

REVIEW OF POLITICAL DEVELOPMENTS

Presidential Candidates, Corruption, and the Tragedy of Law Enforcement

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Introduction

The dynamics of Indonesian politics have intensified in the anticipation of the largest dance of democracy on 2014: the legislative and presidential elections. The public 'entertained' by how boisterous the big political parties are in announcing their presidential candidate; such as *Partai Golongan Karya*/Golkar with Aburizal Bakrie, Great Indonesia Movement Party (*Partai Gerakan Indonesia Raya*/Gerindra) with Prabowo Subianto, People's Conscience Party (*Partai Hati Nurani Rakyat*/Hanura) with Wiranto, National Mandate party (*Partai Amanat Nasional*/PAN) with Hatta Rajasa, and United Development Party (*Partai Persatuan Pembangunan*/PPP) with Suryadharma Ali. But more interestingly, the public is also enticed with curiosity about who the candidates from the Democratic Party (Demokrat) and Indonesian Democratic Party of Struggle (*Partai Demokrat Indonesia Perjuangan*/PDIP) will be. Demokrat is still busy with its candidate selection through its party convention, while major questions are still raised on whether Jokowi will be the presidential candidate from PDIP.

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The public was also shocked by the arrest of the Chairman of Special Taskforce for Upstream Oil and Gas Business Activities (*Satuan Kerja Khusus Pelaksana Kegiatan Usaha Hulu Minyak dan Gas Bumi/SKK Migas*) Rudi Rubiandini on the allegation of receiving graft, and the arrest of Chief Justice of the Constitutional Court (*Mahkamah Konstitusi/MK*) Akil Mochtar for graft and corruption on the case of regional head elections of Gunung Mas Regency, Central Borneo and Lebak Regency, Banten.

Corruption in SKK Migas stands as a proof on the massive size of institutional corruption in country's various sectors. The arrest of Chief Justice of MK further weakens the public trust on efforts of serious law enforcement. This review shall discuss the above-mentioned cases.

The Democratic Party Convention

There are various opinions regarding the Democratic Party Convention. On one hand, the convention is viewed as a positive event in a democratic environment. The convention has altered the tradition of the political party to ignore external aspirations. As such, through the convention, Demokrat is viewed making a breakthrough in eliminating political oligarchy; a bad record that has plagued Indonesia's political parties.¹

On the other hand, the convention is crucial to be conducted for two main reasons. *First*, as an effort of Demokrat to improve its image that is tainted by various corruption scandals. The Hambalang case that has dragged more and more Demokrat cadres and their cronies is one example. The price that the party has to pay for these corruption scandals has indeed been extremely expensive.

Various surveys show that public trust to the party keeps decreasing. Furthermore, surveys also show that rise of public dissatisfaction to the leadership of President Susilo Bambang Yudhoyono who is identical as the founder of Demokrat. Therefore, the party's image is not only tainted by the corruption scandals of its cadres, yet also by the sub-optimal performance of President Yudhoyono in leading the country.

After a long process, participants of the convention are: (1) Ali Masyur Musa—member of the Supreme Audit Agency (*Badan Peme-*

¹ "Kategori Peserta Konvensi Dibedakan," *Republika*, 26 August 2013.

riksa Keuangan/BPK); (2) Anies Baswedan—Rector of Paramadina University; (3) Dahlan Iskan—Minister of State-owned Enterprises (SOEs); (4) Dino Patti Djalal—Indonesia’s Ambassador to the United States; (5) Endriarto Sutarto—former Commander of the Indonesian Armed Forces (*Tentara Nasional Indonesia/TNI*); (6) Gita Wirjawan—Minister of Trade; (7) Haryono Isman—Member of Democratic Party’s Founding Council; (8) Irman Gusman—Chairman of Regional Representatives Council (*Dewan Perwakilan Daerah/DPD*); (9) Marzuki Alie—Speaker of the House of Representatives (*Dewan Perwakilan Rakyat/DPR*); (10) Pramono Edhie Wibowo—former Chief of Staff of TNI; (11) Sinyo Harry Sarundajang—Governor of North Sulawesi.²

