

Analyzing The Electoral Reform Journey of Indonesia From 2004-2023: Value Demands or Power Needs?

Analisa Perjalanan Reformasi Pemilu di Indonesia

Sejak 2004-2023: Tuntutan Nilai Atau Kebutuhan Kekuasaan?

Perwita Suci*, Ihsan Suri**

*Universitas Islam Internasional Indonesia

**Fakultas Ilmu Komunikasi, Universitas Pancasila

Email: *perwita.suci@uiii.ac.id, **ihsansuri@univpancasila.ac.id

Riwayat Artikel

Diterima: 27 Mei 2024
Direvisi: 28 September 2024
Disetujui: 1 November 2024

doi: 10.22212/jp.v15i2.4459

Abstract

Why does electoral reform rarely occur in Indonesia? Several experts believe that politicians are the main actors behind electoral reform in the world. With a variety of background motivations, electoral reform usually occurs because of the interest in achieving or perpetuating power. On the other hand, this article sees that not all electoral reforms that occurred were initiated by politicians. Several electoral reform phenomena occurred based on pressure from the public, judges, and experts. We argue that electoral reforms initiated by actors other than politicians are a response to the failure of the electoral system. We illustrate this view using a case study of electoral reform in Indonesia in the period 2004-2023.

Keywords: Democracy; Electoral System; Electoral Reform; Indonesia; Politics.

Abstrak

Mengapa reformasi pemilu jarang terjadi di Indonesia? Sejumlah pakar berpendapat bahwa politisi merupakan aktor utama di balik terjadinya reformasi pemilu di dunia. Dengan ragam motivasi yang melatarbelakangi, biasanya reformasi pemilu terjadi karena adanya kepentingan untuk meraih ataupun melanggengkan kekuasaan. Sebaliknya, artikel ini melihat bahwa tidak semua reformasi pemilu yang terjadi diprakarsai oleh politisi. Beberapa fenomena reformasi pemilu terjadi atas dasar tekanan dari masyarakat, hakim, dan para ahli. Kami berpendapat bahwa reformasi pemilu yang digagas oleh aktor selain politisi merupakan respon atas kegagalan sistem pemilu dan bertujuan untuk meningkatkan nilai demokrasi. Kami mengilustrasikan pandangan tersebut dengan menggunakan studi kasus reformasi pemilu di Indonesia dalam periode 2004-2023.

Kata Kunci: Demokrasi; Indonesia; Politik, Reformasi Pemilu; Sistem Pemilu.

Introduction

An electoral system serves a multifaceted role in the political landscape, encompassing three pivotal functions that shape the dynamics of governance and representation¹. Firstly, at its core, an electoral system serves as the mechanism through which the voices of the electorate are translated into tangible political power. It delineates the process by which

votes cast during elections metamorphose into the allocation of seats within legislative bodies or the selection of paramount leaders such as presidents, governors, or mayors. This fundamental aspect underscores the foundational principle of democracy: the manifestation of popular will through the electoral process.

Secondly, beyond its procedural function, an electoral system establishes a crucial link between the governed and their elected

¹ Andrew, Benjamin, and A Ellis, "Electoral System Design: The New International IDEA Handbook."

representatives. It serves as a conduit for accountability, enabling citizens to hold their leaders answerable for their actions and decisions. The design of electoral systems can shape the nature and extent of this accountability, offering varying degrees of direct or indirect channels through which citizens can influence the behavior and performance of their elected officials². Whether through closer constituency ties or broader proportional representation, the electoral system acts as a mechanism for fostering transparency, responsiveness, and trust in democratic governance.

Thirdly, the architecture of electoral systems exerts a profound influence on the behavior and strategies of political actors vying for power. Different electoral frameworks create distinct sets of incentives and constraints, shaping the tactics and messages employed by parties and candidates seeking electoral success. Whether through fostering a focus on localized issues in a first-past-the-post system or encouraging coalition-building in a proportional representation setup, electoral systems influence the landscape of political competition and the contours of public discourse.

There are several electoral reforms in Indonesia, including legislative election reforms, which include (1) Election System, (2) Parliamentary Threshold, (3) Electoral District, and (4) Woman Representative. Indonesia's electoral reform began during the 1999 election. In the 1999 elections, it can be seen that electoral reform occurred due to pressure from the public. People demanded that the state be more open and legalize people to form parties. This is in line with Renwick³ argue when politicians lose control, there are at least four other elements that can take control: a colon public, experts, judges, and

external actors. After the 1999 elections, every election in Indonesia, both national and local elections, has always adopted a multiparty system.

However, there are at least four electoral reforms that took place in Indonesia that will be analyzed in this paper, most of which took place between 2004 and 2023. The author considers that after the collapse of the New Order regime, political dynamics in Indonesia continue to occur and are increasingly interesting to analyze. This paper also focuses primarily on electoral reforms to the system used to elect the president and national legislative. By using process tracing analysis, this paper will show the path of Indonesia's electoral reform and the dominant actors behind these reforms.

Otherwise, several democratic countries in Southeast Asia have faced electoral reform, such as the Philippines, Singapore, Myanmar, etc. In the Philippines, reforming the electoral system is vital for addressing patronage and strengthening political parties. These changes can enhance democracy by promoting accountability and representation. Southeast Asia showcases diverse electoral systems, from plurality to proportional models, illustrating innovative approaches to governance.

The Philippines, via its 1987 Constitution, introduced a mixed system allocating 20% of legislative seats for marginalized groups. However, its limited proportionality undermines effectiveness. Meanwhile, Thailand's mixed model has evolved through various reforms, while Singapore's unique party-block system aims for majoritarian outcomes but includes minority representation mechanisms.

Malaysia and Myanmar still use traditional plurality systems, yet recent elections there highlight the potential of flawed electoral processes to spark democratization. These trends emphasize the role of electoral reforms

² Renwick, *The Politics of Electoral Reform; Changing the Rule of Democracy*.

³ Renwick.

in fostering more inclusive governance across the region.

