THE PROBLEMS IN MULTIPARTY SYSTEM IN THE INDONESIAN PRESIDENTIAL GOVERNMENT SYSTEM

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ABSTRACT

The presidential system of government is deemed incompatible when compared with a multiparty system because it will cause government instability. The elected president is likely to not get parliamentary support. Indonesia is one of the countries with a multi-party presidential system. The existence of political parties cannot be avoided, because Indonesian society consists of various ethnic groups, religions, races and cultures. Political parties are diverse, there are religious parties, nationalist parties, and nationalist-religious parties. Simplification of political parties is needed to ensure the stability of government. Permanent political party coalitions can be an alternative solution.

Keywords: presidential, multiparty system

A. Introduction

The MPR in making amendments to the 1945 Constitution made an agreement, one of the agreements was to affirm the presidential system of government. The agreement was realized, one of them is by changing the provisions of Article 1 paragraph (2) of the 1945 Constitution. The sovereignty is in the hands of the people and it is carried out according to the constitution. The 1945 Constitution of the Republic of Indonesia is no longer familiar with the highest state institution which was originally at the MPR institution. MPR's position is equal to other state institutions. The MPR is no longer the actor of the full sovereignty of the people, because the sovereignty of the people is reflected in the functions of each state institution that exercises executive, legislative and judicative powers.

Efforts to reinforce the presidential system of government are also carried out by changing the way in which the positions of President and Vice President are filled. Before the 1945 Constitution amendment the President and Vice President were appointed and dismissed by the MPR as the highest state institution, after the amendment to the 1945 Constitution the President and Vice President were directly elected by the people through general elections. Article 6A paragraph (1) determines that "the President and Vice President are elected in one pair directly by the people". Article 1 paragraph (2) and Article 6A paragraph (1) of the 1945

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Constitution of the Republic of Indonesia constitute a fundamental change to the Indonesian government system which initially adopted a presidential quasi system to become a presidential system.

With regard to political parties, in fact the 1945 Constitution of the Republic of Indonesia does not explicitly determine the party system, whether it is a single, bi-party or multi-party party. However, the 1945 Constitution of the Republic of Indonesia implies that Indonesia adheres to a multi-party system. We can know this if we look at the provisions of Article 6A paragraph (2) of the Constitution of the Republic of Indonesia in 1945, it states that "The candidate pairs of President and Vice President are proposed by political parties or joint political parties participating in general elections before the election", indicating that The 1945 Constitution of the Republic of Indonesia adheres to the multi-party system. The proposer of a candidate pair of President and Vice President is a political party or a combination of political parties, the word "joint political party" shows that there are at least two political parties that join themselves to nominate a pair of President and Vice President to compete with other Presidential and Vice Presidential candidates proposed by other political parties.

Combining a presidential system with a multi-party system is considered unsuitable, because it can lead to an unstable government. The possibility of an elected president is a president who comes from a political party or coalition of political parties that is not supported by a majority in the parliament, so that the President's policy may be difficult to get parliamentary support. Theoretically, a multiparty system is not conducive to a presidential system of government.

Various studies show that there are problems when combining a presidential system of government with a multiparty system. Juan Lins and Arturo Velenzuela (1994) argue that a presidential system of government that is applied side by side with a multiparty system (presidential-multiparty) tends to create conflict between the President's institution and parliament, and presents an unstable democracy. This view is also reinforced by Scott Mainwaring and Matthew Soberg Shugart (1997) that presidential-multiparty parties will give birth to minorities (divided minority presidents) and divided government, conditions in which the President has difficulty obtaining political support in parliament.  

B. Presidential Government System

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Presidential government system is a system of government, where the President is the head of state as well as the head of government. The position of the President as executive is not dependent on parliament, because the President is directly elected by the people. The President as the head of government will appoint his assistants (ministers) who will lead their respective ministries, and the ministers are accountable to the President. The formation of the cabinet is not dependent and does not require the support of trust from the parliament. Therefore, the minister cannot be dismissed by the parliament, although for example the parliament does not approve the policy made by the minister. The popular presidential system is a presidential system in the United States.

