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The Multiparty Trap In Indonesia's Presidential System: Between Democracy And Governmental Stability

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ABSTRACT

This article examines the structural tension between presidentialism and multiparty fragmentation in Indonesia, focusing on the institutional implications of Constitutional Court Decision Number 62/PUU-XXII/2024. Using a normative juridical method with statutory, conceptual, and comparative approaches, this study develops the concept of the Representation–Stability Paradox to explain how increased political inclusiveness may undermine executive effectiveness. The findings reveal that the recalibration of electoral thresholds enhances democratic representation but simultaneously intensifies legislative fragmentation, weakens coalition durability, and increases the risk of executive–legislative deadlock. Furthermore, the persistence of pragmatic, non-programmatic coalitions contributes to policy inconsistency and delays in decision-making processes. To address these challenges, this article introduces the concept of Purified Presidentialism, emphasizing institutional synchronization between executive authority and legislative support. As an operational mechanism, the study proposes the Policy-Based Coalition Contract (PBCC), designed to bind coalition actors to measurable policy commitments. This research contributes to the literature by shifting the focus from electoral simplification to coalition institutionalization, offering a framework to reconcile democratic inclusiveness with effective governance.

1. INTRODUCTION

The inherent tension between a presidential system and a multiparty structure has long been characterized as a "difficult combination" that threatens executive efficacy.[1] While theoretical frameworks by Caramani and Lijphart suggest that presidentialism functions most effectively within a limited party system to ensure executive stability,[2][3] Indonesia's sociological pluralism comprising multicultural and multi-ethnic layers has necessitated an inclusive multiparty landscape. However, this inclusivity often creates a structural paradox:[4][5] the pursuit of broad representation frequently results in political fragmentation, weak coalition durability, and executive-legislative deadlocks.[6][7]

Previous studies have extensively explored this dilemma. Research in *Rechtsidee*, for instance, examines the Constitutional Court's function as a "positive legislator" in balancing judicial and legislative powers, while Simatupang (2025)[8] analyzes the necessity of parliamentary thresholds using comparisons with Germany and Taiwan to argue for reduced fragmentation.[9] While these studies provide a foundation for understanding threshold mechanics, this article fills a critical gap by specifically investigating the transformative impact of the Constitutional Court Decision Number 62/PUU-XXII/2024.[10]

Valentim (2024), published in the British Journal of Political Science, assesses whether party-system fragmentation causally affects the quality of democracy across several indicators, including government stability, accountability, corruption, and participation. The study's main finding is that increases in the number of parties are associated with more fragmented governments, but do not reduce most indicators of democratic quality overall; negative effects become pronounced only in contexts of extreme polarization.[11]. Lucas Couto (2024), published in the Latin American Politics and Society, highlights the government-formation mechanisms in presidential regimes, arguing that the existence of pre-electoral pacts does not automatically translate into post-electoral cabinet coalitions. The effectiveness of pre-electoral pacts depends strongly on the degree of legislative polarization: when polarization is high, presidents are more constrained by the pact's structure; when polarization is low, presidents have greater flexibility to reconfigure coalition composition.[12].

Historically, the drive for inclusive representation has hindered the President's ability to maintain a

