The Effectiveness of Electoral System: A Case Study on Susilo Bambang Yudhoyono's Presidential System

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Even though four elections have been held since the reformation took place in Indonesia, the effective presidential-multiparty system has not been achieved yet. The ineffectiveness in question is when the process for obtaining approval is carried out over a long period of time which then shifts the main issue, and ultimately prejudice the people. Overall, this study discusses the party system, representative system, and presidential system, as well as the implications of the electoral system on the effectiveness of governance. The approach used in this study is a qualitative approach, with analytical descriptive methods. The results of the author's analysis show that the disproportionality of 2004 and 2009 electoral systems influenced the ineffectiveness of the SBY government. In addition, this ineffectiveness is also strengthened by the results of the Rice Index calculation in several policy-making processes that show that political parties coalition supporting the government is not disciplined. Based on these findings, the author recommends the changes in the electoral system from open proportional systems to parallel systems. The electoral system engineering is intended to create incentives that produce effective coalition models in government. In addition, the recommended electoral system is expected to reduce the potential for institutional conflict between the President and the DPR.

Key words: *Government Effectively, Presidential System Government, Electoral System, Election, Party System, Parallel System.*

Introduction

An election is conceptually believed to be the main prerequisites and entry point for a democratic political system that will contribute to a stable and effective government system.

This study emphasises inductively into the line of thought of Arendt Lijphart who developed that constitutional system determines the system of government, and system of government that determines the electoral system which is practiced by a democratic country. On the other hand the constitution also requires the realisation of an effective government which not only means that policies are made and implemented should be in accordance with the wishes of the people and the constitution (which is then determined through a democratic process), but also implemented consistently in order to become reality in accordance with what was decided (Kemitraan, 2011).

The problem then is the design of direct election in 2004 that actually resulted in a form of presidential and parliamentary institutions that differed in character from political power. As stated by Menocal the electoral system has an important role for several reasons. First, there is a perception that the electoral system has an impact on the level of coherence/fragmentation of the party system, which then impacts on the degree of effectiveness of government. Second, the electoral system can also help facilitate or exacerbate conflict. Third, the electoral system can sharpen public policy outcomes and influence the behaviour and incentives of political actors, whether politicians will depend on voters or parties in relation to their political careers (Menocal, 2011).

Meanwhile related to how to solve the ineffectiveness of the presidential system, previous studies concluded that the ability of a president's political communication with the Parliament is the key to successfully overcome political deadlock in the President-DPR relations. Even though it often "takes a long time", political communication that puts forward effort to create a President-DPR consensus is believed to be an effective solution thus the President and the Parliament can reach mutual agreement (Hanan, 2014). Building relationships between coalition parties can also be one of the solutions to presidential system ineffectiveness (Llanos, 2006; Gumiwang, 2014). One of good action that has been carried out by SBY as a solution for this problem was the formation of 'Setgab' which has become the house of a coalition parties and therefore the relations between parties in the government coalition can be established (Gumiwang, 2014).

After observing the effectiveness of the presidential system in various perspectives, especially in Indonesia, studies are rarely conducted to look at the relationship between the presidential system and the electoral system, whereas work by Bogdan and Tylor (1993) concluded that the electoral formula, both from the type of system chosen and the time of implementation in the presidential election turned out to have a significant influence on the number of parties in parliament. This number will certainly affect the effectiveness of the presidential system. Based on some of these studies and arguments that the electoral system can influence the presidential system, this study therefore seeks to fill the gap on presidential system studies in Indonesia. Specifically this study will look at how the implications of the

electoral system in 2004 and 2009 which influence the dynamics to the ineffectiveness of the presidential system under President SBY's leadership in two periods.

The issue of ineffectiveness underlies the question in this study; why does the problem of ineffectiveness still occur after four democratic elections? What is the expectation and motivation to be achieved by the preparation and/or revision of the electoral system every five years before the general election? Did the formulation of election system in 2004 and 2009 have considered issues such as: (a) the ration of seats and voters, (b) constituent voter accountability, (c) allows the government to work effectively, (d) produce a majority winner; (e) forming inter-ethnic and interfaith coalitions; (f) does the minority have a chance to sit in public office as stated by Horowitz (2003)? Departing from these various questions, this study formulates the question "how does the proportionality of the electoral system in Indonesia affect the composition of political parties in the Parliament that effectively impacts the performance of presidential government systems?"

