

Indegenous People's Participation in the Election of the Mayor and Deputy Mayor of Ternate City

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Abstract. *This study aims to determine the participation of indigenous peoples in the election of the Mayor and Deputy Mayor of Ternate City. There is an interesting phenomenon to examine regarding the participation of indigenous peoples in regional head elections and the causes of political involvement in the implementation of regional head elections. The method used in this study is empirical research, which is a legal research method that serves to observe the law in its real sense, analyze and examine the workings of the law within the community. The empirical research method also includes research on legal identification and research on legal effectiveness. To support the substance of this research, it focuses on the use of primary data obtained directly from respondents and secondary data from books, journals, laws and regulations, and all documents relevant to the research. The data was obtained using data collection techniques such as interviews and documentation, which were then analyzed using qualitative descriptive analysis methods. The results of this study show that the implementation of direct regional head elections is an important momentum for the development of a more democratic local political system. Through direct regional elections, many hopes are pinned on improving the welfare of the people in the regions, as regional heads become closer to the people because they obtain political legitimacy directly from the people. Direct regional elections are considered by many parties to be an important step forward that can be achieved by the Indonesian nation in the current era of transition. "Direct" refers to, among other things: First, constitutional recognition of the people's right as holders of sovereignty; second, the institutionalization of the people's substantial role as subjects of law; and third, the hoped-for creation of macro and micro political balance in state affairs, particularly between the executive and legislative branches. Voter participation in regional elections does not happen by itself. In addition to the role of election organizers in conducting socialization, it is also due to*

support from other parties, namely the role of indigenous peoples. The participation of indigenous peoples in encouraging the community to participate in regional elections is very strategic in ensuring the success of the elections.

Keywords: *Community; Elections; Mayoral; Participation.*

1. Introduction

Democracy is seen as the most ideal form of managing national and state affairs, not only at the center of power, but even more than that, political escalation is also oriented towards accelerating the democratization agenda in the regions. Local governments have a significant role to play in accelerating the vitality of democracy. According to Djohermansyah Djohan (2014), there are four reasons why local governments have an important role to play. First, local governments can help develop democratic values and skills among their citizens; second, local governments can increase accountability and responsibility to various interests in their regions; third, local governments can provide additional channels and access to historically marginalized groups; and fourth, local governments can encourage the realization of checks and balances in government administration, especially local government.

Regional Head Elections (Pilkada) are a tangible manifestation of the principle of popular sovereignty in the Indonesian system of government. Through Pilkada, the community directly participates in the democratic process by electing regional leaders. This is in line with the principle of regional autonomy, which gives broad authority to regional governments to manage their own affairs. Thus, the legitimacy of regional leaders and DPRD members is further guaranteed because it is obtained through a democratic election mechanism and in accordance with the provisions of laws and regulations.

The implementation of direct regional head elections is a concrete manifestation of the principle of people's sovereignty as stated in the State Constitution. Through this mechanism, the people directly give their mandate to regional leaders, thereby strengthening the legitimacy of leadership. The public's high expectations for improved welfare and public services are the main basis for the implementation of direct regional head elections. The active participation of indigenous peoples in this democratic process further enriches the meaning of people's sovereignty and strengthens the foundations of a state based on democratic principles.

The role of indigenous peoples in regional elections is a correction to the implementation of regional elections through DPRD representatives as mandated by Law No. 22 of 1999 on Regional Government, whereby to lead the government

in a region, a regional head is elected and appointed in each region in accordance with applicable laws and regulations. This correction became even more apparent with the implementation of the legal framework for direct regional elections, namely Law No. 32 of 2004 as amended by Law No. 12 of 2008 on Regional Government. The enactment of Law No. 12 of 2008 on Regional Government was the result of a dialectical process and input from various elements of society.

According to Veithzal Rivai (2013), a role can be defined as a set of behaviors expected of someone who occupies a particular social position. This concept implies that roles are an integral part of the social structure, in which individuals are expected to behave in accordance with the expectations associated with their position. According to Hendro Puspito (1997), the role of a public figure is a functional concept that reflects the dynamics of the actual tasks attached to a particular social position. This role is dynamic and constantly adapts to the demands of an ever-changing social context.

Indigenous peoples have a special position in traditional socio-political systems. They often act as the highest authority in decision-making concerning community interests. In the context of customary law, they play a role as norm-setters, law enforcers, and dispute resolvers. Thus, the existence of indigenous peoples is not limited to socio-cultural aspects, but also has significant implications for the legal and political order.

