://sholikin.com), 2020, p.3). Ross argues that the presence of natural resources, particularly oil, can have a negative impact on democratic systems.

In contrast, from 2018 to 2020, the index of the quality of democracy in East Kalimantan has consistently improved. It increased from 73.88 to 77.67 and further to 81.99 in 2020. This increase is noteworthy, considering the region’s high dependence on natural resources. It suggests that the relationship between natural resources and democracy is complex and difficult to

measure in conjunction with surrounding political and economic factors.

The researcher is interested in discussing the 2018 East Kalimantan regional head election because almost all of the candidates in the 2018 East Kalimantan regional head election were involved in the mining industry, which also acted as donors to the candidates. As a result, none of the four candidates addressed any environmental crisis in East Kalimantan. Also, all of the candidates for regional head in the 2018 East Kalimantan regional head election had previously held positions as regent or mayor. In the 2018 East Kalimantan regional head election, H. Syaharie Jaang, the mayor of Samarinda and chairman of the Democratic Party DPD, and Awang Ferdian Hidayat, a DPR member from the PDIP and the son of Awang Faroek Ishak who was the Governor of East Kalimantan for two terms.

Second, Andi Sofyan, the former mayor of Bontang Hasdam, was paired with Nusyirwan Ismail, the deputy mayor of Samarinda. However, during the 2018 campaign, Nusyirwan Ismail passed away and was replaced by Rizal Efendi, the former mayor who later became the mayor of Balikpapan. Third, Isran Noor, former regent of East Kutai and Acting General Chair of PKPI from 2015 to 2016 representing Sutiyoso, paired with Hadi Mulyadi, a DPR RI member from PKS, but resigned from PKS in 2019 and became Chair of the East Kalimantan Gelora Party DPW. Fourth, Rusmadi Wongso and Saparuddin are supported by PDIP (Risal dkk, 2022. p.6). Before the 2018 East Kalimantan regional head election, Rita Widayarsi, the former regent of Kutai Kertanegara, was the favorite to win the election. Rita Widayarsi had considerable political power in East Kalimantan, and the majority of people supported her. However, she was named as a corruption suspect by the KPK, which benefited the four candidates in the 2018 East Kalimantan regional head election.

The 2008 East Kalimantan regional head election displayed fierce competition among the elites characterized by mutual political attack and money politics in several regions. On May 26, 2008, the people of East Kalimantan held a direct regional head election. Four candidate pairs in the 2008 East Kalimantan regional head election were Achmad Amins-Hadi Mulyadi (supported by PKS,

Patriot, PP, and PSK), Awang Faroek Ishak-Farid Wadjdy (supported by PDS, PD, PPP, PB, PM, PBR, and PAN), Nusyirwan Ismail-Heru Bambang (supported by PDIP) and Jusuf Serang Kasim-Luther Kombong (supported by Golkar). The 2008 East Kalimantan regional head election featured competition based on ethnicity. Amins-Hadi represented the Bugis-Javanese ethnic group, most of whom live in Samarinda. Awang-Farid represented the Kutai-Banjar ethnic group as a native of East Kalimantan, Nusyirwan-Bambang represented the young Javanese leader, and Jusuf-Kombong represented the Bugis and Toraja ethnic groups, part of the migrant community in East Kalimantan.

After two rounds of the election, Awang Faroek Ishak-Farid Wadjdy was declared the winner of the 2008 East Kalimantan regional head election. In round 1, Awang Faroek Ishak-Farid Wadjdy received the highest number of votes (426,325 votes or 28.9%). However, this result led to a judicial review by Awang Faroek Ishak-Farid Wadjdy because the Awang Faroek Ishak-Farid Wadjdy team believed that the KPUD did not properly determine the winner of the regional election. Initially, the KPUD was guided by Law No. 32 of 2004, Article 107(2), which states that winning candidates in regional head elections must receive at least 25% of the votes. Based on this law, Awang Faroek Ishak-Farid Wadjdy won the 2008 East Kalimantan regional head election. However, the KPUD used Law No. 12 of 2008 instead, which states that the winner of the regional head election must receive 30% plus 1. Since none of the candidates received 30% plus 1 vote, KPUD decided to hold the second round of the regional election.

