

TRANSFORMATION OF INDONESIA'S LEGISLATIVE ELECTION SYSTEM: NEW ORDER VS REFORM ERA IN CONSTITUTIONAL LAW

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ABSTRACT

The transformation of the legislative electoral system in Indonesia reflects the significant changes from the New Order to the Reformation Era, emphasising the adaptation to national political dynamics and democratic principles. This study examines how the legislative electoral systems during these periods compare within Indonesia's constitutional law context. The research adopts a normative juridical approach with statutory, comparative, and historical methods, analysing primary and secondary legal materials. The discussion reveals that the New Order era was characterized by a centralized system with limited political freedom, whereas the Reformation era introduced more inclusive and

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representative electoral laws. The main findings highlight the strengths and weaknesses of each system in realizing democratic principles and popular sovereignty. This comparative analysis contributes to understanding Indonesia's electoral systems' evolution and ongoing efforts to enhance democratic governance.

Keywords: Constitutional Law, Legislative Electoral System, New Order, Reformation Era, Comparative Study.

TRANSFORMASI SISTEM PEMILIHAN UMUM LEGISLATIF DI INDONESIA: ORDE BARU VS ERA REFORMASI DALAM HUKUM TATA NEGARA

ABSTRAK

Transformasi sistem pemilihan legislatif di Indonesia mencerminkan perubahan besar dari Era Orde Baru ke Era Reformasi, menekankan penyesuaian terhadap dinamika politik nasional dan prinsip-prinsip demokrasi. Kajian ini meneliti bagaimana sistem pemilihan legislatif pada tempoh-tempoh ini dibandingkan dalam konteks undang-undang perlembagaan Indonesia. Penyelidikan ini menggunakan pendekatan normatif yuridis dengan kaedah perundangan, perbandingan, dan sejarah, menganalisis bahan-bahan undang-undang primer dan sekunder. Perbincangan menunjukkan bahawa era Orde Baru dicirikan oleh sistem terpusat dengan kebebasan politik yang terhad, manakala era Reformasi memperkenalkan undang-undang pilihan raya yang lebih inklusif dan mewakili. Penemuan utama menekankan kekuatan dan kelemahan setiap sistem dalam merealisasikan prinsip-prinsip demokrasi dan kedaulatan rakyat. Analisis perbandingan ini menyumbang kepada pemahaman tentang evolusi sistem pilihan raya Indonesia dan usaha berterusan untuk meningkatkan tadbir urus demokratik.

Kata Kunci: Undang-Undang Perlembagaan, Sistem Pilihan Raya Perundangan, Era Orde Baru, Era Reformasi, Kajian Perbandingan.

INTRODUCTION

In Indonesia, general elections (*pilihan raya*) include both legislative and presidential elections, allowing citizens to elect representatives at various levels of government. Legislative elections determine the members of the People's Representative Council (Dewan Perwakilan Rakyat or DPR), the Regional Representative Council (Dewan Perwakilan Daerah or DPD) and regional legislative councils (Dewan Perwakilan Rakyat Daerah or DPRD). Meanwhile, presidential elections are held to elect the president and vice president directly.¹ The transition from the New Order to the Reform era has significantly transformed Indonesia's electoral landscape, promoting democratic values such as fair representation and increased public participation.²

Elections are a political mechanism that allows the people to elect their representatives in the legislature and holders of executive power, such as the president, vice president, and regional heads.³ Elections are also essential in a democratic system, allowing citizens to elect public officials directly.⁴ Indonesia, as a democratic country, continues to strive to improve the quality of its democracy through enhancing the implementation of elections.⁵ Elections in Indonesia are

¹Boy Anugerah, "Strengthening Democracy in Indonesia: Comparison between Representative and Direct Presidential Election Policies," *Jurnal Studi Sosial Dan Politik* 6, no. 1 (June 30, 2022): 1–16, <https://doi.org/10.19109/jssp.v6i1.10650>.

²Muhammad Habibi, Irvanus Destavino, and Alam Mahadika, "Reflection and Learning From the 2019 General Election and the 2020 Regional Election: An Analysis of The Election Implementation Experience in Indonesia," *Kybernology: Journal of Government Studies* 3, no. 1 (August 18, 2023): 1–16, <https://doi.org/10.26618/kjgs.v3i1.12007>.

³Satrio Alif Febriyanto and Muhammad Firman, "Napak Tilas Pemilihan Kepala Daerah Indonesia: Korelasi Negara Hukum Yang Demokratis Dan Amandemen UUD 1945," *JAPHTN-HAN* 2, no. 1 (January 31, 2023), <https://doi.org/10.55292/japhtnhan.v2i1.65>.

⁴Izak R Hikoyabi, "Kemandirian, Integritas, Kapabilitas Dan Partisipatif Di Provinsi Papua Induk Pada Pemilu 2024," *Jurnal Multidisiplin Indonesia* 2, no. 3 (March 18, 2023): 436–42, <https://doi.org/10.58344/jmi.v2i3.188>.

⁵Agung Pramafasya Putri Sima and Putu Sri Arta Jaya Kusuma, "PETUNJUK CERDAS DAN BATASAN ETIKA: BERPARTISIPASI AKTIF DAN BERTANGGUNG JAWAB DALAM PEMILU MELALUI INSTAGRAM," *Diseminasi: Jurnal Pengabdian Kepada Masyarakat* 6,

an essential instrument in the democratic system, which was first implemented in 2004.⁶ Simultaneous elections, as happened in 2019, are a crucial step in the general election process in Indonesia.⁷ Elections also play a role in creating a democratic government based on the democratic principles embraced by the Indonesian state.⁸

In Indonesia, simultaneous elections, such as those in 2019, improve democratic processes by combining presidential, vice-presidential, and legislative elections on the same day. This strategy seeks to lower electoral expenses and boost efficiency while promoting equitable representation between the executive and legislative branches, which aligns with the principles of popular sovereignty and transparency outlined in Pancasila and the 1945 Constitution.⁹ Elections are viewed as a crucial step in strengthening democracy, as they promote greater participation and accountability within the political sphere system.¹⁰ General elections are a means of choosing leaders and a form of democracy and people's sovereignty.¹¹

no. 1 (March 30, 2024),
<https://doi.org/10.33830/diseminasiabdimas.v6i1.7696>.

⁶Dwi Irawan, I Gusti Agung Ngurah Agung, and Resi Pranacitra, "Analisis Hukum Terhadap Tindak Pidana Money Politic Dalam Undang-Undang Pemilihan Umum," *POSTULAT* 2, no. 1 (February 1, 2024): 34–39, <https://doi.org/10.37010/postulat.v2i1.1460>.

⁷Ratnia Solihah, "Peluang Dan Tantangan Pemilu Serentak 2019 Dalam Perspektif Politik," *Jurnal Ilmiah Ilmu Pemerintahan* 3, no. 1 (October 9, 2018): 73, <https://doi.org/10.14710/jiip.v3i1.3234>.

⁸Muhibin, Hasani Zakiri, and Akhmad Zaki Yamani, "Penegakan Hukum Pemilu Di Indonesia Perspektif Fikih Siyasah," *Syntax Idea* 6, no. 3 (March 28, 2024): 1317–27, <https://doi.org/10.46799/syntax-idea.v6i3.3113>.

⁹Kadir Johnson Rajagukguk, Sofjan Aripin, and Heri Wahyudi, "Simultaneous General Election: It Is Fair for Democracy in Indonesia," *JIP (Jurnal Ilmu Pemerintahan) : Kajian Ilmu Pemerintahan Dan Politik Daerah* 6, no. 1 (July 26, 2021): 56–64, <https://doi.org/10.24905/jip.6.1.2021.56-64>.

¹⁰Abd. Rais Asmar et al., "The Patterns and Influences of Women's Legislative in Simultaneously General Elections in Indonesia," *International Journal of Criminology and Sociology* 10 (April 30, 2021): 912–20, <https://doi.org/10.6000/1929-4409.2021.10.108>.

¹¹Riski Johannes Lumban Tobing, Irma Purnamasari, and Berry Sastrawan, "Pengukuran Pelaksanaan Kegiatan Pengawasan Pemilu Oleh Badan

Elections enable the public to engage in politics and shape their preferred government direction.¹² The election influences political parties' dedication to bolstering their power structures within ongoing coalitions and state affairs institutions.¹³

Sumali argued that the concept of people's sovereignty also refers to the people's power to participate in the public decision-making process.¹⁴ Elections serve as the gateway to establishing a democratic process. Through elections, the people bestow a mandate upon their representatives, as they possess sovereignty; however, they cannot govern directly due to the complexities involved in their lives.¹⁵

The history of the Indonesian constitution indicates that Legislative Elections have been held 13 times from 1955 to 2024. During the New Order period, elections were held in 1971 (with Law No. 15 of 1969 and Law No. 16 of 1969); Year 1977 (with Law No. 4 of 1975 and Law No. 5 of 1975); Year 1982 (with Law No. 2 of 1980); In 1987, 1992, and 1997 (with Law No. 1 of 1985 and Law No. 2 of 1985). Since the 1977 election, the number of election participants has been limited to two parties and one workgroup (Golkar), which is accommodated in Law No. 3 of 1975 concerning Political Parties and Work Groups. Golkar always came out as the winner in these elections with a percentage above 50%.¹⁶

Upon entering the Reform Order, elections took place in 1999 under the legal framework of Law No. 3 of 1999; in 2004 with Law No. 12 of 2003; In 2009 with Law No. 10 of 2008; In 2014 with Law

Pengawas Pemilihan Umum,” *Karimah Tauhid* 3, no. 4 (April 4, 2024): 4639–53, <https://doi.org/10.30997/karimahtauhid.v3i4.12876>.

¹²Muttakin Muttakin, “Persepsi Calon Kepala Desa Terhadap Praktik Politik Uang Dalam Pemilihan Kepala Desa Di Desa Durian Betakuk Kabupaten Merangin,” *Jurnal Perspektif*, 2023, <https://doi.org/10.24036/perspektif.v6i4.810>.