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[1] D. (Ed.) Caramani, *Comparative Politics (6th Ed.).* (Oxford: Oxford University Press, 2023).
[2] Caramani.
[3] W Akili, R. H. S., & Achmad, "The Role of Political Parties in the Implementation of Democratic General Elections in the Indonesian State Administration System," *Journal of Law and Sustainable Development* 11, no. 4 (2023): 1–13, https://doi.org/https://doi.org/10.55908/sdgs.v11i4.551.
[4] Caramani, *Comparative Politics (6th Ed.).*
[5] D Muhtadi, B., & Fossati, "The Resurgence of Presidentialism in Indonesia: Stability at the Expense of Representation?," *Journal of Contemporary Asia* 52, no. 3 (2022): 450–472.
[6] K. M. Purnama, D., Naufal, M., & Ahmad, "Power Shifting and the Challenges of Presidential System in Indonesia (1945-2019)," *OISAA Journal of Indonesia Emas* 4, no. 2 (2021): 77–87, https://doi.org/https://doi.org/10.52162/jie.2021.004.02.7.
[7] Purnama, D., Naufal, M., & Ahmad.
[8] K. H Simatupang, "Multi-Party Systems and Parliamentary Thresholds: The Case of Indonesia's Presidential System with Comparisons to Germany and Taiwan," *Journal of Political Issues* 6, no. 2 (2025): 291–310.
[9] A Lijphart, *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries* (London: Yale University Press, 2012).
[10] Indonesia Republik, *Indonesia, Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 (Naskah Satu Dokumen/One Manuscript), Terj. Inggris Resmi MK, Khususnya Pasal 24C (Kewenangan MK), Pasal 24B (Komisi Yudisial), Pasal 6A (Pilpres Langsung), Pasal 22C–22D (DPD)* (Jakarta: Mahkamah Konstitusi RI, 2025), https://www.mkri.id/public/content/infoumum/regulation/pdf/uud45 eng.pdf.
[11] V. Valentim, *Does Party-System Fragmentation Affect the Quality of Democracy?*, *British Journal of Political Science*, Vol. 54, Issue 1 (Jan 2024), pp. 152–178
[12] L. Couto, Government formation in presidentialism: Disentangling the combined effects of pre-electoral coalitions and legislative polarization, Latin American Politics and Society, Vol. 67, Issue 1 (Feb 2025), pp. 36–55.

[13]consistent majority coalition, as noted by Suparto (2021)[14] and Purnama et al. (2021)[15]. The 2024 ruling emphasizes maintaining a balance between this inclusiveness and governability, but it simultaneously poses a risk: without thoughtful regulatory frameworks, the lowering of thresholds may perpetuate institutional gridlock. Therefore, this article proposes a novel recommendation the "Policy-Based Coalition Contract" (PBCC) as a legal mechanism to bind coalition partners to a transparent policy agenda, thereby mitigating the risks of "deadlock" that often hinder government performance.

Despite the growing body of literature on multiparty presidentialism, significant analytical gaps remain in understanding the institutional dynamics of executive–legislative relations in fragmented party systems. Existing studies largely emphasize electoral engineering mechanisms, particularly parliamentary and presidential thresholds, as primary instruments to reduce fragmentation and enhance governability. However, empirical evidence demonstrates that such mechanisms have not effectively resolved coalition instability or executive inefficiency in Indonesia's presidential system[16]. At the same time, the literature remains predominantly descriptive, focusing on coalition formation and presidential strategies, while insufficiently addressing the lack of institutionalized mechanisms that regulate coalition behavior after formation[17].

This creates a critical theoretical gap, the absence of a normative-operational framework capable of transforming coalitions from transactional alliances into programmatic governance structures. Furthermore, limited attention has been given to the role of constitutional adjudication as a transformative institutional variable, particularly in the context of Indonesia's recent Constitutional Court intervention, which redefines the balance between representation and governability. Consequently, this research fills these gaps by proposing a shift from electoral simplification toward the institutionalization of coalition governance through a policy-based contractual framework.

The novelty of this research lies in three principal dimensions that distinguish it from previous research on multi-party presidentialism and government coalition formation. The research centers the decision of the Constitutional Court of Indonesia Number 62/PUU-XXII/2024 as the focal point of its institutional analysis. It advances a new theoretical concept "Purified Presidentialism" and introduces an operational model, the "Policy-Based Coalition Contract (PBCC)." Purified Presidentialism offers a novel framework for interpreting executive–legislative interactions in highly fragmented multiparty systems, emphasizing the need for synergy that is not merely pragmatic but is also anchored in concrete policy commitments. The PBCC model represents both a methodological and normative innovation: rather than merely securing a numerically sufficient governing coalition, it seeks to construct coalitions bound by clear, measurable policy-performance criteria, thereby enabling assessment of their impact on governmental effectiveness. This approach differs from traditional frameworks that evaluate coalitions primarily by seat share or political bargaining agreements.

