

## Executive Selection Model in the Local Level in the Reformation era

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### Abstract

At the legal system domain, the democratic transition in Indonesia is characterized by a change in local leader election system, from a non-direct election by the member of representative body to direct election by people. The application of direct election system in local political leader recruitment is normatively aimed to: (1) improve the accessibility of the recruiting process of local political leader, (2) bring in a more politics local political leader, and (3) minimize the possibility the money politics in the election of local political leaders. The phenomenon of direct election for local political leader during 2005-2006, however, shows the different fact. Money politics occurs in everywhere.

Defining politics as the struggle for power, this research is intended to: (1) discover the signification of money politics in the winning process of local political leader candidates, (2) to describe the way of the money politics works in the winning process of the local political leader candidates, (3) the specify the functions of money politics in the winning process of local political leader candidates.

A kabupaten district with high economic attractiveness was selected as the research site. A qualitative-descriptive analytical strategy was applied to analyze the gathered data in the form of formal document and published news, observational field notes, and the records of in-depth interviews with all main actors and the key informants of the election of local political leader.

The findings show a number of threats of money politics have been anticipated, and have been tried to prevent systematically by establishing related regulations, and administering the supervisory committee and independent monitoring institutions. It is evident that money is the most necessary means to win the very tight rivalry in local political leader election since it can be converted into or exchanged with the other necessary means. The absolute nature of money as a means in attaining the goal of local political leader candidates, gives the opportunity for the political croupier to enter and intervene the process local political leader election. In the context of the relationship between the actors of local political leader election, money serves as the most certain binding. Such binding will influence the public policy decision made by the elected political leader so that gives special advantages to the political croupier.

The first implication of this research is on the transition to democracy. At the political behavior domain, the democratic transition in Indonesia, as reflected in the direct local direct local leader election, is characterized by the emergence of money-oriented pragmatism, so that: (1) directing the transition from people to money sovereignty oriented transition, (2) fertilizing pragmatic political behavior both among the elite and the massive voters, (3) and lessening the influence of political ideology upon the peoples electrical behavior.

The second implication is on the refinement of the dimension of power, from dichotomous model to the continuum one. The change from potential to actual power is triggered by dynamics of political life. There is exchange-based power which is located between the consensus-based and coercion-based power. In term of public morality, the practice of money politics will result in less legitimated local leader, so that property-based power which is located between the occupation-based power and personality-based power. There is type of sensible but unproven power which is located between the implicit and explicit power. There is type of liaison power which is stronger than, and bridges the direct and non-direct power.

The third implication is on the theory of the basis of power. The domination of economic elite in local power structure affects the basis of power form cultural-based power to material-based power. This phenomenon lessens the popularity of political ideologies, and fertilizing the pragmatism in elite's and mass' political behavior. The findings are, however, rejects the Marx's hypothesis of base determinism over the legal system, but they are still powerful in influencing the implementation of the legal system in line with their interests.

Finally, the Parsons' theory of voluntary action which was offered as theoretical perspective is consequently insufficient to explain the phenomena of money politics in the local political leader election. Parsons' theoretical model needs to be advanced by: (1) adding the Marx's theory of capital structuralism which affirms the significant meaning of capital in shaping societal behavior, and (2) involving the Mead's agency theory which affirms the notion of human beings as the creative agent in negotiating the social structure that is shaped by the social norms as well as the capital.

**Keywords:** money-politics, local political leader's election, local economic elite.

## 1. Introduction

Indonesia is entering a new era of democracy. Following the adoption of the presidential election system and vice president directly, since 2005, head of the rural areas also elected directly by the people. Thus the application of a direct election system, normatively intended to: (1) improve public access for the recruitment of local political officials, (2) generate local political official with a higher legitimacy, and (3) reduce the possibility of money politics in the election of the head of the area- village.

However, the phenomenon of rural local elections directly for 2005-2006 would indicate a different fact. Political money is everywhere. Theoretically, this phenomenon provoke debate whether direct election system and political practices of money in local elections-village implications for the actions of candidates or candidates of regional head-village in choosing ways and means of winning independence, as well as the pattern of voting behaviour (*voting behaviour*) community.