There are four other figures who were invited to the convention yet declined: Jusuf Kalla—former Vice President and Head of the Indonesia Red Cross; Mahfud MD—former Chief Justice of the Constitutional Court; Rustriningsih—Former vice Governor of Central Java; and Rusdi Kirana—Chief Executive Officer of Lion Air. Jusuf Kalla declined to attend the convention, feeling that it is unethical for him, former Chairman of Golkar, to participate. This decline makes sense since if elected, Jusuf Kalla must be a cadre of the Democratic Party.

Mahfud MD declined in relation with the rights and responsibilities of participants after the convention. Mahfud also took issue with the party’s regulations, which stipulate that the Supreme Assembly of the party—currently chaired by President Yudhoyono—has the right to elect the presidential candidate. This is against the rules of the convention. Rustriningsih declined since she is still a cadre of PDIP. Rusdi Kirana stated that he would join the convention in five years time.³

Generally, the convention is a platform for Demokrat to increase its popularity and rebuild its image. Judging by the short period of time to ‘repair itself’, especially in the wake of the legislative and presidential elections in the coming months, the convention is viewed as an effective ‘ammunition’ to quickly rebuild the image and increase the electability of the party. Demokrat is apt in reading what the public favors. For instance, by using democratic ‘jargons’ since the efforts

² “Konvensi Demokrat Sepi Peminat,” *Tempo*, 8 September 2013.

³ “Tiga Calon Tolak Ikut Konvensi,” *Kompas*, 30 Agustus 2013; “Persoalan AD/ART, Mahfud Mundur,” *Republika*, 30 Agustus 2013.

to select convention participants and the convention process that is deemed to follow democratic values, such as healthy and open competition. The winner of the competition is also determined by the public through survey. Nationalistic and pluralist values are also indirectly implemented. Anyone has the right to participate in the convention without looking at religious, ethnic, and tribal backgrounds. Moreover, the party brought forth candidates viewed as clean and honorable. This is apparent from candidates of the convention such as Dahlan Iskan or Mahfud MD. These figures are 'eye-catching' to the public because of their perceived good track record. From an extreme point of view, Demokrat tends to 'ride on' the good track record of the participants of the convention for the sake of increasing the party's popularity.

Second, internally, the Democratic Party is 'wasted,' not only because of the corruption scandals that result in internal party friction, but the party is also perceived as failing in the process of inviting new cadres on the anticipation of President Yudhoyono's no longer in power. In other words, the party lacks figures that have the potential to be a presidential candidate.

Since the revelation of Hambalang case, the internal party friction became more obvious and can be likened to the dichotomy between the loyal group of Yudhoyono and of former Demokrat Chairman, Anas Urbaningrum. Some signal that the convention is an effort to remove and marginalize the loyalists of Anas. This was shown by how on the date the convention was conducted and the participants were announced to the public, which was on 15 September 2013, Anas established a civil society organization named Association of Movement for Indonesia (*Perhimpunan Pergerakan Indonesia/PPI*) on the same day. The event was attended by Anas' loyalists such as I Gede Pasek Suardika—Chief of Commission III of DPR, Saan Mustopa—Secretary of the Democratic Party's fraction, and Ahmad Mubarak—member of Supreme Assembly of the party. Not long afterwards, I Gede Pasek and Saan Mustopa were 'rotated' from their previous positions. These removals were seen as purging efforts towards the loyalists of Anas Urbaningrum.⁴

⁴ "PD Bersihkan Loyalis Anas," *Bisnis Indonesia*, 19 September 2013; "Loyalis Anas Dicotpot," *Kompas*, 19 September 2013.

The convention can be likened to a 'soap opera' whose ending no one knows. Initiators of the convention took a huge gamble. It was questionable whether, through the convention, the party image can be rehabilitated, or can be perpetuated by internal frictions, or new frictions can emerge. With the majority of the convention participants (7 people) come from outside the party, they have become the 'lighters' of new frictions.