Unlike previous research that focuses merely on raising thresholds to simplify parties, this research argues that the Court's intervention represents a "Constitutional Pivot" that requires a transition toward "Purified Presidentialism". This concept moves beyond mere numerical simplification toward a systemic

[13] K. A Tiopan, D., Kurniawan, S., & Rabbani, "The House of Representatives Legislative Authority in Indonesia's Amended 1945 Constitution," *Journal of Indonesian Constitutional Law* 1, no. 2 (2023): 84–102.
[14] Suparto, "Pelaksanaan Sistem Pemerintahan Presidensial Dengan Multi Partai Di Indonesia," 2021.
[15] Purnama, D., Naufal, M., & Ahmad, "Power Shifting and the Challenges of Presidential System in Indonesia (1945-2019)."
[16] Hamudy, M. I. A., & Rifki, M. S. (2019). Strengthening the multi-party presidential government in Indonesia. *Indonesian Political Science Review, 4*(2).
[17] Thijm, J., & Fernandes, J. M. (2025). Parties and Coalition Governance in Presidential Democracies. Political Research Quarterly, 78(2), 481-494.

institutional synchronization between the executive mandate and legislative support.[18]

To resolve these issues, the discussion in this article will begin by outlining the presidential system under the 1945 Constitution, followed by an analysis of the multiparty system's impact on government effectiveness. Furthermore, the implications of Decision Number 62/PUU-XXII/2024 will be examined to provide a comprehensive framework for "Purified Presidentialism", ensuring that Indonesia's democratic diversity does not compromise the functional integrity of its government operations.

2. RESEARCH METHODS

This research uses a normative juridical method with a statutory and conceptual approach.[19] The statutory approach is carried out by analyzing regulations related to the presidential system of government and the party system in Indonesia, including the 1945 Constitution and various relevant laws and regulations.[20] The conceptual approach is used to explore theories on government effectiveness in the presidential system and its impact on political stability.[21] The data used is sourced from legal documents, Constitutional Court decisions, and scientific literature related to the theme of this research. This research employs both comparative and historical approaches to enhance the analytical depth and validity of its findings. The comparative approach is utilized to examine the structural and functional dynamics of presidential systems across different jurisdictions—particularly Indonesia and the United States—in order to identify patterns, divergences, and transferable institutional insights.

Meanwhile, the historical approach is applied to trace the evolution of Indonesia's presidential system and party configuration over time, including key constitutional amendments, legislative reforms, and political practices that have shaped current institutional arrangements. By examining these developments longitudinally, the research is able to capture the path-dependent nature of institutional design and to explain how past political choices continue to influence present governance challenges. The integration of these approaches enables a more comprehensive understanding of the relationship between constitutional structure, party system fragmentation, and executive effectiveness, thereby strengthening the explanatory and normative contributions of the research.

3. RESULT AND DISCUSSION

3.1. The Presidential System of Government in the 1945 Constitution (post-amendment)

As described by Bagir Manan, the President is the sole holder of executive power.[22] The statement shows that in a presidential system of government, the President is the sole executive officer.[23] In other words, the President possesses and exercises all executive authority directly, without sharing authority with other agencies in the executive branch. Article 4 paragraph (1) of the 1945 Constitution of the Republic of Indonesia itself has stated that "The President of the Republic of Indonesia holds the power of government according to the Constitution". This sentence confirms that the President is the sole holder of executive power, with no Prime Minister or other equivalent executive institution.[24]

The President is the responsible organizer of the government in addition to the various prerogative

[18] S Suparto, "Pelaksanaan Sistem Pemerintahan Presidensial Dengan Multi Partai Di Indonesia," *Sasi* 27, no. 4 (2021): 516–528, https://doi.org/https://doi.org/10.47268/sasi.v27i4.600.
[19] S. Soekanto, S., & Mamudji, *Penelitian Hukum Normatif: Suatu Tinjauan Singkat* (Jakarta: Raja Grafindo Persada, 2001).
[20] P. M Marzuki, *Penelitian Hukum: Edisi Revisi* (Jakarta: Kencana, 2017).
[21] J Ibrahim, *Teori Dan Metodologi Penelitian Hukum Normatif* (Malang: Bayumedia Publishing, 2006).
[22] Bagir Manan, *Lembaga Kepresidenan* (Yogyakarta: Pusat Studi Hukum UII dan Gama Media, 1999).
[23] Eko Noer Kristiyanto, "Pemakzulan Presiden Republik Indonesia Pasca Amandemen Uud 1945," *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional* 2, no. 3 (2013): 331, https://doi.org/10.33331/rechtsvinding.v2i3.63.
[24] Jimly Asshiddiqie, *Konstitusi Dan Konstitusionalisme Indonesia* (Jakarta: Sinar Grafika, 2020).