Davidson and Hanley (2010) in their research highlight the dynamics of change in the role of customary institutions in Indonesia, particularly in the context of the political transition from the New Order to the Reformation era. During the New Order era, customary institutions were often used as political instruments by the state to achieve certain goals, such as promoting nationalism and national unity. Traditional concepts such as harmony and solidarity were often manipulated in political narratives to legitimize government policies. As a result, autonomy and cultural diversity in indigenous communities tended to be marginalized. In contrast to the New Order era, the Reformation era opened up space for the revival of customary institutions. In a more democratic political atmosphere, customary groups began to dare to voice their rights and demand recognition of their cultural identity. Claims for autonomy and collective rights grew stronger, along with their efforts to build a normative basis for local political communities independent of the state. This study will examine in depth the participation of indigenous peoples in the election of the mayor and deputy mayor of Ternate. There are interesting phenomena to examine regarding the participation of indigenous peoples in regional head elections, such as how the process is carried out, how indigenous peoples participate, and what factors and causes lead to political involvement in the implementation of regional head elections.

Customs and regional elections are two interesting aspects to look at in this study. Customary leaders are subjects who not only play a major role in culture but in many cases also play a role as political subjects. Custom as a political subject has existed and developed for so long and has successfully survived and transformed to this day. The birth of democracy, which requires leaders to be elected directly by the people, has broadened the discussion on customs. In this arena, customs are analyzed through their role in regional elections. More specifically, we look at the role of traditional leaders in regional elections and their interests in such involvement. According to the perspective of Frederik Barth (1969), ethnicity is often used as a tool or instrument to achieve certain political goals. In this view, the social, political, and economic aspects of an ethnic group become the target of political mobilization (Matthias Koenig, 1998). In other words, ethnic identity is used to mobilize political support for certain groups or individuals.

The participation of indigenous peoples in the political sphere has become a complex phenomenon that continues to evolve over time. Ari Dwipayana's (2004) research, for example, specifically examines how traditional elites, such as the nobility, have managed to maintain their influence in the post-independence political system. This study shows that the nobility has utilized various resources, including economic, cultural, and political networks, to maintain their social status and power.

In his research, Achdjam Syahfan Umasugi (2009) specifically examined how ethnic identity was used as a political tool in the context of regional head elections in Buru Regency. This study found that both candidate pairs and political parties tended to use ethnic identity as a tool to gain voter support, demonstrating the significant role of ethnicity in local political dynamics. According to Suherman Toha (2011), the success of Balinese customary law as a living legal system can serve as a reference for other regions in Indonesia. However, it should be noted that the continuity of customary law in each region has a unique social, cultural, and historical context. Therefore, the application of customary law in various regions can show significant variations. Asrinaldi (2017) identified that traditional leaders in West Sumatra utilized traditional instruments, such as social networks and traditional power, as tools to mobilize political support in regional elections. This study highlights the importance of understanding how these traditional instruments are deployed to achieve political goals.

2. Research Methods

The type of research used in this study is empirical research. Empirical research is a legal research method that serves to observe the law in its real sense, analyze and examine the workings of the law within the community. Empirical legal research also includes research on the identification of laws and research on the

effectiveness of laws (Mukti Fajar and Yulianto Achmad: 2005). The functioning of law in society can be examined in terms of the effectiveness of the law, compliance with the law, the role of legal institutions in law enforcement, the implementation of legal rules, the influence of legal rules on certain social issues or vice versa, and the influence of social issues on legal rules. To obtain relevant data, this research was conducted in the city of Ternate. This study uses two types of data, namely: 1. Primary data, which is data obtained from the field. The field data will be obtained from respondents, informants, or sources who will be interviewed and who are directly related to the issue being studied. 2. Secondary data, which is secondary data, not primary data, such as supporting documents that support the research. Data collection techniques were carried out by interviewing informants or sources about indigenous peoples. In addition, researchers also collected laws and regulations, literature, documents, and websites related to the issues being studied, as well as relevant reference materials for the research, both from books and other media. The data obtained, both primary and secondary, will then be analyzed and processed using the case study method. The primary data will then be discussed in relation to various secondary data to produce conclusions related to the issue being studied.