Conceptual Review

Election

The first theory used in this paper is electoral system theory. Diamond (1999) says that free and fair elections which are conducted periodically, although fulfilling aspects of competition and participation, only promise "electoral democracy" which categorically different from "liberal democracy", or substantial democracy. Diamond further formulates that, "Electoral democracy is a constitutional system that organises competitive and regular multiparty election with universal voting right to elect legislative members and chief executive." Cited from Coller and Levitsky, Diamond (1999) identifies such systems as expanded "procedural democracy".

At the most basic level, the electoral system converts votes in an election into seats won by parties and candidates. The design of the electoral system also influences other fields such as determining the boundaries of electoral districts, how voters register, the design of ballots, how votes are counted, and many other aspects of the electoral process. An electoral system can create a temporary coalition or minority government that allows a party to gain majority control (Reynolds, Reilly, & Ellis, 2016). Furthermore, the choice of electoral system in a country is not only about choosing leaders but also about how to achieve the direction and objectives of the state. Substantively the choice of the electoral system is expected to be simultaneous so as to create an electoral governance that is not only procedural but also substantial thus the determination of the electoral system in an ideal state is effective for the achievement of state objectives.

Political Party and Partial System

As an organisation, political parties are formed to influence the form and character of public policy within the framework of certain ideological principles and interests through the practice of direct power or people's participation in elections" according to Hugopian's view in Budiardjo (1998, p. 16). Meanwhile, according to Neumann's view in Budiharjo (1998, pp. 16-17), "Political parties are articulate organisations consisting of political actors who are active in society and focusing their attention on controlling governmental power in order to compete to gain popular support with other opposite groups who have different views.

Based on the definitions above, the sociological basis of political parties is ideology and interest toward efforts to gain power. Without these two elements, political parties will not be able to identify themselves with their supporters. Thus, the position of political parties is as a link of political participation of the people between social forces and the government.

Related to the function of political parties, Rosenau (1969) emphasizes more on its function as a link between various interests in a political system. In this case, there are two important roles of political parties in political linkage, namely as an institution that functions as a penetrative linkage, which means as an institution that plays a role in the process of forming state policies and as a "reactive linkage" that reactive to policies issued by the state. Thus, in modern democracies the functions of political parties in general are as follows:

- Instrument of political communication; party who formulates the interest articulation and combines or distributes the interests aggregation of the community to be conveyed and fought to the government.
- Instrument of political socialisation; a process by which a person obtains the views, orientations and values from the surrounding society and includes the process of society passes down norms and values from one generation to the next;
- Instrument of political recruitment; a process by which the party seeks new members and invites talented people to participate in the political process. Political recruitment guarantees party regeneration, as well as a way to select candidates for party's leadership or national leaders;
- Instrument of conflict control; an open and plural society with differences and competition of opinion are very reasonable in a democratic country, but often cause broad social conflicts. Therefore, the conflict must be controlled in order to avoid broader conflicts and endanger the existence of the nation (Fadjar, 2012).

According to Sartori (Surbakti, 2010), the party system can be devided into four systems based on ideological stands among existing parties, as follow:

Table 1: Party Systems based on Ideological Stands

Simple Pluralisme	Moderate Pluralisme	Extreem Pluralisme	Hegemony Party Sistem
Not polarized, bipolar (two parties), and centripetal e.g. system in the United States.	Small polarity, bipolar with three or four parties as a base, and centripetal e.g. system in the Netherlands .	Large polarity, multipolar with many parties, and centrifuges e.g. system in Italy.	Huge polarity, consists of very large numbers of parties, and centrifuges.

Source: Surbakti (2010)

Based on the explanation above, Sartori (Surbakti, 2010) divides the party system based on ideology, which when analysed the distribution which is closely related to the formation of the stability of the government system. As an example, if a country adopts a simple and bipolar pluralism system with only couple parties, the party system only relies on two ideological poles although in their application there are more than two political parties. Another characteristic of a simple pluralism system is its centripetal nature, where every parties political behavior lead to the national integration. So it can be concluded that the party system of simple pluralism can guarantee the stability of government with the subsystems described above.

