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The legislative and presidential elections in Indonesia in 2009

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1. Background: electoral democracy with cartel parties

Indonesia is a politically stable electoral democracy with Freedom House scores at two for political rights and three for civil liberties (on a seven-point scale with one as the highest rating). According to these ratings, the country is the most democratic in Southeast Asia. The human rights situation has improved markedly since the downfall of President Suharto and the authoritarian New Order administration in 1998. Violent conflicts in Poso and the Moluccas have been settled, and the peace agreement with the guerrilla movement in Aceh has been successful as well. Civilian control over the military has been expanded. Elections to parliament, to the presidency, and since 2005 the so-called pilkada (direct elections for governors, district chiefs and mayors), have so far been conducted mostly successfully. In line with this, the latest legislative and presidential elections, on 9 April and 8 July 2009 respectively, were mostly peaceful and considered by observers to be “free and fair”.

Parties and parliaments are now at the center of political power, thereby signifying one of the most profound changes in comparison with Suharto’s New Order (1966– 1998). Yet Indonesia’s democracy remains elitist. Politicians in provincial and district parliaments are often unfamiliar with the concept of a legitimate and organized parliamentary opposition. Corruption, collusion and nepotism, all typical characteristics of the New Order, have been re-established in new forms. Voters’ links to social milieus and political parties continue to weaken.

2. Political parties

It is difficult to place Indonesian parties on a left-right spectrum. The most prominent cleavage in the Indonesian party system is that between secularist and Islamic/Islamist parties.¹ After the 1999 elections, three of the five largest parties were Islamic (PPP/Partai Persatuan Pembangunan, United Development Party; PAN/Partai Amanat Nasional, National Mandate Party; PKB/Partai Kebangkitan Bangsa, National Awakening Party) and two were predominantly secularist (PDI-P/Partai Demokrasi Indonesia - Perjuangan, Indonesian Democratic Party-Struggle; Golkar/Partai Golongan Karya, Party of Functional Groups). The traditionalist PKB and the modernist PAN are linked to the Muslim mass organizations Nahdatul Ulama and Muhammadiyah respectively. The PKB is particularly strong in rural regions, while PAN mostly represents the urban middle class. The PPP consists of traditionalist as well as modernist Muslims. The PDI-P has many non-Muslims and non-orthodox Muslims among its members and voters and is to a large extent defined by the legacy of the first nationalist and charismatic Indonesian president Sukarno. It styles itself a

1 A party is defined here as Islamist if it supports more or less openly the far-reaching implementation of shari’a (including the penal code) and the establishment of an Islamic state. On this reading, the PPP and the PKS (q.v.) are Islamist parties. On the parties and party system, see Sherlock (2009) and Johnson Tan (2009).

party for the “little people” and decidedly opposes the Islamization of politics. Golkar, once the ruling party in Indonesia, which is broadly secularist while retaining a strong orthodox Islamic wing, has redefined itself and at least partly distanced itself from the New Order.

In 2004, the PD (Partai Demokrat, Democratic Party) and the PKS (Partai Keadilan Sejahtera, Prosperous Justice Party) joined the ranks of the established parties. PD, founded in 2001 and preponderantly secular, is committed to serving the former general and current president Susilo Bambang Yudhoyono. PKS is an Islamist cadre party, supported by academics and students. It received 7.3% of the votes in the 2004 elections, mostly from young, devout Muslims searching a credible alternative to the other, allegedly corrupt parties.

In 2009, two other small personalist parties entered parliament. In 2006, Hanura (Partai Hati Nurani Rakyat, People’s Conscience Party) was founded by retired generals led by Wiranto, formerly commander of the armed forces, minister of defence and coordinating minister for political and security affairs. Wiranto, who was indicted for crimes against humanity committed in East Timor in 1999, had won 22% of the votes in the first ballot of the presidential election in 2004. Hanura was highly visible during the 2009 campaign due to its extensive financial means and the prominence of its leader. This was also true of the nationalist Gerindra (Partai Gerakan Indonesia Raya, Greater Indonesian Movement Party), another new party under the direction of a retired general, in this case Prabowo Subianto. As Suharto’s son-in-law, Prabowo had risen quickly through military ranks prior to 1998. He has never been convicted of alleged human rights violations in East Timor or during the last months of the New Order era. He is also chairman of the Indonesian Farmer’s Association (HKTI), providing him with a large potential constituency of support.