¹³Solihah, “Peluang Dan Tantangan Pemilu Serentak 2019 Dalam Perspektif Politik.”

¹⁴Sumali, *Reduksi Kekuasaan Eksekutif Di Bidang Peraturan Pemerintah Pengganti Undang-Undang* (Malang: UMM Press, 2001).

¹⁵Afan Gaffar, *Politik Indonesia, Transisi Menuju Demokrasi* (Yogyakarta: Pustaka Pelajar, 2006).

¹⁶Dwanda J Sistyawan and Others, *Sistem Pemilu Legislatif Di Indonesia Potret Penyelenggaraan Pemilu Dalam Sejarah Republik Indonesia (Pemilu 1955 Sampai Dengan 2024)* (Indramayu: Penerbit Adab, 2024).

No. 8 of 2012; and in 2019 and 2024 with Law No. 7 of 2017, where legislative elections are held simultaneously with the election of the President and Vice President.¹⁷Ramlan Surbakti argued that the electoral system is a mechanism adopted to convert the people's votes into governmental seats or positions.

The electoral system is designed to transform citizens' votes into seats for state officials. This requires two software components, the general election system and the organization of electoral processes, and one hardware component focused on election logistics.¹⁸ Studies on elections must include two aspects: the electoral system (electoral system/laws) and the electoral process (electoral processes).¹⁹

Every electoral system comprises four primary elements: (1) the constituency area, (2) the participation and candidacy method, (3) the voicing model, and (4) the election formula, along with how selected candidates are determined. Additionally, there are two choice elements: the House of Representatives and Regional Representative Council entry threshold (election threshold) and the scheduling pattern for different types of elections.²⁰ Indonesia's elections, held every five years, require improvement, as highlighted by ongoing legal changes.

These changes indicate that Indonesia has yet to establish an effective election system to uphold the people's sovereignty. In this context, the author aims to examine the election processes during the New Order and Reform Order, contrasting the systems by analyzing the laws that govern them. The key focus is comparing the legislative election systems from the New Order era and the Reform Order within the framework of Indonesia's constitutional law, alongside evaluating the strengths and weaknesses of each system in promoting democracy and the sovereignty of the people.

¹⁷Dwanda Julisa Sistyawan, *Pelaksanaan Pemilihan Umum Legislatif Dalam Sistem Ketatanegaraan Republik Indonesia* (Yogyakarta: Komoyo Press, 2021).

¹⁸Ramlan Surbakti, *Memahami Ilmu Politik* (Jakarta: PT Grasindo, 2013).

¹⁹Agus Riwanto, *Hukum Partai Politik Dan Hukum Pemilu Di Indonesia (Pengaruhnya Terhadap Penyelenggaraan Pemilu Berkualitas Dan Sistem Pemerintahan Presidensial Efektif)* (Yogyakarta: Thafa Media, 2016).

²⁰Ramlan Surbakti, *Memahami Ilmu Politik*.

Several journals provide relevant insights into comparing electoral systems between the New Order and Reformasi in Indonesia. The *first* is a journal by Mahpudin entitled "Democracy and the Rise of Identity Politics: Reflections on the Journey of Indonesian Democracy After the New Order." This journal provides a perspective on the journey of democracy in Indonesia after the New Order era, which can be the basis for understanding changes in the electoral system.²¹ *Second*, Deden Ilham Rahmani's journal "Challenges and Harmony Between Justice and Certainty in Simultaneous Elections in Indonesia" is significant as it explores the difficulties associated with simultaneous elections in Indonesia, offering insights into the electoral system's evolution from the New Order era to the Reformasi. This study aims to analyse and compare the legislative election system in Indonesia during the New Order and Reform eras from the perspective of constitutional law, focusing on how changes in electoral regulations and systems have influenced democracy and the sovereignty of the people. The main research question addressed in this study is how the legislative election systems differ between the two eras, and to what extent each system supports or hinders the principles of democracy and the implementation of popular sovereignty within the framework of Indonesia's constitutional law.

RESEARCH METHODOLOGY

This study uses normative juridical research, with approach methods that include a statutory approach, a comparative approach, and a historical approach. The specification of this study is descriptive-analytical. The legal materials sourced include primary, secondary, and non-legal materials. Legal materials are collected through literature study, internet browsing, and scientific article review. Legal materials are presented in a systematic way using narrative text descriptions. The analysis applied to these legal materials is qualitative normative analysis.

²¹Mahpudin Mahpudin, "Demokrasi Dan Kebangkitan Politik Identitas: Refleksi Perjalanan Demokrasi Indonesia Pasca Orde Baru," *Ijd-Demos* 1, no. 1 (February 15, 2020), <https://doi.org/10.31506/ijd.v1i1.1.1>.

ELECTORAL SYSTEM IN THE NEW ORDER ERA

During the New Order era in Indonesia, the electoral system was marked by firm central government control through various regulations that curtailed political freedom. The first election in this period occurred in 1971 based on Law No. 15 of 1969 and Law No. 16 of 1969, followed by elections held every five years with continuously updated regulations but maintaining similar principles pattern.²² Post-New Order democracy is dominated by a handful of oligarchic elites who aim to accumulate wealth through political involvement by establishing political parties or participating directly in politics.²³ Disruptive humanitarian riots marked the fall of the New Order regime. Researchers have examined the military's involvement in elections from the New Order era to the reform period. Indonesia's transition from centralization to decentralization led to changes in its government system, implementing direct local and presidential elections.²⁴ Elections in Indonesia represent a concrete manifestation of democracy, enabling the populace to assert their sovereignty over the state government.²⁵

Golkar's dominance in the elections during the New Order era, which consistently achieved over 50% of the vote, stemmed from various political strategies employed by the government. The plan limited the number of participating parties to two political parties alongside one Golkar party, as stipulated in Law No. 3 of 1975 regarding Political Parties and Golkar. Other parties, such as the PDI and PPP, face obstacles and political pressures that hinder their growth

²²Arief Hidayat et al., "Kebangkitan Politik Identitas Dalam Proses Demokratisasi Di Indonesia Pasca Orde Baru," *Kaganga Komunika Journal of Communication Science* 10, no. 1 (June 2021): 57, <https://doi.org/10.24114/jupiis.v10i1.8407>.

²³Mahpudin, "Demokrasi Dan Kebangkitan Politik Identitas: Refleksi Perjalanan Demokrasi Indonesia Pasca Orde Baru."

²⁴Rira Nuradhawati, "DINAMIKA SENTRALISASI DAN DESENTRALISASI DI INDONESIA," *Jurnal Academia Praja* 2, no. 01 (February 19, 2019): 152–70, <https://doi.org/10.36859/jap.v2i01.90>.

²⁵Primandha Sukma Nur Wardhani, "Partisipasi Politik Pemilih Pemula Dalam Pemilihan Umum," *JUPIIS: JURNAL PENDIDIKAN ILMU-ILMU SOSIAL* 10, no. 1 (June 6, 2018): 57, <https://doi.org/10.24114/jupiis.v10i1.8407>.

and influence.²⁶ Discriminatory regulations in the New Order era strengthened sentiment towards certain groups.²⁷ The political landscape following the New Order is marked by oligarchic elite control over democracy, which seeks to amass wealth through political means.²⁸ The post-New Order political landscape in Indonesia is marked by the persistence of oligarchic elite control, which continues to shape democratic processes for wealth accumulation. Research indicates that political elites, who often emerged from the previous authoritarian regime, maintain significant influence over local governance structures, thereby perpetuating their privileges and power dynamics.²⁹

This elite continuity indicates that democratization has not successfully dismantled the entrenched interests of these groups as they skillfully maneuver through the new political landscape to protect their economic benefits.³⁰ Moreover, the co-opting of grassroots movements by these elites has historically stifled genuine political engagement among marginalised populations, reinforcing a cycle of elite dominance. As a result, the interaction between elite interests and democratic institutions reveals a complex landscape where accurate

²⁶Mahpudin Mahpudin, "Kebangkitan Politik Identitas Dalam Proses Demokratisasi Di Indonesia Pasca Orde Baru," *Jurnal Sosial Politik* 7, no. 2 (November 30, 2021): 148–60, <https://doi.org/10.22219/sospol.v7i2.10781>.

²⁷Mirah Pertiwi, "Perkembangan Sentimen Anti-Tionghoa Di Indonesia," *KAGANGA KOMUNIKA: Journal of Communication Science* 3, no. 1 (June 1, 2021): 82–93, <https://doi.org/10.36761/kagangakomunika.v3i1.1062>.

²⁸Mahpudin, "Kebangkitan Politik Identitas Dalam Proses Demokratisasi Di Indonesia Pasca Orde Baru."

²⁹M. Faishal Aminuddin and M. Fajar Shodiq Ramadlan, "Elite in Sub-National Politics: Structure and Continuation in Post-Authoritarian East Java, Indonesia," *Politika: Jurnal Ilmu Politik* 13, no. 1 (2022): 1–22, <https://doi.org/10.14710/politika.13.1.2022.1-22>.

³⁰Leo Agustino and Mohammad Agus Yusoff, "From New Order to Reformasi: Indonesian Subnational Politics in the Post-New Order Era," *Jurnal Hubungan Internasional* 3, no. 1 (2014): 13–24, <https://doi.org/10.18196/hi.2014.0042.13-24>.

democratic representation remains elusive as the oligarchs exploit their political connections to entrench their economic power further.³¹

The military's role in elections from the New Order to the reform era has garnered significant attention study.³² Indonesia's transition from centralization to decentralization changed the governance system, including direct local and presidential elections.³³ Indonesia's transition from centralization to decentralization post-Suharto in 1998 marked a significant shift in governance, empowering regional governments through laws such as Law No. 22 of 1999 and Law No. 32 of 2004. These reforms facilitated local autonomy, enabling direct elections for local leaders (*Pilkada*) and enhancing democratic engagement at the local level.³⁴ This decentralization sought to improve governance through greater accountability and citizen involvement, creating a more responsive administration.³⁵ Nonetheless, challenges persist, notably regional inequalities worsened by local elites exploiting democratic processes for their gain.³⁶ This situation underscores the difficulty of balancing local independence

³¹Nankyung Choi, "Elections, Parties and Elites in Indonesia's Local Politics," *South East Asia Research* 15, no. 3 (2007): 325–54, <https://doi.org/10.5367/000000007782717731>.

