

**Party Simplification Model in Indonesia (Strengthening The Presidential System)  
and The Presidential Election System in the United States**

**Lis Firanti Soedjono<sup>1</sup>**  
**Soedjono\_lisa@yahoo.fr**  
**Bali Dwipa University, Indonesia**

**Brendon Neese<sup>2</sup>**  
**Syracuse University, Syracuse, USA**  
**Neese.brendon@gmail.com**

**Abstract**

Elections are a process of electing to fill certain political positions, such as presidents, vice presidents, people's representatives at various levels of government, to the simplest or the least of the village heads. From this perspective of Constitutional Law, direct popular vote is conducted within the period of office in an organization of the state. Then speaking of the election inevitably must be placed within the framework of the principle of people's sovereignty, because the election itself is a manifestation of people's participation that is central to the principle of people's sovereignty or democracy. Its means of political participation of the community to participate in determining public policy. To limit the number of political parties, many methods have been used, such as the electoral threshold and parliamentary threshold. However, the various models used have not been fully effective. In this paper the author will share his views regarding the party simplification model in Indonesia with the aim of strengthening the presidential system. This research article will examine how the ideal model is to simplify parties in Indonesia in the general election system in Indonesia. In addition, this research will discuss the presidential election system in the United States

**Keywords : Party Simplification Model, Presidential System, General Election System.**

---

<sup>1</sup> Law Student, Bali Dwipa University, Indonesia

<sup>2</sup> Reseacher, Syracuse University, USA

## **1. Introduction**

General elections are scheduled to be held in Indonesia on 14 February 2024. In Indonesia, the president is elected by general election and can serve up to two five-year terms if re-elected. The executive branch also includes a vice-president and a cabinet. All bills need joint approval between the executive and the legislature to become law, meaning the president has veto power over all legislation. The problem of multi-party presidential government in Indonesia is still an unfinished homework until now, many political experts and constitutional law have concluded that the presidential system is ineffective in a multi-party model. This is due to the importance of a strong relationship between the president and parliament to adopt various policies in running the government.

The application of the presidential system of government in world countries can vary, some of which apply a presidential system combined with a dual-party system, some others apply a presidential system combined with a multi-party system. In implementing a presidential government system combined with a multi-party system, what needs to be understood is that the multi-party system is a political structure, while the presidential system is a constitutional structure. These two structures are on the same level and are equivalent (Retno Saraswati, 2012).

In the Indonesian context, the system adopted in general elections is a multi-party presidential system. Therefore it is also necessary to understand the multiparty system. The word "multiparty" is an adjective, which can be interpreted as "politics involving several parties", different political parties. While the definition of a multiparty system is a system consisting of various political parties competing in general elections, and all of them have the right to take control of government tasks, either separately or in coalitions.

Multi-party systems are widely practiced in parliamentary systems compared to presidential systems, as well as in countries where elections use a proportional system compared to countries that use district systems. A multiparty system is a system consisting of more than two dominant parties, this system is a product of a pluralistic social structure, both culturally and socio-economically (Siska Yuspitasari, 2012).

In a multiparty system, no party has a majority in parliament, and therefore a coalition must be formed so that the government can run stably. In its implementation such a government must always prioritize deliberation and compromise. In the history of government, generally countries that adheres to a multi-party system whose wheels of government are built on a coalition of a number of political parties.

Presidential difficulties in multi-party have received much attention from political and constitutional law experts, as written by Mainwaring below: "In this article I argue that in presidential systems, multiparty democracy is more difficult to sustain than two-party democracy . Only one country Chile with a multiparty system and a presidential system has achieved stable democracy. I agree with recent contributions that suggest that presidential systems are generally less favorable to stable democracy than parliamentary systems (especially cabinet governments), but go one step further in arguing that the difficulties of presidential democracy are compounded by multiparty systems (Scott Mainwaring, 1990). To limit the number of political parties, many methods have been used, such as the electoral threshold and parliamentary threshold. However, the various models used have not been fully effective. In this paper the author will share his views regarding the party simplification model in Indonesia with the aim of strengthening the presidential system.