The Awang Faroek Ishak-Farid Wadjdy team could not accept this decision and filed a judicial review petition with the Constitutional Court. The Constitutional Court ruled that the KPUD must hold a second round of regional head elections. The second round was held on October 23, 2008, and the results were announced on November 7, 2008. The participation rate in the second round decreased by 7%, from 67% to 60%. The non-voting rate (Golput) is 40 percent, which indicates that people were tired due to the lengthy regional head election process. Money politics in the second round of the 2008 East Kalimantan regional head election was not as massive as

in the first round, as the capital of each pair of candidates began to run low. Awang Faroek Ishak (AFI)-Farid Wadjdy won the second round of the 2008 East Kalimantan regional head election.

Something is interesting regarding AFI's victory. It turns out that their victory was achieved by exploiting the culture of patron-client relationships in the villages. AFI has started building patron-client relationships since he assumed the position of regent of East Kutai. Moreover, as a nobleman, he was required to be loyal to the Kutai elite, so he was part of a loyal group of the Kutai elite. AFI used this relationship to gain the trust of the Kutai elite. It is through patron-client relationships that AFI can mobilize the masses. In addition, AFI provided cash and non-cash support to the community before the campaign. To influence the people, he established the mass organization KALIMA to control the patron-client relationship with the community through a sense of belonging. As a result, AFI portrayed himself as the son of the region, capable of eradicating the problem of community poverty. AFI targets the lower middle-class population. Furthermore, Awang Faroek Ishak-Farid Wadjdy used their close relations with the national political elites, as evidenced by the active support of the political elites from PDS, PPP, PKM, PM, PBR, and PAN during their campaign. The presence of national political actors in their campaign can increase their electability (Tjahjoko, 2015, p.148- 152).

Studies on private political donations are scarce. One of the studies was conducted by Ata, (2022, p.14) , who conducted a study on the misuse of private political donations in Malang district heads on corruption in the Special Allocation Fund (DAK) in the education sector. Ata's study found that the practice was driven by the strong influence of companies' political interests in the Malang district, which relies on the creation of informal coalitions among the political and economic elite. The misuse of private political donations in Malang began when the funds provided by businessmen to support Rendra Kresna were used to buy the constituents' votes. As a result of this practice, Rendra Kresna, as a politician and winner of the regional head election, and the contractors, who were members of his campaign team, influenced the auction process for projects in all OPDs, including determining fees levied for each project. The purpose of

determining the fee for each project for all OPDs in Malang was to pay his debts and gain profits for himself. These corruption practices not only affected the education sector but also affected the management of natural resources in the region.

The widespread use of private political donations in Indonesia shows that companies are willing to donate money to political party candidates. As a result, corruption is rampant in areas rich in natural resources. Corruption tends to persist because of exorbitant campaign expenses. On the other hand, candidates have a strong desire to win the election and are willing to do anything to gain votes in the election. This is the motivation for companies to provide political funds in exchange for guarantees that their investments will be successful. Therefore, elections at the regional level, especially in areas rich in natural resources, are potential areas for private political donations. This is in line with a study Setiawan & Widyana (2022, p.16). Hawing & Hartaman (2021, p.8) explains that an inadequate democratic system, such as in Indonesia, causes money politics because it becomes a tool to mobilize support, such as in the 2018 Enrekang regional head election where there was a tendency for money politics to influence voter behavior.

Regional head elections and money politics are intertwined. This does not mean that money politics cannot be eradicated. Of course, there are several challenges in dealing with money politics, such as the simultaneous regional head elections in 2015. The prohibition of money politics is stated in Article 47 of Law No. 1 of 2015. One of the obstacles is the lack of criminal sanctions for criminal acts of money politics. As a result, the provisions of Article 73(2), which require evidence in the form of a final court decision, are not applicable due to the lack of criminal sanctions. Thus, the imposition of administrative sanctions in the form of canceling the appointment of candidates proven to have engaged in money politics cannot be carried out. In conclusion, suspects of money politics in the 2015 simultaneous regional head elections cannot be convicted.

Another obstacle is the limited powers of the Bawaslu. Law No. 15 of 2011 on the conduct

of elections stated that Bawaslu is the primary authority in supervising the elections. However, it has limited authority in conducting its function. Bawaslu does not have the authority to conduct an inquiry and investigation for a suspected money politic case Sri Wahyu Ananingsih (2016, p. 6- 7).