3. Result and Discussion

Democracy is realized through a government based on the people and implemented by representatives of the people, whose power and authority derive from the people's representatives and who are fully accountable to the people. (Miriam Budiardjo: 2003) Therefore, democracy requires general elections to elect these representatives, which must be held periodically in a free, confidential, honest, and fair manner. Article 21 of the Universal Declaration of Human Rights stipulates that:

- 1) Everyone has the rights to take part in the government of hiscountry, directly or by freely chosen representative;
- 2) Everyone has the right of equal access to public servive in hiscountry;
- 3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periode and general election which shall be held be secret vote or by equivalent free voting procedurs.

The concept of democracy has become a keyword in its own right, especially in the field of political science. Democracy today is an important indicator in the dynamics and political development of a country. Democracy is the foundation for determining the division of power/distribution of power, the regulatory pattern of

which is highly dependent on the people because it is used solely to bring about prosperity and welfare for all the people. Democracy is implemented through general elections to fill positions in parliament and in the executive branch, both at the central and regional levels. On July 1, 2005, Indonesia held its first separate regional head elections, which had previously been carried out through direct appointment. This signifies the seriousness of the Republic of Indonesia in upholding the implications of the 1945 Constitution.

The implementation of regional head elections is a dynamic part of democratic state administration. This means that all policies within the state cannot avoid the concept of popular sovereignty, which requires public participation in determining the political direction of a country. (Rizky Karo, et al: 2024) Public participation is contested in the mechanism of conducting elections so that elections themselves are interpreted as an opportunity for citizens to determine and decide the wishes of the community by the government.

Democracy is a political system that places the people as the highest source of sovereignty. In the classical view, democracy is understood as a mechanism for channeling the will of the people through legitimate political procedures, such as general elections (Dahl, 1998). In the Indonesian context, democracy is not only a symbol of a modern system of government, but is also deeply rooted in the values of deliberation and consensus that have long existed in society.

Direct regional head elections are a tangible manifestation of the principle of popular sovereignty as stipulated in the 1945 Constitution of the Republic of Indonesia. This system provides broader political participation for the community to determine their leaders without going through legislative institutions (Downs, 1957). Thus, regional elections serve not only as a political tool, but also as an instrument of democratic education for the community at the local level.

Local democracy is not only understood as an electoral procedure, but also as a social space where citizens can channel their political aspirations equally. In the context of a multicultural society such as Indonesia, democracy must be able to accommodate social groups that have their own legal structures and traditions, including indigenous peoples (Simanjuntak & Yusuf, 2024). The results of this study show that local democracy in Ternate City has developed within the framework of relations between state institutions and indigenous authorities, thereby forming a distinctive pattern of political participation.

The participation of indigenous peoples in the election of the mayor and deputy mayor of Ternate City demonstrates a strong collective character. Field data shows that most members of indigenous communities participated in the voting process and had a high level of awareness of their constitutional rights (Pamungkas et al, 2024). However, this participation is not entirely individual in nature, as political

decisions are often made through traditional deliberation mechanisms led by community leaders (Mahpudin, 2024). This pattern illustrates that the political participation of indigenous peoples does not entirely fall within the framework of liberal democracy, but rather community-based democracy.

Table Analysis of Indigenous Peoples' Participation in the Election of the Mayor and Deputy Mayor of Ternate City

Participation Aspect	Field Findings	Preliminary Analysis
The Presence of Polling Stations	The level of participation among indigenous peoples is relatively high, above the average level of participation in the city.	Demonstrating a strong commitment to the local democratic process
The Influence of Traditional Shops	Traditional leaders play a role in providing political guidance to the community	Proving the sustainability of traditional leadership values in modern politics
Collective Deliberation	Several indigenous communities held deliberations to determine their choice of candidate.	The tradition of deliberation strengthens the legitimacy of collective political choices.
Barriers to participation	Geographical factors and limited access to information are obstacles for some indigenous communities.	Policy intervention is needed to ensure more equitable participation

Source: Interview with Gunawan Yusuf Radjim (Hukum Soa Sio of the Sultanate of Ternate), July 10, 2025.