In a presidential system of government, the executive body does not depend on the legislative body, and the executive institution has a certain term of office. The freedom of the executive institution towards the legislative body results in the position of the executive body stronger in the face of the legislative body. Ministers in the presidential cabinet are elected by the president as prerogative rights, without being influenced by political parties, the president's choice of candidate ministers can be based on expertise and skills and other factors that are considered important.  

Executive power is with the President, and the ministers chosen by the President are responsible to the President, not to the legislature. Therefore, ministers cannot be dismissed by the legislature. In a presidential system of government, the President is usually directly elected by the people, and is responsible to the voters.

Earl of Balfour argues about the presidential system applies the following presidential and vice presidential elections: under the Presidential system, the effective head of the national administration is elected for a fixed term. He is practically irremovable. Even if he is proved to be inefficient, even if becomes unpopular, even if his policy is unacceptable to his country, he and his methods must be for the new election.

The presidential system that is often a reference is the presidential system in the United States that defends Montesquieu's teachings. In the *trias politica* Montesquieu's teachings, the three powers of the state, namely the executive, legislative, and judiciary are sharply separated from each other and have a balanced position, so that they supervise each other (check and balance). Power forms the Act in the hands of Congress, and the President

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4 Miriam Budiardjo, Dasar-dasar Ilmu Politik, Gramedia, Jakarta, Cetakan IX, Maret 1985, page 212

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has veto power over the Law that has been made. Executive power is with the President, and because the President is elected by the people, he is not responsible to the parliament, but is accountable to the voters, namely the citizens.  

A President in a presidential system of government is the chief executive, he cannot be dropped because of differences of opinion with Congress. The President cannot be contested as long as his term has not expired, except in certain cases.

The judiciary is carried out by judicial bodies which cannot be influenced by other powers in principle. The judge was appointed for life as long as his behavior was not reprehensible.

Allan R. Ball calls the presidential government system the presidential type of government, while C.F. Stong calls it the non-parliamentary or fixed executive. The hallmark of the United States model of the presidential system is:  

a. President as head of state and head of government
b. The president is not elected by a representative body, but by the electoral council
c. The president is not part of the legislative body
d. The president cannot be imposed by the legislature, except through charges, which are usually rare.
e. The president cannot dissolve the legislature and then order new elections
f. Usually presidents and legislative bodies are elected for a definite term.

C. Multi-party system

The multi-party system is a political system in which there is no one particular political party that may be an absolute majority in a country to be able to control the representative institution, or form a government without coalition with other political parties. The multi-party system has advantages, especially for countries that have heterogeneous community structures. But on the other hand a multiparty system has weaknesses in the resulting government side, which tends to be unstable because there are no dominant political parties, especially in countries with a parliamentary government system. A multi-party system is usually reinforced by a system of proportional representation that gives wide opportunities for the growth of small political parties.

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7 Moh. Kusnardi dan Harmaily Ibrahim, op.cit. page 176
Multi party systems are usually applied in countries with many and heterogeneous populations. There are many tribes, religions, races and cultures in the country concerned. Each of these community groups will establish a political party to be able to participate in general elections and can put their cadres in government. They hope that the interests of the group can be accommodated in the political policy making of the government.

In a multi-party system there is usually no political party that gets a majority in general elections, so it is not strong enough to form a self-government. This opens up opportunities for political parties to form coalitions, although there is a possibility that political parties will coalition and then withdraw their support.

In a multi-party system, parties that lose the general election and not coalition with the ruling government play less role as opposition parties. Even at times they can be invited to join the ruling political parties to form a new coalition. This also causes political policies to sometimes change along with the changing coalition of political parties. Unstable political party coalitions will affect the course of government.