3. Institutional context²

Indonesia has a presidential system with a bicameral parliament. The First Chamber, the House of Representatives (DPR, Dewan Perwakilan Rakyat), currently consists of 560 members elected via a multi-member plurality system in 77 multimember constituencies (ranging in size from three to ten seats). The less important Second Chamber, the People’s Congress (MPR, Majelis Permusyawaratan Rakyat), consists of the DPR members and an additional 132 parliamentarians. The latter are elected through plurality votes in multi-member constituencies at the provincial level and must not belong to a party. These 132 delegates simultaneously form the Regional Chamber (DPD, Dewan Perwakilan Daerah), which only has consultative powers. Since 2004, the president and vice president have been elected directly, and as of 2005 direct elections have also included mayors, district chiefs and governors.³

Based on a December 2008 decision by the constitutional court, only candidates winning a plurality of votes in their constituency will become members of parliament. Thus, the law on parliamentary elections has been significantly changed since 1999. Previously, a small circle of party leaders in Jakarta was able to select candidates for closed lists. In 2004, the system changed to one in which voters could choose either a party or a candidate. However, that

2 For a more detailed description, see Sherlock (2009) and Mietzner (2009).

3 In Indonesia, candidates always campaign in pairs for a particular office - whether president, governor, district chief or mayor – and its deputy. In many cases, candidates that have paired up come from different religious milieus and regions.

candidate was required to win by large margins and only two candidates were allocated a seat on this basis. This meant that, de facto, the closed list system was still in place. The constitutional court decision signified the transition to open lists, although voters retain their right to vote for parties rather than single candidates.

Changing the law has weakened the power of the central party leaderships in Jakarta and given locally-rooted party elites a better chance of success. This strengthening of local elites bears considerable risks. In multi-member constituencies candidates from the same party compete with each other, thus potentially increasing factionalism at the local level. More broadly, this kind of decentralization may result in deinstitutionalization. Yet such pessimistic prognoses are contradicted by Indonesia's experience so far with direct local elections: most elected candidates have proved to be competent and have not been involved in corruption scandals. Parliamentarians are now encouraged to represent voters' interests more effectively. Because parties or party coalitions can only nominate presidential candidates if they receive 25% of the votes or 20% of seats in the preceding polls, the new rules allow a maximum of three or four pairs of candidates to take part in elections.⁴ The financing of election campaigns has also been reformed. Sponsors must be identified by name in the event that the donation exceeds 1 billion rupiah (approx. US\$100,000) for individuals or 5 billion rupiah for organizations.

4. Legislative elections

On 9 April Indonesians had the opportunity to cast no fewer than four votes: for the 560 seats in the DPR, for the members of the Regional Chamber (DPD), for the 33 provincial parliaments, and for about 500 district and municipal parliaments. The first of these, the most important, was contested by 38 parties (up from 24 in the 2004 elections). In order to participate, parties were required to have a certain number of branches in Indonesia's sub-districts, districts, cities, and provinces.⁵ This regulation prevents parties that represent merely the interests of a single region or ethnic group from gaining power. A new threshold stipulated that only parties with at least 2.5% of the vote could gain parliamentary representation.

Given the vast size of Indonesia, voter registration and the distribution of more than 700 million ballot papers to 528,000 polling stations presented an enormous logistical challenge. There were more than 11,000 candidates for the 560 seats in the DPR. More than 340,000 candidates ran for the Regional Chamber as well as for the provincial, district and municipal parliaments. The drafting of complete and accurate voter registers was particularly difficult. Millions of voters did not receive ballots, and some areas had to rerun their elections. The national human rights organization Komnas HAM even estimated that between 25% and 40% of the voters were unable to exercise their electoral rights due to the irregularities. Official statistics recorded more than 171 million eligible voters. The election commission, KPU (Komisi Pemilihan Umum), came under heavy criticism (Sukma, 2009),⁶ and PDI-P, Gerindra

4 Indonesia's Constitutional Court ruled that independent candidates would not be allowed to run.

5 An additional six parties were allowed to compete in Aceh province due to special autonomy rights.

6 One focus of this criticism was the KPU's failure to provide timely and clear rules on campaign finance: "There was effectively no real transparency and accountability regarding campaign funds in this year's legislative elections," (Indonesia Corruption Watch, 2009).

and Hanura were among the parties that disputed the election results.

The election campaign began officially on 12 July 2008 and ran until 5 April 2009, but party candidates were allowed to hold public talks no sooner than 16 March 2009. By and large, campaigning was characterized by a lack of policy substance and a focus instead on personalities. For the most part, the campaign was at least conducted peacefully; only in provinces with special autonomy status, such as Aceh and Papua, did violence occur. In the former, three politicians from the Partai Aceh were murdered, and there were also kidnappings, shootings and bomb attacks. In Papua, two nights before polling day, three motorcycle-taxi drivers were stabbed and a girl killed in an explosion at a fuel depot. The following day, on the eve of polling, a police station in Jayapura was attacked by a hundred people armed with bows and arrows. One person was killed by the police.

