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# The Legislative Elections in Indonesia, April 2004

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## 1. Background

The elections held on 5 April were Indonesia's second free elections since Soeharto, its former military leader, was ousted in 1998. These elections were to be followed by the country's first ever direct presidential election on 5 July with possible run-offs in September. The first post-Soeharto election, in June 1999, paved the way for coalition politics, with the Indonesian Democratic Party of Struggle (PDI-P), the party of the incumbent President, Megawati Sukarnoputri, winning most of the vote. Most importantly, that election saw the first breach in the dominance of Golkar, the political organisation under Soeharto's regime. However, the public has grown increasingly disillusioned with Megawati's administration and support has shifted to newer parties.

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## 2. Reforms

Under Soeharto's New Order, various depoliticisation strategies such as 'the floating mass', forbidding political parties at the village level, were in place to ensure landslide victories for Golkar. Since the downfall of Soeharto, a series of reforms have replaced these restrictive policies, with Indonesians now enjoying greater political freedom.

Apart from reforms to the electoral system (see below), another step forward towards democratic rule is the replacement of the appointed members of the People's Consultative Assembly (*Majelis Permusyawarahan Rakyat*, MPR) for the new senate-like Regional Representative Council (*Dewan Perwakilan Daerah*, DPD).<sup>1</sup> Candidates for the DPD elections stand for election independently, and many are associated with major parties, although a few served under the New Order. Only a handful seem genuine representatives of their province. In total, four will be elected from each of the 32 provinces.

The DPD, which has often been compared with the US Senate, which, together with the national parliament (*Dewan Perwakilan Rakyat*, DPR), will form the new MPR. However, this is not to be interpreted as a true bicameral system in which both bodies have equal weight to legislate. First of all, the 128-member DPD does not come near to balancing the 550-member DPR. Consequently, the DPD lacks the weight to veto. Secondly, the Constitution stipulates that the DPD is limited to inputs concerning centre-regional issues, such as regional autonomy and regional budgets, and rules out any right to legislate. The DPD's limited powers must be seen in the context of the 17,500-scattered islands and a history of secession. For anxious nationalists and the military, more power devolved from the centre would mean a step closer to federalism and a step further away from the unitary state.

## 3. Electoral system

In the proportional 'closed list' system used in the 1999 elections, voters simply chose a party, and seats were allocated by the parties according to their lists. This was widely criticised for lacking the mechanisms to make representatives accountable to their voters. The changes introduced were designed to bring representatives closer to their constituencies.

The proportional system has been retained but modified to an 'open list' system, and altogether 205 new electoral districts were drawn to reduce the size of the larger constituencies.<sup>2</sup> In the open list system, voters can select both the party and the candidate of their choice from a slate put forward by each party. Voters must choose a party, but they do not have to choose a candidate. If a voter chooses only a candidate but fails to pick a party, the vote is invalid. If voters choose a party but not a candidate, the party allocates the seat as under the closed list system.<sup>3</sup> At the actual poll, voters selected candidates and parties on four newspaper-like ballots a metre wide.

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<sup>1</sup> The Jakarta Post, 10 March 2004.

<sup>2</sup> Far Eastern Economic Review, 8 April 2004.

<sup>3</sup> Indonesia Backgrounder: A Guide to the 2004 Elections, International Crisis Group Asia Report, no. 71, 18 December 2004. <http://www.crisisweb.org>. p. 5.

#### 4. Electoral contest

On 5 April, voters in Indonesia went to the polls to select candidates for three levels of government: for the DPR and for the regional parliaments (*Dewan Perwakilan Rakyat Daerah*, DPRD) at the provincial and district levels<sup>4</sup>, as well as for the DPD.

Altogether, 24 parties contested the election, with 448,705 candidates competing for 15,276 offices. A total of 585,218 polling stations were erected for the day. With at least 147 million eligible voters scattered across 17,500 islands covering three time zones, preparation for the election was no easy task for the General Election Commission (KPU). Hence, it was described as “the most complex and the biggest single-day event that has been held by a developing country”.<sup>5</sup> Despite glitches with ballot printing, a few irregularities, and the KPU’s admitted failure to register all eligible voters, the elections were conducted peacefully. Although several reforms had been introduced, including the direct presidential election later in the year, many remain sceptical about what fundamental changes these may bring to post-Soeharto politics.