Theoretical Framework

Types of Electoral Reform

Electoral reform has been implemented in various democratic nations, even when democracy was a relatively novel concept within their political systems. Countries like France, which embraced democracy during its early waves, have undergone electoral reforms since 1985⁴. A prevalent framework for describing and categorizing electoral systems is grounded in their degree of proportionality, which assesses how accurately the ratio of votes translates into the allocation of seats.

Electoral reforms can be broadly divided into major and minor categories. Major electoral reforms involve substantial overhauls of the electoral system. A notable example is Japan's 1994 reform, which transitioned from a Single Non-Transferable Vote system to a Mixed-Member Majoritarian system. In contrast, minor electoral reforms consist of adjustments that do not fundamentally alter the existing electoral framework. An example of this is the Philippines' pre-1986 reforms⁶, where the country initially employed a plurality system (First Past the Post and Multi-Member Plurality) and subsequently retained this framework while incorporating a party-list system.

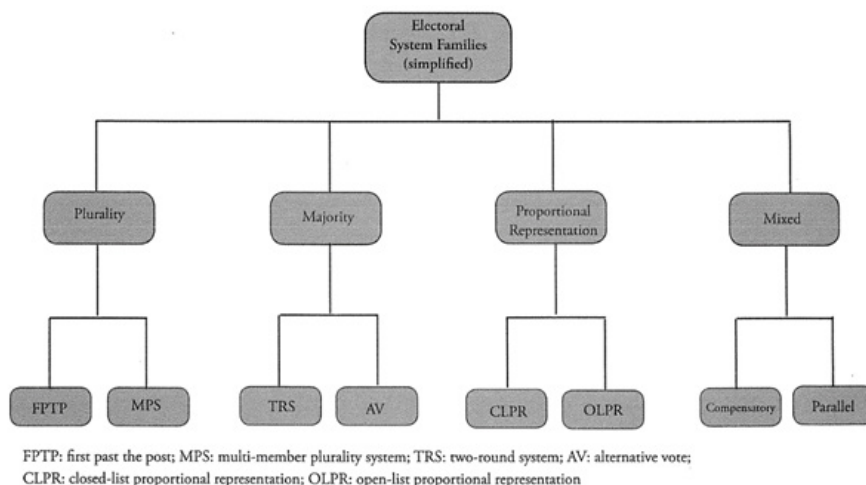


Figure 1. Types of Electoral System

This classification typically encompasses four principal categories: plurality systems, majority systems, proportional representation (PR) systems, and mixed or hybrid systems. Collectively, these categories account for the vast majority of electoral systems utilized in contemporary elections across the globe (see Figure 1).⁵

4 Alan Renwick. 2010. *The Politics of Electoral Reform: Changing the Rule of Democracy*. Cambridge: Cambridge University Press.

5 Benjamin Reilly. 2019. "Designing and Reforming Electoral System in Southeast Asia". in Paul D. Hutchcroft. Ed. *Strong Patronage, Weak Parties: the Case for Electoral System Redesign in the Philippines*. Anvil Publishing: Mandaluyong City. pp. 43-58.

Actors Behind Electoral Reform

The conventional notion that significant electoral reform only occurs in response to systemic upheaval must be reconsidered because six major reforms have taken place within continuous democratic contexts since 1980. However, the existence of only six instances of major reform in thirty (or even fifty) years suggests that the traditional perspective was not entirely unfounded: substantial electoral

6 Richard S. Katz. 2009. "Why are there so many (or so few) Electoral Reforms?" in Michael Gallagher dan Paul Mitchell. Eds. *The Politics of Electoral Systems*. New York: Oxford University Press

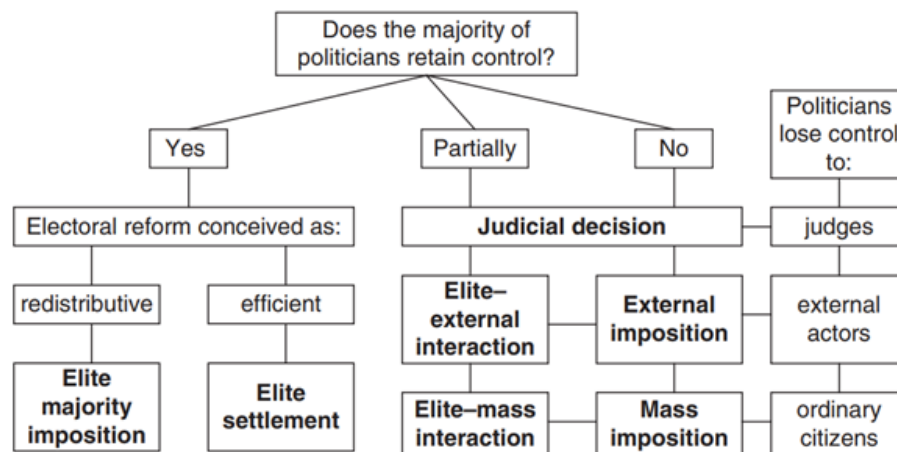


Figure 2. Actor behind Electoral Reform

reform within established democracies is indeed a rare occurrence. Essentially, this rarity stems from the fact that politicians typically wield control over the electoral system, and those in power who have the authority to enact change often benefit from maintaining the status quo. This situation implies two potential pathways to electoral reform: either the politicians in control opt for reform, or they lose their grip on the decision-making process⁷. Consequently, we can identify two broad categories of electoral reform. However, it is beneficial to further categorize these, as summarized in Figure 2.⁸

Politicians Retain Control

In cases where politicians maintain control, the pivotal question revolves around their approach to the electoral system. Following Tsebelis⁹, politicians may perceive the electoral system as either "redistributive" or "efficient." Efficient institutions aim to enhance the well-being of all or nearly all individuals or groups within society compared to the current state, while redistributive institutions seek to improve conditions for

one group in society at the expense of others. As Tsebelis¹⁰ posits, electoral systems often exemplify redistributive institutions: if one party gains more seats under an alternative system, it invariably means that another party loses out. When a particular group or coalition perceives such benefits for itself from altering the electoral system despite opposition from those who stand to lose, it constitutes what Renwick¹¹ refers to as reform by elite majority imposition.

