

**AN INTRA PARTY CONFLICT SETTLEMENT MECHANISM OF  
POLITICAL PARTIES IN INDONESIA: A CASE STUDY OF GOLKAR  
PARTY AND UNITED DEVELOPMENT PARTY**

**UNDERGRADUATE THESIS**



**This undergraduate thesis is submitted as one of the requirements to obtain  
the decree of Bachelor of Law at Faculty of Law  
Universitas Muhammadiyah Yogyakarta**

**Name : Yuliani Iriana Sitompul**  
**Student Number : 20130610398**  
**Faculty : Law**  
**Major : International Program for Law and Sharia**  
**Field of Study : Constitutional Law**

**FACULTY OF LAW  
UNIVERSITAS MUHAMMADIYAH YOGYAKARTA**

**2017**



## DECLARATION PAGE

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

I hereby declare that the Undergraduate Thesis which is entitled “AN INTRA PARTY CONFLICT SETTLEMENT MECHANISM OF POLITICAL PARTIES IN INDONESIA: A CASE STUDY OF GOLKAR AND UNITED DEVELOPMENT PARTY” its content is truly the work of my own and I did not do a plagiarism or quotation in ways that are inconsistent with the prevailing ethic in the scientific community. On this statement, I am ready to bear the risk/any sanctions imposed to me in accordance with applicable regulations, if in the future found a breach of scientific ethics, I am willing to accept the sanctions.

Written by

Name : Yuliani Iriana Sitompul  
Student Number : 20130610398  
Faculty : Law  
Major : International Program for Law and Sharia  
University : Universitas Muhammadiyah Yogyakarta

Yogyakarta, May 3<sup>rd</sup>, 2017



Yuliani Iriana Sitompul

## **MOTTO**

Dear Allah, if I lose hope today, please remind me that your plans are better than mine.

“Whatever of blessings and good things you have, it is from Allah and whenever harm befalls you, it is unto Him that you cry for help”

(An-Nahl 16:53)

“Honor to Teachers and Doctor”

Indeed, both teachers and doctors

Are not willing to give advice if both are not respected

Be patient with your illness when you are away from the doctor

And be satisfied with your stupidity when you are away from the teacher

Finish what you have started

Stop when finish, not when you are tired

## **DEDICATION**

**This undergraduate thesis is dedicated to**

My Lord, Allah SWT  
Prophet Muhammad SAW

My beloved parents  
Agus Salim Sitompul  
Lies Nurbaya

My lovely brothers and sister  
Zulfian Alma Brandana Sitompul  
Ramdhan Riandana Sitompul  
Ramdhina Aprilia Sitompul

My Supervisors  
Iwan Satriawan, S.H., MCL., Ph. D.  
Nanik Prasetyoningsih, S.H., M.H.

## FOREWORD

*Alhamdulillah Walhamdulillah tsumma Alhamdulillah*, thank you Allah SWT, The Most Merciful and Most Gracious who has given me His blessing and an opportunity to accomplish my Undergraduate Thesis as my final work to fulfill the requirement to obtain the degree of Bachelor of Law entitled **AN INTRA PARTY CONFLICT SETTLEMENT MECHANISM OF POLITICAL PARTIES IN INDONESIA: A CASE STUDY OF GOLKAR PARTY AND UNITED DEVELOPMENT PARTY** at International Program for Law and Sharia, Fakultas Hukum, Universitas Muhammadiyah Yogyakarta.

First of all, I would like to express sincere grateful to my parents Bapak Agus Salim Sitompul and Ibu Lies Nurbaya and my brothers Zulfian Alma Brandana Sitompul and Ramdhan Riandana Sitompul also my sister Ramdhina Aprilia Sitompul for their never ending prayers, supports, guidance and love.

Extraordinary thanks also go to both my supervisor Bapak Iwan Satriawan, S.H., MCL., Ph.D and Ibu Nanik Prasetyoningsih, S.H., M.H who have guided me with patience, wisdom and compassion. I also thanks to Bapak Suryanto, S.Pd., M.H.Sc., D.Ed who did a great deal to correct and improve my English.