On the other hand, our Constitution has emphasized through its characteristics that Indonesia adheres to a presidential system of government, but this presidential system is applied in a multi-party political construction. The multiparty system is a political context

that is difficult to avoid because Indonesia is a country with levels very high social plurality and a complex level of social plurality. Elections are a process of electing to fill certain political positions, such as presidents, vice presidents, people's representatives at various levels of government, to the simplest or the least of the village heads. From this perspective of Constitutional Law, direct popular vote is conducted within the period of office in an organization of the state. Then speaking of the election inevitably must be placed within the framework of the principle of people's sovereignty, because the election itself is a manifestation of people's participation that is central to the principle of people's sovereignty or democracy.

Its means of political participation of the community to participate in determining public policy. To limit the number of political parties, many methods have been used, such as the electoral threshold and parliamentary threshold. However, the various models used have not been fully effective. In this paper the author will share his views regarding the party simplification model in Indonesia with the aim of strengthening the presidential system. This research article will examine how the ideal model is to simplify parties in Indonesia in the general election system in Indonesia. In addition, this research will discuss the presidential election system in the United States.

## **2. Discussion and Analysis**

In the 1999 election, Indonesia used a closed proportional system, in 2004 it used a semi-open proportional system. It is called semi-open because the determination of who will represent the party in obtaining seats in parliament is not based on the acquisition of the most votes but still based on serial number 24. In 2009 it became a proportional open list after the Constitutional Court granted a judicial review by abolishing Article 214 of Law No. 10 of 2008 which regulates the determination of candidates based on serial number if they do not meet the 30% requirement of the electoral divisor. In 2009, the candidates were

chosen according to the majority vote so that open proportional was actually implemented. An open proportional system can also be said to be a semi-district system, because this system combines the characteristics or rather the advantages found in the district and proportional systems, while minimizing the deficiencies that exist in both (Hanta Yuda 2010).

The 2014 election is regulated by Law No. 8 of 2012. In this law, the amount of PT, which was 2.5% in 2009, was increased to 3.5%, this is expected to make the parliament more streamlined. As it was, there were only 12 parties that managed to qualify to participate in the elections at the central level. What distinguished the 2014 election from the previous election was that there was strict verification of all political parties, both those already in parliament and new political parties. In the beginning, the parliamentary threshold would also be used as an electoral threshold, but after the Constitutional Court issued decision No. 52/PUU-X/2012, all political parties followed the verification stages. This decision strengthens the perspective in the party simplification process, namely by abolishing the electoral threshold provisions and replacing them with parliamentary thresholds as well as verification stages for all political parties. Related to this, Saldi Isra once wrote in an opinion piece in the Kompas daily (Saldi Isra, 2013).

Regarding the influence of the electoral system and the existence of parties, Maurice Duverger argues that district systems tend to encourage the formation of two parties, while proportional systems tend to encourage the formation of multi-party systems. The proportional system tends to increase fractionalism and encourages the formation of small parties, so he believes that the proportional system is conducive to the development of multi-party.

In the concept of a presidential system, the main thing is that the positions between the executive and legislative branches are equal. For more details, the following are the

characteristics of a presidential system, namely: 1. The position of the President as head of state as well as head of government. 2. The president and legislature are elected by the people. 3. The executive branch is not part of the legislature, so it cannot be dismissed by the legislature except through the impeachment mechanism. 4. The President cannot dissolve parliamentary institutions (Retno Saraswati, 2012).

In addition, in a presidential system, the president has a relatively strong position and cannot be overthrown due to low subjective status, such as low political support. However, there is still Mechanism to control the president. If the president violates the constitution, betrays the state, and is involved in criminal matters, the position of president can be dropped. If he is dismissed for certain violations, usually a vice president will replace his position.

An open proportional system with the most votes, an increase in the parliamentary threshold and increasingly stringent requirements for parties to participate in general elections are indeed felt to be more democratic than using a district system. But this would be slow to achieve a two-party model, perhaps not even producing two parties. The choice of an electoral system is a choice that has more political elements than academic elements, various studies and proposals will be meaningless if not supported by political will, maybe in Indonesia it is necessary to try using the district system, because during Indonesia's independence we have always used a proportional system with various variations. In fact, this model always produces many parties.