#### 5. Electoral campaigning

Electoral campaigning during the Soeharto years was called *pesta demokrasi* (fiesta of democracy) which focused more on fiesta than the substance of democracy. Little has changed in this respect. Five years post-Soeharto, political parties still make endeavour to bedazzle their supporters with *dangdut* (local pop music) and shower them with giveaways such as t-shirts, bottled water, in some cases money,<sup>6</sup> even though this violates the electoral law. Little was spoken of ideology. Rather, the focus was on familiarising voters with the party’s emblems and the number on ballot papers, as well as capitalising on Megawati’s disappointing administration. What differed from earlier campaigns, as well as the 1999 elections, was that the fiestas were limited to the latter part of the campaigning: 26 March to 1 April.

The 22-day campaigning period, running 11 March–1 April, was divided into two periods, with one day’s rest for *Nyepi*, the Hindu Day of Silence, and a three-day cooling-off period before election day. From 11 March until 25 March, parties were expected to deliver their agendas for the next five years and allow the audiences to question politicians directly. As expected by many party leaders, indoor campaigning was poorly attended due to unfamiliarity with dialogue-driven campaigning. However, despite the KPU’s appeal for parties to emphasise dialogue with their supporters during this period, most of the 24 parties ignored this.<sup>7</sup>

<sup>4</sup> Sometimes referred to as ‘councils’ or ‘assemblies’. The parliaments at the provincial and district levels are known as *Dewan Perwakilan Rakyat Daerah Tingkat I* (DPRD I) and *Dewan Perwakilan Rakyat Daerah Tingkat II* (DPRD II) which mean the People’s Representative Council Level I and the People’s Representative Council Level II, respectively.

<sup>5</sup> The Jakarta Post, 5 April 2004.

<sup>6</sup> The Jakarta Post, 26 March 2004.

<sup>7</sup> The Jakarta Post, 22 March 2004.

Campaigning for the DPD also experienced a lacklustre reception due to the public's lack of familiarity with both the new system and the candidates.<sup>8</sup> A tracking survey conducted December 2003–March 2004 by the International Foundation for Electoral Systems indicated that only 58% of voters were aware of the DPD and even less knew how to vote in the DPD election.<sup>9</sup> The KPU has also admitted its failure to educate voters in this respect.<sup>10</sup>

The reduction in political parties from 48 in 1999 to 24 in this election was largely due to amendments in the election law. Only parties that, in the 1999 elections, won 2% of the DPR seats or 3% of the DPRD seats in half the provinces and districts were allowed to contest the 2004 national elections. Altogether six parties from the 1999 elections met these requirements: Crescent Star Party (PBB), United Development Party (PPP), National Mandate Party (PAN), National Awakening Party (PKB), Indonesian Democratic Party of Struggle (PDI-P), and the Golkar Party. Parties were allowed to merge or dissolve to form a new party, but they had to meet the new criteria in the general election law, which requires parties to have executive committees in at least two-thirds of the provinces and at least one-third of the districts within those provinces. A new party must also have at least 1000 members or one-thousandth of the population in the district where the party has an established base.<sup>11</sup> The rationale for these changes was to reduce the number of smaller parties.

The national elections still exclude former members of the Indonesian Communist Party (PKI). However, a recent decision by the Indonesian Constitutional Court has restored their rights to run for legislative office, but not for the presidency. As the decision came after the deadline for submitting legislative candidates for the 2004 elections, this ruling will take effect only in the 2009 elections.

## 6. Election day

International monitors reported<sup>12</sup> that the election was, on the whole, conducted peacefully and smoothly, even in areas such as Poso (central Sulawesi), Papua, and Maluku where there were fears that violence would disrupt the process.<sup>13</sup> An exception war-torn Aceh was, which has been demanding independence since the 1970s. The only hitch was the shortage of election materials, which prevented some electors from voting.<sup>14</sup>

In all, some 499 stations were recommended to re-run the election due to violations of the election law and other irregularities, including unregistered voters

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<sup>8</sup> The Jakarta Post, 30 March 2004.