This analysis of indigenous peoples' participation in the Ternate mayoral and deputy mayoral elections is framed within a normative-legal approach, emphasizing that political participation is a constitutional right of citizens guaranteed by Article 22E of the 1945 Constitution of the Republic of Indonesia. Furthermore, this analysis is also based on the principle of recognition and respect for the existence of indigenous legal communities as affirmed in Article 18B paragraph (2) of the 1945 Constitution of the Republic of Indonesia. In this context, the purpose of this study is to assess the extent to which the implementation of regional elections in Ternate City has accommodated and guaranteed the fulfillment of the political rights of indigenous peoples substantively, not only procedurally, but also in the practice of inclusive local democracy (Irawan et al., 2025; Hariawan, 2024).

In line with the research problem formulation, this analysis does not stop at measuring the level of attendance of indigenous peoples at polling stations, but also examines broader dimensions, such as the role of indigenous leaders in shaping the political orientation of the community, collective deliberation mechanisms in political decision-making, and structural barriers that affect the effectiveness of voting rights. From the perspective of constitutional law and electoral law, high electoral participation does not necessarily reflect the fulfillment of the principles of political equality and justice if there are still limitations on access to electoral information, geographical constraints, and

administrative barriers experienced by indigenous communities (Poltak, 2025; Alfariysi et al., 2024).

Thus, this analysis aims to answer normative questions regarding the compatibility between the participatory practices of indigenous peoples in Ternate City and the principles of direct, public, free, confidential, honest, and fair elections as stipulated in Law No. 7 of 2017. This normative framework is also used to assess whether the influence of indigenous leaders and the practice of collective deliberation in indigenous communities serve as a means of strengthening local democracy or whether they have the potential to limit the political freedom of individual indigenous citizens in a constitutional democracy (Fitriana, 2024; Utomo & Purnama, 2025). Therefore, the permanent analysis presented below aims to provide a comprehensive legal assessment of the quality of indigenous community participation in the Ternate City Regional Head Elections and its implications for strengthening fair local democracy.

Table Analysis Table of Indigenous Peoples' Participation in the Election of the Mayor and Deputy Mayor of Ternate City

Participation Aspect	Field Findings	Permanent Analysis
Presence at the Polling Station	The level of participation among indigenous peoples is relatively high, above the average level of participation in the city.	The high turnout of indigenous peoples at polling stations demonstrates their strong attachment to the local democratic process. This participation not only represents the formal exercise of voting rights, but also reflects the collective political awareness that has developed within indigenous communities. Recent research shows that high electoral participation in indigenous communities is often driven by social responsibility towards the common good, rather than purely individual preferences (Mahpudin, 2024; Simanjuntak & Yusuf, 2024).
Influence of Traditional Shops	Traditional leaders play a role in providing political guidance to the community	The role of traditional leaders as political advisors affirms the continuity of traditional leadership in modern politics. Traditional leaders have strong moral and cultural legitimacy, enabling them to effectively influence the political orientation of their communities. In the literature of the past five years, traditional leaders are seen as strategic mediators between the formal democratic system and indigenous communities, particularly in the context of regional head elections (Sahlan, 2021; Piswatama & Ivanna, 2023).
Collective Deliberation	Several indigenous communities held deliberations to determine their choice of candidate.	The practice of collective deliberation shows that deliberative values are still relevant in electoral democracy at the local level. Deliberation serves as an internal mechanism for unifying views and building political consensus that is considered most beneficial to the community. This process strengthens the legitimacy of political choices because decisions are made through social

		dialogue that is in line with local cultural values (Widodo, 2023; Auparai et al., 2024).
Barriers to Participation	Geographical factors and limited access to information are obstacles for some indigenous communities.	Geographical barriers and limited access to information indicate that indigenous peoples' participation still faces structural obstacles. Recent research reveals that infrastructure limitations and low levels of electoral literacy can hinder the equitable participation of indigenous peoples in politics, especially in remote areas. Therefore, affirmative policies and outreach approaches that are sensitive to local socio-cultural conditions are needed (Pamungkas et al., 2024; Fauzy 2025).

Source: Interview with Gunawan Yusuf Radjim (Hukum Soa Sio of the Sultanate of Ternate), July 10, 2025.

The participation of indigenous peoples in the election of the mayor and deputy mayor of Ternate has important legal implications in the context of fulfilling the political rights of citizens. From a constitutional law perspective, the active involvement of indigenous peoples in the voting process demonstrates that the principle of popular sovereignty has been implemented at the local level. However, the fulfillment of these political rights cannot be assessed solely on the basis of voter turnout, but must also be linked to guarantees of freedom, equality, and fair access to the right to vote (Asshiddiqie, 2021).