Every country in Southeast Asia has its criminal law concerning money politics. There are different terms for money politics. Malaysia, Singapore, and the Philippines refer to money politics as bribery. In Malaysia, bribery is classified as a corrupt practice. The prosecution of bribery in Malaysia is governed by the Election Offences Act, which takes action against nine election offenses related to bribery by both the perpetrators and receivers of bribery. In Malaysia, bribery does not only take the form of vote buying but also bribery to be nominated or to withdraw from candidacy. Similar to Malaysia, Singapore's Parliamentary Elections Act classifies money politics as a corrupt practice.

The difference with Malaysia is that under Singapore law, there are ten offenses related to money politics, only one more from Malaysia. The additional offense in Singapore is Section 60 (d), which essentially involves influencing other voters not to vote for candidates opposed to those providing the influence. In contrast to the regulation of bribery in Malaysia and Singapore, where money politics is heavily regulated, in the Philippines, bribery is limited to vote buying and selling. The Omnibus Election Code of the Philippines specifies three types of criminal acts regarding money politics: disbursing money to the public, protesting against candidates running in the election as well as provoking the public not to vote in the election, and soliciting money from the candidates taking part in the election (Santoso, 2017, p.11- 14). A study discussed the practice of private political donations in the Malang district. This practice involved contractors who were part of the campaign team and also acted as sponsors of Rendra Kresna, who was elected as Malang regent. To pay the debts to the sponsors and to benefit himself, Rendra Kresna committed corruption by charging fees for each project in all OPDs in Malang. Another study discussed the impact of Indonesia's inadequate democratic system, which caused rampant money politics because it was used as a tool to mobilize support,

as happened in the 2018 Enrekang regional head election. In the 2018 Enrekang regional head election, there were indications of the influence of money politics on voter behavior.

There are also differences in the prosecution of money politics in Southeast Asia. Malaysia uses the Electoral Offences Act, which allows the authority to take action against nine electoral offenses related to bribery, for both the perpetrators and recipients of bribery. In Malaysia, bribery is not only in the form of vote buying but also to be nominated or to withdraw from nomination. Singapore's law has ten offenses, only one more than Malaysia. Singapore has one additional offense compared to Malaysia, which is influencing another voter not to vote for a candidate opposite to the one who disburse the money. In the Philippines, bribery is limited to vote buying and selling.

This study examines high political costs as a trigger for the emergence of private political donations in regional head elections in natural resource-rich areas, namely the 2018 East Kalimantan regional head election. It is hoped that this study will become a reference for the regional government, KPU, and Bawaslu at the central and local levels to monitor the regional head elections in resource-rich areas, where it is prone to collusion between businesspeople and politicians. Most candidates in regional head elections, especially in natural resource-rich areas, use natural resources to entice businesses to provide political funding. This means that regional head elections and natural resources are difficult to separate and are so intertwined that political transactions are considered to be a common occurrence. Continuous monitoring, both pre and post-regional head elections, by Bawaslu and KPU at the central and regional levels and the regional governments, especially in natural resource-rich regions, is expected to ensure democratic elections. The purpose of this study is to analyze the high political cost as a trigger of private political donations in the 2018 East Kalimantan regional head election.

East Kalimantan has a high dependence on natural resources (73.88) in 2018. It is interesting that East Kalimantan, which has a high dependence on natural resources, appears to have an increasing democracy index. As shown

by the BPS data processed from multiple sources, the average democracy index of East Kalimantan from 2018 to 2020 was 59.82. While Ross (2001, p.325) stated that natural resources such as oil can hinder a country's democracy. This means that Natural Resource conditions tend to create unpredictable democratic quality concerning the surrounding social and economic factors (Setiawan & Widiana, 2022, p.9).

## II. Methods

This study used a literature review method with a descriptive analysis. The secondary data collection was carried out from June 30, 2023, to July 30, 2023. The literature study method is used in this study because the literature study is a qualitative study that discusses problems in the object of study that are not yet clear and thorough from written sources. Another reason to use the literature study method is that the researcher intends to use and analyze the secondary data, including data from previous research, journals, books, national survey data publications, and local government data, to answer the focus of the problem under the study.