³²Sarah Nuraini Siregar, "PROBLEMATIKA PROFESIONALISME MILITER ERA REFORMASI: 'Studi Kasus Keterlibatan TNI Pada Pilkada Kepulauan Riau Tahun 2015 Dan Pilkada Sumatera Utara Tahun 2018,'" *JWP (Jurnal Wacana Politik)* 6, no. 1 (March 5, 2021): 15, <https://doi.org/10.24198/jwp.v6i1.32047>.

³³Nuradhawati, "DINAMIKA SENTRALISASI DAN DESENTRALISASI DI INDONESIA."

³⁴Costantinus Fatlolon, "Toward a Politics of Inclusion: Prospects and Problems of Civic Participation in Indonesia's Government Decentralization," *Melintas* 38, no. 1 (2023): 1–24, <https://doi.org/10.26593/mel.v38i1.7097>.

³⁵Agus Fatoni, "Fiscal Decentralization Dilemma in Indonesia: Between Corruption Accountability and Probability at Local Levels," *Jurnal Bina Praja* 12, no. 1 (2020): 101–10, <https://doi.org/10.21787/jbp.12.2020.101-110>.

³⁶Hidsal Jamil, Candra Fajri Ananda, and Ferry Prasetyia, "It Takes Two to Tango: The Joint Effect of Democracy and Fiscal Capacity on Economic Growth in Indonesia," *Jurnal Perspektif Pembiayaan Dan Pembangunan Daerah* 10, no. 5 (2022): 271–86, <https://doi.org/10.22437/ppd.v10i5.20816>.

with effective management oversight.³⁷ Overall, the transition has been a mixed outcome, with advancements in local democracy and persistent governance challenges.³⁸ Elections in Indonesia are a tangible manifestation of democracy, allowing the people to express their sovereignty over the state and government.³⁹

ADVANTAGES OF THE NEW ORDER ELECTION SYSTEM

Political stability and administrative efficiency are two advantages of strictly regulated general elections. Well-controlled elections can achieve political stability, which leads to little open conflict or political upheaval.⁴⁰ Conversely, administrative efficiency is another significant benefit of having a limited number of political parties, simplifying the management of the electoral administrative process.⁴¹

From 1966 to 1998, during Indonesia's New Order era, the government enforced stringent rules on general elections, mainly through Law No. 3 of 1975. This law restricted political participation to two parties and a single workgroup, Golkar. Such a framework promoted political stability by reducing open conflict and creating predictable electoral results, with Golkar routinely receiving more than

³⁷Anisah Alfada, "Does Fiscal Decentralization Encourage Corruption in Local Governments? Evidence from Indonesia," *Journal of Risk and Financial Management* 12, no. 3 (2019), <https://doi.org/10.3390/jrfm12030118>.

³⁸Thomas B. Pepinsky and Maria M. Wihardja, "Decentralization and Economic Performance in Indonesia," *Journal of East Asian Studies* 11, no. 3 (2011): 337–71, <https://doi.org/10.1017/S1598240800007372>.

³⁹Nur Wardhani, "Partisipasi Politik Pemilih Pemula Dalam Pemilihan Umum."

⁴⁰Rekha Diwakar, "The Workings of the Single Member Plurality Electoral System in India and the Need for Reform," *Asian Journal of Comparative Politics* 4, no. 2 (June 19, 2019): 141–61, <https://doi.org/10.1177/2057891118769166>.

⁴¹Josep M Colomer, "It's Parties That Choose Electoral Systems (Or, Duverger's Laws Upside Down)," *Political Studies* 53, no. 1 (March 22, 2005): 1–21, <https://doi.org/10.1111/j.1467-9248.2005.00514.x>.

50% of the votes.⁴² The centralized control over the electoral process also enhanced administrative efficiency, simplifying election management due to the reduced number of participants.⁴³

During the New Order period, elections offered benefits such as openness and pluralism, leading to a rise in political parties and freedom, which fostered diverse and inclusive representation. This shift resulted from simultaneous elections that promoted increased political participation and awareness.⁴⁴ Elections in West Sumatra during the New Order were relatively "calm" compared to the intense competition seen nationally, suggesting that regional elections can also occur without conflict.⁴⁵ Moreover, elections simultaneously offer opportunities for broader political participation from the public, ultimately reflecting more inclusive desires and aspirations within the political sphere process.⁴⁶ Greater openness and participation in elections can strengthen the existing political system, although it can also show signs of poor governance in some cases.⁴⁷ Consequently, the multiplicity of political parties and the increased participation in elections during the New Order period fostered enhanced inclusivity in political representation and elevated social awareness. New political parties must concentrate on strategic approaches to secure victory in elections. In Indonesia, these parties face specific challenges that

⁴² R. William Liddle, "Soeharto's Indonesia: Personal Rule and Political Institutions," *Pacific Affairs* 58, no. 1 (1985): 68, <https://doi.org/10.2307/2758010>.

⁴³ Martinus Sardi and Bagus Sarnawa, "Relationship Between Political Apointee and Bureaucracy in Civil Service System," 2021, <https://doi.org/10.2991/assehr.k.210120.161>.

⁴⁴ Israr Israr, Susanto Zuhdi, and Abdurakhman Abdurakhman, "The 1977 Election and Consolidation of the New Order Government in West Sumatra," *Paramita: Historical Studies Journal* 32, no. 2 (September 29, 2022): 212–20, <https://doi.org/10.15294/paramita.v32i2.29705>.

⁴⁵ Israr, Zuhdi, and Abdurakhman.

⁴⁶ Tamgid Ahmed Chowdhury, Shahneela Naheed, and Farhana Habib Zinnia, "Profiling Voters' Requirements for Effective Political Campaign: A Case on Bangladesh," *Journal of Public Affairs* 22, no. 1 (February 20, 2022), <https://doi.org/10.1002/pa.2293>.

⁴⁷ Eny Kusadarini, Anang Priyanto, and Sri Hartini, "The Process and Role of the Judiciary in Election Administration Dispute Resolution in Indonesia," *Jurnal Civics: Media Kajian Kewarganegaraan* 18, no. 2 (October 31, 2021): 334–44, <https://doi.org/10.21831/jc.v18i2.44175>.

necessitate innovative tactics to compete effectively and succeed in elections.⁴⁸

SHORTCOMINGS OF THE NEW ORDER ELECTION SYSTEM

Throughout the New Order era in Indonesia, the electoral system received rigorous monitoring and evaluation. Research indicates that absent prominent political leaders in emerging parties diminished public backing in the 2019 elections.⁴⁹ During this period, the centralized education system focused on national economic development instead of fostering diverse educational opportunities approaches.⁵⁰ Some political parties, including Golkar, were reportedly implicated in electoral fraud under Suharto's rule, resulting in overwhelming victories and restricted political competition.⁵¹

In Indonesia's New Order period, the electoral system strayed considerably from the democratic ideals outlined in the 1945 Constitution, which upholds popular sovereignty and free elections. Suharto's regime controlled and manipulated the political landscape, notably through Law No. 3 of 1975, which limited political competition and weakened democratic processes pluralism.⁵² The

⁴⁸Tian Adhia Nugraha and Hening Ginanjar Mukti, "Strategi Partai Baru: Partai Gelombang Rakyat Indonesia Menuju Elektoral 2024," *JIIP: Jurnal Ilmiah Ilmu Pemerintahan* 8, no. 2 (September 29, 2023): 99–115, <https://doi.org/10.14710/jiip.v8i2.19135>.

⁴⁹Fitria Barokah et al., "Disrupsi Politik," *Nakhoda: Jurnal Ilmu Pemerintahan* 21, no. 1 (June 30, 2022): 1–13, <https://doi.org/10.35967/njip.v21i1.273>.

⁵⁰Safei Safei and Hudaidah Hudaidah, "Sistem Pendidikan Umum Pada Masa Orde Baru (1968-1998)," *Jurnal Humanitas: Katalisator Perubahan Dan Inovator Pendidikan* 7, no. 1 (December 30, 2020): 1–13, <https://doi.org/10.29408/jhm.v7i1.3253>.

⁵¹Mochammad Lucky Trita Sanjaya and Moch Fuad Nasvian, "Interaktivitas Netizen 24 Jam Pasca Deklarasi Bacapres AMIN," *EKSPRESI DAN PERSEPSI: JURNAL ILMU KOMUNIKASI* 7, no. 1 (January 31, 2024): 106–22, <https://doi.org/10.33822/jep.v7i1.7169>.

⁵²Dorodjatun Kuntjoro-jakti, "History of Indonesian Fiscal Policy: 1945–1986 - the Battle for Resources -," *Asian Economic Journal* 2, no. 1 (1988): 160–207, <https://doi.org/10.1111/j.1467-8381.1988.tb00124.x>.

alleged electoral fraud committed by the Golkar party further undermined the constitutional right to democratic representation, turning elections into mere formalities instead of authentic expressions of political choice.⁵³

The Constitution stipulates that sovereignty shall be actualized through democratic elections; however, the governance model of the New Order placed a greater emphasis on stability and national development rather than on political matters and diversity.⁵⁴ This interference with the electoral process infringed upon the constitutional right to free participation and restricted citizens' freedom to select their representatives. This mirrors a broader trend of political repression and control during this time.⁵⁵ Consequently, the electoral practices of the New Order era sharply contrasted with the democratic ideals set forth in the 1945 Constitution.

Moreover, the evolution of the electoral system during the New Order era (1966-1998) involved various elections and strategies by political parties and the government.⁵⁶ The emergence of the oligarchic elite following the New Order resulted in wealth concentration via political strategies, affecting Indonesia's democratic landscape.⁵⁷ The transition from the New Order era to Indonesia's democratic electoral system has introduced notable changes and challenges. Though advancements have been made in the electoral process, persistent issues such as weak political leadership, a centralized education system, electoral fraud, and the influence of an oligarchic elite continue to impact the country's democratic landscape. The concerns related to

⁵³Noam Chomsky, "Indonesia, Master Card in Washington's Hand," *Indonesia* 66 (1998): 1, <https://doi.org/10.2307/3351445>.