A number of studies on the relationship of money and politics have been done. Results of the study of Brian (1970) concluded that the issue of money politics has emerged since the year 600 BC. Drew (1983) concluded that money politics negatively impact the performance of public officials elected. Skinner (2000) concluded that money politics and vote-buying is political corruption, particularly in developing countries such as Thailand and Indonesia. McVey and colleagues (2000) with research sites in Thailand concluded that the practice of money politics in Thailand led to a business party, in a sense become the political elite is how businessmen in politics (*Political Godfather*). Mann and Corrado (2002) concluded that the flow of funds in the general election in the United States tend to be more complex and difficult ratified between legal and illegal. Loewen (2005) concluded that the strategic determination in determining expenditure by candidates of local elections is affecting large or small expenditure compared with the type designation expenditures.

In the Indonesian context, Sulistyono and Kadar (2000), which examines the Indonesian elections in 1999, concluded that the practice of money politics emerged in all steps elections in Indonesia. Because it is the party that has a lot of money also scooped sound. Sherlock (2004), which examines the implementation of the Indonesian elections *in* 2004, concluded that money politics in the legislative elections in Indonesia is one of the effects of the application of the system of *the single non-transferable vote* (SNTV).

On the implementation of area-village elections by Parliament. Suwondo (2005) concluded that the practice of money politics is very symptomatic and show various forms of money politics. Rifai (2003), which is using a legal approach, concluded that the patterns of political money in local elections-village by the time the necessary funds, a strategy giving money, as well as the conditions that make the politics of money does not happen.

Related to a number of these studies, it can be noted a few things. First, all did study on the implementation of legislative elections. Even if there is a study of the practice of money politics in the regional head-village, everything was done when the system is indirect election. Second, in the whole study, not yet equipped with the empirical study of the power structure of society (**community power** structure), so that could be identified who the "real government" (Dahl, 1968).

The specificity of this study, in addition to be implemented in the context of rural local elections directly, also reveals the testimony of the various parties involved in money politics in the regional head-village directly. The study also did not stop at the surface description about money politics, but tried to give a theoretical significance of political phenomena of money in local elections-village.

With regard to voting behaviour has been much research done on the behaviour patterns choose in Indonesia. In general, the political perspective view, beginning of the study results Geertz (1981), Feith (1981), Gaffar (1992), Nasikun (1995), Mallarangeng (1997), and the last Sherlock (2004), is still deemed sufficient to explain voting behaviour in Indonesia.

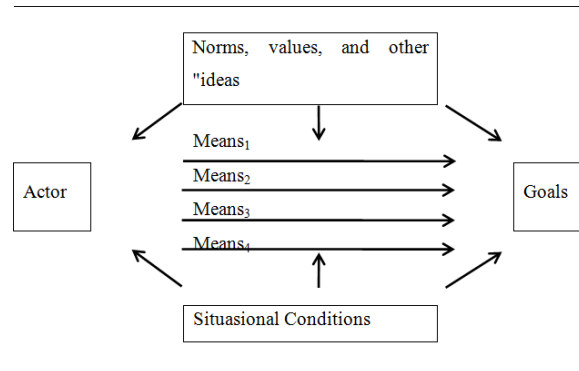
When voting by the people is not only used for legislative and presidential elections, the question arises that is important to answer. Is the flow of political theoretical perspective is still valid to explain voting behaviour in local elections? Which is more dominant in the regional head-village, whether political or the flow of money politics?

**2. Review Theoretical**

**2.1 Formal theoretical framework**

actions of the actors in the regional head-village voluntaristic action model developed by Parsons (Turner, 1987). This model can be represented as follows:

