

CHAPTER I

INTRODUCTION

This introductory chapter presents several sections, involving (1) background of study, (2) research questions, (3) research objectives, (4) literature review, (5) theoretical framework, (6) conceptual definition, (7) operational definition, and (8) research methodology.

1.1 BACKGROUND OF STUDY

The existence of special region of Yogyakarta in the historical context started from the history of the establishment of Ngayogyakarta Sultanate based on the Giyanti Agreement 1755. Starting from the history, it was emerged a system of government and then developed, until finally, became the special region of Yogyakarta which is a part of the unitary state of the Republic Indonesia (NKRI). Ngayogyakarta Hadiningrat Sultanate was established in 1755 by the Prince of Mangkubumi, with the title of Sultan Hamengku Buwono I, while Kadipaten Pakualaman was founded in 1813 by Prince Notokusumo (Sultan Hamengku Buwono II's brother) who was titled Duke of Paku Alam I.

The privileges of Yogyakarta in the matters making it a special region were based on histories and rights of origin according to the Constitution of the State of Republic Indonesia (UUD1945) to regulate and administer the special authorities. Special authority is a certain additional authority possessed by Yogyakarta other than the authority as defined in the law on regional government. The authority of special region as referred to in paragraph (1) of law No. 13 of 2012 includes:

1. Procedures for the filling of positions, positions, duties and authorities of the Governor and Vice Governor;
2. DIY Regional Government institutions.
3. Culture

4. Land and

5. Spatial

The passing requirement of the privileged things were based on several reasons, while in terms of history of Yogyakarta were originated from the era before independence, where the Yogyakarta Sultanate was a separate state territory which was controlled and directly responsible to the Dutch East Indies government. The uniqueness of the Yogyakarta's experiences was one of the facts that make it a special region. In the process of government development, Yogyakarta proceeded from the type of feudal and traditional government into a government with a modern structure. In the development and dynamics of the state, there is a close relationship between the republic of Indonesia and Yogyakarta. Yogyakarta entity has a political-juridical aspect relating to the history of its establishment which is a form of integration of a kingdom into the unitary state of the Republic Indonesia.

By looking back a glance, at the time of the proclamation of independence of Indonesia, Sri Sultan Hamengkubuwono IX and Sri Paku Alam VIII agreed with the President of Republic Indonesia, stating that the Yogyakarta Sultanate and Pakualaman Duchy became part of the territory of the Republic Indonesia, and was merged into one unified province DIY (Daerah Istimewa Yogyakarta). Sri Sultan Hamengku Buwono IX and Sri Paku Alam VIII as a Governor and Vice Governor are directly responsible to the President of Republic of Indonesia. The legal law and documents are:

1. The charter of the position of Sri Sultan Hamengku Buwono IX and Sri Paku Alam VIII dated on 19 August 1945 from the President of the Republic of Indonesia;
2. The mandate of Sri Sultan Hamengku Buwono IX and the mandate of Sri

Paku Alam VIII dated September 5, 1945 (made separately);

3. The mandate of Sri Sultan Hamengku Buwono IX and Sri Paku Alam VIII dated on 30 October 1945.

From January 4th, 1946 to December 17th, 1949, Yogyakarta became the capital of the Republic Indonesia, at that moment, the Dutch came back and tried to colonialized Indonesia again, precisely in the struggle and even experienced a very thrilling moment; dramatically, Indonesia independence was at the crisis. Therefore, the founding father of Indonesia gathered and fought for Yogyakarta. Moreover, the young fellow who was also fought alongside the founding father of Indonesia after the war ended; they continued their studies at the University of Gajah Mada as the first State University established by the President of the Republic of Indonesia, as well as a living monument to commemorate the struggle of Yogyakarta.

DIY is formally formed by the law Number 3 of 1950 on the establishment of the Special Region of Yogyakarta which was a response to the existence of Yogyakarta and is also the recognition of the authority to handle various affairs in running the government as well as special affairs. This law has been amended and supplemented, most recently by the law Number 9 of 1955 and by now currently the law Number 9 of 1955 which still affects today. The law stated that Yogyakarta is a province-level region and covers the former Ngayogyakarta Hadiningrat Sultanate and the Kadipaten Region. Yogyakarta in the journey until the current Yogyakarta right now has faced many obstacles. At this time, Kraton Yogyakarta is led by Sri Sultan Hamengku Buwono X and Puro Pakualaman is led by Sri Paduka Paku Alam X. Both of them play a decisive role in preserving Javanese cultural values and customs as a unifying community of Yogyakarta. Yogyakarta Province is former two traditional kingdoms, which have pledged alliance to the Republic of Indonesia since 1945. Although it joined up with Indonesia, the monarchical system

existed through the application of the Law Number 3 of 1950 about the special law of Yogyakarta that set the appointment of Sultan, its traditional ruler, as the governor of the province. Moreover, the implementation of the Law Number 32 about the local government that applied local election to local government in 2004 did not change the special law of Yogyakarta. However, the law raised the contestation between appointment and election mechanism for governor of the province and the need to renew the special law which is very simple and out of date to administer the province (Dwi, 2011).

In order to have a democratic provincial government and accommodate the group of people who accept the election mechanism, in 2010, the central government of Indonesia drafted the revision of special law which applied the direct election in Yogyakarta to choose its governor. The central government argued that the monarchical system contradicted to democratic approach and it must be changed. As a result, the draft faced people's resistance, which rejected the draft, and they are demanded to keep the special law to be based on the appointment of their Sultan as the governor of the province (Fajar, 2015). This situation created a tension between monarchical and western-styled democratic system.

In addition to describe the real condition and how is the implementation of law No.13 2012, this research will shows the data of human development index (HDI) and indonesia democracy index (IDI) When the effectiveness of the special law and hybrid regime is measured by its effect, it is important to link it with the legal theory foundation, that are the existence of certainty, benefit and justice. Meanwhile, in terms of DIY community development, several indicators as for the efforts to make the DIY community prosperous after the special law is directed at achieving the goals of development itself which are:

1. Economic growth.

2. Creating jobs.
3. Poverty reduction.
4. Maintain price stability of basic commodities.
5. Improve the quality of education.
6. Improving the quality of health services.
7. Increasing infrastructure development.
8. Improve the quality of community services.
9. Upholding fair law and eradicating corruption.
10. Improve good governance.
11. Preserving the environment.