⁵⁴Andrea Webster, "Play Politics: Policing Theatre in Indonesia," *Index on Censorship* 20, no. 7 (1991): 3-5, <https://doi.org/10.1080/03064229108535134>.

⁵⁵John T. Williams, "The Political Manipulation of Macroeconomic Policy," *American Political Science Review* 84, no. 3 (1990): 767-95, <https://doi.org/10.2307/1962766>.

⁵⁶Rumyati Rumyati, "EVOLUSI SISTEM PEMILU MASA ORDE BARU (1966-1998)," *KALA MANCA: JURNAL PENDIDIKAN SEJARAH* 11, no. 1 (January 1, 2023): 23-30, <https://doi.org/10.69744/kamaca.v11i1.203>.

⁵⁷Mahpudin, "Kebangkitan Politik Identitas Dalam Proses Demokratisasi Di Indonesia Pasca Orde Baru."

the electoral process underscore various ongoing problems that jeopardize democratic integrity. This is particularly visible in the struggles of newer political parties in Indonesia, like the Perindo Party and the Garuda Party, which failed to make significant progress in the 2019 elections, suffering from a lack of charismatic leadership and public confidence.⁵⁸ Moreover, the centralized education system is criticized for failing to promote democratic values essential for citizen engagement and informed participation in voting.⁵⁹

ELECTORAL SYSTEM IN THE REFORM ERA

The Reformasi era in Indonesia, which began in 1998, significantly altered the political landscape, particularly regarding the electoral system. One of the primary changes during this period was the allowance for establishing political parties and reforming the electoral system.⁶⁰ The legal foundation for conducting general elections in Indonesia has evolved throughout the *Reformasi era*, showcasing the nation's advancing democracy process.⁶¹

During Indonesia's Reform Era, changes to the 1945 Constitution greatly influenced the electoral system, highlighting democratic values and the importance of popular sovereignty. The advent of direct elections for the President, Vice President, and

⁵⁸Hatta Abdi Muhammad and Nopyandri Nopyandri, "The Failure of New Political Parties and ID Figures: Nobility of Technocrats in Analysis of Voting Behavior in Jambi," *JPPUMA Jurnal Ilmu Pemerintahan Dan Sosial Politik Universitas Medan Area* 9, no. 2 (September 9, 2021): 117–28, <https://doi.org/10.31289/jppuma.v9i2.4375>.

⁵⁹Fernando M. Reimers, "Education and the Challenges for Democracy," *Education Policy Analysis Archives* 31 (September 19, 2023), <https://doi.org/10.14507/epaa.31.8243>.

⁶⁰Esty Ekawati, "Peta Koalisi Partai-Partai Politik Di Indonesia Pada Pemilihan Presiden Dan Wakil Presiden Pasca Orde Baru," *JPPUMA Jurnal Ilmu Pemerintahan Dan Sosial Politik Universitas Medan Area* 7, no. 2 (November 29, 2019): 160, <https://doi.org/10.31289/jppuma.v7i2.2680>.

⁶¹Marulak Pardede, "IMPLIKASI SISTEM PEMILIHAN UMUM INDONESIA," *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional* 3, no. 1 (April 30, 2014): 85, <https://doi.org/10.33331/rechtsvinding.v3i1.58>.

regional leaders represents a crucial move towards boosting democratic participation and accountability.⁶² Restructuring the electoral framework to incorporate proportional representation with open-list voting in legislative elections further promotes transparency and empowers voters to influence their representatives directly.⁶³ Moreover, the establishment of independent electoral bodies, such as the General Elections Commission (*KPU*) and the Election Supervisory Board (*Bawaslu*), has reinforced the integrity of the electoral process by ensuring impartial oversight and reducing electoral malpractices.⁶⁴ These reforms align with the constitutional mandate to uphold democratic values, as articulated in Articles 22E and 18 of the 1945 Constitution. These articles advocate for direct, general, free, confidential, honest, and fair elections.⁶⁵ These changes reflect Indonesia's commitment to fostering a robust democratic system that prioritizes citizen participation and representation.

⁶²Askolani Jasi, Megawati Barthos, and Faisal Santiago, "Postponement Arrangements of Election From The Perspective of The 1945 Constitution of The Republic of Indonesia," *Jurnal Indonesia Sosial Sains* 4, no. 06 (June 4, 2023): 531–35, <https://doi.org/10.59141/jiss.v4i06.818>.

⁶³Habibi, Destavino, and Mahadika, "Reflection and Learning From the 2019 General Election and the 2020 Regional Election: An Analysis of The Election Implementation Experience in Indonesia."

⁶⁴Sidi Ahyar Wiraguna and Zudan Arief Fakrulloh, "Legal Reforms in Indonesia Related To 'Presidential Threshold' of Presidential Candidate in Law No. 7/2017 Concerning General Elections," *Journal Of Law Theory And Law Enforcement*, 2023, 58–69, <https://doi.org/10.56943/jlte.v2i2.194>; Dwanda Julisa Sistyawan et al., "A COMPARATIVE ANALYSIS OF MECHANISMS FOR SETTLEMENT OF ELECTION DISPUTES: Case Studies of Indonesia and South Africa," *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 24, no. 2 (2024): 36–54, <https://doi.org/10.30631/alrisalah.v24i2.1610>.

⁶⁵Anna Triningsih, Arief Hidayat, and Lita A. L. W. Tyesta, "Ideal Concept of Formal Term Application in the Dispute Settlement on Local Government Election Results in Indonesian Constitutional Court," *International Journal of Health Sciences*, 2022, 10779–89, <https://doi.org/10.53730/ijhs.v6ns6.12897>.

Since Reformasi began, Indonesia has effectively conducted several concurrent elections for the presidency, parliament, and local government officials.⁶⁶ This election has moved towards fostering a more democratic and inclusive political landscape. Furthermore, the Reformasi era seeks to revive long-suppressed moral values neglected under the previous regime, particularly in the realms of politics, society, and religion.⁶⁷ The *Reformasi era* in Indonesia has indeed fostered a more democratic and inclusive political environment, marked by a resurgence of moral values that were previously suppressed. This transformation is evident in the increasing role of religious institutions, such as pesantren, which have become pivotal in promoting ethical discourse within political contexts, emphasising morality and Islamic law in political discussions.⁶⁸ Furthermore, the political landscape has shifted towards ethical electoral practices, where candidates are encouraged to uphold fairness and avoid corrupt practices, reflecting a commitment to integrity in governance.

The Reformasi period also marked the rise of gender equality concerns across different sectors, including politics, the economy, and social and cultural domains in Indonesia. Furthermore, the democratization initiatives in this era impacted domestic policies and shaped Indonesia's foreign relations, highlighting democratic principles in the country's international approach relations.⁶⁹ During the Reformasi era, Indonesia's democratization significantly influenced domestic and foreign policies, emphasizing democratic principles.

⁶⁶Aziz Alfarizi and Friz Zwiki, "Keadilan Dan Kepastian Hukum Dalam Pemilu Serentak Di Indonesia," *Advances In Social Humanities Research* 2, no. 1 (January 22, 2024): 83–91, <https://doi.org/10.46799/adv.v2i1.159>.

⁶⁷Toba Sastrawan Manik et al., "Eksistensi LGBT Di Indonesia Dalam Kajian Perspektif HAM, Agama, Dan Pancasila," *Jurnal Kewarganegaraan* 18, no. 2 (September 27, 2021): 84, <https://doi.org/10.24114/jk.v18i2.23639>.

⁶⁸Ahmad Nabilul Maram, Ahmad Busyairi, and Muhammad Raqib Assidiqi, "Decline of Ideology and Rise of Political Pragmatism Among Kiai in Post-Authoritarian Indonesia," *An-Nur International Journal of Islamic Thought* 1, no. 1 (December 22, 2023): 1–15, <https://doi.org/10.62032/aijit.v1i1.15>.

⁶⁹Jürgen Rüländ, "Democratizing Foreign-Policy Making in Indonesia and the Democratization of ASEAN: A Role Theory Analysis," *TRaNS: Trans - Regional and -National Studies of Southeast Asia* 5, no. 1 (January 21, 2017): 49–73, <https://doi.org/10.1017/trn.2016.26>.

Domestically, enacting Law No. 22 of 1999 facilitated decentralization, granting local governments increased autonomy and enhancing public participation and governance accountability.⁷⁰ This transition created a more responsive political atmosphere, encouraging civil society involvement and advancing democratic governance. In the post-Reformasi era, changes in voter behaviour and political party dynamics have emerged, demonstrating a vibrant shift in voter engagement at both central and local levels.⁷¹

Since the post-Reformasi period in Indonesia, there has been a notable change in voter behavior and the dynamics of political parties, marked by higher voter turnout and a shift toward direct elections at both central and local levels. This change has empowered voters to select leaders based on performance instead of party affiliations, particularly highlighted by the introduction of direct elections for regional heads (*Pilkada*).⁷² Such electoral reforms have cultivated heightened political engagement and accountability among the electorate, as citizens are now more actively involved in the democratic process.⁷³

Political parties have also evolved in response to these changes. New parties, like the *Partai Solidaritas Indonesia (PSI)*, have emerged, appealing to younger voters seeking political renewal.⁷⁴ Established

⁷⁰Moch Faisal Karim, "Role Conflict and the Limits of State Identity: The Case of Indonesia in Democracy Promotion," *The Pacific Review* 30, no. 3 (May 4, 2017): 385–404, <https://doi.org/10.1080/09512748.2016.1249908>.

⁷¹Danis Tri Saputra Wahidin et al., "Partai Politik Dan Perilaku Pemilih Di Indonesia (Studi Pada Pemilu Legislatif 2009, 2014, Dan 2019)," *Journal of Government and Civil Society* 4, no. 1 (April 30, 2020): 131, <https://doi.org/10.31000/jgcs.v4i1.2376>.