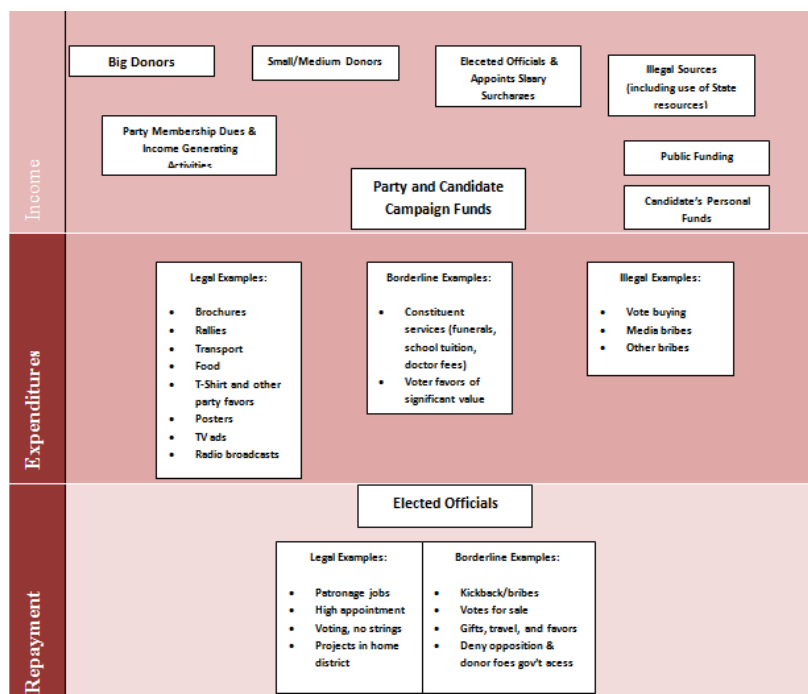
**Chart 1: Model Early voluntaristic action theory Parsons**



An actor, in taking action to achieve the goal of having a number of selection means. Norms, values, ideas of others, and situational conditions not only provide restrictions on destinations that may be realized, but also limits the choice of means can be used. Thus, what the actor does not totally free, but have choices constrained by the norms, values and situational conditions.

**2. The theoretical framework of substantive**

thought theoretical framework of how money influences politics can be described as follows (Office of Democracy and Governance, 2003: 10).



**Chart 2: How Politics Can Affect Money**

By describing politics as a system, the money flow starts from the source of income (*income*), expenditure (*capex*), and chargeback (*repayment*). Sources of income and expenditure, in the context of a political official election lies in the stage of pre-election (*pre-election*), while the reverse payment is post-election events (*post-election*).

Sources of revenue prospective political officials include: donor big (*big donors*), the donor SME (*small and medium donors*), allowances and salaries of officials (*elected Officials and*

*appointee's salary* surcharges), illegal sources including the use of state resources (*illegal sources, Including use of state resources*), public budgets (*public funding*), party membership fees and business activities (*party membership dues and income generating activities*), and private funding of candidates. All financial resources are used for both the party and candidate campaign budget (*party and candidate campaign funds*).

With regard to budget expenditure, grouped into three categories, namely legal expenditures (*legal expenditure*), expenditure boundary (*boderderlin expenditure*), and illegal expenditure (*illegal expenditure*). Examples of legal expenditure is the cost of manufacture and distribution of brochures, campaign circumference, transportation, food, t-shirts and other party attributes, posters, television commercials, and radio broadcast advertising.

The forms of shopping is located on the boundary between legal and illegal is a service to voters (*constituent services*) such as paying school fees, allowances grief, and the cost of the doctor, as well as giving something to the voters with significant value.

The forms of illegal expenditures include the purchase of voice (*vote-buying*), bribery media (*media bribes*), and other bribery (*of bribes*).

When use of financial resources, both legal and illegal, as well as shopping both legal, borders, and illegal, an aspiring political officials elected, then in post-election, the question must pay back everything was good with a chargeback legal and illegal. Examples of legal chargeback include job patronage (*patronage jobs*), a promise binding (*high appointments*) voting, and projects in the areas concerned.

The forms of payment include bribery illegal turning back (*kickback/bribes*), buying and selling votes (*votes for sale*), gifts, travel, and the like. And reject the opposition and donors to gain access.

With reference to the framework of the above ideas can be studied how the money has influenced various forms of election, both Legislative Election, Presidential Election, and the election of the rural areas.

### 3. Conclusion The theoretical

From a number of sources of power and a means of acquiring political power, a means of theoretical, money is one source and means that are very strategic. A concrete manifestation of the use of money as a source and a means of obtaining political and perpetuation of powers is the practice of money politics in different shapes and legislative elections or political officials. Local elections direct-village is one form of electoral political officials.

Although the official election politics of money is believed to play an important role, it should be noted that the practice of money politics does not take place in a social vacuum, but rather in the context of the structural distribution of power society (*community power structure*). Hypothetically, money politics elitist. Mass of voters, who in most studies the political economy of Indonesia described still a sufficient economic studies and floating, easily influenced by the elite, especially the political and economic elite. When the economic elite control or conspire with, the political elite, the masses would be easily influenced voters to make a choice in a particular way.