Based on the explanation above, there are five strong reasons why the writer conducts this study. Firstly, to give a better understanding for the writer, people and the future research of what is really happening, what is actually the type of Yogyakarta and why Yogyakarta is special itself. Next, in the era of decentralization, there are so many local politic dynamics that occur in Indonesia regions. By doing a science research about the problem; it will be a beneficial for the life of local politics. Third, the writer invites to all political science researchers in Indonesia that they are required to take into account of local dynamics that face many problems in the journey of being an independent region which can handle their own region problems. Without the help of academic people, it will be impossible. Next, in order to do a hypotheses about how Yogyakarta performance by this type of government towards the stability of this regime is, whether there is a correlation between hybrid regime type towards the stability of politics and also the outcome by looking at Human Development Index and Indonesian Democracy Index. Lastly, as an old type of government, how and why this hybrid democracy can still exist in the democratic country itself.

According to the explanations above, the writer is interested to conduct this research within the title "The Dynamic of Hybrid Regime in Special Region of Yogyakarta Under the Law No.13/2012".

1.2 RESEARCH QUESTIONS

Based on the background of the study above, the research question that will be examined in this study are:

1. How is Yogyakarta labelled as a hybrid regime region?
2. How are the Yogyakarta hybrid regime performances towards Human Development Index and Indonesia Democracy Index?

1.3 RESEARCH OBJECTIVES

This study analyzes the tension between monarchical and western- styled democratic system by understanding and evaluating the hybrid institution that occurs in Yogyakarta. Furthermore, the study takes into account of the monographs work on the arguments, but it probes the data to deepen the relational analysis between legal order and people's behavior in Yogyakarta. In order to examine the relation, the study integrates three concepts, which are constitutionalism, legal pluralism and historical institutionalism to explain the legal order, the pluralistic legal system and people's political behavior (Harsono, 2011). This approach provides not only basic exploration to the inter-governmental conflict, but it also explains a broader explanation about tension emerged in this province.

The objectives of this paper are first to explain how and why monarchy system and democratic system occur in Yogyakarta and collaborate to each other. Second, it is to evaluate the 'hybrid democracy'. Lastly, it is to justify this collaborative system of government that occurs in Yogyakarta and gives an explanation how Yogyakarta performance towards this hybrid regime is.

Based on the explanation above, the significance of research is to give a proper understanding on what is the nature of Yogyakarta. Many researches discussed on how Yogyakarta should deal with the problem that occurs without knowing Yogyakarta in its true form. Yogyakarta is transformed and blended naturally from monarchy and survives until current time.

1.4 LITERATURE REVIEW

Unfortunately, this study already faced a problem to begin with because it has the lack access to found the preview studies that directly talks about these issues. Currently, the selected literature which is directly talks about hybrid institution especially in Jogjakarta are from scholars, such as Rukmini (2018), Azizah (2017), Al-Hamdi (2017), Santoso & Tapiheru (2016), Efendi (2012), Hudafalah et al (2013) Harsono (2011), Woodward (2011), Holtzappel & Ramstedt (2009), Kurniadi (2009), Munshi & Rosenzweig (2006). The next problem occurred is that some of those literatures are examined when the law of special region of Yogyakarta (Law No. 13 2012) has not been approved yet. For instance, Efendi (2012) already asserts the brief explanation about the resistance of liberal democracy and a better understanding of Yogyakarta in terms of ordinary people power. He did a great leap for the future that other researcher should take into account about the political activity in Indonesia instead of Indonesian politics, especially the cases in Yogyakarta, which is the terms of grassroots, everyday, politics and also high politics now emerge and became a new phenomenon for politics in the world itself.

Moreover, Harsono (2011) studied specifically about hybrid institution that occurs in Yogyakarta. The existence of hybrid institution comes from the application of intertwined system between monarchy and democracy within the Sultan administration in Yogyakarta. The Sultan attempts to harmonise western and eastern value without depriving the tradition' by strengthening the monarchy using democratic approach. This policy is similar to Gathorne-Hardy conception of

democratic monarchy which explains Queen Victoria's policy in Britain. Moreover, the special status law allows the Sultan to implement the policy which has been proven capable to maintain a peaceful environment in the region for decades. This arrangement became the characteristic of Yogyakarta. Since people felt comfortable with the situation, they embraced it as their 'living law'.

The next study is from Woodward (2011). This previous study explores the interplay of culture and religion in Yogyakarta at the end of the New Order and the ways in which Sultan Hamengkubuwana X used the Palace as a stage for cultural, religious, political drama that figured significantly out in the process of reformation. That led to the democratic transformation of 1998 which is also led to the change of regime and democracy in Yogyakarta. The important information also is taken from Holtzappel and Ramstedt (2009) who explain briefly about the decentralization and regional autonomy challenges. Also, they predicted that Indonesia is coming to the new era where the local politic being more focused because that is the point of Indonesia development which is by local to national, like the way of solving their own region problems and so on. Then, Holtzappel and Ramstedt take into account that Yogyakarta is the region that evolution at the local level. Besides that, Kurniadi (2009) did great analysis towards a way better understanding about the special region in Indonesia and also a brief explanation about how to integrate the traditional institution in democratic transitions. From the explanation, the former President of Indonesia, Susilo Bambang Yudhoyono (SBY), issued the precedential decree to extend the position of Governor in Yogyakarta, and also he compared on how Yogyakarta is way more "special" rather than two other special regions in Indonesia, which are Jakarta and Aceh. Lastly, Munshi & Rosenzweig's (2006) study addresses the question of how traditional institutions interact with the forces of globalization to shape the economic mobility and welfare of particular groups of individuals in the new economy. They explored the role of one such traditional institution the caste

system in shaping career choices by gender in Bombay. It used new survey data on school enrollment and income over the past 20 years. They found that male working class with lower caste networks continued to channel boys into local language schools that lead to the traditional occupation, despite the fact that returns to nontraditional white-collar occupations rose substantially in the 1990s, suggesting the possibility of a dynamic inefficiency. In contrast, lower-caste girls, who historically had low labor market participation rates and so did not benefit from the network, took full advantage of the opportunities that became available in the new economy by switching rapidly to English schools which is the research that has been done is very helpful to understand the traditional institution.