Open argument between convention participants from outside of the party cadres and is inevitable. For example, there is a suggestion from convention participants from inside the party that convention participants from outside the party should leave public office or not use state facilities in campaigning.⁵ It makes sense that party cadres feel unease when they have been loyal and labor hard to build the party, yet treated like 'step children'.

Apart from the issue, there is also doubt among analysts and general public whether this convention can elect a presidential candidate honestly and independently, although the fact that the winner of the convention will be determined by a public survey whose independence is guaranteed, is much publicized. The general public has noticed that President Yudhoyono tends to favor Pramono Edhie Wibowo to be Demokrat's presidential candidate. It is undisputable that President Yudhoyono remains the 'kingmaker' of Demokrat.⁶

Nonetheless, the eleven participants of the convention have given their 'all-out' to be the winner of this convention. Not only because their popularity are still below those of other parties' presidential candidates, they are also less popular than Joko Widodo (Jokowi), the Jakarta Governor whose name keeps skyrocketing as one of the strong figures for presidential candidates in the 2014 election.

The Sudden Phenomenon of Jokowi and PDIP's National Meeting

It seems that the media cannot get enough of Jokowi. After his spectacular and unexpected victory as the Governor of Jakarta, his name is mentioned again as the 'strongest' presidential candidate from

⁵ "SBY Ademkan Tensi Konvensi," *Republika*, 13 September 2013.

⁶ This was stated by a political analyst from the Indonesian Institute of Sciences, Siti Zuhro. See "Presidential Election: Yudhoyono calls the shots in Dem primary," *The Jakarta Post*, 2 September 2013.

PDIP on the condition of 'blessing' from Chairman of PDIP, Megawati. The flare over Jokowi as a presidential candidate has significantly changed the country's political constellation.

The skyrocketing mass support of Jokowi as a presidential candidate is not without grounds. From various surveys by 10 institutes, Jokowi's electability is consistently above 20%, while there is even one result that notes it is 68%. A survey conducted by Centre for Strategic and International Studies (CSIS), for instance, recorded a 28,6% share of votes for Jokowi. Compare this with Prabowo Subianto for 15,6%, Aburizal Bakrie for 7%, Megawati for 5,4%, Jusuf Kalla for 3,7%, Mahfud MD for 2,5%, and Hatta Rajasa for 2,2%.

A survey by Indonesia Survey Institute (*Lembaga Survei Indonesia/LSI*) recorded Jokowi being ahead of other figures with 35,2% share of the vote with Jusuf Kalla 21,2%, Hatta Rajasa 17,1% , Mahfud MD 15,1%, Suryadharma Ali 2,9%, Muhaimin Iskandar 2,2%, and Anis Matta 1,9%. Internally, PDIP also conducted a survey on its cadres on all branches at the end of July 2013. Jokowi received a 60% support and Mega only received 30%. A poll conducted with a similar methodology at the beginning of September 2013 showed the growing support for Jokowi reaching 80%.⁷

Although the support for Jokowi as a president candidate has skyrocketed, there are external and internal issues in his process of candidacy, particularly in terms of within the PDIP. Externally of the party, Jokowi's path will clearly be hindered by presidential candidates from other parties who do not want him to be a contender. If Jokowi does become a candidate, it is certain there will be no meaningful competition among other candidates as he is tipped for an absolute victory.

Prabowo Subianto, the presidential candidate from Gerindra, would strongly want to avoid this. Members of Gerindra have 'warned' PDIP of the political contract between PDIP and Gerindra, made in 2009, when Megawati and Prabowo agreed to ally⁸. One of the points in the contract stipulated the willingness of Megawati to support Prabowo on the 2014 presidential election. Other clauses regulate funding for the campaign and witnesses on the 2009 election.

⁷ "Di Panggung Punggung Partai Banteng," *Tempo*, 15 September 2013.