However, there are scenarios where the efficient aspects of the electoral system become prominent. Firstly, when the entire political system faces threats of inter-group violence or secession, politicians may prioritize system stability over immediate partisan gains and enact electoral reform to alleviate tensions. This was evident, for instance, in South Africa in 1993 and Fiji in 1997.

Second, while it's generally assumed that most politicians prioritize their power—either as an end in itself or as a means to further objectives—they may sometimes exhibit more idealistic tendencies, especially if they come from non-traditional political backgrounds. In Hungary and Czechoslovakia in 1989 and 1990, for instance, former dissidents involved in crafting new democratic institutions

7 Campbell, Banting, and Simeon, "Redesigning the State: The Politics of Constitutional Change in Industrial Nations."

8 Renwick, *The Politics of Electoral Reform; Changing the Rule of Democracy*.

9 Tsebelis, *Nested Games: Rational Choice in Comparative Politics*.

10 Tsebelis.

11 Renwick, *The Politics of Electoral Reform; Changing the Rule of Democracy*.

remained committed to the ideals they had long fought for, often at great personal sacrifice, and introduced rules that didn't necessarily maximize their power.

Third, when actors confront extreme uncertainty about their prospects, they may be unable to gauge the redistributive implications of alternative systems. They operate akin to actors under the Rawlsian veil of ignorance: even if entirely self-interested, they behave as if the electoral system is an efficient institution. Such uncertainty played a role, for example, in electoral system decisions during post-communist transition periods. All these circumstances can foster electoral reform based on broad consensus, a phenomenon as reform by elite settlement.

While the categorization of institutions into redistributive and efficient is clear-cut, the classification of electoral reform processes into elite majority imposition and elite settlement is better understood as a spectrum. Individual actors often have mixed motivations, and their perspectives on the electoral system may vary. Some may predominantly view the system as redistributive, while others may see it more as efficient. Additionally, in certain situations, a broad coalition may form, consisting of actors who each anticipate personal gain from different aspects of a complex reform. In such cases, there may be broad consensus on the reform, even though the members of this consensus may have disparate redistributive motivations. Therefore, it's reasonable to anticipate that in established democracies where politicians maintain control, significant electoral reform will primarily occur through elite majority imposition.

Politicians Lose Their Control.

Politicians do not, however, always retain control. According to Renwick¹², there are four possibilities to do the reform: judges,

12 Renwick.

experts, external actors, and ordinary citizens.

1. Judges

In the United States, judicial decisions have wielded considerable influence in molding various dimensions of electoral law. Among these, perhaps the most notable pertains to reapportionment, a process crucial for ensuring equitable representation. Judicial interventions have been pivotal in navigating the complexities of reapportionment, which involves redistributing legislative seats to reflect population changes.¹³ This process is fundamental for upholding democratic principles by ensuring that each citizen's vote carries equal weight.

Over the years, numerous legal cases have arisen surrounding reapportionment, prompting courts to interpret and apply constitutional principles to ensure fair and effective representation. These judicial decisions have addressed issues such as gerrymandering, the drawing of electoral district boundaries, and the protection of minority voting rights. Through their rulings, courts have sought to uphold the integrity of the electoral process and safeguard the democratic rights of citizens. The significance of judicial involvement in electoral matters extends beyond reapportionment to encompass a range of electoral law issues. Courts have tackled challenges related to campaign finance regulations, ballot access rules, voter eligibility criteria, and the conduct of elections themselves. These rulings have often shaped the landscape of American democracy, influencing the rules governing political participation, electoral competition, and the exercise of democratic rights.

Britain and Canada also give the privilege to judges in electoral positions. In the 1970s, the British Liberal Party launched a case before the European Court of Human Rights, alleging that the single-member plurality

13 Cox, "Centripetal and Centrifugal Incentives in Electoral Systems."

system violated voter equality (ECHR 1980). A similar and ongoing case has been launched by the Canadian Green Party.¹⁴

2. Expert

Farrell and McAllister¹⁵ shed light on the significant contributions of three individuals possessing expert knowledge—Catherine Helen Spence, Inglis Clark, and Edward Nanson—in the adoption of the alternative vote system in Australia in 1918. Similarly, the Fiji Constitution Reform Commission of 1996 was markedly influenced by the insights of political scientist Donald Horowitz, whose recommendations for the alternative vote system aimed to address the deep-seated ethnic tensions prevailing in the country¹⁶. These instances underscore the pivotal role of experts in shaping electoral reforms, offering informed perspectives that transcend political biases and vested interests.

Throughout the chapters of this book, we encounter numerous examples where experts have played pivotal roles in electoral reform processes. Nowhere is this more evident than in New Zealand, where experts have been instrumental in guiding reforms aimed at enhancing the democratic process and governance structures. Their expertise has been invaluable in navigating complex issues and designing electoral systems that foster inclusivity, fairness, and accountability.

In essence, the involvement of experts in electoral reform initiatives serves as a testament to the importance of informed decision-making in shaping the democratic landscape. By drawing on their expertise and impartial analysis, experts contribute to the development of electoral systems that uphold democratic principles, promote political

stability, and address the diverse needs of society. Their contributions underscore the vital role of expertise in ensuring the integrity and effectiveness of electoral processes worldwide.

3. External actors

When the determination of the electoral system is not within the purview of domestic democratic processes but is instead influenced by external forces, it constitutes reform by external imposition. Foreign governments typically embody the quintessential external actors in this context. However, other entities, such as bureaucrats or monarchs, who do not typically engage directly in democratic politics, can also be categorized similarly.¹⁷

Instances of pure external imposition appear to be infrequent. Even in countries under foreign occupation, like Japan and West Germany in the 1940s,¹⁸ and Afghanistan and Iraq in the 2000s,¹⁹ domestic forces have retained considerable autonomy. More common are scenarios of elite-external interaction, where domestic politicians and external forces collaborate in shaping the electoral system. A recent illustration of this phenomenon is observed in Lesotho, where the Southern African Development Community (SADC) intervened amid post-election violence in 1998 and eventually compelled domestic actors to adopt a Mixed Member Proportional (MMP) system in 2002.²⁰ Similar to judges, foreign forces possess the ability to challenge entrenched domestic power structures, thereby exerting significant influence over the trajectory of reform outcomes.