Initially, in this world there were two models of electoral systems, namely the district system and the proportional system. Because the two systems have several weaknesses, several countries have tried to combine them so that they are known as mixed or semi-district systems. Interestingly, attempts to mix systems always start with proportional systems polished with district colors, not the other way around.

Since the beginning of holding general elections, Indonesia has continued to use a proportional system with various additional district colors. Due to the unsuccessful proportionality that has been used since the first election, it may be necessary to try something new, namely using a district system with various variations so as not to injure democracy too much.

The parliamentary threshold model and tightening the requirements for parties to participate in elections will indeed simplify parties little by little, but high standards are needed to get 2 to 3 parties. The high standard of the parliamentary threshold has also received a lot of criticism, small parties feel wronged and say this is contrary to democracy. If you use the district system, all parties will be able to participate in elections and will fight hard so that they become the dominant party in a district. With this system there is no need for strict requirements for a party to take part in the election, everything will be determined by its ability to get votes in each district. With just a few elections this system will produce 2-3 dominant parties and this will certainly make the presidency run effectively. Parties that get votes in one or two districts or even don't get votes at all, are almost certain to immediately join the big parties.

The United States of America has 48 states. In principle, the candidate with the most votes in a state will take all the votes in that state, including those who did not vote for him. However, this principle does not apply to the two states, namely Naraska and Maine. The two states apply the proportional principle, in which the number of votes a presidential candidate gets is only counted according to what they get.

If in Indonesia the body that organizes elections is called the General Election Commission, the body that organizes US elections is called the Electoral College. The type of election with the Electoral College is the only type of system that determines presidential

candidates. Unlike other states, where the highest number of voters wins, the Electoral College is determined by the number of congressmen the state has.

Each vote of this body represents one vote after the general election is held. If added up, the Electoral College consists of 538 votes. A president wins if he gets more than half of the votes.

Candidates for president in the United States as Owners of the Most Votes Don't Always Win, this is because. With the existing electoral system, someone can lose even if they win a majority vote. If interpreted easily, a presidential candidate in the United States will win if he gets more than 270 Electoral College votes.

Democracy is the foundation of the country's life that basically sends that at the final level the people make decisions on basic issues related to people's lives. Based on thought Henry B Mayo that the theory of democracy that: Democratic political system is public policies are made by majority, by representatives subject to effective popular control in periodic elections conducted on the basis of political equality & under conditions political freedom. (a democratic political system is a system that shows attitude wise with slain generals through the majority the same representatives active and effective oversight through the people in elections with a certain time based on the principles of political equality and its implementation with the guarantee of political freedom).

See through democratic theory, elections are spoken of as a symbol of democracy, when the time is right as a benchmark for democracy. Elections held with the presence of a sense of openness, freedom of opinion, and association, is seen as capable provide results with reasonable accuracy regarding participation as well as aspirations people. The presidential election aims to produce capable leaders have an understanding related to the aspirations of the people, especially in procession of public policy formulation with the existence of a system of change of power President. When viewed normatively, Indonesia



has made efforts to realize the election of the President and Vice President more emphasis on democratic theory, which is shown by the involvement of parties political parties or several political parties participating in the election to give or declare the candidacy of the presidential and vice presidential candidates who have comply with the requirements contained in the laws and regulations.

Regarding the presidential election, Indonesia is a unitary state in the system popular vote in Indonesia, voters in each region have the same vote value The same. Regarding the theory of democracy, normatively, Indonesia has implemented it efforts to realize the democratic election of the President and Vice President which can be seen by the involvement of political parties or several political parties election contestants to nominate candidates for President and Vice President as long as it is in accordance with the requirements regulated by law. In addition to this, in the election of the President and vice president carried out directly through a majority or majority votewin.

Whereas in the United States which is a federal country, it is electoral the college gets a unanimous consensus from the states. The presidential election is one of them method for realizing the sovereignty of the people of the United States. United States of America in terms of nominating as a candidate for President of the United States it is required through the stages that have been regulated through the constitution, these stages including the nomination stage, the national convention stage, the campaigning stage, Next, namely voters in the election through the electoral college system. Both systems namely the presidential election system with the popular vote in Indonesia and the electoral college in America.