Turnout on election day was 71%, with 121.6 m voters casting a ballot (although 14% of votes cast were invalid). The official election results confirmed the predictions of various polls. With 20.8% of the votes, well up on its 2004 performance and more than six percentage points clear of its nearest rival, the PD emerged as the definite winner (Table 1). Golkar and PDI-P lost a lot of ground compared with 2004, as did the PPP, the PKB and the smaller Islamic parties. In 2004 Golkar had still been the strongest faction in the DPR with 21.6% of the votes and 128 mandates, but its vote share fell by more than seven percentage points. The PDI-P took only 14%, down four points from 2004 and miles adrift of its 1999 showing when it was the strongest party with almost 34%. Both PDI-P and Golkar look to have lost votes to Gerindra and Hanura. Meanwhile, the halving of PKB's vote share may have been caused by internal party conflict between the group around Chairman Muhaimin Iskandar and the wing that instead supports his uncle Abdurrahman Wahid (Indonesian president from 1999 to 2001). Finally, the PKS gained some votes, but far fewer than it expected.

Table 1

Results of elections to the Indonesian House of Representatives (DPR), 1999–2009.

Party ^a	1999		2004		2009	
	Votes (%)	Seats	Votes (%)	Seats	Votes (%)	Seats
PD	–	–	7.5	57	20.8	148
Golkar	22.5	120	21.6	128	14.4	106
PDI-P	33.8	153	18.5	109	14.0	94
PKS ^b	1.4	7	7.3	45	7.9	57
PAN	7.1	34	6.4	52	6.0	45
PPP	10.7	58	8.2	58	5.3	38
PKB	12.6	51	10.6	52	4.9	28
Gerindra	–	–	–	–	4.5	26
Hanura	–	–	–	–	3.8	18
Others	11.9	77 ^c	19.9	49	18.4	0
Total	100	500	100	550	100	560

^a Party names are set out in full in the text of the note.

^b Known as the PK in 1999.

^c The military were automatically awarded 38 seats in 1999. Source: Sukma (2009, 319).

Generally, the party system has been dominated by secular parties, and this remained the case after the 2009 elections, with secular parties taking up 392 seats in the DPR compared to 168 seats for Islamic and Islamist parties. Indonesia's political parties have distinct geographical strongholds. The PDI-P's support is based in Bangka Belitung, Central Java, West Kalimantan, Central Kalimantan and North Sulawesi, where it received between 20% and 25% of votes in this year's election, and, especially, in Bali, where it received about 40%. Golkar performed best in Riau, South Sumatra, South Sulawesi, and North Sulawesi (between 20% and 25%), in Gorontalo (30%) and in West Papua (32%). The PD was exceptionally

strong in Aceh (41%) and the capital Jakarta (35%). However, the regional distribution of votes is today more balanced than in 1999, when, for example, the PDI-P received nearly 80% in Bali and Golkar polled between 50% and 67% in the (then) four provinces of Sulawesi.

5. Presidential election

The PD victory further strengthened the position of the incumbent president, Susilo, whose popularity ratings had already been boosted by positive economic trends. The opinion research institute Lembaga Survei Indonesia conducted a survey which found that satisfaction with Susilo was strongly correlated with the perceived success of his economic policies and the popularity of the PD (Mujani and Liddle, 2009). According to this survey, the PD would have won 16% of the votes in an election at the end of 2006. This number fell to 9% in mid-2008 but then increased sharply to 24% in February 2009. Susilo's popularity rating also fluctuated considerably: it fell from 67% to 45% and rose again to 70% over the same period. The decline in popularity was a consequence of a cut to fuel and kerosene subsidies. Yet economic conditions improved during the second half of 2008, and various policy measures also won widespread approval, such as compensation payments for the poor hit by the 29% increase in oil prices in May 2008. Furthermore, 80% of the people surveyed evaluated Susilo's fight against corruption, pledged on first assuming office, either "positively" or "very positively".