Allow me also to express my deepest gratitude to Bapak Nasrullah, S.H., S.Ag., MCL, Bapak M. Endriyo Susila, S.H., MCL, Bapak Yordan Gunawan, S.H., Int. MBA., M.H, Bapak Dr. Khaeruddin Hamsin, and all the lecturers of Faculty of Law for their assistance and inspiration for my great future. Deepest appreciation also goes to all staff Faculty of Law.

I would like to thanks to my best friends, Actiriyama Solihun, Dewi Ratna Sari, Ririn Pricila E. Tansil, Dessy P. Hunawa, Raden Harnum T. Anggari, Agusman Rauf, Rahmi Purwitaningrum, Savitri Hadarniyati, Desy Octafiyani, Eggy Regina Yuniar, Dania Amareza Pratiwi, Ovryan Berthafara Ayasisca, Firdausi Alamari, Ahmad Zulfikar Pical, Walida Alvi Luthfiani, Eka Widi Astuti, Novi Yanti, Novian Fahreza and beloved IPOLS Batch 2013. My seniors Resa Wilianti, Afriansyah Tanjung, Prima Indah Lestari, Andika Putra and Bagus Priyo Prasajo for encouraging me to achieve this stage. Special thanks also go to all IPOLianS and for all prayers and supports.

Big thanks also belongs to my boarding house mates, Diyan Kusuma, Lorinda, Zahratul Haya, Izza Maulida Santoso and Yosi Jumita who gives a thousand support me.

Finally, I do expect the thesis will give benefits for readers andfuture researches.

Yuliani Iriana Sitompul

## TABLE OF CONTENT

<b>ABSTRACT</b> .....	<b>Error! Bookmark not defined.</b>
<b>APPROVAL PAGE</b> .....	<b>Error! Bookmark not defined.</b>
<b>ENDORSEMENT PAGE</b> .....	<b>Error! Bookmark not defined.</b>
<b>DECLARATION PAGE</b> .....	<b>i</b>
<b>MOTTO</b> .....	<b>i</b>
<b>DEDICATION</b> .....	<b>ii</b>
<b>FOREWORD</b> .....	<b>iii</b>
<b>TABLE OF CONTENT</b> .....	<b>v</b>
<b>LIST OF FIGURES</b> .....	<b>vii</b>
<b>LIST OF STATUTES</b> .....	<b>viii</b>
<b>LIST OF ABBREVIATION</b> .....	<b>ix</b>
<b>CHAPTER ONE - INTRODUCTION</b> .....	<b>Error! Bookmark not defined.</b>
A. Background .....	<b>Error! Bookmark not defined.</b>
B. Research Problem.....	<b>Error! Bookmark not defined.</b>
C. Objective of Research .....	<b>Error! Bookmark not defined.</b>
D. Benefit of Research .....	<b>Error! Bookmark not defined.</b>
<b>CHAPTER TWO - LITERATURE REVIEW</b> ..	<b>Error! Bookmark not defined.</b>
A. Democracy .....	<b>Error! Bookmark not defined.</b>
B. Political Party .....	<b>Error! Bookmark not defined.</b>
C. Intra Party Conflict.....	<b>Error! Bookmark not defined.</b>
<b>CHAPTER THREE - RESEARCH METHOD</b> ..	<b>Error! Bookmark not defined.</b>
A. Type of Research.....	<b>Error! Bookmark not defined.</b>
B. Type of Data.....	<b>Error! Bookmark not defined.</b>
C. Data Collection.....	<b>Error! Bookmark not defined.</b>
D. Data Analysis .....	<b>Error! Bookmark not defined.</b>
<b>CHAPTER FOUR - FINDING AND ANALYSIS</b> .....	<b>Error! Bookmark not defined.</b>
A. Settlement Mechanism of Intra Party Conflict of Political Party	<b>Error! Bookmark not defined.</b>
1. Intra Party Conflict Settlement based on Political Party Act.	<b>Error! Bookmark not defined.</b>