⁸ *Ibid.*

According to several politicians from PDIP, Megawati views that the contract has been violated after the 2009 election. For instance, on the aspect of campaign funding, Gerindra did not perform its part.⁹ Another reason, the contract was made on the assumption that the coalition won the election.¹⁰ In the absence of such victory, the contract is viewed as non-binding.

Another issue is the internal dynamic within PDIP, in which there are three groups with differing views. The group viewed as conservative still wants Megawati to pair up with Jokowi, as candidates of president and vice president respectively. Another group wishes Jokowi to be paired with Puan Maharani, Head of PDIP's faction in DPR. Another group wants Jokowi to pair with a candidate from another party.¹¹

Megawati does not seem to be bothered by these factions regarding PDIP presidential candidate. Megawati routinely calls Jokowi to her residence; as if she is 'grooming' Jokowi before he becomes a presidential candidate. Furthermore, Megawati also approaches several figures outside PDIP such as Mahfud MD, Sri Mulyani, and Jusuf Kalla. This is signaled as part of efforts to convene prospective vice presidential candidates to be paired with Jokowi.

The 3rd National Meeting of PDIP on 6 September 6 2013 eagerly anticipated by the public as a platform to announce Jokowi as PDIP's presidential candidate did not materialize. However, Jokowi was still the star of the event for he was hailed by Megawati to read the script "Dedication of Life," which is taken from a letter from President Soekarno, written on 10 September 1966, that depicts the importance of dedication to the people and the state.

In the National Meeting, although Jokowi was not explicitly announced as PDIP's presidential candidate, Megawati has given positive signs. For example, when Jokowi read "Dedication of Life," Megawati referred to him as having 'Bung Karno's vibes.' In her keynote speech, Megawati mentioned the word 'regeneration' or Jokowi's name several times.

⁹ Ibid.

¹⁰ Another political contract was made between the two parties during the nomination of Jokowi and Basuki Tjahaja Purnama at the 2012 Jakarta governor election.

¹¹ "Di Panggung Pungggung Partai Banteng."

What stood out during the National Meeting were the criteria of the presidential candidate, which include being Javanese and having been regional heads. The criteria strongly refer to Jokowi. This National Meeting was a crucial event used by Megawati to hear the people's aspirations through general views of PDIP's regional heads and it has been proven that the majority of regional members support the candidacy of Jokowi.

The keyword in this Jokowi 'drama' is timing. When is the right moment to announce Jokowi's candidacy as a presidential candidate of PDIP? A battle between various political strategies is inevitable. On one hand, there is a suggestion to announce Jokowi as the presidential candidate as soon as possible. This will increase PDIP's votes in the legislative election on April 2014. PDIP's victory in legislative election will smooth Jokowi's candidacy because the presidential threshold will be reached or even exceeded.

On the other hand is a view that is held by Megawati, which is that now is the time to focus on securing the 20% seats or 25% share of votes in the legislative election on DPR in the 2004 legislative without exposing Jokowi. This political strategy also holds a risk-averse point of view, which says that it is too risky to announce Jokowi's candidacy too early to evade attacks from other political rivals. PDIP needs Jokowi with his 'untainted' image.

Tempo magazine listed several attacks that Jokowi will face.¹² *First*, there can be an attack from Gerindra accusing Jokowi of being inconsistent and power-hungry. *Second*, there can be a procedural tackle, as already stated by members of Jakarta's Regional Representative Council (*Dewan Perwakilan Rakyat Daerah/DPRD*), that if Jokowi proceeds, he first has to ask the consent the DPRD Jakarta. *Third*, a claim that Jokowi's achievements as the Governor of Jakarta are not yet visible.¹³

There are other possible strategies to be done by PDIP. The first is letting regional cadres announcing Jokowi as the presidential candidate as part of an effort to win the legislative election. Through this strategy, those who have not voted for PDIP will turn to the party because of

¹² Ibid.

¹³ "Cara Mega Menimang Jokowi," *Tempo*, 15 September 2013.