Polictical Party and Parlement Institution

Democratic countries place election as an instrument of power transfer. With elections, a political party becomes a determinant institution to realise the power transfer safely and democratically as well. The election of a political party system largely determines the general election system used. A country that use a two-party system is generally balanced with a plurality/majority system with principle *winner takes all*, while country that use a multiparty system typically use a proportional representation system which the remaining votes are distributed again (Faturrohman, 2002). In juridical terms, the policy in Indonesia does not confirm the style of the system used. Only Article 6A paragraph (2) of the 1945 Constitution which states that president and vice president candidates are proposed by political party or coalition of political parties before the general election, which implicitely implies that Indonesia is dealing with a multiparty system with more than two political parties. In addition sociological factors also determine the used of multiparty system.

Election is part of a process in forming the state institutions, a representative institution for instance. Asshiddiqie (2005) describes the choice of implementing a two-chamber representative with the reason for the need to ensure stability and balance, both executive and legislative, as well as the desire to make the government system run efficiently through so-

called "revising chambers" in the framework of prudent inspection to decisions that are sometimes careless by the first. The optimisation of the checks and balances function of the legislative among state institutions is a general goal to be achieved by a state who applies a two-chamber system. Theoretically, legislature is in the framework of trias politica. The concept of *trias politica* from John Locke and then developed by Montesquieu confirms that if the legislative, executive and judiciary are in the same side, there will be no freedom. Each of these powers must be separated from one another to avoid making and implementing tyrannical law (Montesquieu, 1900).

Research Analytical Framework

This research focuses on analysing the performance of SBY presidential government administration, which was the implication an open proportional electoral system implemented in the general election 2004 and 2009. The implication analysis of the electoral system on the performance of government administration, first of all will be pursued by reviewing the effectiveness of the administration performance during the reign of SBY-JK and SBY-Boediono. Secondly, executive and legislative relations (President and DPR) are analysed through the percentage of faction support in each policy measured using the Rice Index to determine the degree of discipline of political parties, government coalitions, ruling government relations and coalitions of political parties through the Cabinate Coalition Rate, and the leadership of the president and vice president in mobilising all stakeholders to support the government, especially implementing government policies.

The second analysis that will be carried out is to examine the application of the used electoral system include the purpose, the process of its preparation, and the implications of the presidential governance application, as well as its weaknesses and strengths. In this second stage, this paper calculates the comparison of the disproportionality degree of the electoral system used in the two periods of SBY's administration using the Least Square formula by Gallagher. In addition, this paper also measures the effective number of political parties in parliament using Laakso and Taagepera formula and compare them with factual number of political parties in the parliament in 2004 and 2009. By knowing the number of effective parties in the parliament, further analysis can be carried out on how strength the political parties in parliament as well as measuring the fragmentation degree of political parties in parliament which will be calculated by the index of political party fragmentation. By doing these three calculations about the electoral system and understanding the comparative characteristics of each electoral system, this can be a starting point to reform the ideal electoral system that can support the effectiveness of presidential government performance in the future. The research framework in this study is as follows.

Figure 1. Research Framework
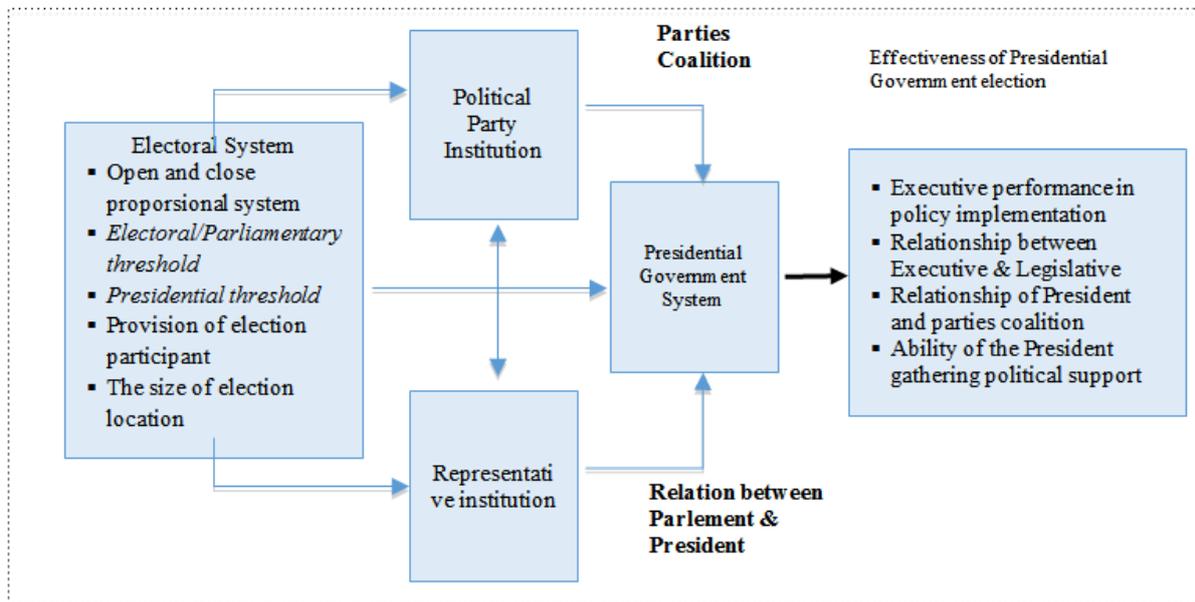
Research Methodology