Furthermore, these are the prior studies which were conducted after the law about special region has been approved. First is Rukmini (2018). That study represented an analysis of critical discourse of the Sabdaraja polemics of Yogyakarta palace on the local newspaper in Yogyakarta that is Kedaulatan Rakyat newspaper. The polemic begin moment issuing that Sultan Hamengku Buwono X as the King's of Yogyakarta Palace spoke sabdaraja which are called with *dhawuhraja* associated with the succession of the king throne in Yogyakarta Palace. This polemics has created pro and contra appearing from *rayi dalem*. It intended to uncover how local newspaper constructed the reporting of the *sabdaraja* polemic about the succession of the king throne, while at the same time, it was to disclose political - economic interest of local newspaper in reporting the internal polemics on Yogyakarta Palace. From the study has been done by Rukmini, it strongly shows that how strong the Traditional institution is.

The other previous study is from Azizah (2017). Her point of view is about the stability of hybrid democracy in Yogyakarta in which her study explains briefly about the hybrid democracy in DIY that has been a stable regime in the Special Region of Yogyakarta. Through historical

exploration, it can be found that the emergence of hybridity in DIY started long before modern Indonesia was established. After Indonesian independence, the Sultan and Kasultanan has proved their durable support in defending Indonesian independence, and become important parts of promoting democracy before and after reformation since 1998. The Sultan and Kasultanan as traditional institutions have been welcoming modern institutions and then beautifully blending these two institutions in their own special way of governing this area. Traditional institutions have been able to maintain their existence by mixing itself or hybridizing with modern institutions. The key source for this stability is legitimacy which was owned traditionally by the King and then has been further strengthened by the legitimacy earned through the great achievements in governing DIY. This unique strength of syncretism and benevolent vision is the main source of the hybrid regime's stability in DIY.

Another great research also comes from Santoso & Tapiheru (2016). The study found that there was a strong force from each regions of Indonesian after the fall of New Order Era. In the study, the term of Balkanization could be learned. Explaining briefly about how and why the decentralization was the most viable and feasible answer to Indonesia after reformation. They also gave an explanation about the other special region; for example, Aceh which is simply understandable way of giving decentralization to region can also ease and support the political life of Indonesia. Next is Hudafalah et al. (2013). Their study explained about how and why regional governance in decentralizing Indonesia and they also gave a brief concept about how Yogyakarta succeeded in urban-rural cooperation in order to achieve the metropolitan city of Yogyakarta. Asian urbanization has been typified by among other things, the growth of rural-urban regions, in which functional urban areas have extended beyond established city boundaries into their immediate rural zones.

In dealing with this extended urbanization, in the context of decentralizing Indonesia, urban-rural cooperation has become an important issue. The other study explores the key success factors of inter-local government cooperation in greater Yogyakarta, which has shown evidence of effective regional infrastructure provision and rural environmental protection. By assessing the mechanism, process, and typology of the cooperation practiced, it reveals that there are several key success factors enabling effective interaction and collaboration between the participating urban and rural governments. The key success factors include common vision sharing and the building of strong leadership, a horizontal dialogue process, and openness and transparency.

The other research was conducted by Al-Hamdi (2017) which the research mainly discusses political parties and local governance in Yogyakarta municipality. He stated that Yogyakarta municipality is selected as the focus of study due to its good governance and overwhelming achievements nationally in addressing primarily education and health issues. Therefore, that study has three main objectives. First is to figure out the influence of ideology on the party policy and agenda in coping with public service issues. Second is to explore the effectiveness of the party agenda in dealing with those issues. Third is to discern the pattern of relationships between political parties and governance actors. There are three selected political parties, including PDIP, PKS and PAN considered by representing ideological cleavage, representing people's aspiration and also the result of four election cycles. Al-Hamdi's study is one of the best researches about local politics that also includes the political parties and even more than two political parties. Clearly explaining on how to encourage the democratic system by the reason of giving decentralization is a must, especially these special cases in Yogyakarta. By applying a decentralization system, the local government can realize the state and people's welfare. We also learn a new term here which is 'Trikaswani' which is a six kampung santris, Kauman, Karangajen, Kotagede, Suronatan,

Warungboto and Nikitan. Furthermore, into account whether PDIP, PAN and also PKS are in their way of gaining a popularity in Yogyakarta; is there is any factor that changes in the society?

Lastly, to complete the better understanding about the dynamic of hybrid democracy in Yogyakarta Special Region, these selected scholars based on their great contribution to support this recent study. The book '*Java, Indonesia and Islam*' is the product of the fieldwork research which is done by Woodward (2011) in Yogyakarta. Regarding his interest of Java and Indonesia, the book *Java, Indonesia and Islam* are divided by seven chapters, and in order to answer the question of his research, he called his approach as crucial socio-religious phenomena. He also stated that Indonesia is a category of state where religion and culture cannot be put aside. Indonesia boundaries are permeable and will shift over time. He also examines the architectural, political and religious symbol of Yogyakarta. As a perfect man of classical Sufism and the Allah's representative on earth, its architecture and symbolism are based on similar understanding, the Ka'ba and the descent of the Prophet and ultimately the God. Next, Woodward shows the link between trans-cultural Sufism and the local Javanese mysticism and also by that the interposition between religiously influenced kingship and the political and economic circumstances.