The underlying reason for the author to use secondary data instead of primary data is that the previous studies used more qualitative methods that combined primary data with secondary data. In addition, the author needs to change the mindset that literature study is carried out only by reading books and drawing conclusions, when in fact, the researcher must classify the secondary data according to the research topic, make important notes, and analyze it to answer the research problems. This study analyzes the high political costs, especially in the 2018 East Kalimantan regional election, as East Kalimantan is rich in natural resources. The abundance of natural resources in East Kalimantan has triggered high political costs, as seen in the practice of private political donations in the 2018 East Kalimantan regional head elections. Thus, the research question is how private political donations in East Kalimantan, as one of the largest coal-producing centers in Indonesia, tend to create high political costs in the 2018 East Kalimantan regional head elections. This is in line with a study by Habibi (2020, p. 4) that stated that the stage of natural resources in an area can

create a high cost of democracy that leads to the emergence of private political donations.

The first stage of secondary data collection involved collecting various secondary data relevant to the research problem, including data from journals, books, previous studies, government survey results, and data published by the government. The second stage is the data selection process. The researcher sorts out important data relevant to the theme and focus of the study. The researcher then assigned codes for the sorted data to ease the analysis. The third stage is presenting the data in various forms, such as graphs, charts, tables, and narrative text, to organize the information in a cohesive form. The fourth stage is concluding the results of the data collected.

The researcher used Cristian Pelras' patronage theory in addressing the research problem. Pelras' theory posits patron-client interaction as a disproportionate relationship between community leaders (patrons) and some of their followers (clients). The alliance is based on the transfer of services, where the client depends on the patron in return for the patron's protection of the client (Philiphus dan Aini, 2011, p.42). Private political donations are often linked to a conspiracy between patrons (entrepreneurs/corporations) and clients (candidates in the regional head elections in East Kalimantan in 2018). Aspinall (2013) in (Widoyoko, 2018, p.1) defines patronage as the distribution of physical resources to achieve certain goals, specifically, the physical resources distributed using clientelistic networks based on power relations. In essence, patronage always benefits those with the power of their financial resources.

## III. Results and Discussion

### A. High Political Costs as a Stimulant of Private Political Donations

Elections in resource-rich regions, such as East Kalimantan, present a major challenge to democracy. Competition over the rich natural resources has driven local elites to vie for power. The high political costs associated with local elections in East Kalimantan, an area rich in natural resources, lead to the occurrence of private political donations. The practice of private

political donations, in essence, refers to the relationship between patrons and clients. This is in line with Scott's statement in (Setiawan, dkk, 2022, p.1) that the patron-client relationship is characterized by a misaligned transition between the two parties. Typically, the entrepreneur or corporation acts as the patron, while the client is the candidate who receives support and funding for the election. As commonly understood, the patron-client relationship reflects the power dynamic between individuals with different financial resources. In this relationship, the patron typically holds a higher economic status and social standing than the client and may use their power and resources to obtain benefits from the client. Conversely, the client may respond by providing necessary support to the patron. During the 2018 East Kalimantan regional head elections, this patron-client relationship was particularly strong.