This study uses a qualitative approach which emphasises the explanation of causality mechanism for the phenomenon of electoral system implications in term of presidential government effectiveness. This study does not attempt to explain the effect of causality in testing certain hypotheses such as those in quantitative approaches. According to Locke, Spriduso, and Siferman in Creswell (1994), qualitative research is interpretive research that explicitly explains various biases, values and assumptions in research.

As a qualitative study, this study is basically a field study using two data sources, namely primary and secondary data. Primary data were obtained directly from informants using interview techniques and Focus Group Discussion (FGD). An interview was conducted to obtain information related to the purpose of implementing a particular electoral system and understanding of the election organisers. An interview was also conducted to obtain information about the attitudes and behavior of political party institutions towards the system stipulated in the Law and the KPU, how the behavior of political parties in the coalition against the ruling government, the driving factors to form a coalition and its political impact, what are the objectives of the strategy adoption by SBY-Jusuf Kalla and SBY-Boediono to get support from various parties in running and strengthening the presidential government system. In addition to interview techniques, FGD was also applied by involving several experts from both academics and election experts.

Meanwhile, secondary data in this study were obtained by conducting documentation studies which are related to the theme for instance from journals, magazines, newspapers, online media, and textbooks.

Data Analysis

The study uses qualitative analysis techniques where data is collected, selected, and simplified by taking the essence until later found the main theme, focus of the problem, and its pattern. Data analysis activities have been started since the formulation process and elaboration of problems before going into the field until writing the results of research. According to Sutopo (2006) there are three main components in the process of data analysis, namely: (1) data reduction; (2) data presentation, and (3) conclusion or verification. The three data analysis processes play an important role in the process and interrelated which determines the final results.

In the process of reduction, the data obtained and written in the form of a detailed description, then reduced, summarised, selected the main and focus on what is important. After the theme and pattern are found, the data is then arranged systematically. The next process is the presentation of data based on the type and pattern, which are then arranged in the form of a chart so as to form a meaningful series of information according to the problem. Conclusions are drawn and verification is done after that stage is carried out. Verification is expected to find new in depth data to support the conclusions. The three stages in the analysis process are interrelated parts of the stages.

Findings and Discussion

In this section, we will explain the proportionality of each electoral system by calculating the Least Square Index (LSq). LSq is an index to measure the level of disproportionality of an electoral system constructed by Gallager. The range of this index is from 0 to 100. The closer it is to 0, the electoral system is considered more proportional and vice versa (Gallagher & Mitchell, 2005). If the LSq value is large, this indicates that the electoral system applied provides a disproportionate portion of seats between the votes obtained by the party and its seats. The formula for calculating this degree of disproportionality is

$$LSq = \sqrt{\frac{\sum (Vi - Si)^2}{2}}$$ Where, Vi is votes presentation and Si stands for seats portion of party

According to Alan Renwick cited by Roinila (2014), proportionality generated by an electoral system is important to note because it relates to several things that can be used to identify democratic values associated with the electoral system. These values are the distribution of seats and fair power, the avoidance of anomalous election results, community representatives,

voter choice, accountability of government and politicians, checks and balances. In addition, Renwick also added that the electoral system must be able to create effective decision making and governance.

As a general description and comparison, the electoral system in 1955 was considered the most proportional system based on the LSq calculation result, which was 1.55. It means that every seat obtained by each participant in the ideal election was almost perfect with their votes. This certainly needs to be criticised and read differently if the actual condition is put into account. Even though elections in that regime are categorised as proportional elections because the LSq index value was in the range of 2 (as in the 1977 elections with an index of 2.12), elections in that era could not be said to be fully democratic due to several factors such as election organisers and election participants were restricted. Further, the elections were certainly controlled by one of the parties who always won the election and were indeed controlled in an authoritarian system under President Soeharto and did not create much dynamics.