Money as a source and means of acquisition and perpetuation of political power, can be exchanged for a variety of other means, and can be used to develop ways of winning candidates and vice-regent. Money has a very strategic function and tend deterministic in candidates have been taking place in the power structure elitist, specifically dominated by economic elites. Sources of power to another, both of which are in the public realm of politics, civil society, as well as a communal society, it is very susceptible to interference and abuses by the elite economic community.

Associated with the transition to democracy, Demos research team found that the elite, especially the formal political elite have hijacked most of the momentum of the democratic transition and they take advantage of it (Priyono et al., 2004: 20).

As far as the study was not placed in the context of society elitist power structure dominated by economic elites, Demos research team's findings can be accepted. But actually those, if the identification of theoretically to who actually has the most impact is done carefully, then hypothetically it elite economic community to intervene into the realm of political society community residents, and a communal society. It has the potential, not an aberration but rather disrupt the transition to democracy. Political entrepreneurs who have actually *bonded labour practices* in the local election process-village. Elite political economy come into play not only

hijack the momentum of the transition to democracy, but rather distort the democratic transition, and that led to the sovereignty of the people turn to the rule of money.

Until the 2004 elections political stream is still quite important to explain voting behaviour in Indonesia, particularly in Java. Nevertheless, it is clear that on the whole election ever held in Indonesia, until 2004, all of them are legislating election to elect members. Because of the position of the party becomes very important when compared with the figure of legislative candidates as well as money spent on winning.

When voting in person is not only used for the legislative elections, but also for the election of the presidential and local elections-village, in theory political interests flow back to debate. On the one hand, all president candidate and regional head-class village proposed and supported by political parties. This means that the party is a political machine that is quite important. On the other hand, the emergence of the figure of the candidate which of course also has its own influence, implicated in the decline in the level of political interest flow. The slogan that had appeared in the Presidential Election (2005) that "a party may be different, but the president is ...." further reinforce the political erosion of the flow in the direct election of political officials such as president, governor, regent or mayor.

Another problem that then arises and supports the notion that politics fades flow, is the presence of an increasingly clear about the practice of money politics. There is a tendency that the winners of the local elections villages directly are those who spend a lot of money in the nomination stage, the stage of the campaign and voting, which should be observed is the possibility of money politics (Office of Democracy and Governance, 2003: 39). And if money politics can deliver the prospective head region-village to be a winner, it can be concluded that politics increasingly displaced by the flow of money politics.

### **3. Finding**

#### **3.1 Election and National Context elections**

In the context of national Election and Election rural areas, obtained the following findings. When Election seen as a form of democracy, it can be concluded that from a number of elections held in Indonesia, there is a lot of money politics is a tendency that the more the case. Election Old Order is considered more democratic and free from money politics. Election for the New Order is characterized by the dominance of hegemonic powers, which occurred not so political participation but political mobilization. Post-New Order, Election increasingly colour by some action that is considered as money politics.

The practice of money politics by the political elite area so implicated when Parliament has substantial powers to eliminate or at least reduce the practice of money politics in local elections-village. Besides rural local elections also directly based on the spirit to restore sovereignty to the people.

There are a number of threat sources of money politics in the regional head-village directly. Among them is a tradition in local elections-the village and a number of practices that emerged in a variety of legislative elections and the presidential election. Moreover, in terms of regulatory legislation also found many loopholes arising from the provisions concerning money politics less operational and difficult verification process and sanctions for violations that do not affect the validity of the election process and rural areas directly.

There is a systematic effort to prevent money politics in local elections-the village directly. Each one is through regulatory legislation and controlled regulatory agencies and independent monitors. However, considering the threats are so many sources of political money, still no guarantee that the regulation and control is able to function properly.

#### **3.2 Political Context of Local and Regional Head Election Systems-Village**

District / City are one area in East Java which has become a centre of political activity since centuries BC. Some dynasties and political forces in turns control the territory and people of this region.

The phenomenon of dynastic and political forces that constantly vying for control of society Regency / City is closely related to the location of a large area, rich in natural resources is high enough, populous enough, and has a very strategic location in terms of the economic, political and defence.

Based on a growing sub-culture, the people of District / City can be divided into three ethnic groups and sub-cultures, namely, ethnic and sub-cultures of Java, ethnic and sub-culture of Madura, and ethnic sub-cultures and others. The cultural context of societies supposed to

influence the electoral preferences according to the origin of the sub-culture of candidates and deputy regent.