14 Beatty, *The Ultimate Rule of Law*.

15 Farrell and McAllister, "Voter Satisfaction and Electoral Systems: Does Preferential Voting in Candidate-centred Systems Make a Difference?"

16 Fraenkel, "The Alternative Vote System In Fiji: Electoral Engineering Or Ballot-Rigging?"

17 Ishiyama, "Transitional Electoral Systems in Post-Communist Eastern Europe."

18 Friedrich, "Rebuilding the German Constitution, I."

19 Dawisha and Diamond, "Electoral Systems Today: Iraq's Year of Voting Dangerously."

20 Southall, "Democracy in Southern Africa: Moving Beyond a Difficult Legacy."

4. Citizens

In the present context, the primary actors who can wrest control away from politicians are ordinary citizens. Complete loss of control, resulting in reform by mass imposition, becomes feasible in scenarios where provisions for citizen-initiated referendums are in place. Switzerland's adoption of proportional representation in 1918 serves as a notable example of this process, facilitated through such a procedure. Similarly, initiatives have been utilized in numerous American states to address various aspects of electoral legislation. Notably, Oregon conducted the very first state-level citizen-initiated referendum in 1904, introducing direct primaries (Initiative and Referendum Institute 2008; Thacher, 1907).

Among the multitude of initiatives, one instance stands out for its significant impact on state-wide electoral systems. In 1980, a citizen-initiated referendum in Illinois brought about major reform by reducing the size of the lower house of the General Assembly by a third. Additionally, it replaced the cumulative vote electoral system, which had been in place for over a century, with a single-member plurality system.²¹

What Motivates the Actor?

Electoral reform initiatives typically involve a wide array of actors²² Among the key actors in the reforms under consideration are politicians and citizens, including elected officials, aspiring candidates, party members, leaders of interest groups, advocates for electoral reform, and members of the general public. Additionally, experts often play a crucial role in delineating potential options and guiding the reform process.

When examining the behavior of these actors concerning electoral reform, the initial focus is on understanding their underlying

motivations and objectives. While a simplistic model may center on politicians being primarily driven by narrow partisan interests, the reality is more nuanced. While partisan concerns certainly play a significant role, the motivations behind them are multifaceted and may be influenced by broader values and considerations. Consequently, analyzing the complexities of these motivations provides deeper insights into the dynamics of electoral reform processes.

Renwick²³ suggests that the driving forces behind electoral system choices are rooted in the motivations of the actors involved. The first perspective considers power dynamics: assuming that actors aim to maximize their influence, what factors do they consider when contemplating electoral reform? The analysis then shifts to values: if actors prioritize the common good over personal gain, what principles guide their evaluation of various reform options? While terms like "power interests" and "values" are used to delineate these two overarching motivational categories, it's essential to note that power interests shouldn't be simplistically equated with self-interest, nor should values be equated solely with altruism. Power, as will be further explained, can serve as a means to achieve broader objectives beyond self-interest, while considerations of the common good may still stem from personal interests, such as security and prosperity. Nonetheless, these labels offer a convenient shorthand to avoid excessive verbosity in discussions.

Power Interests

Building on the framework proposed by Strøm and Müller²⁴, Renwick²⁵ approaches the concept of power-seeking through two distinct

21 Everson, "Illinois."

22 Renwick, *The Politics of Electoral Reform; Changing the Rule of Democracy*.

23 Renwick.

24 Müller and Strøm, *Policy, Office, or Votes? How Political Parties in Western Europe Make Hard Decisions*.

25 Renwick, *The Politics of Electoral Reform; Changing the Rule of Democracy*.

facets: the pursuit of holding political office and the quest for shaping public policy. Those solely focused on office-seeking aim to attain or retain political positions either for the prestige they confer or the privileges associated with them, while those prioritizing policy influence seek to wield maximum control over public policy decisions. These two elements serve as the foundation for developing a typology to understand how power-seekers perceive electoral reform.

However, this framework alone does not provide comprehensive insights into the nuances of power-seeking behavior concerning electoral reform. Actors may pursue political office either as an end in itself or as a means to achieve their policy objectives. Similarly, their advocacy for specific policy goals may stem from genuine belief or strategic considerations aimed at garnering voter support and, consequently, securing electoral success. Therefore, whether actors are primarily driven by aspirations for office or policy influence offers limited guidance regarding the criteria they will employ when evaluating different electoral system options.

Furthermore, Renwick²⁶ also provided the typology to disaggregate power-seekers thinking about electoral reform along four dimensions. In summary, these are the following:

1. Power-seekers, often perceived as primarily represented by political parties, are commonly assumed to be the main actors influencing electoral reform. For instance, the model proposed by Benoit²⁷ posits that the selection of an electoral system hinges on its ability to maximize the parliamentary seat share of the ruling party or coalition. However, parties are not always internally cohesive entities; they can harbor factions, and individual politicians within them may pursue their interests.

To simplify this dynamic, I categorize power-seekers into two distinct groups: parties and individuals. See Table 1.²⁸

2. Actions and outcomes. While it's often assumed that the crux of an electoral reform process lies solely in its result—the electoral system it brings forth—according to Reed and Thies (2001) and Shugart and Wattenberg (2001), the reality is more nuanced. Indeed, the electoral system emerging from a reform initiative undoubtedly shapes the power dynamics among the involved actors. However, the actions undertaken by these actors during the reform process itself can also wield considerable influence. Those perceived as obstructing popular demands for reform or manipulating the system for personal gain may face a voter backlash, diminishing their power. Following Reed and Thies's framework, I make a distinction between outcome-driven considerations, which focus on the effects of different electoral systems, and action-driven considerations, which revolve around the behaviors of the actors involved in the process.
3. Objectives. The choice of electoral system can significantly impact the power dynamics of actors, primarily through what Duverger (1954) termed as mechanical and psychological effects. The mechanical effect pertains to how the electoral system translates votes into seats, while the psychological effect relates to its impact on strategic voting and the alignment of voter preferences across parties into actual votes.²⁹ Besides these effects, the electoral system can also have other repercussions that are crucial to consider in the context of electoral reform. As elaborated below, it can

²⁶ Renwick.