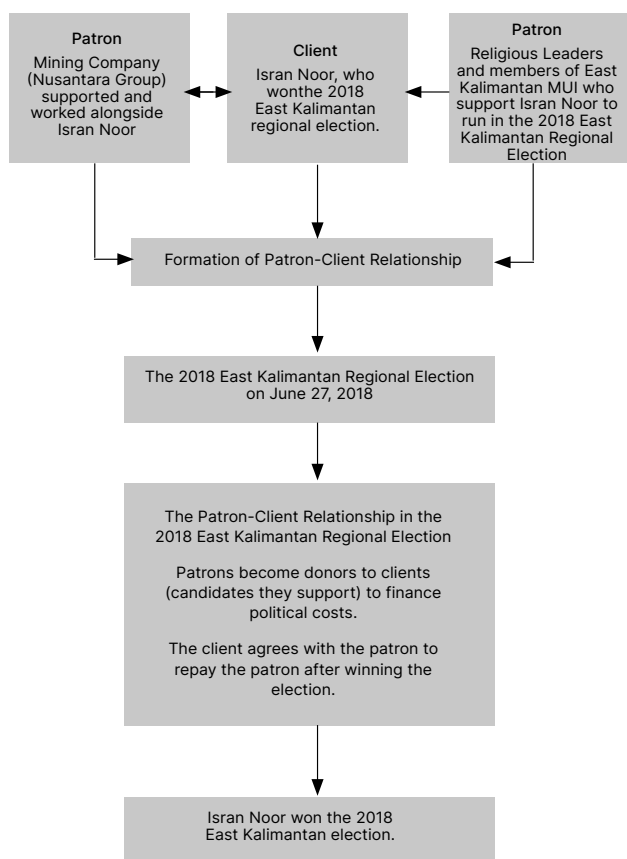


Figure 1. Patron-Client Relationship in the 2018 East Kalimantan Regional Election

Source: Processed by the researcher (2024)

In summary, the private political donations as an agreement between the owner of political

capital (patron) and the candidate in the regional election (client) in the 2018 regional head election in East Kalimantan is directed towards the exploitation of natural resources, considering the abundant potential of natural resources in East Kalimantan and their value. The pattern is that candidates running in regional head elections (clients) will offer the region's natural resources to corporations or entrepreneurs as patrons to entice them to become political donors (political brokers).

Table 2. Reasons for Patrons (Corporations) to be involved in the East Kalimantan Regional Head Election 2018

The goal
Future of the mining business
Expanding the mining business network
Ease of obtaining a mining business license
Opportunity to control the access to natural resources in East Kalimantan.

Source: Processed by the author (2024)

Isran Noor, who was still active as the Regent of East Kutai, won the 2018 regional head election in East Kalimantan. As the regent of East Kutai, Isran Noor had a conflict over mining business licenses, namely the Churchill versus Nusantara case. This case began in 2008, when Churchill, a London-listed mining company, obtained a 75% portion of four mining business licenses granted to Ridlatama Group, a national company. Churchill collaborated with the Ridlatama Group in coal mining for shipment to India and China. In May 2008, Churchill claimed it had the right to 2.73 billion tons of coal resources. This quantity makes it the 7th largest coal mining zone in the world and has the potential to produce 700 million to 1 billion US dollars per year over a period of 20 years. However, there were problems related to Churchill's license in the East Kutai district, which was previously managed by several firms connected to the Nusantara Group, a group of companies with many political networks whose mining licenses are outdated. At that time, the largest shareholder was Prabowo Subianto, a supporter and associate of Isran Noor.

Shortly after Churchill made its discovery, Isran Noor terminated Churchill's mining license and extended Nusantara Group's license. When



Isran Noor revoked Churchill Ridlatama's mining license in May 2020, he revealed that Churchill was conducting illegal mining in forested areas. Then, Isran Noor accused Churchill of manipulating its mining and business licenses to make them overlap with the concession mandated to Nusantara. Churchill rejected all allegations and insisted that the overlapping licenses were intentionally made to seize the high-value assets.

The case was accompanied by various counterclaims regarding illegal development and the originality of both parties' documents. The Supreme Court rejected Churchill's appeal in April 2012. Dissatisfied with the Supreme Court's decision, Churchill filed a lawsuit amounted to USD 2 billion with the International Arbitration Center for Settlement of Investment Disputes (ICSID). The ICSID tribunal dismissed claims because the documents submitted by Churchill were falsified. Bank Indonesia then instructed Churchill to pay 75% of the US\$12.37 million to the Indonesian government for official duties and court expenses. The forged documents that led to Churchill's failure in the 2007 - 2010 dispute were part of the Ridlatama Group's documents when Churchill purchased 75% of its share. The documents consisted of exploration licenses, surveys, spatial analysis, and legal and collaboration letters. All documents were signed by East Kutai officials. Isran Noor, as the regent of East Kutai, reiterated that he did not revoke Churchill's mining license because of Prabowo Subianto.

As Prabowo Subianto is the Chairman of the Gerindra political party, the Churchill case shows the intertwined connections between politics and the business world in Indonesia and that the political connections of businesses can be misused. Churchill's local partner, Ridlatama, used its relationship with regional government officials to falsify mining license documents, but the Nusantara Group had stronger political relationships than Ridlatama. As a result, Churchill's license was revoked, while the Nusantara Group's license was extended ([Greenpeace Indonesia, dkk, 2018, p.16](#)).