Regency / City have a very high economic potential. The economic potential that really stands out and attracts the attention of investors is in the field of tourism, followed by the residential sector, further industrial, mining and agriculture. Therefore it is not surprising that many people would like to have the opportunity to take advantage of the economic potential for the development of their businesses. In order to facilitate the achievement of this objective, the closeness of the relationship with the regent and deputy regent, is indispensable.

Map political forces Regency / City are characterized by the dominance of nationalist parties and religions. Changes constellation appears when Golkar appear as a dominant force nationally. Thus, the three political forces that determine at Regency / City are: PDI-P, PKB and Golkar.

The power structure of society in Regency / City is dominated by the economic elite. Economic elites not only intervene in determining the policy, but also in determining an official. Community residents who have not quite settling tend to be closer and want to become a client of the economic elite. The elite communal society can still be used to support the decision and wishes the economic elite.

With regard system local elections villages, obtained several findings as follows:

1. Each member of the district commissioner / City originated and received support from community organizations or particular political organization, so it is crucial for outsiders to allege that both in the general election and the election of the regent and deputy district commissioner member regent / city is not neutral. The problem that arises is not whether the allegations can be proven legally or not, a justification for the violation and fraud.
2. Although no general conclusions are the same, that the legislation that is not quite operational for use as a base decree whether an action is the practice of money politics or not, all the elements of the organizers, supervisors and observers are not trying to "describe" the grains in laws the -invitation to be used in the field. In other words, the weakness of the grains legislation regarding local elections, villages and deputy regional head-village, remains a weakness in the application level.
3. Implementation of regent and deputy regent election, the village requires a large budget. However, it does not mean that the regent and deputy regent candidates do not spend big budgets as well. There is a tendency that the larger the budget of a region - and Regency / City include quite large - the harder the competition and the greater the money should be spent by the candidates head-village area.
4. The difficulties encountered to prove money politics is not comparable with that sanction may be imposed against the perpetrators. This concerns not only the difficulty in explaining the concept of money politics, but also about the way of proof, and the period between the reporting by a legal decision. In fact, while reporting has not followed up, the selection process to the region continues.
5. Opportunities to make money politics may occur in almost all phases of the electoral rules and the regent and deputy regent, village. Pairs of candidates and their campaign team and supporters, could observe all rules and these opportunities and seek to work around this.

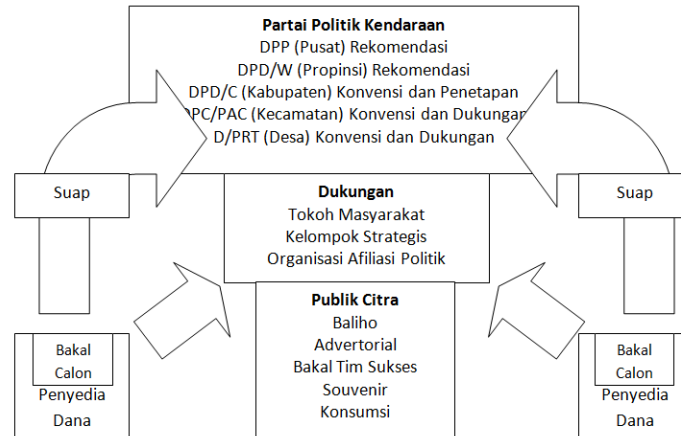
### **3.3 Currency in Stage Nominations Head-rural areas**

Although the budget provided by the local government is already quite large, in-country local elections directly each candidate or candidate the rural area definitely expends substantial funds. This bears very budget necessary to optimize support from party officials, from the village, district to district. Meeting with community leaders, meeting with groups of voters, as well as other strategic groups also requires funds hundreds of millions to billions of rupiah.

Also the political costs incurred by candidates to expedite the process of granting the recommendation of the political elite, both local steps, provisional, and national levels. If the candidates do not come from a party that is large enough, then the expenditure budget at this stage is also greater. Similarly, if the party is used as a political consciousness has a group of different affiliation. The lower-level party officials also considers that the crawl past time for them to be involved and have their own price. Therefore, the reason for the development of the organization and so on, they also decide number of conditions that have implications for money to candidates of regents (Check Bagai 3).