Jokowi's attraction.¹⁴ The second is announcing Jokowi's candidacy on 10 January 2014, coinciding with PDIP's anniversary; yet this plan is not supported by several cadres loyal to Jokowi because it is viewed as too late and can hamper consolidation of party cadres across Indonesia because the period to do so is too brief.¹⁵

It is difficult to evaluate which political strategy is the most effective. It seems that every strategy entails risks. As such, what needs to be considered is choosing the strategy with the least amount of risks. Euphoria on Jokowi that goes over the top and not handled well can be a negative boomerang for the internal situation of PDIP. For instance, there are PDIP cadres who always criticize Jokowi or anti-Jokowi. There are also efforts to pit Jokowi against Megawati or Jokowi's loyalists against Megawati's loyalists, although this has not been proven.¹⁶

What has been proven is Jokowi's loyalty to Megawati. Jokowi remains cool-headed and does not want to be complacent over such euphoria because he defers the issue entirely to Megawati. The cohesion between Megawati and Jokowi and party consolidation are maintained because Jokowi's ethical politics. Now we wait patiently curiously for the end result of the drama on Jokowi's sudden rise.

Business and Politics: Corruption in SKK Migas

Corruption, bribery, or grafts are like malignant viruses that have invaded all institutions, government or non-government. This time is SKK Migas's turn. Chief of SKK Migas Rudi Rubiandini was caught redhanded by the Corruption Eradication Commission (*Komisi Pemberantasan Korupsi/KPK*) for receiving US\$ 400,000 and a classic BMW motorcycle from Devi Ardi, Rudi's golf instructor, and Simon Gunawan Tanjung, Commissioner of Kernel Oil. The three were immediately made suspects.

Other 'treasures' were found in Rudi's house, amounting to US\$ 90,000 and SG\$ 127,000. In Rudi's office, cash as much as SG\$ 60,000 and US\$ 2,000 and 180 grams of gold were found. There was also US\$ 30,000 of cash in Rudi's safebox in Bank Mandiri. KPK also searched

¹⁴ Ibid.

¹⁵ "Loyalis Jokowi Panasi PDIP," *Republika*, 12 September 2013.

¹⁶ "Mega-Jokowi Diadu Domba," *Republika*, 13 September 2013.

the office of the Secretary General of Ministry of Energy and Mineral Resources Waryono Karno and found US\$ 200,000. Several high-ranking officials of SKK Migas have been released from their duties.

Rudi's bribery and corruption are allegedly parts of an effort by Kernel Oil to bribe the Chief of SKK Migas in winning over government crude oil tenders on fields managed by foreign contractors.¹⁷ It is suspected that Kernel Oil was promised crude oil from Duri, Senipah, and Banyu Urip.¹⁸

The case of Kernal Oil leads to other deviations in SKK Migas that involve the Minister of Energy and Mineral Resources Jero Wacik, known as the 'Husky case.' The Minister of Energy and Mineral Resources and Chief of SKK Migas planned to divert gas allocated for factories of PT. Petrokimia Gresik and PT. Pupuk Kujang to Bali. The plan was allegedly part of a plan by the two to present profit for their partners. KPK was suspicious of this, which, if true, the country is certain to lose billions of rupiah.

In an institution that generates around IDR 1 trillion per day and is one of the largest tax generators, it is no wonder that SKK Migas is prone to digression, especially considering its lack of supervision.¹⁹ The relation between business and politics is apparent here. From the data collected by KPK, on the eve of the 2014 election, there was an increase of projects and budgetary needs. As such, there is an assumption that Chief of SKK Migas's bribery is related with the funds of Democratic Party Convention, although this assumption is denied.

Moreover, because of the discovery of dollar in the drawer, a new game plan involving PT. Surya Parna Niaga, part of the Surya business conglomerate built by Marihad Simon Simbolon was suspected. The 7-month old company was allegedly going to partner with Kernel Oil in an upstream oil industry. The company would have a strong position because it had been helped by Doddy Yusgiantoro, brother of former Minister of Energy and Mineral Resources, Purnomo Yusgiantoro, and was close the vice chair of the Energy Commission at DPR, Effendi Simbolon.²⁰

¹⁷ "Laporan Utama," *Tempo*, 25 Agustus 2013.