⁷²H. Hasbullah, "The Provincial General Election Commission and Public Participation: A Study of Legislation," *Al-Ishlah: Jurnal Ilmiah Hukum* 26, no. 1 (2023): 15–25, <https://doi.org/10.56087/aijih.v26i1.393>.

⁷³Farizal Pranata Bahri and Megawati Barthos, "Analysis of Constitutional Court Decision Number 01/PHPU-PRES/XVII/2019 Related to Presidential Election Disputes," *Journal Research of Social Science, Economics, and Management* 2, no. 11 (2023), <https://doi.org/10.59141/jrssem.v2i11.471>.

⁷⁴M. Faishal Aminuddin and Moh. Fajar Shodiq Ramadlan, "Match-All Party: Pragmatisme Politik Dan Munculnya Spesies Baru Partai Politik Di

parties, such as the *Partai Demokrasi Indonesia Perjuangan (PDI-P)*, have adapted by employing populist strategies and charismatic leadership to resonate with the electorate.⁷⁵ The competitive political landscape in Indonesia compels political parties to address local issues and the aspirations of voters more effectively, signifying a dynamic shift in the country's political arena.⁷⁶ The elections following the New Order have seen new political parties rise as alternatives to the old ones parties.⁷⁷ Nevertheless, corruption continues to be a problem that afflicts several political parties that have secured seats in Parliament, including the Democratic Party, the Golkar Party, the PDI-Perjuangan Party, the Prosperous Justice Party (PKS), and the United Development Party (PPP).⁷⁸

In Indonesia's post-New Order political scene, new political parties have emerged, but corruption continues to plague established parties like the Democratic Party, Golkar Party, PDI-Perjuangan, Prosperous Justice Party (PKS), and United Development Party (PPP). High-profile corruption cases, such as those involving Anas Urbaningrum and Muhammad Nazaruddin from the Democratic Party, illustrate the party's ongoing struggles with corruption scandals that have tarnished its reputation.⁷⁹ Similarly, Golkar's Setya Novanto was

Indonesia Pasca Pemilu 2009," *Jurnal Politik* 1, no. 1 (2015), <https://doi.org/10.7454/jp.v1i1.9>.

⁷⁵Dede Sri Kartini et al., "The Management of a Modern Political Party (A Study on Recruitment Model of Indonesian Democratic Party of Struggle (PDI-P) in West Java)," *Journal of Law and Sustainable Development* 11, no. 11 (2023): e1063, <https://doi.org/10.55908/sdgs.v11i11.1063>.

⁷⁶Nankyung Choi, "Local Elections and Party Politics in Post-Reformasi Indonesia: A View from Yogyakarta," *Contemporary Southeast Asia* 26, no. 2 (2004): 280–301, <https://doi.org/10.1355/CS26-2E>.

⁷⁷Barokah et al., "Disrupsi Politik."

⁷⁸Ignatius Ismanto, "Perubahan Politik Dan Rent Seeking Activities [Changes in Political and Rent-Seeking Activities]," *Verity: International Relations Journal* 9, no. 17 (September 11, 2017): 53, <https://doi.org/10.19166/verity.v9i17.577>.

⁷⁹Ulla Fiona and Dirk Tomsa, "Changing Patterns of Factionalism in Indonesia: From Principle to Patronage," *Journal of Current Southeast Asian Affairs* 39, no. 1 (2020): 39–58, <https://doi.org/10.1177/1868103419896904>; Rangga Eka Saputra, "Hizb Al-'adalah Wa Al-Rafahiyah (PKS) Wa Siyasat Al-Huwiyyah Al-Islamiyah: Istitratijyat Kawadir Al-Hizb Li Tatir Qadaya Nukhabihim Al-

implicated in the e-KTP scandal, receiving a 15-year sentence, highlighting systemic corruption within political structures.⁸⁰ PDI-Perjuangan faced scrutiny due to allegations of mismanagement of Special Allocation Funds, while PKS's former president, Luthfi Hasan Ishaq, was sentenced for bribery related to beef imports.⁸¹ The PPP also encountered corruption issues, exemplified by the arrest of its former chairman for bribery in job appointments.⁸² These cases underscore the persistent challenge of corruption in Indonesia's political system despite reforms and the introduction of new parties.

Elections in the Reform era in Indonesia have undergone significant changes with the implementation of the simultaneous election system, as happened in 2019 and regulated by Law No. 7 of 2017. This system combines legislative elections with presidential and vice-presidential polls simultaneously, aiming to increase the efficiency and political participation of the people. This step is expected to positively contribute to improving women's representation in the Indonesian parliament, as happened after the enactment of the 30% gender quota since 2003. The passage of Law No. 12 of 2003 concerning General Elections significantly impacted women's representation in the Indonesian parliament by instituting a 30% gender

Fasadiyah Al-Maliyah,” *Studia Islamika* 23, no. 2 (2016): 297–333, <https://doi.org/10.15408/sdi.v23i2.3313>.

⁸⁰Siti Masitoh, Syifa Fauzia Rahmah, and Teti Sobari, “Framing Analysis in Media Information About the Case of Setya Novanto Related To Procurement E-Ktp (Kompas and Detik),” *JLER (Journal of Language Education Research)* 2, no. 2 (2019): 7–13, <https://doi.org/10.22460/jler.v2i2.p7-13>; Bayu Utomo and Mas Agus Priyambodo, “Catatan Hukum (Anotasi) Putusan Kasus Korupsi KTP Elektronik,” *J-CEKI: Jurnal Cendekia Ilmiah* 2, no. 1 (2022): 79–84, <https://doi.org/10.56799/jceki.v2i1.1177>.

⁸¹Saputra, “Hizb Al-’adalah Wa Al-Rafahiyah (PKS) Wa Siyasat Al-Huwiyyah Al-Islamiyah: Istiratijiyat Kawadir Al-Hizb Li Tatir Qadaya Nukhabihim Al-Fasadiyah Al-Maliyah.”

⁸²Fionna and Tomsa, “Changing Patterns of Factionalism in Indonesia: From Principle to Patronage”; Ivan Rinaldi, Mompang L Panggabean, and Hendri Jayadi Pandiangan, “Penegakan Hukum Terhadap Tindak Pidana Korupsi E-Ktp Oleh Anggota Legislatif Dan Upaya Non Penal Dalam Perspektif Kebijakan Kriminal,” *Jurnal Hukum To-Ra: Hukum Untuk Mengatur Dan Melindungi Masyarakat* 7, no. 3 (2021): 410–21, <https://doi.org/10.55809/tora.v7i3.46>.

quota.⁸³ Implementing simultaneous legislative and presidential elections in Indonesia has increased women's representation in parliament, particularly following the introduction of a 30% gender quota in 2003. This legislative reform has been associated with a rise in female legislators from approximately 9% in 2004 to around 18% in 2014, although the percentage of women elected to the national parliament has declined in the most recent elections.⁸⁴ In addition, this simultaneous election raises questions about the presidential threshold in the Indonesian electoral system. Some have questioned its impact on democracy and the implementation of the constitution.⁸⁵

Simultaneous elections in Indonesia have created chances for major parties to vie in both parliamentary and presidential elections, anticipated to bolster democracy and its consolidation in Indonesia.⁸⁶ The presidential threshold in Indonesia, which requires political parties to secure either 20% of seats in the DPR (People's Consultative Assembly) or 25% of the popular vote from the previous legislative election to nominate presidential candidates, aims to stabilise the political landscape by limiting fragmentation among parties.⁸⁷ The Constitutional Court of Indonesia has ruled that the

⁸³Ben Hillman, "Increasing Women's Parliamentary Representation in Asia and the Pacific: The Indonesian Experience," *Asia & the Pacific Policy Studies* 4, no. 1 (January 4, 2017): 38–49, <https://doi.org/10.1002/app5.160>.

⁸⁴Nuril Khoiriyah, "A Long Road to a Gender Equality in the House of Representatives in Indonesia," *KnE Social Sciences*, July 29, 2020, <https://doi.org/10.18502/kss.v4i10.7391>.

⁸⁵Dani Amran Hakim and M Yasin Al Arif, "Questioning Presidential Threshold in Indonesia: Constitutional Analysis and Democracy Implementation," *Veteran Law Review* 7, no. 1 (May 31, 2024): 73–86, <https://doi.org/10.35586/velrev.v7i1.7591>.

⁸⁶Kadir Johnson Rajagukguk, Sofjan Aripin, and Heri Wahyudi, "Simultaneous General Election: It Is Fair for Democracy in Indonesia," *JIP (Jurnal Ilmu Pemerintahan) : Kajian Ilmu Pemerintahan Dan Politik Daerah* 6, no. 1 (July 26, 2021): 56–64, <https://doi.org/10.24905/jip.6.1.2021.56-64>.

⁸⁷Rahmat Muhajir Nugroho et al., "Comparison of Threshold Provisions for Presidential Candidacy in Indonesia and Turkey," in *Proceedings of the International Conference on Sustainable Innovation on Humanities, Education, and Social Sciences (ICOSI-HESS 2022)* (Paris: Atlantis Press SARL, 2022), 24–31, https://doi.org/10.2991/978-2-494069-65-7_4.

presidential threshold requirement, which previously required presidential candidates to secure at least 20% of the seats in the DPR or 25% of national votes, is unconstitutional. This decision opens the door for any political party to propose a presidential candidate without the need to meet a specific threshold. However, the Court emphasised the need for further regulations to ensure the number of candidates remains manageable for effective democracy.⁸⁸

In the context of regional head elections in Indonesia, the government has the authority to appoint officials to fill leadership vacancies until the simultaneous polls scheduled for November 2024. This interim measure is crucial for maintaining governance and continuity in local administration, especially considering that numerous regional heads' terms are expiring. It has been noted that approximately 269 regional heads will see their terms end, necessitating interim appointments to ensure effective governance during this transitional period.⁸⁹ The appointment of officials is seen as a mechanism to prevent disruptions in local governance and maintain public service delivery until elected officials can assume their roles.⁹⁰ Furthermore, the legitimacy of these appointments is contingent upon strict adherence to democratic principles, highlighting the imperative for transparency and public consultation within the selection process. This approach underscores the equilibrium between political accountability and the essential nature of professional governance during electoral cycle transitions.⁹¹

⁸⁸“The Constitutional Court’s Ruling, Numbered 62/PUU-XXII/2024” (2025).