During the weeks following the legislative elections, parties discussed potential coalitions and candidate pairs for the presidential election on July 8. One day after the parliamentary election the PDI-P announced plans to form a coalition with Gerindra and Hanura, much to the disappointment of pro-democratic activists within the party. PD and Golkar debated a renewed coalition for a while, yet the latter ultimately decided to terminate the partnership. Golkar's decision not to run Jusuf Kalla again as vice-presidential candidate next to Susilo, but instead have him run for the presidential office itself, caused some controversy within the party. The faction surrounding former party chairman Akbar Tanjung argued that Kalla had no realistic chance of winning the presidency.

Three pairs were finally decided on. Susilo ran with Boediono, governor of the central bank and a surprising choice for most people since he is not a member of a party and was considered to be an economic expert without entrepreneurial interests. They were supported by PD, PKS, PAN, PPP, PKB and 18 parties without seats, although the four Islamic parties were dismayed with the selection of Boediono. Megawati Sukarnoputri, daughter of Indonesia's first president Sukarno, chairwoman of the PDI-P and Susilo's predecessor, paired up with Gerindra's Prabowo. They were supported by PDI-P, Gerindra, and seven parties without seats. Finally, Jusuf Kalla, nominated by Golkar and Hanura, ran for office with Wiranto as his choice for vice president.

The presidential election campaign began on 2 June and ran until 4 July. Again, few substantial policy differences came to the fore. The televised debates between 18 June and 2 July were lacklustre and tedious. From the start, Megawati - whose performance as president between 2001 and 2004 was not generally highly rated - and Jusuf Kalla were perceived as weak figures, whereas Susilo, with the advantage of incumbency, could thrive on his performance as president. It came as no surprise, then, when election day saw Susilo and

Boediono achieve a comfortable majority with 73.9 m votes (61%), followed by Megawati and Prabowo (32.5 m votes, 27%) and Jusuf Kalla and Wiranto (15.1 m votes, 12%).

In the following weeks, elites across parties made considerable efforts at reconciliation. In early October, Taufik Kiemas, Megawati's husband, was elected speaker of the Second Chamber, and the PDI-P signalled its intention not to act as permanent opposition to the government. When Aburizal Bakrie won the Golkar chairmanship around the same time, it became apparent that the party would support the new president.⁷ Finally, the United Indonesia Cabinet II, announced on 21 October, was made up of six parties, and the tradition of "rainbow coalitions" with no real opposition was prolonged.

6. Impact on party politics

The introduction of direct presidential elections has led to the presidentialization of parties, which now often serve as mere vehicles for presidential candidates. A case in point is Susilo Bambang Yudhoyono's PD. The presidentialization and personalization of politics is the result of institutional changes (the introduction of presidentialism, the pilkada, and the open list) as well as the increased commercialization of party politics (Mietzner, 2008) and the growing impact of the mass media. The latter is reflected in the large sums that parties now spend on television spots. Most parties rely on spin doctors and pollsters to manage public relations and to organize election campaigns. With extensive financial support, it is today possible in Indonesia to establish a party apparatus within a short period of time and to set up a successful professional campaign, especially if it is geared towards a single candidate. This certainly applies to the PD, which took a surprising 7.5% of the votes in its first election in 2004 and has now become the largest party, less than a decade after its founding. And two still newer parties, Gerindra and Hanura, both obtained almost as many votes as the Islamic parties by means of enormous funds and despite lacking a clear policy profile.

The meteoric rise of these new parties is also a consequence of generally weakening loyalties towards parties. With party choice is much less securely anchored in voters' social backgrounds (Ufen, 2008), electoral volatility remains relatively high (Lembaga Survei Indonesia, 2008). The pilkada and the open list system (and, albeit to a lesser extent, the establishment of the Regional Chamber), as well as the administrative decentralization that began in 2001, have all contributed to the localization of politics over the past few years. Until the 2009 elections, central party leaderships in Jakarta were able to maintain a sense of party discipline due to the lack of intra-party democracy, the centralization of party finances, and the so-called recall mechanism in the DPR (which allows a party's leadership to expel insubordinate parliamentarians). Although internal party conflicts had always generated splinter parties and thus fragmented the party system, Indonesia's parties were not like the kind of loosely organized patronage apparatuses - with politicians frequently shifting between them - seen in nearby states such as the Philippines. The introduction of open lists has already made local identities more prominent, as was evident during the 2009 electoral campaign. Candidates from the same party now compete against each other and are more independent of their party's headquarters in Jakarta. The national parliament now includes delegates who are firmly based in their constituency. The long-term effects of this are unclear: on the one hand,

⁷ "Kalla Minta Golkar Tetap Kontrol Pemerintah", Kompas 8 October 2009.

open lists could lead to the factionalization of parties; on the other, it could increase the pressure on national party elites to democratize their decision processes.

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