<sup>9</sup> Results from Wave I through IX of Tracking Survey, International Foundation for Electoral Systems (IFES). <http://www.ifes.org>.

<sup>10</sup> The Jakarta Post, 20 April 2004.

<sup>11</sup> Some Questions about the Electoral System for the 2004 Indonesian Elections Answered, International Foundation for Electoral Systems (IFES), Revised January 2004. <http://www.ifes.org>.

<sup>12</sup> See International Observer Resource Center website: <http://www.iorc-indonesia.org>.

<sup>13</sup> The Jakarta Post, 6 April 2004.

<sup>14</sup> The Jakarta Post, 6 April 2004.

casting votes, voters forging voting cards, and ballot card manipulation.<sup>15</sup> In several regions, including areas in Java, re-runs were held after ballots were accidentally switched with those of other districts.

Voter turnout dropped compared with the 1999 election. Of the 148,000,369 registered voters only 84.1% cast their vote, whereas 94% of the 118,217,393 registered voters did so in 1999. Invalid votes accounted for 8.8% of the ballots cast.<sup>16</sup> Some have suggested that the lower turnout signifies a change of heart about democratic rule; that the public has become increasingly disillusioned with the performance of consecutive post-Soeharto governments. An opinion poll conducted in August 2003 by the Indonesian Survey Institute (*Lembaga Survei Indonesia*, LSI) indicated that 58% voters believed their welfare was better looked after under the New Order. On the other hand, the KPU has blamed the lower turnout on the new electoral system and new registration procedures. The KPU has also admitted that many voters did not receive their voter cards in time for the election.<sup>17</sup>

## 7. The results

As with the preparations, the counting of votes was complicated. Unlike the 68-day wait for the official results after the 1999 elections, the KPU launched the first-ever computerised tabulations. These were subject to repeated efforts by a few parties to reject the results on the grounds of voting irregularities and that the counting lacked transparency. As the results of the re-runs trickled in, the announcement of the results, scheduled for the 28 April, were postponed until 5 May. This further delayed the registration of presidential and vice-presidential nominations.

The 2004 election results were a major blow to the PDI-P; see Table 1. The party only mustered 18.5% of the vote (109 seats), a significant drop from its 33.7% in the 1999 election. The improving economy was not enough to impress voters and the involvement of party members in corruption tarnished the party's image. Kwik Kian Gie, a senior member of PDI-P and Coordinating Minister of Economy, Finance, and Industry, bluntly admitted that "the largest corruption is committed by my party".<sup>18</sup>

Victory for Golkar was a reversal from the 1999 elections. This might suggest that Indonesia's democratic transition is in line with the wider trend of resurrecting former regime parties – as in many East European countries – where voters have preferred parties they were familiar with rather than newly created ones.<sup>19</sup> However, although Golkar won the most votes, its victory did not merit massive celebrations. With just 21.6% of the vote (128 seats), there was slippage from the 1999 election; also it fell short of its aim for 30%. Moreover, despite its victory, Golkar still needed

<sup>15</sup> The Jakarta Post, 20 April 2004.

<sup>16</sup> The Jakarta Post, 7 May 2004.

<sup>17</sup> The Jakarta Post, 18 April 2004.

<sup>18</sup> The Jakarta Post, 18 February 2003.

<sup>19</sup> Rose, R. 1997. Where are postcommunist countries going? *Journal of Democracy*, 8(3): 93.

Table 1  
Parliamentary election results in Indonesia, 2004 and 1999

Party	2004		1999	
	Vote (%)	Seats	Vote (%)	Seats
Golkar Party	21.6	127	22.5	120
Indonesian Democratic Party of Struggle (PDI-P)	18.5	109	33.7	153
United Development Party (PPP)	8.2	58	10.7	58
Democratic Party (PD)	7.5	56	–	–
National Mandate Party (PAN)	6.4	53	7.1	34.0
National Awakening Party (PKB)	10.6	52	12.7	51.0
Prosperous Justice Party (PKS)	7.3	45	–	–
Reform Star Party (PBR)	2.4	14	–	–
Prosperous Peace Party (PDS)	2.1	13	–	–
Crescent Star Party (PBB)	2.6	11	1.9	13.0
Other parties	12.8	12	11.4	33.0

Sources: The Jakarta Post, [www.thejakartapost.com](http://www.thejakartapost.com), accessed September 2004; Suryadinata, 2002.