Gaffar (2018), in his dissertation about '*Menegoisasi Ulang Indonesia Study Cases in Manado and Sumenep*' explains briefly the political changes that occurs and also the role of religion institution in the beginning of reform era (1999-2004). This study mainly reviewed the early era of Indonesian political reform from: local point of view, framework for renegotiating social contracts. Studying two regions (Manado and Sumenep) as two research cases and focusing on the role of religious institutions as civil society institutions in renegotiating social contracts. In this research, Gaffar examines how these two regions religion institution playing central role in their religion. Manado is historically established because of christianization and colonialism, while

Sumenep has no problem identity with Indonesia. Next, he continued to and also discussed how these two regions survived a reform era. The findings are that political reform is the process of renegotiating social contracts between political actors having implications for changes in the composition and relations of actors in the realm of the state and the public sphere. Renegotiation of social contracts is a curative process that is carried out by local political actors to correct problems that have arisen in the past. The proportion of key aspects in the renegotiation of social contracts (such as individuals, norms and authorities) and the pattern of roles played by religious institutions can differ greatly from one region to another. The social contract renegotiation can run discursively as in Manado, or it is disruptive as happened in Sumenep. Finally, Gaffar contribution leading to understand the renegotiation of Indonesia local starting from the bottom should get more attention in the academic realm. Local political actors and institutions have the capacity to set conditions for their loyalty to Indonesia. Reformation means more than a change from authoritarianism to democracy. Political studies need to look back at political reform in Indonesia as the opportunity for Indonesian negotiations to opens up which starts from the regions.

A literature review will be also used in the data by critically assessing the information to answer the research questions. The monographs provide the study with data; however, it has lacks of data that explain the group who supports the election mechanism in Yogyakarta. To get the aspiration of this group, the monographs also rely on the polling conducted by several institutions. The aspiration of this group is also seen in the expert judgment forum and FGD (Focus Group Discussion). Some of them expressed their agreement to election, but it responds to the recommendation of Gadjah Mada University monograph. The study manages to obtain the data and, then, they are compiled together with the updated information from the mass media, reports and web pages of governmental and other institutions.

1.5 THEORETICAL FRAMEWORK

This part is intended as the theoretical framework for this study which will be used to analyze what happened in the case of DIY. There are four concepts which will be discussed, namely hybrid regime, regime stability, asymmetrical decentralization and special administrative region.

1. Hybrid Regime

The transition to democracy in some countries in 1990s shows that the results are varied. Regimes do not automatically turn from authoritarian to democratic government (Azizah, 2017; Harsono, 2011; Ekman, 2009;). The terms of hybrid regime also can be found at the study done by Azizah (2017) within the title *'Stable Hybrid Democracy As Local Regime In Daerah Istimewa Yogyakarta'* and Harsono Dwi (2011) studied about *'To Reign for the People: Exercising the 'Democratic Monarchy' in Yogyakarta'*. The term of 'Hybrid' can be simply understood as two things combined become one; in this case, it can be understood as two government systems which occur in Yogyakarta, Monarchy (Sultanate) and Democracy. As the King and Governor, Sultan HBX has a supreme power in Yogyakarta. Based on the explanation above, the Special Region of Yogyakarta is considered as hybrid regime types of government. Thomas Carothers (2002) in his research about *"The End of the Transition Paradigm"* revealed that 20 of 100 countries are able to fully construct a democratic political system. Meanwhile, the remaining 80 countries are trapped in a grey zone since there are no significant democratic developments. Those 80 countries turn their authoritarian system into the system that combines both democratic and non-democratic characteristics together (Ekman, 2009).

Non-democratic character refers to authoritarian characteristics which have been able to survive by hiding behind democratic instruments, such as general elections. These are what

political scientists call as democracy deficits, wherein democratic development is grown under the shadow of human rights violations, disrespect for civil liberty, bad interest representation, low political participation performance, constitutional abuse by civil servants, poor institutional performance, and low trust from the people towards state institutions due to their bad performance. Those conditions then are labeled as pseudo-democratic regimes, hybrid regimes, or electoral authoritarian regimes (Diamond, 2002; Ekman, 2009; Levitsky & Way, 2002; Snyder, 2006). Furthermore, Diamond (2002) defines this hybrid regime into five alternative types: liberal democracy, electoral democracy, competitive authoritarian, hegemonic electoral authoritarian, and politically closed authoritarian, wherein these types have some democratic instruments, but it is not functioning well so that those types turned into alternative forms of an authoritarian regime. Almost similarly, Boix and Svolik (2007) developed the electoral autocracy concept to explain a condition wherein the executive branch of government is led by a leader who is not directly elected by the people while on the other hand, the legislative members are elected through general election.

Based on the explanation from some scholars, hybrid regime concept helps us a better understanding between two contrasting context which are democratic and monarchical context that exist in one situation. Furthermore, in the context of the Javanese culture, this hybridity concept can also be found in the form of syncretism, especially in terms of religion and culture. The Javanese culture and people have proved its ability to amalgam many religions which came to this culture, including Hinduism, Buddhism, Islam, and Christianity with the local indigenous Javanese beliefs (animism). Geertz labeled this as "*Jawanisasi*", in which Javanese culture accepted those religions/cultures, but remained in favor of the original system of Javanese values (Geertz, Mahasin, & Rasuanto, 1983). This religion syncretism includes two

important aspects. Firstly, there is a combining of two or more fundamentally different values into one new value (Nitibaskara, 1993.; Partonadi, 1990; Reichle, 2007). Secondly, the new conjoined value physically appears publicly using the last value which comes in. In the context of Islamization in Java as the example, the syncretism form can be easily perceived as Islam, but if it is looked rigorously the Javanese values are still in practice, and this coexistence is the essence of syncretism (Geertz et al., 1983). Thus, by using the syncretism or hybridity framework, the traditional institutions then survives and can be seen in local and regional contexts such as DIY.

In the conclusion, one great contribution can be remarked from Young (2000). She developed a framework for studying hybrid regimes from the local perspective. Young emphasized that the hybridity concept for the local level is not merely about contestation between democratic versus nondemocratic values, in which the non-democratic arrangement wins. The hybridity concept can be used to illustrate combining relations between traditional and modern institutional discourse in the policy making process. This mixture occurs as intended or unintended hybridity or organic hybridity that happens in an inter-discourse adapting process (Young,2000) cited in Lilja, 2010).