²⁷ Benoit, "Political Party Affiliation and Presidential Campaign Discourse."

²⁸ Renwick.

²⁹ Neto and Cox, "Electoral Institutions, Cleavage Structures, and the Number of Parties."

influence the formation of voter preferences and affect how seats are translated into political offices and other resources, which in turn determine the extent of influence. Therefore, I identify several intermediate objectives that are instrumental in shaping power dynamics. For political parties, these objectives include voter preferences, votes, seats, political offices, and influence.

prioritize the long-term competitive dynamics fostered by an electoral system. Recognizing and accommodating these varying time horizons is therefore crucial.

Table 1. Typology of Power-Seeking Considerations

(a) Parties		
Objectives	Aspects of reform	
	Outcome	Act
I Voter preferences	(a) Importance of candidate-, party-, and leader-centred competition	(b) Answering voters' desire for reform (c) Avoiding reforms seen as illegitimate
II Votes	(a) Psychological effect (b) Intra-coalition candidate distribution (coalition effect)	
III Seats	(a) Mechanical effect	
IV Office	(a) Ensuring favourable coalition dynamics	(b) Retaining/securing coalition allies
V Influence	(a) Enhancing party's intra-coalition influence (b) Splitting one's opponents	(c) Securing other policy goals (d) Retaining legitimacy (e) Minimizing transaction costs

(b) Individuals		
Objectives	Aspects of reform	
	Outcome	Act
VI Re-election	(a) Fit between system and personal resources	(b) Answering voters' desire for reform (c) Avoiding reforms seen as illegitimate
VII Intra-party power	(a) Intra-party power of backbenchers and leaders	(b) Building personal credit within the party
VIII Influence in political system	(a) Reconfiguring the party system	(b) Attracting potential allies in other parties

Source: Renwick, 2010

4. Time Horizons. Lastly, the time horizons of actors can exhibit considerable diversity. Some may focus solely on the outcome of the upcoming election, while others may have specific objectives for one or two subsequent electoral cycles. Alternatively, certain actors may

Values

Thus far, analyses of power-seeking have typically framed electoral systems and electoral reform processes in terms of redistribution, with actors pursuing actions that will enhance their power. For some scholars, these considerations are the sole

determinants of decision-making. Riker (1984) argues that "most actual choices [of electoral systems] have been made to promote partisan advantage rather than to incorporate sound constitutional principles into governmental structure." Kellner³⁰ succinctly observes that "In politics, when principle collides with self-interest, principle tends to retreat with a bloody nose."

However, contrary viewpoints exist. Blais and Massicotte³¹ contend that "politicians sometimes make choices primarily based on their views about what is good, just, or efficient." Katz³² concludes that "it does appear that parties sometimes simply want to do the right, or the democratic, thing." Moreover, such ideals can wield significant influence over outcomes. As Nagel (2004) notes, "New Zealand's experience suggests that models of electoral choice based on political bargaining are not always applicable and that reformers who shape their proposals to meet the interests of dominant political actors may ultimately have less influence than those who appear more quixotic."

Two additional points further bolster these observations. Firstly, even the most self-interested politicians may relinquish their short-term power and risk conflict and instability. Secondly, as reiterated, politicians are not the sole actors in electoral reform processes. Ordinary citizens, activists, and experts, to the extent that they are engaged with the electoral system, are likely to be concerned with matters such as the quality of democracy and the integrity of governance. Thus, understanding values alongside power interests is imperative. Various lists of potential values or evaluation criteria already exist, as

summarized by Gallagher³³. See Table 2.

Table 2. Values in Electoral Reform

Values	Aspects of reform	
	Outcome	Act
I Democracy	(a) Fair distribution of seats (b) Avoidance of anomalous results (c) Fair distribution of power (d) Representation of society (e) Voter choice (f) Accountability of governments (g) Accountability of individual politicians (h) Checks and balances (i) Encouraging effective political parties (j) Simplicity	(k) Democratic process of system choice (l) Constitutional process of system choice
II Stability	(a) Avoidance of inter-group conflict	(b) Avoidance of conflict/deadlock over choice of system
III Governance	(a) Efficient decision-making (b) Effective scrutiny of decisions (c) Avoidance of corruption (d) Avoidance of money politics	
IV Policy outcomes	(a) Economic policy objectives	
V Constituency service	(a) Quality of constituency service	
VI Identity	(a) Affirmation of links with national tradition (b) Affirmation of links with favoured states	
VII Practicability	(a) Administrative simplicity	

Source: Renwick, 2010

Method

This study employed a qualitative research approach to explore electoral reform in Indonesia within its social context. Researchers acted as data collectors, using participant observation to understand the motives and significance of these reforms. A narrative analysis was conducted, supported by extensive archival data and a desk-based review of relevant documents. This included project documentation and research from the Mahkamah Konstitusi (Constitutional Court) and insights from stakeholders.

The data collection method was based on literature studies. Researchers utilized various government documents such as laws, presidential decrees, and Constitutional Court decisions. Additionally, they referenced a range of sources, including books and international journals, that discuss electoral reform in democratic countries, especially

30 Kellner, *Media Culture: Cultural Studies, Identity and Politics between the Modern and the Post-Modern*.

31 Blais and Massicotte, "Electoral Formulas: A Macroscopic Perspective."

32 Katz, "Why Are There So Many (or So Few) Electoral Reforms?"

33 Gallagher and Mitchell, *The Politics of Electoral Systems*.

in Southeast Asia. Data analysis focused on identifying themes and patterns linking interpretive frameworks to reveal underlying concepts. Thematic analysis of informant perspectives provided valuable insights into the complexities of electoral reform in Indonesia.