The Private Political Donations in East Kutai are also interesting to analyze because two former regents of East Kutai became the Governor of East Kalimantan, namely Awang Faruk Ishak from 2008 to 2018 and Isran Noor from 2018 to 2023.

Isran Noor and Awang Faruk Ishak had a close relationship when they led East Kutai from 2006 to 2008. However, in the 2018 East Kalimantan governor election, they were on the opposite side because Awang Faruk Ishak supported his son's candidacy as the deputy governor. The number of licenses issued by Isran Noor when he was regent of East Kutai from 2009 to 2015 was 383 licenses or an average of 1 license per week.

Table 3. Development of IUP in East Kalimantan in 2009, 2015, 2020

Year	Number of IUP	Reasons why mining companies in East Kalimantan still in operation without the C & C license certificates
Before and after the 2009 election	UP changed into 154 IUP	<ul style="list-style-type: none"> <li>The Governor of East Kalimantan, Isran Noor, has no intention to be sued by the company through PTUN.</li> <li>The East Kalimantan provincial government argues that license revocation takes time.</li> <li>Unwilling to pay constant bills, wages, and taxes.</li> <li>The occurrence of land overlapping and no reclamation collateral.</li> <li>Even though the Minister of Energy and Mineral Resources Regulation No. 43 of 2015, explains that all mining business licenses that have not been granted the C&amp;C status should be revoked.</li> </ul>
2015	161 IUP	
2020	1404 IUP, out of which, 428 IUP have no Clear and Clear (C & C) status and 975 IUP have C & C status	

Source: [Risal et al., 2022, p.9 and Ombudsman.go.id, 2018](#)

Table 4. Companies With the Largest Coal Licenses in East Kalimantan

Company Name (PT)	Area (ha)
Berau Coal	118400
Tambang Damai	97580
Kaltim Prima Coal	90938
Multi Harapan Utama	47062
Sumber Barito Coal	44650

Source: [Jatam.org, 2019](#).

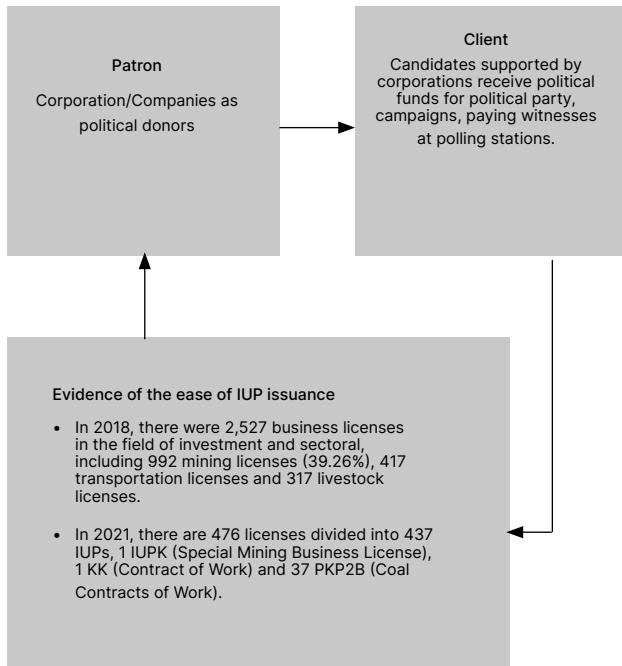


Figure 2. Reciprocal Patron-Client Relationship in the 2018 East Kalimantan Regional Election

Source: Calculated by the Author (2023) from various report issued by East Kalimantan Province through the Investment Board One-Stop Service in 2018 (Sonny dan Wardhana, 2020, p.1-2) and Ministry of Energy and Mineral Resources (ESDM) data per November 2021 (infotambang.id,2021)..