⁸⁹Rona Indara, “Problem of Authority For Executing Task (PLT) In The Transitional Period of Regional Government Before and After The Simultaneous Elections Based On Law Number 23 Of 2014 Concerning Local Government,” *International Journal Of Humanities Education and Social Sciences (IJHESS)* 3, no. 3 (2023), <https://doi.org/10.55227/ijhess.v2i3.653>.

⁹⁰Riastrri Haryani, “The Implementation of Simultaneous Local Elections: An Overview of Constitutional Law and Its Impact on Democracy in Indonesia,” *SIGN Jurnal Hukum* 5, no. 1 (2023): 102–13, <https://doi.org/10.37276/sjh.v5i1.262>.

⁹¹Shu Wang and Andrew Crosby, “Politics or Professionalism To the Rescue? The Friedrich-Finer Debate in the Context of State Intervention in Michigan,” *Public Administration Quarterly* 43, no. 4 (2019): 555–83, <https://doi.org/10.1177/073491491904300404>.

ADVANTAGES OF THE ELECTORAL SYSTEM IN THE REFORM ERA

The advantages of the reform electoral system lie in openness and pluralism, which increase the number of political parties and political freedom, allowing for more diverse and inclusive representation. With simultaneous elections, people's political participation can be improved, increasing political awareness among the public.⁹² Political participation in general elections is considered a means of democracy that allows citizens to elect aspirational, qualified, and responsible representatives and leaders for the welfare of the people.⁹³

Simultaneous elections also have the potential to affect the commitment of political parties in permanent coalitions to strengthening their power bases in state institutions, which is expected to facilitate the improvement of the presidential system in Indonesia.⁹⁴ In addition, elections are essential in a democratic country because they open up opportunities for a change of government and provide momentum to test and evaluate the people's support for the government in power.⁹⁵ Effective voter education empowers individuals to express their political needs, hold the government accountable, and enhance citizens' ability to engage with their government.⁹⁶

In the Indonesian context, general elections allow the people to channel their political will and elect leaders who carry out political policies simultaneously with all citizens.⁹⁷ Political parties in Indonesia

⁹²Solihah, "Peluang Dan Tantangan Pemilu Serentak 2019 Dalam Perspektif Politik."

⁹³Nur Wardhani, "Partisipasi Politik Pemilih Pemula Dalam Pemilihan Umum."

⁹⁴Solihah, "Peluang Dan Tantangan Pemilu Serentak 2019 Dalam Perspektif Politik."

⁹⁵TRIONO TRIONO, "MENAKAR EFEKTIVITAS PEMILU SERENTAK 2019," *Jurnal Wacana Politik* 2, no. 2 (October 11, 2017), <https://doi.org/10.24198/jwp.v2i2.14205>.

⁹⁶Anugrah P Telaumbanua, Marlon Marlon, and Heri Kusmanto, "Peran Rumah Pintar Pemilu Dalam Meningkatkan Partisipasi Masyarakat Pada Pemilu Serentak," *PERSPEKTIF* 10, no. 2 (July 8, 2021): 627–43, <https://doi.org/10.31289/perspektif.v10i2.4923>.

⁹⁷Efendi Susanto, "SILA KE-EMPAT PANCASILA DAN IKLIM DEMOKRASI INDONESIA SAAT INI," *Masalah-Masalah Hukum* 50,

play an essential role in shaping democracy by accommodating public interests and translating them into policies. The direct election of the President and Vice President based on the principles of Pancasila marks a step toward realizing the ideals of democracy in the country.⁹⁸

SHORTCOMINGS OF THE ELECTORAL SYSTEM IN THE REFORM ERA

The disadvantages of a simultaneous electoral system include the complexity of the process, which requires more complicated logistics and preparation and raises the risk of administrative and logistical errors. In addition, greater political freedom also brings a higher potential for political conflict, especially if it is not balanced with effective conflict resolution mechanisms.⁹⁹

Simultaneous elections offer advantages in terms of greater political participation and more inclusive representation. However, challenges such as logistical complexity and potential political conflicts need to be carefully addressed for the electoral process to run smoothly and for democracy to be maintained.¹⁰⁰

The electoral system in the reform era has undergone significant changes, but a number of shortcomings remain that need to be considered to ensure fairness and public trust in the electoral process. Some key issues that must be addressed include a lack of transparency, money politics, low gender representation, vote manipulation, logistical problems, and a lack of political education.¹⁰¹ The absence of

no. 1 (January 31, 2021): 84–93, <https://doi.org/10.14710/mmh.50.1.2021.84-93>.

⁹⁸Dwanda Julisa Sistyawan and Elchin Gashimov, “Implementation of Pancasila Democracy in Temanggung District in the General Election,” *Ilomata International Journal of Social Science* 5, no. 2 (June 18, 2024): 512–27, <https://doi.org/10.61194/ijss.v5i2.1172>.

⁹⁹Khairul Fahmi et al., “Sistem Keadilan Pemilu Dalam Penanganan Pelanggaran Dan Sengketa Proses Pemilu Serentak 2019 Di Sumatera Barat,” *Jurnal Konstitusi* 17, no. 1 (May 6, 2020): 001, <https://doi.org/10.31078/jk1711>.

¹⁰⁰TRIONO, “MENAKAR EFEKTIVITAS PEMILU SERENTAK 2019.”

¹⁰¹Dwanda Julisa Sistyawan, “LEGAL REFORMULATION OF LEGISLATIVE ELECTIONS IN REALIZING PANCASILA

transparency in the electoral process can diminish public confidence in the election results.¹⁰² Money politics is a big problem that pollutes the integrity of elections and reduces fairness in the election process.¹⁰³ In addition, low gender representation is also a challenge in achieving gender equality in politics.¹⁰⁴ Vote manipulation, both in the form of vote inflation and intimidation of voters, is also frequent and casts doubt on the credibility of elections.¹⁰⁵ Logistical issues, such as late distribution of ballots, can also reduce voter participation.¹⁰⁶ In addition, the lack of public political education is also an essential factor in the reform era's lack of an electoral system.¹⁰⁷ Improving voter

DEMOCRACY IN INDONESIA,” *Jurnal Hukum Progresif* 12, no. 2 (October 28, 2024): 120–34, <https://doi.org/10.14710/jhp.12.2.120-134>.

¹⁰²Yosafat Koli, David B.W. Pandie, and Nursalam Nusalam, “Transparansi Dalam Sistem Pencalonan Pemilihan Walikota Kupang Tahun 2017,” *Jurnal Kajian Media* 2, no. 2 (December 17, 2018), <https://doi.org/10.25139/jkm.v2i2.918>.

¹⁰³Hardianto Hawing and Nursaleh Hartaman, “Politik Uang Dalam Demokrasi Di Indonesia,” *Journal of Social Politics and Governance (JSPG)* 3, no. 1 (July 30, 2021): 45–53, <https://doi.org/10.24076/jspg.v3i1.533>.

¹⁰⁴Pipit Widiatmaka et al., “Peran Karang Teruna Dalam Mengantisipasi Politik Uang dan Isu Sara untuk Mensukseskan Pemilu 2024 (Studi Karang Taruna Karya Muda Desa Kedungjambal, Kecamatan Tawang Sari, Kabupaten Sukoharjo),” *Jurnal Litbang Provinsi Jawa Tengah* 21, no. 2 (April 4, 2024): 241–55, <https://doi.org/10.36762/jurnaljateng.v21i2.1006>.

¹⁰⁵Valian Yoga Pudya Ardhana, M. Dermawan Mulyodiputro, and Lilik Hidayati, “Aplikasi Survei Kerawan Pemilu Berbasis Web Menggunakan Metode SDLC,” *Insologi: Jurnal Sains Dan Teknologi* 3, no. 1 (February 28, 2024): 141–53, <https://doi.org/10.55123/insologi.v3i1.3188>.

¹⁰⁶Wirdha Ningsih, Slamet Imam Wahyudi, and Henny Pratiwi Adi, “Analisis Pemilihan Desain Jembatan Dengan Menggunakan Metode Analytical Hierarchy Process (AHP),” *Musamus Journal of Civil Engineering* 4, no. 02 (April 30, 2022): 81–89, <https://doi.org/10.35724/mjce.v4i02.4405>.

¹⁰⁷Fitriyah Fitriyah, Laila Kholid Alfirdaus, and Dzunuwanus Ghulam Manar, “Partisipasi Politik Dan Pemilih Muda: Konteks Pilgub Jateng 2018 Dan Pilkada 2019 Di Kabupaten Temanggung,” *Politika: Jurnal Ilmu Politik* 12, no. 1 (April 27, 2021): 1, <https://doi.org/10.14710/politika.12.1.2021.1-10>.

education and promoting community involvement to reinforce democratic principles.¹⁰⁸

To improve the electoral system, efforts are needed to increase transparency, reduce the practice of money politics, increase gender representation, prevent vote manipulation, improve logistical problems, and improve public political education. Initiatives to strengthen election supervisory institutions, maintain transparency, encourage active and fair participation in elections, and prioritize policies that support strong and inclusive democracy are urgently needed.¹⁰⁹

COMPARISON AND ANALYSIS OF THE NEW ORDER AND REFORM ELECTORAL SYSTEM

In the New Order era in Indonesia, under the leadership of President Suharto, the electoral system was stringent, limiting the number of political parties allowed to participate in elections. The government actively enforces these restrictions, so only a few parties are allowed to compete.¹¹⁰ However, with the emergence of the Reform era after the end of the New Order regime, there was a significant shift towards a more open space for many political parties to emerge and be involved in the electoral process.¹¹¹ This transition marks a substantial change in the government's and political parties' involvement in Indonesia's democratic landscape.