The United States has a discourse. Discussion on the presidential election system in Indonesia using the popular vote system, then there is one man one vote one value or one people one vote one value is an island that has a large population become the island that determines the victory of the candidate for President and Vice President. The second

discussion concerns the focus of the current presidential and vice presidential candidates run focus campaigns on the most populous islands. Meanwhile, the discourse regarding the electoral college is that there is an assumption of one vote without provide significant changes due to the use of the electoral college.

## Reference

Book :

Miriam Budiardjo, 2013, *Dasar-dasar Ilmu Politik*. Jakarta: Gramedia

Saldi Isra. 2013, “Sembilan Tambah Satu”, Kompas, Jakarta

Scott Mainwaring, 1990, “Presidentialism, Multiparty Systems and Democracy: The Difficult Equation”, Working Paper.

Journal :

Alvarez, R.M., et al. 2009, Internet Voting in Comparative Perspective: The Case of Estoni. *Political Science and Politics*, Vol. 42, no. 3, July

Benuf, Kornelius, and Muhamad Azhar, ‘Metodologi Penelitian Hukum Sebagai Instrumen Mengurai Permasalahan Hukum Kontemporer’, *Jurnal Gema Keadilan*, 7.1 (2020), 20–33

Budiatri, Aisah Putri, 2013, ‘Pemilu Presiden Amerika Serikat’, *Jurnal Penelitian Politik*, 10.2 163–75

Foreword, 2020, ‘The Electoral College Should the United States Change the Way It Elects Presidents?’, *Congressional Digest*, 99.6

Gelman, Andrew, Nate Silver, and Aaron Edlin, 2010, ‘What Is The Probability Your Vote Will Make A Difference ?’, *Economic Inquiry*, 50.2

Indarja, 2018, ‘Perkembangan Pemilihan Presiden Dan Wakil Presiden Di Indonesia’, *Masalah-Masalah Hukum*, 47.1 , 63

I Nyoman Prabu Buana Rumiarta. (2022). The Role of The United Nations Committee on the Peaceful Uses of Outer Space: The Role of The United Nations Committee on the Peaceful Uses of Outer Space. *Focus Journal Law Review*, 2(2). Retrieved from <https://ojs.balidwipa.ac.id/index.php/fjl/article/view/33>

Khan, Yusuf, 2019, ‘The Electoral College’s Impact on Presidential Campaigns’, *American International Journal of Social Science*, 8.4, 1–5

Prabu Buana Rumiarta, I. N. (2022). Correlation Theory A.V. Dicey Perspective of the Rule of Law in Indonesia: Correlation Theory A.V. Dicey Perspective of the Rule of Law in Indonesia. *Focus Journal Law Review*, 2(1). <https://ojs.balidwipa.ac.id/index.php/fjl/article/view/19>

Retno Saraswati, 2012, “Desain Sistem Pemerintahan Presidensial yang Efektif”, dalam *Jurnal MMH*, Jilid 41, No. 1

Rumiarta, I. N. P. B., Astariyani, N. L. G., & Indradewi, A.A.S. (2022). Human Rights of

- Indigenous People in Indonesia: A Constitutional Approach. [Journal of East Asia and International Law](#), 15(2), 395-402. [http://journal.yiil.org/home/archives\\_v15n2\\_10](http://journal.yiil.org/home/archives_v15n2_10)
- Rumiarta, I Nyoman Prabhu Buana, 2015, Position of Ministerial Regulation on the Constitution, *Kerta Dyatmika* 12 (2), <https://doi.org/10.46650/kd.12.2.373.%p>
- Said, By, Muhammad Rizky, Jeremy Jordan, and Muhammad Ridwan, 2018, 'Political Education To Dispel The Misinterpreted Negative Campaign In General Election In Indonesia', *Indonesian Law Journal*, 11, 1–18
- Siska Yuspitasari, 2012, "Sistem Multipartai di Era Pemerintahan Susilo Bambang Yudhoyono 2004-2009", dalam *Jurnal Dinamika Politik*, Vol. 1, No. 1