In explaining the party system, actually it is not enough to just take into account the number of political parties that exist in the political dynamics of a country. Although the problem of the number of political parties is important, there are other aspects that need to be considered. In this case, Giovanni Sartori stated that the ideological distance between political parties in the system is very important to understand the behavior of political parties. With this ideological distance between parties, a special polarization of political parties emerged. Based on these considerations, Giovanni Sartori classified the party system into three groups, namely: 10

a. Predominant party system is a party system that describes the lack of sharp ideological differences between political parties that interact, or even there can be no ideological differences in opinion, so that the political parties that have a (dominant) function perspective are built. The predominant party system provides an opportunity for many political parties that will compete in general elections, but because there are no significant ideological differences, the political parties that win the general election will still accommodate other political parties. So that in the end the predominant party system prioritizes political consensus compared to ideological interests. Therefore, in predominant party systems, the existing political system tends to maintain the status quo.

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10 Ni’matul Huda dan Imam Nasef, Penataan Demokrasi & Pemilu di Indonesia Pasca Reformasi, Fajar Interpratama Mandiri, Jakarta, 2017, page 37
b. Moderate pluralism system is a party system that provides space for more than two political parties to compete in general elections. The advantage of moderate pluralism systems compared to predominant party systems is that there are ideological polarities, although relatively few.

c. Polarized pluralism system is a party system which generally develops in culturally pluralistic countries, so that many political parties emerge. In a polarized pluralism system, there is the potential for conflict between one political party and another. Therefore, polarized pluralism systems have a low tendency to consensus, even at the extreme point of the potential to trigger political divisions (centrifuges).

D. Multiparty in the Indonesian Presidential Government System

The system of government which is desired by the 1945 Constitution of the Republic of Indonesia is a presidential system of government, so that the head of government is the President who is directly elected by the people through the General Election. In a presidential system of government, in addition to being the head of government, the president is also the head of state. The presidential system is considered the best to produce a strong and productive government, so as to realize the mandate of the Preamble of the 1945 Constitution of the Republic of Indonesia, which is to protect the entire Indonesian nation and the whole of Indonesia's bloodshed, promote public welfare, and educate the lives of the nation.

The Indonesian state adheres to a presidential system of government and the party system that is implemented is a multiparty system. The President and the DPR are elected directly by the people through elections. Presidential candidates are proposed by political parties or joint political parties, and candidates for DPR members are proposed by political parties. Both institutions have high legitimacy in exercising their authority, because both are directly elected by the people. The President cannot dissolve the DPR, nor can the DPR bring down the President. Dismissal of the President within his term of office can only be carried out if the President violates the law in the form of treason against the state, corruption, bribery, other serious crimes, or a disgraceful act or if proven no longer qualifies as President. Moreover, to dismiss the President is not only through the political process in the DPR and MPR, but also through legal proceedings in the Constitutional Court.

The elected President and Vice President may come from minority parties, for example the party's coalition is few (to meet the Presidential nomination threshold of 20% of the parliament or 25% of the national legitimate vote), so there is no synergy between
coalitions of political parties supporting the President with coalitions of political parties the (maybe) majority in the DPR who are not supporters of the President. That is, a multiparty system will become an obstacle in the running of a presidential system of government, so that it becomes less relevant if there is a combination of a presidential system of government and a multiparty system.

According to Scott Mainwaring, there are three reasons why the combination of presidential systems with multiparty systems is irrelevant, namely: 1) multiparty-based presidential systems tend to produce immobility due to executive-legislative deadlock, the impasse will lead to democratic instability. 2) a multiparty system produces ideological polarization rather than a dual party system so that it often causes complications problems when combined with presidential systems. 3) a combination of presidential systems with multiparty systems complicates the difficulties of building inter-party coalitions in presidential democracies, which has implications for the destruction of democratic stability. ¹¹

The presidential system requires the presence of the support of the majority political parties in parliament, while the multiparty system makes it difficult for the majority parties to be present in parliament so that a combination of such a system can result in divided government.