2. Intra Party Conflict Settlement based on The Political Parties Articles of Association ( <i>Anggaran Dasar dan Anggaran Rumah Tangga</i> ) .....	<b>Error! Bookmark not defined.</b>
3. The Role of Government in Intra Party Conflict Settlement .	<b>Error! Bookmark not defined.</b>
B. Brief Description of Intra Party Conflict of Golkar Party and United Development Party .....	<b>Error! Bookmark not defined.</b>
1. In Case of Golkar Party.....	<b>Error! Bookmark not defined.</b>
2. In Case of United Development Party .....	<b>Error! Bookmark not defined.</b>
C. The Obstacles Faced in Intra Party Conflict Settlement .....	<b>Error! Bookmark not defined.</b>
D. <i>Mahkamah Partai</i> as Internal Party Tribunal in Political Party for a Better Resolution.....	<b>Error! Bookmark not defined.</b>
1. The Effectiveness of the Existence of <i>Mahkamah Partai</i> .....	<b>Error! Bookmark not defined.</b>
2. Proposal for a Better Concept of Intra Party Conflict Settlement of Political Partyin Indonesia .....	<b>Error! Bookmark not defined.</b>
<b>CHAPTER FIVE - CONCLUSION AND RECOMMENDATION .....</b>	<b>Error! Bookmark not defined.</b>
A. CONCLUSION .....	<b>Error! Bookmark not defined.</b>
B. RECOMMENDATION .....	<b>Error! Bookmark not defined.</b>
<b>BIBLIOGRAPHY .....</b>	<b>Error! Bookmark not defined.</b>

## LIST OF FIGURES

Figure 4.1 The Intra Party Conflict Settlement before the Enactment of Political Party Act.....	28
Figure 4.2 The Intra Party Conflict Settlement based on Political Party Act No 31 of 2002 .....	29
Figure 4.3 The Intra Party Conflict Settlement based on Political Party Act No. 2 of 2008 .....	32
Figure 4.4 The Intra Party Conflict Settlement based on Political Party Act No. 2 of 2011.....	34
Figure 4.5 The Intra Party Conflict Settlement.....	34
Figure 4.6 The Role of Government in Intra Party Conflict Settlement.....	40
Figure 4.7 The Proper Institution to Settle the Intra Party Conflict.....	77

## **LIST OF STATUTES**

### **Indonesia**

1945 Constitution  
Political Party Act No. 2 of 2008  
Political Party Act No 2 of 2011

## LIST OF ABBREVIATION

AD/ART	( <i>Anggaran Dasar/Anggaran Rumah Tangga</i> ) Articles of Association
AMPG	( <i>Angkatan Muda Partai Golkar</i> ) Young Generation of Golkar Party
DPC	( <i>Dewan Pimpinan Cabang</i> ) Branch Leadership Council
DPP	( <i>Dewan Pimpinan Pusat</i> ) Central Leadership Council
DPR	( <i>Dewan Perwakilan Rakyat</i> ) People Consultative Assembly
DPRD	( <i>Dewan Perwakilan Rakyat Daerah</i> ) Regional Council
JPPR	( <i>Jaringan Pendidikan Pemilih Rakyat</i> ) National Coordinator of the People's Voters Education Network
KPU	( <i>Komisi Pemilihan Umum</i> ) General Election Commission
PDIP	( <i>Partai Demokrasi Inonesia Perjuangan</i> ) Indonesian Democratic Party Struggle
PKB	( <i>Partai Kebangkitan Bangsa</i> ) National Awakening Party
PPP	( <i>Partai Persatuan Pembangunan</i> ) United Development Party
RAPIMNAS	( <i>Rapat Pimpinan Nasional</i> ) National Leadership Meeting
NASDEM	( <i>Nasional Demokrasi</i> ) Democratic National