Young (2002) developed her local hybridity concept through her evaluation on post-colonial hybridity showing that cultural mixture can be used as a tool for understanding resistance and social change in the society. Resistance here refers to subaltern or ruling group resistance toward discourses or narrative ideas brought by colonialism. Those ruling groups use mainstream ideas/discourse/narrative prepared by the colonialists by moving the gravity of interpreting the ideas from the colonialist to the ruling group concerns as its strategy. In terms of democratization, this hybridity concept helps to understand better how democratic

practices (as modern institutions) are accepted in a local context; however, there needs to be aware that this acceptance actually is part of traditional institutions' strategy to sustain its role within the social change it faces.

In the explanation above, what can be understood as a hybrid regime is a combination of two elements of politic in one situation. In the 1960s and 1970s, it happened in some countries as follows Mexico, Singapore, Malaysia, Senegal and Taiwan. Until now, the Malaysian and Singaporean regimes survive today.

Thus, based on the explanation above, it can be concluded that Yogyakarta considered as hybrid regime since joining to Indonesia. The system existed through the application of the Law 3 of 1950 by setting the Sultan as a traditional ruler and governor of the province.

2. Regime Stability

Currently, the world is now facing the third wave of democracy, instead of that fact, authoritarian and autocratic regimes throughout the globe can still be found. In terms of autocratic regimes, the stability of these regimes comes from three pillars: legitimacy, repression, and cooptation (Gerschewski, 2013). Legitimacy is defined as a process to acquire political support from the people, or more specifically, "Legitimation seeks to guarantee active consent, compliance with the rules, passive obedience, or mere toleration within the population" (Gerschewski, 2013, p. 7), which can be traced through three indicators. Firstly, there is the quantity and intensity of public protest as an indicator of societal dissatisfaction. Secondly, there is the qualitative assessment of experts on the social and political situation within the country. Lastly, researchers are using discourse and content analysis to assess the formal legitimacy claimed by the elites, especially to identify gaps between elites' promises and realities which might eliminate the legitimation (Gerschewski, 2013).

The second pillar is repression, which becomes the backbone of autocracy because it includes sanction, punishment and threats towards individuals or organizations and aims to set certain targets and prevent individuals and organizations outside the elites from doing threatening activities towards the existing regime. The third pillar is cooptation. Cooptation can be defined as elite's capacity to strategically bind and chain relevant individual or organization to elite's interests. By continuously using those three pillars, the autocratic regime will preserve and conserve social and political support from the society (Azizah, 2017).

Regarding Gerschewski's explanation, what makes autocracy regimes stable (Gerschewski, 2013) can be applied to describe why the hybrid regime remains relatively stable in DIY. By using the three pillars (as explained above), this study analyzes the role of Javanese culture and values which have existed in DIY. A careful examination on the history of the development of DIY before Indonesian independence will also be an excellent source for more information to scrutinize the dynamics of hybrid regimes in the research area of local and regional political science.

For better understanding how to maintain the sustainability of hybrid regimes stability, according to Ekman (2009) and Levitsky and Way (2002), the identified sources of legitimacy are within three arenas (Ekman, 2009; Levitsky & Way, 2002). The first is the electoral arena which becomes the source of legitimacy for the hybrid regime. In fact, since the result of an election can be easily cheated or manipulated to satisfy the regime, an election thus can be an effective instrument for the regime to sustain its power. Secondly, there is the executive and legislative relation arena. Within an authoritarian regime, the legislative body does not exist, or if there is a legislative body, it will be firmly controlled by the executive (elites). Therefore, there are no checks and balances mechanism, as required within the democratic system of

government. Conversely, in the context of the hybrid regime, the legislative body still exists, but is very weak and to what some extents can play a role as opposition to the ruling elite (Ekman, 2009). The last arena is the judicial arena in which the hybrid regime tends to position the judiciary system under subordination through giving or taking bribery, blackmailing, and appointing and firing judicial staffs without fairness in evaluation or clear democratic mechanisms, such as due process. In addition, the hybrid regime uses legal principles to back up the regime's sustainability (Azizah, 2017).

Hybrid regime stability also depends on incumbents' capability to circumvent opposition and to eliminate interaction between citizens and oppositional parties (Ekman, 2009). People's obedience to the regime then also is accumulated through patronage and clientelism. Patronage here refers to any materials or benefits which are distributed from the regime/elite to their people or clients, and reciprocally the clients give their loyalty and political support to the elites. Whereas, clientelism refers to politicians and voters/supporters' relation character (Aspinall & Sukmajati, 2015). Based on the common understanding, the clientelism involves the personalistic power relation and material benefit provided by the ruler to get political support. Here, patrons offer resources, (including state resources) to clients in exchange for clients' loyalty (Arriola, 2009). For that reason, the state institutions become an arena in which political actors are bargaining for resources allocation and securing economic access (Arriola, 2009).

3. Asymmetrical Decentralization

The birth of the concept of decentralization is an effort to create a democratic government and end a centralized government. Centralized government has become unpopular because it has been deemed incapable of understanding and providing proper assessment of the values that live and

develop in the regions.

Decentralization is the formation of an autonomous region with certain powers and certain fields of activity which are carried out based on their own considerations, initiatives and administration, so that there will be a process of forming regions that have the right to regulate the interests of their regions.

As for the purpose of implementing decentralization, namely as a vehicle for political education for the community in the regions; maintain the integrity of the unitary state or national integration; realizing democracy in governance starting from the regions; provide opportunities for people to form careers in politics and government; as a vehicle needed to provide opportunities for the community to participate in the planning and implementation of government processes as well as a necessary means of accelerating development in the regions.

According to J. In het Veld in Muhammad (2006), the concept of decentralization contains several benefits, namely:

- A. Provide an appropriate assessment of a diverse area and population.
- B. Lighten the burden on the government, because the central government may not know all and all local interests and needs and may not be able to know how to best meet these needs.
- C. It can be avoided that the load that exceeds the limit of the central equipment because of work arrears.
- D. Individual or regional elements are more prominent because within a narrow scope a person can use their influence more than in the wider society.
- E. The local community has the opportunity to participate in government administration, so that they will not feel as objects only.
- F. Increase the participation of local communities in exercising control over all actions and

behavior of the government.