Indonesia’s presidential government system will be stable and effective if the President receives the support of a majority of DPR members. A presidential system of government coupled with a multi-party system requires a coalition of political parties, although this coalition of political parties is unusual in the presidential system of government. The coalition of political parties is a fundamental necessity and is difficult to avoid in a presidential system of government that is paired with a multiparty system. The coalition of political parties was conducted so that the elected President would later make policies and work programs that would be included in the law, and also the APBN would get approval and support from the DPR. If the President's policies and work programs do not get the approval and support of the DPR, it is feared that it will disrupt the stability of the government.

A presidential system of government that is in tandem with a multiparty system will become a problem too when there is a change in coalition of political parties. As we know, that in politics there is no eternal friend or opponent, but that there is eternal interest. The coalition that was built could be pragmatic, very fragile, very fluid, and easily cracked. It could happen, political parties that coalition and support the President, over time due to

differences in interests, the coalition will change. It is possible that a political party can have a coalition with the President, then get out of the coalition, or it could be that a political party that was not a coalition with the government then entered the government coalition. In fact, if there are political parties that were not coalition then coalition with the government, it can be ascertained that the political party demands that its party cadres be able to sit in the ranks of ministers, or other government positions. This will lead to the dismantling of cabinet and other government positions, which will have an impact on government instability. The President may be held hostage by the interests of the political party partners. So the implementation of a presidential government system in conjunction with a multiparty system is deemed inappropriate or less compatible.

Inaccurate implementation of a presidential system and a multi-party system needs to find a solution to create a stable government. The ideal combination that is possible to guarantee a stable government is a presidential system of government, and the party system is a party or two parties. With this system, political parties winning the election will run the government, while political parties that lose the election will become opposition. The elected president will be able to form his own cabinet without having to coalition, and without having to unload the cabinet. For this reason, there should be a simplification of political parties. With a small number of political parties that will be effective in supporting the establishment of a presidential government system.

Actually the electoral system implemented in Indonesia has sought to suppress and limit the number of political parties, for example with the existence of an electoral threshold, parliamentary threshold, and also the presidential threshold. However, this model has not been fully effective. In every general election, even though there are political parties that dissolve themselves, or political parties that fuse or join other political parties. There are also new political parties that are established and become participants in the general election. Therefore, if the political parties participating in the general election are difficult to simplify, at least the political parties in the DPR are simplified. The trick is to create a more permanent political party coalition, which is likely to be realized if the coalition is based more on value than the interests of the chair or power, so there are only two coalition groups in the DPR. One coalition group as a supporter of the government, and one coalition group outside the government. In this way it is hoped that the political process will become more efficient and can guarantee the stability of the government, so that the President can focus on managing the government without being disturbed by political party negotiation matters.
Efforts to simplify political parties can be done by means of applying a district electoral system (plurality/majority system) or a mixed electoral system (mixed member proportional). The application of the district system, based on the experience of several countries, it was proven to reduce the number of political parties. 2) Reduce the magnitude of the district (district magnitude). 3) Raising the seat threshold in the parliament (parliamentary threshold). 4) Need to simplify the number of fractions through tightening the minimum threshold requirements for the formation of fractions (fractional threshold). 5) If the faction in parliament is still more than two, the parliamentary faction needs to be engineered and "forced" constitutionally to become two political blocs through the regulation of permanent coalitions.

E. Conclusion

Indonesia implements a multiparty presidential system. The combination of the two systems will cause government instability, because the elected President is not necessarily supported by the majority of the DPR. In order for the elected President to have the support of the majority of the DPR, a coalition of political parties is needed. The problem is that political parties with a coalition are pragmatic, so there is a possibility that a political party coalition will be very fragile, very fluid, and easily broken. The coalition of political parties is not solid, will change depending on the interests of political parties. Multi-party in Indonesia is difficult to avoid, for this reason, in order to maintain the stability of government, a permanent coalition is needed in the DPR. It is hoped that in the DPR there are only two coalition groups of political parties, political parties as supporters of the government, one other group is outside the government and is in charge of controlling government policy.

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