In the case of the election of Regent and Vice Regent, village head also candidates who had long ago put out so much money, not to earn recommendation or support from party leader's bottom level, but to build a positive image through a variety of items and display that accentuates the figure will candidate. Expenditure and this strategy cannot be categorized as campaigning outside the schedule, because it is done not in pairs and without a number of candidates.

**Chart 3: The Role of Money in Phase Nominations**



It is not the same as spending budget from each candidate at the nomination stage. However, it is certain that if the candidates do not come from a political party that has a turnout quite a lot, and not supported by a strong funding sources, almost guaranteed to fail designated as candidates or vice-regent, village.

Briefly it can be argued that because every political party has formal policies and informal that is internal which requires money, and the candidates had to adjust to the policy, then that person can continue to move to the stage of determination of as candidates or candidates for deputy district must provide a budget amounting to hundreds of millions to billions of rupiah. Not infrequently, a number of candidates who feel they have sufficient financial resources will resign. Similarly, there is a party that requires a certain amount of preparation funds, which sometimes have agreed to bargain with candidates.

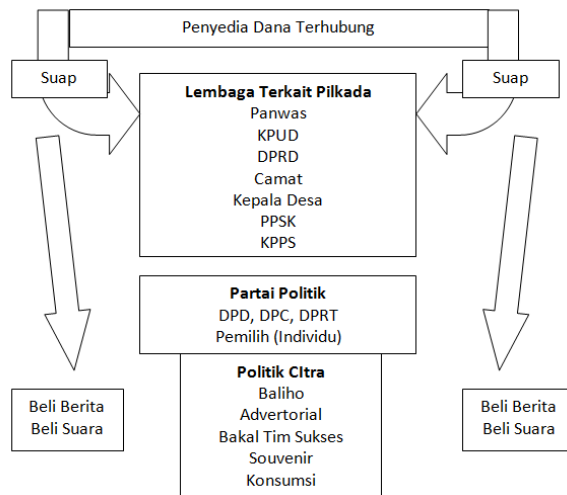
### 3.4 Currency in Campaign and Voting

Practice of money politics in the regional head-village is not only subjective recognized. Money politics was also not just happening upon entering the stages of implementation of the elections, but have been done long ago. Political form of money that is only possible by candidate's *incumbent* is done by mobilizing public budget for areas that are politically benefit him. Physical projects such as improvements way infrastructure, aid to educational institutions, partnership projects, assistance to government agencies such as the military and police, gifts to the leaders of formal and informal community are forms of political practices of money that can be done by the candidate *incumbent*,

Money is considered very important by almost all the actors involved in the regional head-village, but also objectively gives highest in the process of achieving goals. Money is the most strategic variable because it has the potential to be converted into a variety of other means and ways. More daeri the money also can be used as a tool to deal with the social structure in the form of norms such legislation. Ways and by other means, in the context of rural local elections held under Law No. 32 of 2004, it is a necessary condition (*Necessary condition*) for the triumph candidates but cannot be a sufficient condition (*sufficient condition*) to deliver a candidate win the election.

When compared with the vote each candidate, it would seem that the pair were ranked first in spending will also be ranked first in the vote. Similarly, couples who ranked the bottom in spending will also occupy the lowest ranking in the vote.

Based on the whole description and analysis of the data, the role of money as a means of political competition in the regional head-village can be described as follows (Check Chart 4).

**Chart 4: Money in Phase Campaign and Election**

Money is being used not only to buy the votes of voters (*vote buying*), but also buy the news media with the contract system, bribing a number of institutions which are responsible for head elections were clean, honest and fair. As is the case in the District / City, there is a difference between the alignments Election Supervisory Committee rural areas with the Election Commission, the Election Commission with the PPS of element formation PPS sub-district and village heads. All these things cannot be separated from the flexibility of money to be converted into a variety of means in political competition.

Because competition in the bupati elections is very strict and through various stages requiring the availability of large amounts of funds, it is logically rare that the funds can be provided by the candidates themselves. Local Politicians and candidates, who initially need only funds for members of the DPRD, now have to provide so much funding for so many people, ranging from party members as voters, party managers to party heads of political parties.

Finally, both the analysis of both quantitative and qualitative data tends to lead to the same conclusion that, in the context of village-head elections, the level of political determination of the flow tends to decrease when compared to the politics of money and the political cotokohan of the village head candidates.