¹⁸ *Ibid.*

¹⁹ "Aturan Lama, Pemain Baru," *Tempo*, 25 Agustus 2013.

²⁰ "Gara-gara Dolar di Laci," *Tempo*, 1 September 2013.

Business in SKK Migas also involves other state officials. Kernel Oil has suspectedly had close relations with high-ranking members of Golkar such as Setya Novanto, Agung Laksono, and Ali Mochtar Ngalain. Allegedly, former officials or ministers also have roles in the institution, such as the former head of Government Regulatory Agency on Upstream Oil and Gas (*Badan Pelaksana Kegiatan Hulu Minyak dan Gas Bumi/ BP Migas*) Raden Priyono and former Minister of Energy and Mineral Resources Purnomo Yusgiantoro who is now Minister of Defense.

Since Rudi became the Chief of SKK Migas, he has replaced the majority of his deputies in the institution. The notable replacements were two former KPK officials in SKK Migas, Lambok Hamonangan Hutauruk and Budi Ibrahim. Lambok and Budi were allegedly 'minions' of Purnomo and Priyono.²¹ As such, there are suspicions that what befell to Rudi was a result of power contest between the Priyono-Purnomo bloc and Rudi bloc and Jero Wacik in placing their people within the ranks of SKK Migas.²²

As of the time of this writing, KPK continues to call more witnesses. The case of Kernel Oil is simply a gateway to unearth the massive corruption culture in the institution, involving other 'octopuses' in the world of business and politics, and involving high-class political elites. Corruption practices in the institutions tend to be tolerated without supervision, leading to further illegal acts. This is because the large number of actors involved and benefiting from the institution.

As such, the significant gateway to clean up SKK Migas from practices of corruption, bribery, and graft can be started by efforts to build accountability, transparency, and supervision within the institution. The law needs to be implemented.

Tragedy of Law Enforcement

Efforts to enforce the law in Indonesia never run out of publicity. Ironically, the dominating news narratives are negative ones that place law enforcement 'actors' as the 'perpetrators.' It is not an overstatement that efforts of law enforcement in Indonesia have been bat-

²¹ "Adu Kuat Pejabat Migas," *Tempo*, 8 September 2013.

²² *Ibid.*

tered. There is no longer a law enforcement institution that can still be deemed trustworthy after the Chief Justice of the Constitutional Court, Akil Mochtar, was entangled with corruption cases regarding past and upcoming verdicts of a number of regional elections cases. The initiative of the Supreme Court to give sentences to the accused in the corruption and money laundering cases three times more stringent seems pointless.

After the arrests of prosecutors, lawyers, and judges in various crimes on the last three months, there were several cases of violations of the law. The first was the bribery case involving Mario Bernardo, a lawyer in the law firm of Hotma Sitompoel. Mario allegedly bribed Djodi Sipratman, a staff of Education and Training Agency of the Supreme Court. He was caught redhanded in bribing Djodi with IDR 78 million.

The money was allegedly part of an effort to secure fraud cases related to Hutomo Wijaya Ongowarsito, director of PT. Sumber Calcium Pratama, which is currently proceeded in the court of cassation. Two Supreme Court judges, Mohammad Zaharuddin Utama and Adni Abu Ayyub Saled, were allegedly involved in this case.²³

The second case is the granting of further consideration of Sudjiono Timan, former CEO of PT. Bahana Pembinaan Usaha Indonesia, who is a fugitive after sentenced to 15 years in jail on 2004. Based on the decision of four Supreme Court judges, Sudjiono was sentenced free. Only one judge had a different opinion. According to the judge who expressed dissenting opinion, further consideration was supposed to be denied because, constitutionally, those who have the right to request further consideration are the accused or their heirs.²⁴ The heirs can request further consideration if the accused is deceased. In this case, there is no evidence that the accused is deceased. It is suspected that bribery took place between the four judges so that the request for further consideration by Sudjiono led to his discharge.