The large number of mining business permits issued before and after the 2018 regional head elections in East Kalimantan suggests a specific purpose for issuing the permits. Mining permits were issued before regional head elections to strengthen mutually beneficial business and political networks. After the regional head election, more mining business permits were issued as political repayment by candidates to the entrepreneurs who had financed them during the regional head election. Another issue related to the issuance of IUPs in East Kalimantan is the inconsistency in the issuance of mining business permits. JATAM noted that in 2017, according to the East Kalimantan provincial government, the number of IUPs was approximately 1,404 permits, while the Ministry of Energy and Mineral Resources revealed that the number of IUPs in East Kalimantan in 2017 was 1,194 permits, a difference of 210 IUPs. In addition, the issuance of a mining business permit requires a considerable amount of funds. This is a great opportunity for regional officials, who have the authority to issue mining permits, to obtain funds. In addition, decentralization is increasingly granting regional

governments full authority to develop policies and regulations for managing natural resources in their areas. This is evidenced in East Kalimantan, where the widespread issuance of mining permits is allegedly driven by the East Kalimantan provincial government's authority to issue and revoke mining permits under Law No. 23 of 2014 on Regional Governments. The content of Articles 14 and 15 of Law No. 23 of 2014 regulates the governor's authority to issue and revoke mining business permits.

### B. The Impact of Private Political Donations for the Community

Table 5. The Impact of Private Political Donations in the 2018 East Kalimantan Regional head elections for the Community

The Impact of Private Political Donations in the 2018 East Kalimantan Regional Election for the Community	
Social	<ul style="list-style-type: none"> <li>The community protested against the mining companies because many victims died due to the lack of treatment of abandoned mining pits.</li> <li>The East Kalimantan Mining Advocacy Network said that 11 victims died during the administration of Governor Isran Noor from 2018 to 2021.</li> </ul>
Democracy	<ul style="list-style-type: none"> <li>Honest and fair elections cannot be held because candidates who receive funds from donors will use these funds to buy people's votes, resulting in people choosing candidates who gave them money instead of their conscience.</li> </ul>
Economy	<ul style="list-style-type: none"> <li>Communities are becoming less prosperous due to the loss of livelihoods. For example, Muang Dalam, Samarinda. The village was a rich agricultural area, but many locations was changed into mining areas, causing water sources to dry up and rice plants to fail. The community turned to animal husbandry, but it is also challenging due to mining activities in the area.</li> </ul>
Environment	<ul style="list-style-type: none"> <li>Environmental damage is evident in the many abandoned mining pits. According to data from the East Kalimantan Environmental Activists, in 2019, there were 1,735 mining pits abandoned by the mining companies.</li> <li>According to data from the East Kalimantan Energy and Mineral Resources Service, there were 539 abandoned mining pits in all areas of East Kalimantan in 2018. The majority of them are located in Kutai Kartanegara Regency (264 former mining pits), followed by Samarinda Regency (130 former mining pits).</li> <li>Floods often hit East Kalimantan, as in Muang Dalam, Samarinda, where the peak occurred on September 3, 2021. It ultimately led to residents' resistance against illegal mining practices in Muang Dalam on September 25, 2021.</li> </ul>

Source: Processed by the researcher (2023).

## IV. Conclusion

The high political costs of the 2018 East Kalimantan regional head elections led to the emergence of private political donations, as East Kalimantan is an area rich in natural resources, especially coal. Candidates in the 2018 regional election competed for sponsorship from mining companies. Isran

Noor, who was supported by the Nusantara group and religious leaders along with the MUI of East Kalimantan, won the 2018 East Kalimantan regional head election. Private political donations continue to occur in East Kalimantan, especially before the regional head elections, because of the strong relationship between entrepreneurs and the authorities. Entrepreneurs are willing to become political donors to receive facilities in obtaining mining business licenses to preserve their business and control natural resources in East Kalimantan. Meanwhile, candidates need a large amount of political funds to pay political costs, which can only be met with the support of mining companies.

The impact of the misuse of private political donations in the 2018 East Kalimantan regional election includes the social impact of many people who lost their lives as a result of the gaping former mining pit. The economic impact is in the form of an increasingly less prosperous community due to the loss of their livelihood as well as environmental damage. The solution offered by the author is that the election organizers, both East Kalimantan Bawaslu and East Kalimantan KPU, must continue to provide more education on the importance of having not only honest and fair elections, but also clean and equal elections, not only to the voters but also to the candidates to reduce the patron-client relationship in the election.

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