Based on the election results in 2004 and 2009, it was found less proportional compared to the 1999 elections. This can be seen from the results of the calculation of the 2004 electoral System LSq which showed 4.16. While the 2009 election system produced a disproportionality index of 6.15. This means that the 2009 electoral system was also more disproportionate to the 2004 electoral system. The increase number in the results of the LSq calculation in the 2004 and 2009 elections compared to the 1999 election was due to the adoption of a different electoral system, namely an open proportional system. The point is that there was a possibility for voters to choose the candidate directly, thus decreased the party's votes. This makes the party vote incomplete so as the proportion of the distribution of votes were given more to legislative candidates rather than parties. The greater LSq in 2004 and 2009 also led to higher party fragmentation. For example the Demokrat party as the winning party only received a vote of 20.85% even though it was unable to reach the critical mass limit of 30% in decision making.

Another thing that can affect the increase in LSq in the 2004 elections compared to the 2009 elections is the Hare LR vote conversion method used. With this method, political parties will obtain seats proportional to the price of seats, known as the voter divider number (BPP) which determined by dividing the total valid votes by the number of seats allocated in one constituency (electoral district). If there are seats that remain, the counting will continue to the second stage where seats will be given to the parties with the largest number of votes (largest remainder). This method will continue until all the seats are shared. Such a mechanism makes this formula more favourable for middle and small parties (Sweinstani, 2018). The 2014 election resulted in an LSq index of 2.15% or decreased compared to the 2004 and 2009 elections. The decrease in the LSq index in the 2014 election can be

understood because the number of parties participating in the election was smaller and the parliamentary threshold increased from before in 2009 by 2.5% to 3.5%.

In summary, such an electoral system has the potential to open up opportunities for small parties to gain the remaining seats in the legislature and cause the number of parties in parliament to increase. Consequently the small party "disproportionately" occupies a legislative seat and does not guarantee that the party's vote can influence policies effectively which can result in less effective of government performance.

Political Maps Results of Elections in 2004 and 2009 and its Impact on the Effectiveness of Government Performance

In this sub-chapter, the researcher correlates the 2004 and 2009 election system with the effectiveness of President SBY's Administration performance and analyses using the effective number of political parties in the legislature. The electoral systems in 2004 and 2009 have proven to be less proportional compare to the 1999 electoral system because the system allows small parties to participate in the legislature. As a result of the softness policy, political fragmentation in the legislature to support policies which formulated together with the president becomes quite large. For example, when the SBY's administration needed a lot of time to formulate a policy, it was not uncommon for the policy makers met a political deadlock (Ilham Yamin Ismail, et.al, 2014).

So what should be the ideal number of political parties in order to maintain the effectiveness of government performance? This issue was formulated mathematically by Laakso and Taagepera as the effective number of political parties (Effective Number of Party / ENP). The ENPP formula is as follows:

$Ns = \frac{1}{\sum_{i=1}^{n} si^2}$ Where Si stands for seats portion of i party, when measuring ENEP then Si replace with Vi or seats portion of i party.

The 2004 election is shown in table 4.11 with the result of the ENPP 7.08 which means that in a legislative body there were only seven parties effectively influence the policy. In fact, the 2004 election resulted with 16 political parties sit in the legislature. It means that probably up to 9 parties were in the position of "swing party". Similarly, the result of the 2009 general election also showed the number of parties that were not in line with the ideal number of parties in the legislative ideal according to ENPP calculations. Based on the results of ENPP calculations conducted by researchers, the ENPP results of the 2009 Election were 6.13. This means that only 6 parties have effectively influenced government policy.

According to Coppedge (1997), the party system can be divided into three namely, dual parties, moderate multiparty systems (3-5 parties), and ultra multiparty systems (above 5 parties). Furthermore, Coppedge explains that the lower the ENPP in parliament, the easier it would be to form coalitions and form governments. The implication is the fewer parties in the parliament, the lower party fragmentation in the government, therefore it will support to create an effective government.