The main theory of decentralization is that decentralization can increase the efficiency of the government in allocating its resources. The policy of allocating government expenditure for public services will be more efficient if it is taken by local governments, which are close to the community / public and have the least geographic control due to several factors, namely:

- A. Local governments are more aware of the needs of their communities.
- B. Decisions of local government are more responsive to community needs, thus encouraging local governments to make efficiency in the use of funds originating from the community.
- C. Competition between regions in providing services to the community will encourage local governments to increase their innovation in order to improve public services.

According to Simanjuntak (2006) states that decentralization can be divided into 3 types, namely political decentralization, administrative decentralization and fiscal decentralization. The three types of decentralization are closely related to each other and should be carried out together so that various regional autonomy objectives such as improving public services can be implemented.

- A. Political decentralization is the transfer of decision-making power to lower levels of government, to encourage citizens and elected representatives to adapt to the decision-making process.
- B. Administrative decentralization is the transfer of public service authority to other parties in the institutional structure of the state. In administrative decentralization involving organizational design, identification of the specific administrative tasks required to carry out that role. Some of the administrative roles include planning, policy innovation, financial management and operational management.

C. Fiscal decentralization is intended to move or hand over the sources of income and expenditure factors to the regions by reducing government bureaucracy. By bringing the government closer to society, fiscal decentralization is expected to promote efficiency in the public sector, as well as public accountability and transparency in the provision of public services as well as transparent and democratic decision making.

4. Special Administrative Region

The Unitary State of the Republic of Indonesia is divided into provincial areas and provincial areas are divided into regencies and cities. The State recognizes and respects units of regional government that are special or special in nature which are regulated by law. In the history of the state administration of the Republic of Indonesia, there have been developments in the definition of special regions starting from BPUPKI (1945) to the regulation and recognition of the specialties of Aceh (2006) and Yogyakarta (2012). The development of this definition has led to different interpretations regarding the meaning and content of the privileges of a region, which in turn leads to the formation, elimination and re-recognition of a special region.

The basic concept of a special region is the concepts that emerged in the trial of the founders of the nation in BPUPKI and PPKI, the original 1945 Constitution, and the 1945 Constitution after the amendment.

A. BPUPKI and PPKI

According to Bahar (1992) The debate about what a special region is actually started from the voting of the form of the Indonesian state in the BPUPKI session This situation continued in the discussion of the founding fathers of the nation regarding the form of the state. Finally, a middle way was sought for regional positions with the status of *zelfbesturende landschappen* within the Indonesian state by generating the idea of a special region.

However, in the BPUPKI session there were similarities between *zelfbesturende landschappen* and *volksgemeenschappen*. Thus, not only the sultanate and kingdom, but also regions have original structures, such as villages in Java and Bali, countries in Minangkabau, hamlets and clans in Palembang and so on which can be designated as special regions. The State respects and pays attention to the original composition of the area. However, there is no clear form of how this special region is.

In the PPKI session the concept was not much different. *Zelfbesturende landschappen* is defined only as a region not as a state. Its features are also associated with the original composition of the area. Likewise, the original arrangement of *zelfstandige gemeenschappen / Inheemsche Rechtsgemeenschappen* like the country in Minangkabau is respected for its original composition. The small committee formed by PPKI did not put forward any proposals regarding special regions. PPKI decided the position of the special region (Kooti - the language at that time) for the time being determined that there was no change and the next settlement was left to the president. Outside the PPKI session, the President of Indonesia established four charters of position for the four Javanese rulers.

B. The original 1945 Constitution

Special regions in the original 1945 Constitution are regulated in chapter VII article 18 concerning regional governance. Not much is provided in the article other than the requirements for "rights of origin" and the term "special territory". If viewed from the terminology, the special region at that time was close to the current term special autonomy region. It's just that the special autonomy was given to regions with the status of "*zelfbesturende landschappen and volksgemeenschappen*" during the Dutch East Indies era. Unfortunately there is no further explanation regarding which areas have this special status.

C. The 1945 Constitution after the amendment

In 2000, through the Second Amendment to the Constitution, the original article 18 was amended into articles 18, 18A, and 18B. The special area arrangement is placed in article 18B paragraph (1). The term used is also different from being "a special regional government unit". Its arrangement is based on statute, without specifying the conditions of a special area. In addition, this article distinguishes between "special regional government units" and "regional government units that are special in nature".

The concept of implementing special regions are concepts that appear in laws regulating regional government in general as the implementation of articles regarding regional governance in the constitution. At current time the implemented law 32 of 2004 about regional government. After the amendment of the 1945 Constitution, local region is no longer alone with special regions. However, the special region is only translated as the Special Region of Aceh and the Special Region of Yogyakarta. Like the regional government laws since 1965, this law is also a special region that is only regulated in chapter xiv of the other provisions of articles 225-227. This law requires regions that have special status and are granted special autonomy to be regulated by separate laws. All provisions in this law, as long as they are not regulated in a separate law, also apply to regions that have special status and are granted special autonomy. Of all special regions and special regions only Aceh, DKI Jakarta and Papua have their own laws. Meanwhile, Yogyakarta, which is not regulated by a separate law, must comply with all the provisions of this law at that time.

Lastly the technical concept of special regions are concepts that appear in laws regulating special regional government in particular as the implementation of articles regarding regional governance in the constitution and in other laws and regulations. Law 13/2012 concerning the

Privileges of the Special Region of Yogyakarta is a law on the re-recognition of the privileges of Yogyakarta, after 47 years the privilege of Yogyakarta has died from being reluctant to live. This law is an intermediate law, contains 51 articles and is one of the longest-deliberated laws (2007-2012). The official version from the government includes the 2007 version (Depdagri-JIP UGM) and the 2010 version.