## 4. Conclusion

### 4.1 General Conclusion

Based on all the discussions that have been done, can be drawn some general conclusions. First, money is a necessary tool, but not enough to ensure the candidate pairs win the competition for village-head election. Of a number of other necessary means, money is the most important means of securing a village-head candidate, as money can be converted into, or exchanged for, other necessary means.

Secondly, all potential money as a means of achieving the objectives of the candidate pair of village heads can be actualized in two ways: (1) in line with norms, values and rules, or (2) is a way of actualizing the instrumental potential of money that is contrary to norms, and rules, but difficult to prove, so it is reasonable to do.

Thirdly, the absoluteness of money as a means of achieving the objectives of the candidates for village heads, gives an opportunity for the entry of the Regional Politician Entrepreneurs in controlling the election of village heads. In the context of inter-agency relationships in village-head election, money is the surest binder. Included is a binder for the village head-to-head candidate to the Regional Politician Entrepreneurs, who will influence the decisions and public policies made by the head of the villages to benefit the Local Politician's Entrepreneurs.

Fourthly, the direct election of village heads by the people does not necessarily increase the legitimacy of juridical, ethical and sociological. Ethical legitimacy is largely determined by the quality or level of democratization of the direct election of village heads. The more democratic a direct election of village heads, the higher the chances of gaining the heads of the villages that have not only juridical legitimacy, but also sociological legitimacy and ethical legitimacy.



Fifth, the identification of power winners at the local level should take into account the basis of the basis or source of power. In this connection, the source of power in the form of material or money tends to be stronger when compared to the source of power in the form of office. Through material ownership and money, a person can exercise control almost entirely in the direction that public resource allocation policies will be brought. This is done by acting as the Regional Politician Entrepreneur who funds the candidate pairs of village heads in all stages of village-head election, for in turn the elected head of the village-elect will be bound to make public policy favourable to the Regional Politician's Entrepreneur.

Sixthly, in the election of political officials such as in the presidential election, the election of governors, the election of regents, and the election of the mayor, people choose not because of the consideration of political ideology which in the context of Indonesia is a political flow but because of pragmatic considerations, Indonesia is a direct benefit. In summary, it can be argued that when political and economic elites engage in money politics, grassroots voters are trapped in the rationality of money's pragmatism.

## **4.2 Specific conclusion**

### **4.2.1 The Meaning of Money in Politics**

All the actors involved in the village-head election directly interpret the money is not the only means to achieve victory. However, when compared with other means, money is the most decisive means. The meaning of money in direct village-level elections is not only subjectively acknowledged to be very important by almost all actors involved in village-head election, but also objectively contributing the most in the process of achieving the objectives. The belief that money is an indispensable prerequisite in village-head elections and money can be used as a tool to bargain social structures in the form of statutory norms and law enforcement implies the need to address the theoretical view that human acts are constantly limited by the social strict. In fact, humans are not only influenced by social norms, but also tend to deal with social norms. The theories of social action, including in this regard political action, cannot but necessarily place the human being as not merely producing the normative social structure.

### **4.2.2 How Money Politics Works**

In direct village-level elections, money politics works by altering or dealing with norms, social values, the idea of a proper way of politics, and even the conscience of the electorate, and situational conditions that limit the likelihood of goal attainment. This is possible because money is a flexible tool and has the potential to be exchanged with other means as needed. The various laws, between and the constitution of the party can be changed through the practice of money politics. Other ways and means, in the context of village head election conducted under the Law of Number 32 of 2004, is indeed a necessary condition for the candidate's victory, but not a sufficient condition to deliver a candidate wins the election

## **2.3. The Functions of Money Politics Practices**

Basically the practice of money politics is to eliminate or at least reduce the uncertainty in achieving goals according to the stage of village-head election. In the early stages, money serves to ensure that prospective candidates will be assigned to candidates for district heads or village heads. At the stage of the campaign, money serves to ensure that the candidate is known, well earned, and ultimately in demand by the prospective voter. At the election stage, money serves to ensure that voters leave for electoral activities, the practice of money politics serves to bind the elected candidates to give special treatment to the party providing the money when in the process of nominating and electing the head of the village he follows. Latterly, the practice of money politics serves to complicate the process of enforcing social norms, including legal norms.

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