The third case was legal violations regarding the selection of candidates for Supreme Judge done by members of DPR. Although this has passed, there allegedly a suspicion that members of Commission

²³ "Suap Mario Di Kantor Hotma," *Tempo*, 11 Agustus 2013.

²⁴ "Putusan Ironis Untuk Sang Buron," *Tempo*, 8 September 2013

III of DPR from the Democratic Party have attempted to offer money IDR 200 million each for the seven members within the leadership of Judicial Commission. The event was litmus test for the fit-and-proper test of Supreme Judge candidates back in 2012. It was allegedly a 'deal' effort between Bachruddin, member of DPR from Nationality Nation Party (*Partai Kebangsaan Bangsa*), with Sudrajad Dimiyati, a Supreme Court candidate during the selection test in DPR on September 18, 2013. The two cases are still investigation and there are suggestions to strip the power of DPR so that it is not involved in the selection of state officials, especially selection for Supreme Judge.²⁵

The fourth case was the arrest of Akil Mochtar, Chief Judge of the Constitutional Court. This case is considered extremely scandalous and can be likened to knocking down the legal foundation of this country. Akil Mochtar was arrested by KPK on 2 October 2013 in his state residence as he was caught redhanded receiving as much as IDR 3 trillion in US\$ and SG\$ in total. Apart from Akil, arrests were also made for Chairun Nisa, member of DPR from the Golkar Party²⁶ and a businessman from Palangkaraya, Corneli Nalau, in Akil's residence. The regent of Gunung Mas, Hambit Bintih, was arrested several hours later.²⁷

The arrest of Akil is allegedly related to the dispute of regional election in Gunung Mas Regency, Central Borneo. Although Hambit was announced as the winner of the election, there were appeals from the pairs Alfridel Jinu-Ude Arnold Pisi and Jaya Samaya Monong-Daldin. Hambit's bribe was allegedly part of an effort to secure his position as Gunung Mas regent. Akil was made a suspect with a possible sentence to a whole life in prison on corruption and bribery grounds. Three other who were arrested in the case of Akil have also been made suspects.

KPK keeps building up the case of Akil and was referred back to its earlier suspicion of bribery to the Chief Judge of Constitutional Court regarding the dispute over the election of Lebak regent, Banten. The

²⁵ "Seleksi Hakim Agung: Anggota Komisi III Pernah Tawarkan Uang," *Kompas*, 19 September 2013; "KY: Yang Tawarkan Uang dari Demokrat," *Kompas*, 21 September 2013; "Seleksi Pejabat Publik: Marzuki: Ada 'Deal' di Balik Pemilihan," *Kompas*, 22 September 2013.

²⁶ Chairun Nisa is also registered as a legislative candidate for the 2014 legislative election in the Central Kalimantan election district.

²⁷ "KPK Tangkap Ketua MK," *Kompas*, 3 Oktober 2013.

case involves Susi Tur Andayani, a lawyer, and Tubagus Chaeri Wardana who is the brother of the Governor of Banten, Ratu Atut. As much as IDR 1 billion was allegedly given to Akil from Tubagus. Tubagus was part of the election team for the Lebak regent pair Amir Hamzah-Kasmin defeated by Iti Octavia Jayabaya and Ade Sumardi.²⁸ The order to bribe Akil allegedly came from Ratu Atut herself, who was also apprehended by KPK.

After the arrest of Akil, KPK searched through the wealth of Akil and other people in the case and investigated people around Akil. In the process of searching Akil's work desk, three boxes of weed and two grains of ecstasy were discovered. It is still uncertain whether Akil was the user of the drugs found. After further investigation, Akil was also found to conduct money laundering, as a company in general trade and services, located in Pontianak and owned by Akil's wife, Ratu Rita Akil, was discovered. In the company, Akil allegedly transferred money he gained from bribery in regional election dispute cases. In the bank account of the company, IDR 100 billion was found.²⁹

The case that befell upon Akil did not only destroy a legal pillar of the country, but also delegitimized the role of Constitutional Court in the legal domain. The public tends to be suspicious of the actions of 8 other members of the Constitutional Court. The other members have been demanded to be more transparent in publicizing their wealth. There are also suggestions for the Constitutional Court judges to be 'frozen' temporarily. The validity of decisions on regional election dispute by the Constitutional Court is being questioned.