Electoral Reform in 2004, from Parliamentary to Society

Electoral system changes in Indonesia are usually related to legislative elections. But in 2004, the presidential election system underwent a historic reform. Previously, Indonesia's presidential election was conducted by the People's Consultative Assembly (MPR), but now it is directly elected by the people. This electoral reform was regulated in Law No. 23/2003 on the election of the president and vice president, which was signed by the 5th President of Indonesia, Megawati. By seeing this issue, this article will focus on the strong presence of politicians (political parties and political actors) in changing the electoral system.

Although considered a historic electoral system change, if analyzed more deeply, the electoral system changes that occurred in 2004 were minor. According to Katz (2009), there are two typologies of electoral reform: major and minor reform. Major reforms are changing the system from a plurality system to a proportional representative system. Changes to the presidential election system that occurred in Indonesia in 2004 were still included in the minor reform type. This is because the electoral system is still in the same electoral system, namely the majoritarian system. The only changes were in the direct and indirect vote. Initially, the president was elected by members of the MPR (People's Consultative Council), which was then changed to the people directly electing the president, not through the MPR.

Although included in the minor changes,

electoral reform in 2004 fulfilled at least two of the three main objectives of implementing electoral reform, namely to act as the conduit through which the people can hold their elected representatives accountable, allowing more direct or more distant channels of accountability based on their design and providing incentives for those competing for power to couch their appeals to the electorate in distinct ways³⁴. While other objectives, such as how votes translate into seats, have not changed, it still uses the majority system (The candidate receiving 50% + 1 of the popular vote, as well as 20% of the vote in at least half of the provinces, will be the winner).

Electoral reforms to make the electoral system act as a channel for the people to hold the head of state accountable were first realized in the 2004 electoral reforms. Elections that involve the people directly to elect the president and vice president allow elections to be a more open and direct channel of accountability, with the people in full control of their choices. Thus, the results of elections determined by the votes of the people can become elections as a tool to hold accountable the leaders of the country and as a channel to get rid of the rascals. This function was very visible in the results of the 2004 presidential election, where Megawati (incumbent) lost badly to Susilo Bambang Yudhoyono with 39.4% vs 60.6% of the vote (KPU, 2004). Based on the results of a survey conducted by the Indonesian Survey Institute (LSI) in October 2004, Indonesian voters are most troubled by the rising costs of basic commodities and difficulty in finding employment in the Megawati era. Then, high percentages of voters—on average, about 82%—believe that Yudhoyono gets things done, is decisive, charismatic, inspiring, caring, honest, likable, and smart.

Meanwhile, the 2004 electoral reforms also provided incentives for those vying for

³⁴ Reilly, "Designing and Reforming Electoral Systems In Southeast Asia."

power (politicians) to determine new ways of gaining votes. According to Mujani and Liddle³⁵, Yudhoyono's victory was particularly impressive because it was broadly based both across the party spectrum and demographically. In terms of party spectrum, Yudhoyono won much support from his coalition with Islamic parties (PKB, PAN, PBB, PKS) in the second round. Although the gap between Megawati's and Yudhoyono's voters in terms of demographics (age, education, rural/urban, etc.) was not very large, significant differences were seen when many voters identified Megawati as non-Muslim, while Yudhoyono had the imprimatur of the PKS and PBB³⁶.

Megawati's defeat in the 2004 presidential election through the two rounds of the majority system is evidence that the electoral reform that occurred in 2004 was far from the motivation to maximize power by political actors. Thus, the answer to what motivates political actors to do the electoral reform is that 'politicians sometimes make choices primarily based on their views about what is good, just or efficient' or they just want to do the right things³⁷. However, the author remains skeptical that perhaps the incumbent is overly optimistic about their prospects under the new system, misperceives its probable consequences (Katz, 2009), or adopts the wrong strategy (avoid the Muslim voter) to maximize their vote.

Legislative Election 2009, from Closed List to Open List PR system

Changes to the electoral system continued as people became increasingly agitated with the strengthening and dominant position of political parties. Changes to Indonesia's legislative electoral system in 2009 proved once again that political dynamics in Indonesia tend to adopt minor changes in the electoral

system. Based on some existing data, the author analyses that the changes that occurred in Indonesia's legislative electoral rules in 2009 were initiated by judges, in this case, the Constitutional Court. Minor electoral reform happened through the approval of Article 168 paragraph (2) of Law Number 7/2007 on General Elections (Election Law) signed by the Constitutional Court. This law has a good degree of representativeness because voters are free to choose their representatives who will sit in the legislature directly and can continue to control the people they choose.

The closed list PR system is the most common type of proportional representation system, requiring each party to present a list of candidates to the electorate. Electors vote for a party or list rather than for individual candidates; parties receive seats in proportion to their overall share of the national vote. Winning candidates are taken from the lists in the order set by the party itself, and voters are unable to express a preference for a particular candidate. By contrast, the open list system allows voters to choose not just a party but also a particular candidate from a party list or, in some cases, more than one list. This removes the power of parties to control places on the list³⁸. In short, the closed list system will benefit large parties because large parties already have strong voters, where the level of trust in the party is relatively high. Therefore, the closed list system is identical to the battle between parties. Meanwhile, the open list system will favor small parties because voters only need to choose candidates. So that small parties can recruit candidates who have high popularity to gain votes.

The switch from a closed list to an open list PR system cannot be separated from the bitter experience of implementing a closed proportional system during the New Order elections. The 2009 legislative election system

35 Liddle and Mujani, "Indonesia in 2004: The Rise of Susilo Bambang Yudhoyono."

36 Liddle and Mujani.

37 Katz, "Why Are There So Many (or So Few) Electoral Reforms?"

38 Reilly, "Designing and Reforming Electoral Systems In Southeast Asia."

switch proved that politicians do not, however, always retain control³⁹. In Indonesia's electoral reform in 2009, judges, through judicial decisions, have had a prominent role in crafting many aspects of electoral law, most notably concerning reapportionment, for example, the implementation of thresholds.