Yogyakarta privileges are defined as the privileges of the legal position owned by DIY based on history and rights of origin according to the 1945 Constitution of the Republic of Indonesia to regulate and administer special powers. Special Authority is certain additional authority possessed by DIY in addition to the authority as stipulated in the law on regional government.

Like DKI Jakarta, DIY's special authority lies at the provincial level. DIY privileges include:

- A. Procedures for filling out the positions, positions, duties and powers of the Governor and Deputy Governor.
- B. DIY Regional Government institutions.
- C. Culture.
- D. Land.
- E. Spatial.

One of the other features that Yogyakarta Province has and is different from other regional governments is that there are *perdais* (special regional regulations) besides *perda* (regional regulations), *Pergub* (governor regulations) and *Kepgub* (Governor Decrees). Where in *perdais*, the Governor of Yogyakarta utilizes noble values, norms, customs and traditions that are rooted in society and pay attention to input from the DIY community.

1.6 CONCEPTUAL DEFINITION

The conceptual definition consists of terms that are still in form concepts and the meanings

are still general though intuitively, it still can be understood. Therefore, in order to give a clearer overview, it will be defined as follows:

1. Hybrid Regime

Hybrid regime is found in the most developing countries, especially since the end of the Cold War. They are called hybrid because they combine democratic traits with autocratic ones. In the context of Yogyakarta, hybrid regime came from the implementation of monarchy and democracy within the Sultan administration. As a King and Governor and without leaving the traditional values, the Sultan manages even when people have different perspective and aspirations they can still manage to have a right to express their right and right to be fulfilled.

2. Asymmetrical Decentralization

Asymmetrical decentralization is defined as the transfer of government authority (service) by the central government to the regional government. However, the definition of decentralization in such meaning is considered by various parties to be insufficient. For this reason, decentralization needs to be given meaning as giving autonomy to the people. It means that every government's decisions and steps must be sourced from, and responsible for, the people. Later on, the asymmetrical decentralization can be defined as the effect of the product diversity in Indonesia, so some regions such as Jakarta, Aceh, Papua and Yogyakarta are given due to the effectiveness within dealing local issues.

3. Special administrative regions

Special administrative regions are defined as one type of provincial-level administrative division directly under Central People's Government which enjoys the highest degree of autonomy, and no or less interference by either Central Government.

4. Regime Stability

Regime stability is a way to examine and maintain the political condition in the equilibrium state. Furthermore, it does not only talk about political condition, but also all social aspects that occur.

1.7 OPERATIONAL DEFINITION

An operational definition is a boundary that explains the substantive characteristics of a concept so that the researcher can achieve a measuring tool that is in accordance with the nature of variables that have been defined as the concept. Therefore, the operational definitions of analysis of this research are stated as follows:

1. Hybrid Regime

- A. Prioritizing individual autonomy and freedom;
- B. Limiting the role of the state in politics;
- C. Legal protection for individual rights;
- D. Individual freedom to progress and reform.

2. Asymmetrical Decentralization

- A. Understanding that there is special privilege in Yogyakarta.
- B. Giving more authorities to govern local politics.
- C. Respecting multicultural.

3. Special Administrative Region

- A. Historical value of Yogyakarta as a capital of Indonesia
- B. Sultan as the king and governor in Yogyakarta region.
- c. Yogyakarta has sultanate and Pakualaman still exist until now.

4. Regime Stability

- A. Politics and economy stability

- B. Politization of welfare program from danais
- C. Human development Index

1.8 RESEARCH METHODOLOGY

Taking into account that the tension between monarchical and ‘western-styled’ democratic systems cannot be separated to the existence of local politics of this province, this study starts the analysis by exploring the hybrid institution in Yogyakarta. Then, the researcher seeks to reconceptualize the policy which has been applied by Sultan to strengthen the monarchy using democratic approach.

1. Type of Research

In order to have holistic analysis in explaining the hybrid regime, this study integrates constitutionalism, legal pluralism, and historical institutionalism concepts as the methodological approach. The application of these concepts attaches the context of Yogyakarta to the international tension on governance system. This study employs constitutionalism concept to analyze the power limitation faced by government in implementing the constitutional right to its region (Frishman & Muller 2010). This concept examines the legal contestation between national, supported by international mainstream on governance, and local government in the implementation of national law to Yogyakarta. Surprisingly, even the central government law applied the contradicting regulation with the local context in Yogyakarta; it did not change the local politics of the province (Harsono, 2011).

However, constitutionalism approach has a lack in explaining the legal order in Yogyakarta that creates strong bargaining position against the central government (Harsono, 2011). To examine the legal order in Yogyakarta, this study employs legal pluralism concept

as the approach in explaining its local law. This approach works on the interaction between different legal products and the interplay of them in influencing the society (Merry, 1988). The application of this approach provides this study with the analysis of 'hybrid institution' which establishes the pluralistic legal system in Yogyakarta. Even though this approach relates to the hybrid system and the society, this approach less discusses the relation between the local system and people's political behavior that are strongly concerned in this study.

The need to explain how the *'hybrid institution'* influences people's political behavior is tackled by employing historical institutionalism concept as the approach. This concept discusses the behavior effect of different institutions as the product of different legal order to individual in its society (Hall and Taylor, 1996). Moreover, the study uses this approach to explain how the interplay between different institutions in Yogyakarta creating a stable and durable hybrid system. In presenting the study, the researcher relies on the qualitative research to examine and link to these concepts. Furthermore, this technique gives rich information on the local politics in Yogyakarta.

2. Type of Data and Data Collecting Technique

This research draws on the secondary data as the principal method to answer the research questions. The data was collected from two academic monographs which are conducted by the Political Laboratory, Department of Governance and Politics, Gadjah Mada University, Yogyakarta in 2008 and working committee team of Regional Representative Council the Republic of Indonesia in 2010 and the legal law that has been approved since 2012 that is the law Number 13 of 2012 about the special region of Yogyakarta. Although this research focuses on different analytical framework, it still can use the data from the monographs that applied various methods, such as media polls, focus group discussion (FGD) of NGOs, historical

documents, government officers discussion and expert judgments. The various methods are to give a comprehensive explanation to the condition of Yogyakarta.