Regardless with how the 2004 and 2009 electoral systems produced such a fragmentation of political party power, it can be seen from the volatility and fragmentation of the party through the calculation of the Party Fragmentation Index in parliament calculated using the following formula:

$$F = 1 - \sum_{i=1}^{n} Si^2$$
or
$$F = 1 - (1/ENPP) \text{ karena } \quad \sum_{i=1}^{n} Si^2 = 1/ENPP$$

The higher the index produced, the higher the level of party fragmentation in parliament. In the 2004 election, the party fragmentation index in the legislative body was 0.86 while the 2009 election was 0.84 which means that in the second period of SBY's administration, political fragmentation was slightly better than the first period. However, this degree of fragmentation is higher compared to the 1999 election which had an index of 0.79.

There is something interesting when comparing the result of the 2004 and 2009 elections. Observed from the degree of proportionality, the 2004 election system was more proportional than the 2009 election system. However, the 2009 election system produced a more solid coalition than before. This can be seen from the fragmentation index of political parties and from the number of ineffective parties produced by the 2009 election which was lower than in 2004. This can occur, as the study explained earlier and one of the reasons is because there was an effective presidential threshold mechanism to limit the number of parties that can enter to parliament.

The low value of the Presidential Treshold (PT) in the 2009 general election which was only 2.5%, allowed middle parties to be elected into parliament. This is different from what happened in 2014 with a higher limit of PT. In comparison, the result of the 2014 general election ENPP calculation was 8.2, meaning that only 8 parties were effective in influencing policies while other 2 parties were ineffective. Based on the results of ENPP calculations, the ideal number of political parties that will create an effective number of political parties in parliament is seven parties. However, the number of parties in parliament at that time actually doubled from the ideal number, causing the fragmentation of the political parties in the

legislative and the result of the 2004 and 2009 elections were greater than the previous period.

To find out the overall picture of the 2004 and 2009 elections can be seen in the table below:

Table 3: Electoral System Comparison

Characteristic/ Year of Election	1999	2004	2009	2014
System	Closed Proportional	**Open Proportional**	**Open Proportional**	Open Proportional
Total of Party registered	48 Parties	**24 Parties**	**44 Parties**	12 Parties
Electoral threshold	Electoral Threshold 2% of the total number of Legislative quota or at least 3% of the total quota of legislative I or II which spreads at least half of the total provinces and Regencies/city	3% of legislative quota, 4% of the Provincial legislative quota that spreads in half of total provinces in Indonesia as well as for the Regencies/city	-	-
Parliamentary threshold	-	-	**2,5%**	3,5%
Party who get through to legislative	20 Parties	**16 Parties**	**9 Parties**	**10 Parties**
District magnitude		**3 to 12**	**3 to 10**	3 to 10
Quota Allocation	**Vote Out in Electoral Regency level 1**	**Vote Out in Electoral Regency**	**Vote Out in Electoral Province**	**Vote Out in Electoral Regency**
Location	Province or part of Province	Province or part of Province	Province or part of Province	Province or part of Province

Characteristic/ Year of Election	1999	2004	2009	2014
Balloting	Coblos	**Punch**	**Tick & Punch**	**Punch**
Vote Conversion Formula	Hare quota	**Hare quota**	**Hare quota**	**Hare quota**
Legal Basis of Implementation	Article 3 of the 1999 Constitution	Article 12 of the 2003 Constitution	Article 10 of the 2008 Constitution	Article 8 of the 2012 Constitution
LSq Result ENPP result	3,19	**4,16** 6,13	**6,15** 7,08	2,45

Source: Adopted from variety of sources

Conclusion

The valuable lessons from the SBY President's administration during his two leadership periods is the face of the complexities of President and parliament relations in government policy approval. The complexity is demonstrated by the description in the preceding chapter by using a critical analysis of the effective number of political parties in the legislature.

The electoral system of 2004 and 2009 has been proven to be a more disproportionate electoral system than the electoral system of 1999. As a result, the system is friendly to middle and small parties, and hence the fragmentation of political power in the legislature to support policies formulated with the president is sufficient.

The 2009 election in the SBY-Boediono majority government, have also shown the more effective parties in the policy, even the 2009 election is no more proportional to the election of 2004. Inevitably the 2009 election results with the most decisive vote constituting the complexity and potential of conflicting representation in the parliament representatives. The SBY government then needed more time to formulate a policy to avoid a political stalemate in the parliament representatives. The crackdown on the president and parliament representatives' state of affairs forced SBY to take various tactical steps in the approach of the coalition members of its ruling coalition.

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