Furthermore, since the electoral reform was initiated by parties other than politicians, one of the reasons behind the electoral reform in 2009 can certainly be identified as a product of a mix of inherent and contingent factors rather than as a tool for power maximization⁴⁰; electoral reform occurred as a response to the failure of the closed list system which is considered to ignore citizen sovereignty and reflecting on previous experiences where the closed list system produces parliament members who are more likely to support the elite party interest rather than the society interest.

The electoral system will shape the politicians and voter behavior⁴¹. The Indonesian electoral reform in 2009 from closed to open list brought a big change in politician behaviors. The battle that used to be between parties has now become between candidates. Therefore, an open list system forces the party to gather the median voters. All parties shifted into centripetal position⁴² as the main strategy, and the outcome is political parties recruited artists to become candidates in legislative elections with the open list PR system. The vote acquisition of artistic candidates can even surpass political candidates. This was experienced by famous artist Rieke Dyah Pitaloka, who received higher votes than Taufiq Kiemas, the chairman of the party's advisory board, with Rieke receiving 1,737 votes, while Taufiq received only 997

votes. In the 2009 elections, there were at least 11 political parties that endorsed artists as candidates for legislative members. Based on data from the Indonesian General Election Commission (KPU RI), the highest percentage of successful artist candidates occurred in the 2009 legislative elections (see Table 3).

Table 3. Artist Parliament Candidate Data

Election Year	Artist Candidate	Number of artists who became parliaments members	Percentage
2009	61 persons	19 persons	31%
2014	77 persons	22 persons	29%
2019	55 persons	14 persons	25%

Source: KPU RI

From the table above, it can be said that changes in the electoral system indirectly change the way political actors behave. This also seems to apply to voters. With a large percentage of artists winning seats, it means that many people vote for them, no doubt because voters think they know the artists better than other candidates. With the implementation of the open-list PR system in Indonesia, the author argues that physical conditions, academic degrees, or other popularity are also an integral part of gaining votes.

If we look at the case of electoral reform in Indonesia in 2009, politicians moved towards centripetal by recruiting candidates from among artists to gain votes from the median voters. Not only that, concerning the ballot structure issue, politicians developed a strategy to place artist candidates in the initial serial number to get the initial attention of voters when opening the ballot paper. This is in line with Cox's⁴³ arguments that the electoral system can shape political behavior. The type of ballot paper used in the 2009 election was not too different from the 2004 election. According to Rae (1971), the 2004

39 Renwick, *The Politics of Electoral Reform; Changing the Rule of Democracy*.

40 Renwick.

41 Cox, "Centripetal and Centrifugal Incentives in Electoral Systems."

42 Cox.

43 Cox.

and 2009 legislative elections used the same type of ballot, namely categorical or nominal, where voters could only vote for one party or one candidate. The difference is that in 2004, voters expressed their support for a party list, while in 2009, voters could express their support for one candidate on a single party list⁴⁴.

On the voter side, theoretically speaking, the open list PR system will more likely tend to have higher representation than produce higher political efficacy in voter behavior. However, several survey institutions in Indonesia stated that the abstention percentage in the legislative election in 2009 was higher than in the legislative election in 2004. According to the Indonesian Central Bureau of Statistics (BPS RI), the abstention percentage in the 2009 election was 25.19%. The number of abstention voters in the 2009 election increased by 4.95% compared to the previous period in 2004, which was only 20.24%. This article assumes that the high abstention rate in the 2009 legislative elections was caused by the lack of socialization of the new system of electing members of parliament. Most likely, the high number of abstentions in the 2009 election using the open list PR System was due to the large number of invalid votes.

Minor Electoral Reform Before the 2024 Election

A recent electoral reform that has become a hot topic of discussion in the dynamics of Indonesian political contestation is the Constitutional Court's decision on the proposed age limit for vice-presidential candidates. Although the proposal was not granted by the Supreme Court justices, the Constitutional Court's decision allows vice presidential candidates who have served as regional heads to become vice

44 Gallagher and Mitchell, "The Politics of Electoral Systems."

presidential candidates even though their age has not exceeded the minimum age limit for nomination. In line with Renwick's⁴⁵ assumption, electoral reform can occur because it is pioneered by several factors, such as politicians and judges.

However, the author assumes that the Constitutional Court's (judges) decision, which can change the rules of the game in the upcoming 2024 elections, is tucked away by elements of power maximizing. This is in line with the theoretical perspective from previous scholars⁴⁶, which assumes that politicians control the choice of the electoral system and that they are motivated to maximize their power. In the case of the court decision about age restriction in 2023, politician (Joko Widodo) tried to maximize his power through the Constitutional Court decision that legalized his eldest son Gibran Rakabuming Raka to enter the 2024 presidential election battlefield. In this case, at least the author finds a new path, that other actors, as mentioned by Renwick⁴⁷ judges, experts, citizens, and external actors- who are expected to be able to reform elections when politicians lose control, are the opposite. Politicians can use "these other actors" (in this case, the constitutional court) to continue their victory. This decision certainly benefits one of the parties, namely Gibran, at such a young age, Gibran has the opportunity to run as a vice presidential candidate.

In terms of political parties, one of the political parties that filed a lawsuit with the Constitutional Court to lower the age limit for presidential and vice-presidential candidates is the Indonesian Solidarity Party (PSI). It is no coincidence that PSI is one of the parties in the Advanced Indonesia Coalition.

45 Renwick, *The Politics of Electoral Reform; Changing the Rule of Democracy*.

46 Benoit, "Political Party Affiliation and Presidential Campaign Discourse."

47 Renwick, *The Politics of Electoral Reform; Changing the Rule of Democracy*.

According to Renwick⁴⁸, the electoral reform that PSI is trying to initiate is a party power seeking consideration through changing the legitimacy, then will enhance the party's intra-coalition influence. Although the lawsuit filed was not granted by the Constitutional Court, this sparked the decision Number 90/PUU-XXI/2023, which legalized Gibran to run as a vice presidential candidate in the 2024 election.