The data were also collected by the online information to describe about the regime stability, which were mainly from the National Development Planning Agency (BAPPENAS), Central Statistics Agency (BPS) and the Regional Planning Agency (BAPPEDA).

The Secondary data that are related to the problems examined as follows:

- A. Academic monograph of RUUK DIY from JIP UGM 2008
- B. Academic monograph of RUUK DIY from DPR 2010
- C. Human development index of DIY 2019 from BPS DIY
- D. Yogyakarta democracy index of DIY 2019 from BPS DIY
- E. DIY province in number 2020 from BPS DIY
- F. Good governance index of Indonesia from IGI

3. Data Analysis Technique

This research applied was a documentary research. The main data of this research were from outside sources and documents, to support the viewpoints or arguments of an academic work. The process of documentary research often involves some or all of conceptualizing, using and assessing documents. The analysis of the documents in documentary research would be either quantitative or qualitative analysis. Scott (2006) states that the key issues surrounding types of documents and our ability to use them as reliable sources of evidence on the social world must be considered by all who use the documents in their research.

Sugiyono (2013) states that doing data analysis is critical to the qualitative research process. It is to recognize, study, and understand the relationships and concepts in the data in which hypotheses and assertions can be developed and evaluated. Moreover, Sugiyono (2013)

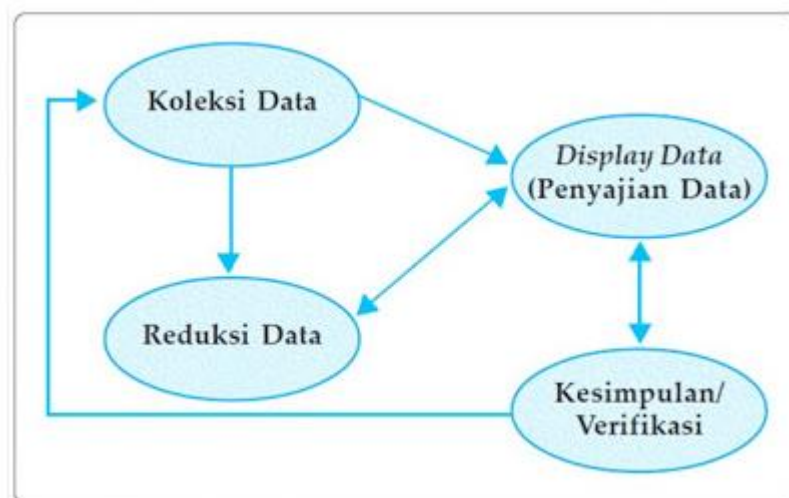
states that the analysis of research in any types is a critical way of thinking. It is related to systematic testing of something to determine parts, relationships between parts, and their relationship to the whole.

Furthermore, Sugiyono defines that the notion of data analysis is the process of systematically searching and compiling data obtained from interviews, field notes, and documentation by organizing data into categories, describing it into units, synthesizing, composing into patterns, choosing which what is important and which will be learned, and making conclusions so that it is easily understood by the researcher himself and others.

This research used the descriptive data analysis technique. Descriptive research is a research method that attempts to describe and interpret objects according to what they are (Sukardi 2004). This research is also often called non-experiment because it did not control and manipulate the research variables. The descriptive research is research that studies problems in society, as well as the procedures that apply in the community and situations, including about relationships, activities, attitudes, views, and ongoing processes and the influence of a phenomenon. The data Analysis consists of the following phases:

- A. Data Collection
- B. Data Reduction
- C. Data Verification

Figure 1.1 Data Analysis diagram



On the data collection, the researcher dealt with process and prepared the data for analysis. This step involves transcending interviews if there are any, such as scanning material, typing field data, or sorting the data into different types depending on the source of information. The next is reading the entire data. The first step was to build a general sense of information obtained and reflect its overall meaning. In this process, what needs to be considered was the general idea contained in the data, how the tone of the ideas, and how the impression of the data. At this stage, the qualitative researcher wrote special notes or general ideas about the data obtained.

Secondly is reduction the data, reducing data means summarizing, choosing the main points, focusing on the things that are important, looking for themes and patterns and removing unnecessary. The data reduction was done by abstracting. Abstraction is an attempt to make a summary of the core, process and statements that need to be maintained so that it remains in the research data. In other words, the process of data reduction was carried out by the researcher continuously when conducting research to produce core notes from the data obtained from the data mining results. Thus, the purpose of this data reduction was to simplify the data obtained during data mining in the field. The data obtained in extracting data were certainly a very complicated data and also often found data that had nothing to do with the research theme, but the data were mixed with data that were related to research. Hence, with such data conditions, the researcher needed to simplify the data and discarded data that had nothing to do with the research theme. Therefore, the research objective was not only to simplify the data, but also to ensure that the processed data were included in the scope of the study.

The last is conclusion. The conclusion or verification was the final stage in the data analysis process. In this section, the researcher expressed the conclusions from the data obtained. This activity was intended to find the meaning of data collected by looking for relationships, similarities, or differences. The conclusions can be drawn by comparing the suitability of the statement of the research subject with the meaning contained with the basic concepts in the study.

It can be stated that the descriptive research is the research that seeks to describe a symptom, event, event that occurs now. The descriptive research focuses on the actual problems as they were at the time of the research. The aim of making systematic, factual and accurate sensations was related to the facts and characteristics of certain populations or regions. With the descriptive method, the researcher was allowed to make relationships between variables and test hypotheses, develop generalizations, and develop theories that have universal validity (Sukardi, 2004). In addition, the descriptive research is also a research in which the data collection was used to test research questions or hypotheses relating to current circumstances and events. The researcher reported the state of the object or subject under study as is.

In the correlation with this study, by using the descriptive research analysis, it can clearly draw the dynamic of hybrid democracy that occurs in Yogyakarta without giving a generalization and also testing the research questions whether Yogyakarta is better with hybrid regime type by looking at the Human Development Index, Indonesia Democracy Index and Yogyakarta Democracy Index.