Furthermore, the influence of traditional leaders in shaping the political orientation of communities confirms the interaction between the state legal system and the traditional legal system. Normatively, recognition of the role of customs is a consequence of the principle of legal pluralism recognized in the Indonesian constitutional system. However, if this influence develops into a form of domination that reduces individual freedom of choice, then this condition has the potential to conflict with the principle of constitutional democracy, which places political rights as the personal rights of citizens (Siallagan, 2022).

The assessment of indigenous peoples' participation in the Ternate City regional elections needs to be placed within the framework of the principles of direct, public, free, confidential, honest, and fair elections as stipulated in Law Number 7 of 2017. From the aspects of direct and universal suffrage, no formal restrictions were found that prevented indigenous peoples from exercising their right to vote. This shows that, normatively, the implementation of the regional elections has met the minimum legal standards for elections.

However, from the perspective of free and fair principles, there are still substantive challenges. Community-based social pressure and limited access to election information have the potential to influence citizens' freedom in determining their political choices. This condition is in line with the view that electoral democracy not only demands procedural equality, but also substantive justice that guarantees every citizen has the same capacity to make political decisions independently (Prasetyo & Barkah, 2023; Ramadhan, 2024).

When compared to indigenous community participation practices in other regions, the pattern of indigenous community participation in Ternate City shows an integrative tendency between traditional values and modern democratic systems. Research on indigenous peoples in Kalimantan and Sulawesi shows that harmonious relations between traditional institutions and local governments can increase local political legitimacy and strengthen electoral participation (Suharyanto, 2021; Lestari & Nugroho, 2024).

This comparison shows that the success of indigenous peoples' participation is largely determined by the social context and patterns of power relations at the local level. Thus, a normative approach that is always uniform in regulating the political participation of indigenous peoples has the potential to ignore local dynamics that actually determine the effectiveness of regional democracy (Nugraha, 2022).

Based on normative and empirical analysis, this study recommends strengthening policies oriented towards inclusive democracy. First, election organizers need to develop contextual and locally-based voter education strategies so that indigenous peoples obtain adequate and neutral political information. This approach is considered effective in improving the quality of political participation without neglecting the indigenous values that exist within the community (Rahman, 2023). Second, there is a need to strengthen coordination between local governments, election organizers, and indigenous institutions to ensure that collective deliberation practices do not reduce the political freedom of individual indigenous citizens. Third, the state needs to ensure the availability of infrastructure and equal access to elections for indigenous communities in geographically difficult-to-reach areas as part of its constitutional obligation to guarantee the political rights of citizens (Kurniawan & Putri, 2024).

4. Conclusion

Based on the results of the research and discussion, it can be concluded that the participation of indigenous peoples in the election of the Mayor and Deputy Mayor of Ternate City shows a relatively high level of political involvement and is active in nature. The high turnout of indigenous peoples at polling stations reflects a collective awareness of the importance of the local democratic process and recognition of the legitimacy of regional head elections as a means of channeling people's sovereignty. This participation has distinctive characteristics marked by the strong role of traditional leaders and the practice of collective deliberation in determining the community's political choices. From a normative-legal perspective, this condition shows the interaction between the constitutional democratic system and traditional values that are still alive and recognized in society. The influence of traditional leaders and deliberative mechanisms can

essentially strengthen the social legitimacy of election results, as long as it does not develop into social pressure that limits the political freedom of individual indigenous citizens. However, this study also found that the fulfillment of indigenous peoples' political participation rights has not been fully realized in substantive terms. Structural barriers in the form of limited access to information, geographical conditions, and electoral infrastructure still affect the equal opportunities of indigenous peoples to exercise their voting rights freely and equally. These conditions show that the fulfillment of the principles of direct, public, free, confidential, honest, and fair elections cannot be assessed solely on a procedural basis, but must be viewed in terms of the state's ability to guarantee equal access and political freedom for all citizens, including indigenous peoples. Thus, this study confirms that the participation of indigenous peoples in Ternate City is a form of contextual and inclusive local democracy, but it still requires the strengthening of affirmative policies and a more sensitive legal approach to the socio-cultural characteristics of indigenous peoples. These findings contribute to the development of legal studies on elections and local democracy by emphasizing the importance of integrating the recognition of indigenous peoples' rights and the protection of individual political rights within the framework of a democratic state governed by the rule of law.

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