As a result of a Constitutional Court Ruling following the elections, there have been changes to the number of seats in the following parties: PBR, PDS, PAN, Pioneer Party, Freedom Bull National Party, United Democratic Nationhood Party and Golkar. The figures in the table reflect these changes.

to form a coalition; and, according to polls, it was unlikely that the Golkar's presidential nomination, Wiranto, who is indicted for human rights abuses in East Timor, would win the presidential election.

Much to the surprise of many, smaller parties fared reasonably well. Overall, three such parties gained much of their support in areas considered strongholds for older parties.<sup>20</sup> The Democratic Party (PD) and Prosperous Justice Party (PKS) did especially well in the capital, rising from obscure places to fifth and sixth position respectively.<sup>21</sup> Support for the PD had much to do with its co-founder, Susilo Bambang Yudhoyono, popularly known as SBY, who is tipped to be a popular choice for the next president. Perceived as calm and with a good military track record, he has scored well with the Indonesian electorate; for example, a survey by the Centre for Political Studies indicates a 47% rating for SBY as of June 2004. His profile increased dramatically while serving as Coordinating Minister for Political and Security Affairs in Megawati's cabinet, becoming a familiar face on national television during the upsurge of violence in Aceh, West Papua, and Poso. His profile peaked when Megawati's husband branded his behaviour as 'childlike' during a dispute with the President, which won him sympathy among voters. The PKS, on the other hand, struck a positive chord with its clean and incorrupt image. Finally, the Prosperous Peace Party (PDS), although winning only 2% of the vote, gained much support from the Christian population due to the religious violence in Poso and Ambon. One effect of the elections, then, was to bring newer players to the political forefront. Another, was to send out an obvious message: Indonesians wanted change.

Although the shift of support from older to newer parties may show signs of maturity in the Indonesian electorate, most voting behaviour was still based on the

<sup>20</sup> Tempo Interactive, 13–19 April 2004. <http://www.tempointeractive.com>.

<sup>21</sup> The official General Election Commission (KPU) online results. <http://tnp.kpu.go.id/Tabulasi/>.

popularity of particular figures rather than party platforms.<sup>22</sup> Megawati was perceived as a victim of Soeharto's repressive regime, which had given her the 'sympathy vote' in the 1999 elections. Similarly, SBY won sympathy from the public after his dispute with Megawati and her husband.

## **8. Prospects**

Not until after the results of Presidential election are known will Indonesians get a good picture of how the new government will take shape. Apart from replacing appointed seats in the MPR, it is uncertain what the newly elected DPD will bring. Amendments to the constitution stipulate that only parties garnering 3% of valid votes or 5% of the seats in the DPR are allowed to nominate a candidate for President or Vice-President. Moreover, the law stipulates that the triumphant pair have to win at least 50% of the popular vote. With no candidate having a clear majority in opinion polls, Kusnanto Anggoro, a prominent political observer, has argued that parties should muster a three-party coalition: "It's not just the posts of the president or the vice-president [but] the concessions for the ministerial positions, too, [that] are important and warrant attention".<sup>23</sup>

Hence, many remain reserved about the fundamental changes that direct presidential elections will have on the nature of post-Soeharto politics. With the official results of the legislative elections barely out, presidential and vice-presidential nominees began courting one another to gear up for the presidential elections. Pairing up was based on calculations reflecting the two main political streams in Indonesian politics: secularism and nationalism on the one hand, and Islam, on the other.<sup>24</sup> A directly elected president will enjoy wide support among the electorate, but the new government will still consist of a coalition of divided parties.

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<sup>22</sup> Post Script Presidential Circus, The Habibie Center, Vol. 1, No. 1, May 2004. <http://www.thehabibiecenter.or.id>.

<sup>23</sup> Tempo Interactive, 20–26 April 2004. <http://www.tempointeractive.com>.

<sup>24</sup> See Leo Suryadinata, *Elections and Politics in Indonesia*, (Singapore: Institute of Southeast Asian Studies, 2002), Chapter 1.