The Constitutional Court's decision shocked the public because it was considered to only benefit one of the parties. This also became a whirlwind of attention when the public learned that the Chief Justice of the Constitutional Court who gave the decision was still related to Gibran. However, the decision taken turned out to be a fast track for the chairman of the Constitutional Court, Anwar, to end his position as chairman of the Constitutional Court. The removal of the chairman of the Constitutional Court was carried out by the Chairman of the honorary panel of the Constitutional Court (Majelis Kehormatan Mahkamah Konstitusi), Jimly Asshiddiqie, because it was considered that the decision taken by the Constitutional Court judges committed serious ethical violations.

Indonesia's Electoral Reform Patterns from Year to Year

The electoral landscape of Indonesia from 2004 to 2023 has witnessed a series of reforms, albeit predominantly minor. Despite the seemingly incremental nature of these changes, a deep dive into the actors and factors influencing electoral reforms reveals a tapestry of complexities that underpin Indonesia's democratic evolution (see Table 2). One notable aspect of Indonesia's electoral reforms is the diverse array of actors and factors driving change. From the outset, there exists a spectrum of motivations ranging

from the optimistic aspirations of political parties to the strategic maneuvers aimed at consolidating power through constitutional channels. This multifaceted interplay of interests underscores the intricate dynamics at play within Indonesia's political sphere, where stakeholders constantly navigate the delicate balance between democratic ideals and pragmatic political calculus.

Table 4. Electoral reform data year by year

Year	Type of Reform	Actors	Motivation
1999	Minor reform	Citizens	Punish the older government
2004	Minor reform		Power maximization/ overly optimistic about their own prospects
2009	Minor reform	Citizen/ Judges	Response as systemic failure
2024	Minor reform		Power maximization

Central to this analysis is the author's assertion regarding the potential of electoral changes to engender significant political dynamics worthy of further exploration. Indeed, the ripple effects of such reforms extend beyond mere procedural modifications, manifesting in tangible shifts in the behaviour of both political actors and voters alike. By interrogating the nexus between electoral system alterations and their downstream ramifications, this research seeks to illuminate the nuanced interplay between institutional design and political practice in shaping Indonesia's democratic trajectory (see Figure 1).

Within the framework of this study, the examination of three distinct case studies offers compelling insights into the role of political actors in instigating electoral reform. Through meticulous analysis, it becomes evident that at least two of these cases underscore the proactive engagement of political entities in

⁴⁸ Renwick.

catalysing change within Indonesia's electoral landscape. This observation underscores the pivotal agency wielded by political actors in shaping the contours of electoral reform initiatives, thereby accentuating the symbiotic relationship between political agency and institutional transformation.

To facilitate a comprehensive understanding of these dynamics, the author provides a detailed exposition of the chronological evolution of electoral reforms in Indonesia. Through the presentation of empirical data and visual representations in Table 2 and Figure 1, readers are afforded a panoramic view of the temporal patterns and trends characterizing Indonesia's electoral reform trajectory. This analytical framework serves as a valuable heuristic tool, enabling scholars and policymakers alike to discern underlying patterns and causal mechanisms driving electoral reform initiatives over the stipulated timeframe.

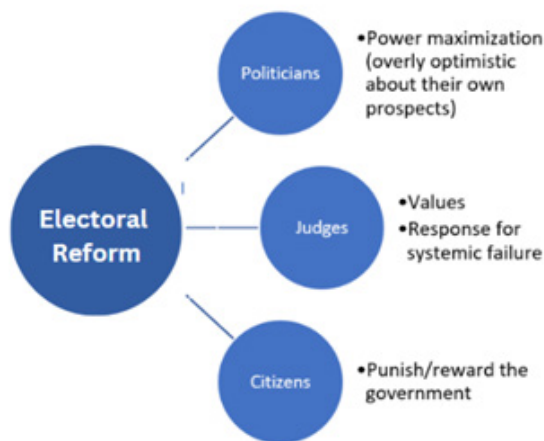


Figure 3. Path of Electoral Reform in Indonesia

Conclusion

The journey of election reform in Indonesia has experienced ups and downs. Some reforms were carried out due to the urgency of democratic values (as happened in 1998), and not a few reforms occurred because of the strong desire of political actors.

Since the transition from authoritarian rule in 1998, Indonesia has embarked on a journey marked by a series of electoral reforms aimed at strengthening democratic institutions and enhancing the integrity of the electoral process. However, amidst these efforts, challenges persist, underscoring the need for sustained and comprehensive reform initiatives.

A significant challenge arises from the manipulation of electoral reform to legitimize forms of election fraud, thus undermining the fundamental principles of democracy. The interplay between political actors and electoral reform highlights a complex narrative, where reforms are often wielded as instruments to consolidate power rather than foster genuine democratic practices. For instance, the electoral reforms orchestrated by political elites, such as the age limit provisions for presidential and vice-presidential candidates for the 2024 election, have sparked contentious debates and legal battles, reflecting competing interests and interpretations of democratic principles. The trajectory of electoral reform in Indonesia underscores the multifaceted nature of the reform process, which involves diverse stakeholders, including politicians, judges, experts, and the public. The discourse surrounding electoral reforms serves as a platform for competing interests to converge, leading to nuanced discussions on crucial aspects of democratic governance. However, these debates also expose underlying tensions and power struggles within the political landscape, highlighting the inherent complexities of navigating electoral reform in an immature democracy.

Despite the challenges and inherent complexities, Indonesia's commitment to democratic consolidation remains steadfast. The enactment of electoral reforms, such as the establishment of the General Election Commission (KPU) and the introduction of electronic voting systems, reflects a proactive

approach towards enhancing the integrity and efficiency of the electoral process. Moreover, civil society organizations play a pivotal role in advocating for electoral reforms and holding elected officials accountable, thereby fostering transparency and accountability within the electoral system.

Moving forward, Indonesia must prioritize comprehensive electoral reforms that address the root causes of electoral malpractices and ensure the inclusivity and representativeness of the electoral process. This requires concerted efforts to strengthen legal frameworks, enhance oversight mechanisms, and promote civic engagement and political participation. By embracing these reforms, Indonesia can chart a path toward a more robust and resilient democratic system that upholds the principles of transparency, accountability, and social justice.

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