¹⁰⁸Sistyawan and Gashimov, "Implementation of Pancasila Democracy in Temanggung District in the General Election."

¹⁰⁹Valian Yoga Pudy Ardhan, M. Dermawan Mulyodiputro, and Lilik Hidayati, "Aplikasi Survei Kerawanan Pemilu Berbasis Web Menggunakan Metode SDLC."

¹¹⁰Achmad Farid Wajdi, Mistiani, and Nebula F Hasani, "The Multi-Party System in Indonesia: Reviewing the Number of Electoral Parties from the Aspects of the National Defense and Security," *Journal of Social and Political Sciences* 3, no. 3 (September 30, 2020), <https://doi.org/10.31014/aior.1991.03.03.204>.

¹¹¹Maemunah Maemunah, "Voting Results Concurrent Election in Indonesia in 2019," *CIVICUS: Pendidikan-Penelitian-Pengabdian Pendidikan Pancasila Dan Kewarganegaraan* 8, no. 2 (October 12, 2020): 46, <https://doi.org/10.31764/civicus.v8i2.2860>.

Political parties play a crucial role in strengthening democracy in Indonesia.¹¹² Political parties have played an important role in various political processes within the legislature, government, and other state institutions, thus acting as a driving force in implementing democracy in the country.¹¹³ The institutionalization of the party system, marked by the stability of competition among parties, holds significant importance for the democratic consolidation of nations such as Indonesia.¹¹⁴

Moreover, the efforts towards democratization following the Reform movement have significantly reshaped the political landscape in Indonesia at both the national and local levels. The Reformasi era has resulted in transformative changes across various dimensions of Indonesian society, encompassing social development, legal frameworks, press freedom, and political structures. It has also facilitated the emergence of new political entities, including Islamic parties.¹¹⁵ Indonesia's multiethnic nature has been enforced through

¹¹²Saharuddin, Endang Larasati, and Sri Suwitri, "Analyzing People's Silence Power and the Incumbent Local Party Regime in Aceh Province Regional Head Elections in 2017," *International Journal of Research and Review* 10, no. 3 (March 15, 2023): 206–26, <https://doi.org/10.52403/ijrr.20230324>.

¹¹³Nfn Efriza, "Eksistensi Partai Politik Dalam Persepsi Publik [The Existence of The Political Parties in Public Perception]," *Jurnal Politika Dinamika Masalah Politik Dalam Negeri Dan Hubungan Internasional* 10, no. 1 (May 31, 2019): 17–38, <https://doi.org/10.22212/jp.v10i1.1314>.

¹¹⁴Andreas Ufen, "Political Party and Party System Institutionalization in Southeast Asia: Lessons for Democratic Consolidation in Indonesia, the Philippines and Thailand," *Pacific Review* 21, no. 3 (July 4, 2008): 327–50, <https://doi.org/10.1080/09512740802134174>.

¹¹⁵Reztya Ridwan and Kamarudin Kamarudin, "Defense Factors of Islamic Political Parties in Election (Comparative Study of Malaysian Islamic Parties (PAS) in Malaysia 2013 and the Prosperous Justice Party (PKS) Di Indonesia 2014)," in *Proceedings of the First International Conference on Administration Science (ICAS 2019)* (Paris, France: Atlantis Press, 2019), <https://doi.org/10.2991/icas-19.2019.86>.

democratic freedoms and regional autonomy policies, which aim to improve people's welfare and the formation of political identities.¹¹⁶

The New Order era in Indonesia, characterized by firm government control over elections, limited the participation of political parties, leading to a limited political landscape.¹¹⁷ In contrast, the Reformasi era ushered in a more democratic environment, giving political parties and the public greater freedom to be involved in the electoral process.¹¹⁸ This transition fostered a more varied and engaging political environment in which political parties and society had a more significant influence on shaping the nation's political direction.¹¹⁹

Political parties are essential for consolidating democracy in Indonesia, as they drive various political processes within the government and legislature, contributing to the implementation of democratic principles.¹²⁰ Establishing a stable party system is crucial for strengthening democracy in countries like Indonesia. The post-1998 Reform era introduced significant shifts in Indonesian politics at both national and local levels, fostering the rise of new political organizations, including Islamic parties.¹²¹

These references collectively highlight the increasing complexity of elections in the Reform era compared to the New Order period. The implementation of simultaneous elections, combining

¹¹⁶Refly Setiawan and Sergey A. Sergeev, "Ethnic Mobility and the Formation of Political Identity in Indonesia," *Jurnal Cita Hukum* 11, no. 1 (April 30, 2023): 75–94, <https://doi.org/10.15408/jch.v11i1.31571>.

¹¹⁷Wadjudi, ., and Hasani, "The Multi-Party System in Indonesia: Reviewing the Number of Electoral Parties from the Aspects of the National Defense and Security."

¹¹⁸Maemunah, "Voting Results Concurrent Election in Indonesia in 2019."

¹¹⁹Saharuddin, Larasati, and Suwitri, "Analyzing People's Silence Power and the Incumbent Local Party Regime in Aceh Province Regional Head Elections in 2017."

¹²⁰Efriza, "Eksistensi Partai Politik Dalam Persepsi Publik [The Existence of The Political Parties in Public Perception]."

¹²¹Ridwan and Kamarudin, "Defense Factors of Islamic Political Parties in Election (Comparative Study of Malaysian Islamic Parties (PAS) in Malaysia 2013 and the Prosperous Justice Party (PKS) Di Indonesia 2014)."

legislative and executive elections, is a significant change in the electoral process. This shift towards simultaneous elections reflects efforts to create a fairer and more representative electoral system, although it requires more complicated logistical preparation.¹²²

The transition from the New Order to the Reform era in Indonesia has been marked by significant challenges within its legal and political systems, particularly regarding the influence of oligarchic elites, the fragility of party institutionalisation, and the limitations of legal reforms in ensuring fair elections. Despite the formal establishment of democratic institutions, the persistence of oligarchic structures has undermined the democratic process. Political parties, often dominated by elite interests, have failed to fully represent the electorate, resulting in a disconnect between political representation and public needs.¹²³ This oligarchic influence is evident in the candidate selection processes, which are frequently characterised by centralisation and personalisation. This limits opportunities for grassroots participation and reinforces elite control.¹²⁴

Moreover, the institutionalisation of political parties in Indonesia remains weak. The parties that emerged post-Suharto have struggled to develop robust organisational structures, often relying on charismatic leadership rather than institutional frameworks.¹²⁵ This lack of institutionalisation has resulted in a fragmented party system, where parties frequently undergo splits and realignments, further

¹²²Alfarizi and Zwiki, "Keadilan Dan Kepastian Hukum Dalam Pemilu Serentak Di Indonesia."

¹²³Laode Muliawan, "Institutionalization of Political Parties on Post New Order Authoritarianism and Its Implications for Indonesian Democracy," *Journal of Local Government Issues* 3, no. 2 (2020), <https://doi.org/10.22219/logos.v3i2.12860>.

¹²⁴Andi Luhur Prianto et al., "Does Collective Action Institutionalize Rational Choice? Candidate Selection in Indonesian Political Parties," *Journal of Liberty and International Affairs* 8, no. 3 (2022): 63–82, <https://doi.org/10.47305/JLIA2283063p>.

¹²⁵Paige Johnson Tan, "Indonesia Seven Years after Soeharto: Party System Institutionalization in a New Democracy," *Contemporary Southeast Asia: A Journal of International and Strategic Affairs* 28, no. 1 (2006): 88–114, <https://doi.org/10.1353/csa.2006.0009>.

complicating the political landscape.¹²⁶ While ostensibly democratic, the electoral mechanisms have not effectively mitigated these issues. Instead, they have facilitated a cycle of fragmentation and instability, making it difficult for parties to establish a coherent policy agenda or maintain public trust.¹²⁷

Legal reforms intended to enhance electoral integrity have also faced significant limitations. While there have been efforts to implement regulations to promote transparency and fairness, these reforms have often been undermined by the elites they seek to regulate. The electoral process remains susceptible to manipulation, with issues such as vote-buying and money's influence in politics continuing to pose serious challenges.¹²⁸ The interplay between these unresolved issues highlights the complexities of Indonesia's democratic transition. It suggests that without addressing the entrenched interests of oligarchic elites and strengthening party institutionalisation, the prospects for genuine democratic governance remain tenuous.

ADVANTAGES AND DISADVANTAGES OF REALIZING THE PRINCIPLES OF DEMOCRACY AND PEOPLE'S SOVEREIGNTY

Despite maintaining good political stability in the New Order era in Indonesia, significant shortcomings occurred in realizing the principles of democracy and people's sovereignty. The limitations in democracy are evident through restrictions on the number of political parties and firm government control over the electoral process, which leads to unbalanced political representation and limited citizen participation in

¹²⁶Dirk Tomsa, "Party System Fragmentation in Indonesia: The Subnational Dimension," *Journal of East Asian Studies* 14, no. 2 (August 21, 2014): 249–78, <https://doi.org/10.1017/S1598240800008924>.

¹²⁷Ufen, "Political Party and Party System Institutionalization in Southeast Asia: Lessons for Democratic Consolidation in Indonesia, the Philippines and Thailand."

¹²⁸Michael Buehler and Ronnie Nataatmadja, "Authoritarian Diasporas in Indonesia and the Philippines: Comparative Perspectives on Elite Survival and Defection," *Democratization* 28, no. 3 (2021): 521–38, <https://doi.org/10.1080/13510347.2020.1832084>.

the political process.¹²⁹ This situation resonates with Taylor and Lijphart's findings, which discuss how proportional representation systems favour small centrist parties over larger, potentially more ideologically extreme parties. This preference contributed to the imbalance of political representation observed during the New Order era.¹³⁰ For instance, the New Order regime enforced strict regulations through the Political Parties and Golkar Law (UU Nomor 3 Tahun 1975) and Election Law (UU Nomor 15 Tahun 1969), which governed party formation, voter allocation, and the electoral process. These laws effectively curbed the representation of larger or more radical parties, cementing Golkar's dominance and the representation of smaller centrist parties aligned with the regime's interests. Thus, Taylor and Lijphart's findings resonate with the political reality of the New Order, where the PR system and the corresponding legal framework reinforced a controlled political environment, favouring smaller, centrist parties at the expense of political pluralism.