The biggest challenge at the moment is how to return the authority and legitimacy of the Constitutional Court. President Yudhoyono announced five steps to save the Constitutional Court, which include: the external audit of the Court; regaining public trust to the Court through quick and conclusive law enforcement done by KPK; and the publication of a Government Regulation to Replace the Constitution (*Peraturan Pemerintah Pengganti Undang-Undang/Perppu*), which among others regulate the criteria, rules, and selection of judges.

²⁸ "Sengketa Pilkada Jerat MK," *Kompas*, 4 Oktober 2013.

²⁹ "Akil Diduga Cuci Uang Miliaran Lewat CV RS," *Kompas*, 9 Oktober 2013.

The plan to publish Perppu is much contested because it is regarded as unconstitutional. For instance, Arif Wibowo from Legislative Agency of DPR stated that, "the Constitutional Court is a state institution whose authority is regulated by the constitution as enforcers of people's sovereignty. Therefore, it cannot be regulated by Perppu."³⁰ Another idea to save the Constitutional Court is to fix the internal system of the Court, including the supervisory system. Not less important is the need to again recruit the constitutional judges. There needs to be a more transparent, responsible, participatory mechanism in the selection of judges within the Court, DPR, and the President. Another suggestion is to reduce the Constitutional Court's authority, particularly on the issue of dispute regarding the regional election.³¹ It is suggested that this is to be dealt by the Supreme Court.

Concluding Notes

From these cases, there are several points that can be underlined. Next year, this country will celebrate two large and crucial events in its democracy, the legislative and presidential elections. The momentum is crucial as main gateways to select leaders with legitimacy, quality, credibility, moral, and integrity. Organizers of the Democratic Party Convention have hopes that such ideal leader would be selected through the convention. On the other hand, the Jokowi euphoria signals that people are critical and understand the figure of president who they long for.

The election should not be viewed as a 'ritualistic' mechanism to put power-and-wealth-hungry people yet morally flawed. The election mechanism needs to be fixed by involving professionals, conducted with the correct regulations, based on law enforcement conducted correctly, and supervised by people or institutions with integrity. Public political education should continuously be done. The increasing number of election-related disputes that have been brought to the Constitutional Court reflects the tendency that elections in Indonesia are still problematic. Money politics and unfair conducts still prevail and dominate.

³⁰ "Banyak Yang Tolak Perppu," *Kompas*, 8 Oktober 2013.

³¹ *Ibid.*

Two important actors who will be the 'output' of these elections are the DPR and the President. They shall be the strategic actors in steering the government wheels for the country. The roles of DPR and the President are strategic in selecting significant state officials. If one or both of the actors are 'troubled', the impacts can be dreadful.

The impact of disorganized election and the non-functioning monitoring mechanism are already obvious. Corruption is rampant and institutionalized in all parts of the government, as shown by the SKK Migas case.

Ironically, in all three cases discussed in this review, the selection of the supreme judge and the head of the constitutional court had the involvement of DPR members and political parties. More over, the government officials that have been hit by recent cases were also selected by DPR. This shows a very fundamental problem.

There are four important steps to be done to save the country from doom caused by corruption and crisis of legitimacy at the executive level: improve the organization of elections; fix the recruitment and selection system of government officials to be more accountable and transparent; improve the monitoring mechanisms, both internally and between institutions; and strengthen the monitoring mechanisms that involve the civilians. The role of the public has been proven significant in aiding KPK in unraveling continuous corruption cases.

** Translated from the Indonesian language by Rocky Intan.*