In addition, the control provided by the government over the electoral process is in line with the concept of a political network of influence discussed by Peterson, highlighting the transformation of the healthcare policy network from a rigid structure dominated by anti-reform alliances to a more flexible network in which reform coalitions have the potential to succeed, especially under proactive leadership. The government's control over the electoral process aligns with Peterson's concept of a political network of influence. Peterson discussed the evolution of healthcare policy networks from a rigid structure once dominated by anti-reform alliances to a more flexible network where reform coalitions could potentially succeed, especially under proactive leadership. This transformation illustrates how shifts in organized interests can significantly influence policy outcomes. A similar pattern can be observed in Indonesia during the New Order era, where centralized government control shaped political outcomes by

¹²⁹BAOGANG HE, "A Survey Study of Voting Behavior and Political Participation in Zhejiang," *Japanese Journal of Political Science* 7, no. 3 (December 26, 2006): 225–50, <https://doi.org/10.1017/S1468109906002349>.

¹³⁰PETER J. TAYLOR and AREND LIJPHART, "Proportional Tenure vs Proportional Representation: Introducing a New Debate," *European Journal of Political Research* 13, no. 4 (December 29, 1985): 387–99, <https://doi.org/10.1111/j.1475-6765.1985.tb00134.x>.

aligning power networks to favour the regime. This shift reflects how changes in organized interests can affect policy outcomes, similar to how government control influenced political outcomes in Indonesia during the New Order.¹³¹

The limited political representation and participation experienced during the New Order era can also be attributed to Togeby's discussion of grassroots participation, emphasizing how politically engaged individuals with social resources can use grassroots participation to complement traditional avenues of political engagement. This suggests that in situations where formal political channels are restricted, individuals can look for alternative ways to participate and influence the political process.¹³² The limited political representation and participation experienced during the New Order era can be analyzed through Togeby's discussion on grassroots participation. Togeby emphasizes that individuals with social resources often find alternative ways to engage politically when formal channels are restricted. This is particularly relevant in the context of the New Order, where state control over formal political channels was pervasive. Data analysis indicates that individuals and groups utilised informal networks and community-based initiatives to circumvent restrictions, thus creating a form of political engagement outside traditional avenues. This finding aligns with Togeby's argument that grassroots participation can complement formal political institutions, particularly in constrained political environments.

The New Order era in Indonesia, characterized by authoritarian governance, significantly impeded democracy and the sovereignty of the populace due to limited political representation and stringent control over electoral processes. This period saw the entrenchment of political elites who co-opted state mechanisms, leading to systemic corruption and a lack of genuine democratic engagement.¹³³ Scholarly

¹³¹Mark A Peterson, "Political Influence in the 1990s: From Iron Triangles to Policy Networks," *Journal of Health Politics, Policy and Law* 18, no. 2 (April 1, 1993): 395–438, <https://doi.org/10.1215/03616878-18-2-395>.

¹³²Lise Togeby, "Grass Roots Participation in the Nordic Countries," *European Journal of Political Research*, 1993, <https://doi.org/10.1111/j.1475-6765.1993.tb00374.x>.

¹³³Jürgen Rüländ, "Democratizing Foreign-Policy Making in Indonesia and the Democratization of ASEAN: A Role Theory Analysis," *TRaNS: Trans-Regional and -National Studies of Southeast Asia* 5, no. 1 (2017):

discourse highlights how such political frameworks fostered the dominance of established parties, undermining grassroots political movements and restricting public participation.¹³⁴ However, as conventional political channels became increasingly constrained, grassroots participation became a crucial avenue for political engagement, allowing marginalized voices to assert their influence.¹³⁵ This dynamic illustrates the resilience of civil society in navigating authoritarian constraints and underscores the importance of inclusive political frameworks for fostering genuine democratic practices in Indonesia.¹³⁶

The Reformasi era in Indonesia marked a pivotal shift towards greater political freedom and party pluralism, which directly enhanced the quality of democracy and increased public participation. This transformation was grounded in significant changes to Indonesia's legal framework, specifically reforms that expanded civil liberties and institutionalized pluralistic political structures. An analysis of Indonesia's evolving legal environment demonstrates how these

49–73, <https://doi.org/10.1017/trn.2016.26>; Michael T. Rock, "Indonesia's Centripetal Democracy and Economic Growth," *Journal of the Asia Pacific Economy* 23, no. 1 (2018): 156–72, <https://doi.org/10.1080/13547860.2017.1387371>; Edward Aspinall and Eve Warburton, "Indonesia: The Dangers of Democratic Regression," in *Proceedings of the Third International Conference on Social and Political Sciences (ICSPS 2017)* (Paris, France: Atlantis Press, 2018), <https://doi.org/10.2991/icspss-17.2018.1>.

¹³⁴Ben Kristian Citto Laksana and Lidia Kristi Agustina, "Hollowness of Imagination: Common Sense and Democracy," *Jurnal Ilmiah Hubungan Internasional* 18, no. 1 (2022): 14–28, <https://doi.org/10.26593/jihi.v18i1.5654.14-28>.

¹³⁵Nancy Lee Peluso, Suraya Afiff, and Noer Fauz Rachman, "Claiming the Grounds for Reform: Agrarian and Environmental Movements in Indonesia," *Journal of Agrarian Change* 8, no. 2–3 (2008): 377–407, <https://doi.org/10.1111/j.1471-0366.2008.00174.x>.

¹³⁶Muhammad Habibi et al., "Democratic Political Articulation," *Proceedings of the Tegal International Conference on Applied Social Science & Humanities (TICASSH 2022)*, 2023, 50–60, https://doi.org/10.2991/978-2-494069-09-1_8.

reforms have contributed to reinforcing the rule of law and ensuring greater accountability within the political system.¹³⁷

Comparison between the centralized and restricted electoral system of the New Order and the more inclusive multiparty system of the Reform Era, under the New Order, elections were tightly controlled through mechanisms such as the restriction of political parties limiting electoral participation to only three contestants and the dominance of Golkar, reflecting an authoritarian approach aimed at ensuring political stability. In contrast, the Reform Era introduced a more democratic electoral design, including an open-list proportional representation system, decentralization of power, and direct elections. However, this shift has also brought new challenges, such as party fragmentation, transactional politics, and gender inequality.¹³⁸

These differences not only illustrate the evolution of Indonesia's constitutional law but also highlight a universal dilemma in democratic transitions: how to balance political openness with effective governance. These findings contribute to global discourses on democratization by demonstrating that the dismantling of an authoritarian regime does not automatically result in a mature democratic order; rather, it requires deliberate institutional engineering to address structural legacies such as oligarchy and patrimonial political culture.¹³⁹

The realization of the principles of democracy and people's sovereignty in Indonesia reflects a complex trajectory, from the limited political participation and state dominance of the New Order era to the more inclusive and pluralistic political landscape of the *Reformasi era*.

¹³⁷Eko Bagus Sholihin, "Why Have Anti-Offshore Tin Mining Movements Failed in Bangka but Succeeded in East Belitung? Political Opportunity Structures and Political Settlement in the Context of Indonesia's Democratic Future," *PCD Journal* 8, no. 2 (March 24, 2021): 203–27, <https://doi.org/10.22146/pcd.v8i2.1483>.

¹³⁸Jamaluddin Jamaluddin, Ellydar Chaidir, and Efendi Ibnu Susilo, "Application of Open Proportional System in Post Amendment Legislative Elections Basic Law of the Republic of Indonesia Year 1945," *Eduvest - Journal of Universal Studies* 1, no. 9 (September 20, 2021): 871–84, <https://doi.org/10.59188/eduvest.v1i9.207>.

¹³⁹Yuki Fukuoka, "Oligarchy and Democracy in Post-Suharto Indonesia," *Political Studies Review* 11, no. 1 (January 15, 2013): 52–64, <https://doi.org/10.1111/j.1478-9302.2012.00286.x>.

While *Reformasi* succeeded in expanding political freedoms and party pluralism, new challenges such as party fragmentation, transactional politics, and illiberal democratic practices continue to pose significant obstacles. This underscores that democratization is not merely about opening political access but also requires the strengthening of legal infrastructure and institutions to sustainably safeguard democratic principles .

CONCLUSION

The transformation of Indonesia's legislative electoral system from the New Order to the Reform era reflects significant legal progress toward democracy and popular sovereignty, marked by substantial changes in electoral laws from restrictive frameworks under Law No. 3 of 1975 and Law No. 15 of 1969 to more inclusive regulations such as Law No. 3 of 1999 and Law No. 7 of 2017. While these reforms expanded political participation and party pluralism, challenges remain, including the complexity of simultaneous elections, weak party institutionalization, transactional politics, and oligarchic dominance. Concrete measures are needed to advance democracy, including strengthening enforcement of electoral laws, enhancing transparency in political financing, expanding voter education, and improving election monitoring capacity. Sustained legal and institutional reforms are crucial to ensure accountability, address electoral vulnerabilities, and uphold the people's sovereignty in Indonesia's democratic practices.

RECOMMENDATION

The transformation of Indonesia's electoral system from the New Order to the Reform era marks significant progress toward democracy and popular sovereignty, yet challenges like electoral complexity, administrative inefficiencies, and oligarchic dominance persist. To address these, Indonesia should tighten enforcement of electoral laws by strengthening sanctions for electoral violations and crimes and improving coordination between oversight and judicial bodies feasible within current mandates; promote transparent campaign finance through real-time reporting and stricter audits to curb oligarchic

influence achievable with political will and civil society support; expand civic education through partnerships with schools and NGOs to foster informed participation highly feasible; and enhance election monitoring by increasing Bawaslu's authority and encouraging citizen-based oversight viable with legislative backing. These steps are vital to strengthen accountability and align electoral practices with democratic and constitutional principles.

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