constitutional powers commonly attached to the office of Head of State.[25] Furthermore, the President is not accountable to Congress, and therefore, cannot be subject to a vote of no confidence by Congress. The President is neither elected nor appointed by Congress, in practice directly by the people, although formally elected by the Electoral College.[26] In short, it can be stated that the President is the organizer of the government and has various constitutional powers granted to the office of head of state.[27] In addition, the president is not accountable to Congress, nor can the president be subject to a vote of no confidence by Congress. The president is elected and appointed directly by the people, not by Congress.[28]

Regarding the term of office, the President holds office for five years, and can only be elected for one second term, so the maximum total term of office is ten years. If the President is permanently incapacitated, his successor is the Vice President who continues as President until the end of the current term.[29] The President can be removed from office through the impeachment process for reasons relating to serious legal violations such as state treason, accepting bribes, or other serious criminal offenses.[30]

Concerning with the position of the President in a parliamentary system of government, one of the characteristics of the model found in this parliamentary system of government is that the president is usually elected and appointed by or including the people's representative body, but is not responsible to the people's representative body, with various modifications.[31] These modifications are made as an attempt to balance the relationship between the legislature, the executive, and the symbolism of the head of state in a parliamentary system.[32]

In a parliamentary system, the president is in charge of governing the legislature and is the unassailable head of state rather than the chief executive.[33] As head of state, the president has constitutional and ceremonial responsibilities; the cabinet is in charge of any activities that fall outside of these bounds. By selecting politicians, they can preserve political stability in parliamentary systems.[34] In addition to carrying out ceremonial duties that go beyond constitutional rights, the president serves as the nation's leader. By requiring a politician to dissolve the parliament or establish a new government in times of crisis, they can preserve political stability in a parliamentary system.[35]

According to Sri Soemantri, the government system of the Republic of Indonesia, which is based on the 1945 Constitution, combines the presidential system of government and the parliamentary system of

[25] "Undang Undang Dasar 1945" 4, no. 1 (2019): 1–12, https://doi.org/10.31227/osf.io/498dh.
[26] David Tarr and Ann O'Connor, "House of Representatives," *Proceeding and Debates of The 116 Th Congress, Second Session* 166, no. 12 (2020), https://doi.org/10.4135/9781483302768.n76.
[27] Suparto Suparto, "Pelaksanaan Sistem Pemerintahan Presidensial Dengan Multi Partai Di Indonesia," *Sasi* 27, no. 4 (2021): 516, https://doi.org/10.47268/sasi.v27i4.600.
[28] Arend Lijphart, *Patterns of Democracy*, 2nd ed., n.d., https://www.google.co.id/books/edition/Patterns_of_Democracy/VgbU6rhGG64C?hl=en&gbpv=1&dq=sistem+presidensial+indonesia&printsec=frontcover.
[29] Sri Soemantri M, *Ketetapan Majelis Permusyawaratan Rakyat (S) Sebagai Salah Satu Sumber Hukum Tata Negara* (Bandung: Remaja Karya, 1998).
[30] Republik Indonesia, "UUD 1945," 105 § (1945).
[31] Rustam H.S. Akili and Willya Achmad, "The Role of Political Parties in the Implementation of Democratic General Elections in the Indonesian State Administration System," *Journal of Law and Sustainable Development* 11, no. 4 (2023): 1–13, https://doi.org/10.55908/sdgs.v11i4.551.
[32] Manan, *Lembaga Kepresidenan*.
[33] Blake Emerson, "The Departmental Structure of Executive Power: Subordinate Checks from Madison to Mueller," *Yale Journal on Regulation* 38, no. 1 (2021): 90–174, https://doi.org/10.2139/ssrn.3533508.
[34] Arend Lijphart, *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries* (New Haven: Yale University Press, 1999).
[35] Lijphart.

government, or a mixed system.[36] One of the main characteristics of the parliamentary system adopted by the 1945 Constitution is related to the President's accountability to the People's Consultative Assembly as a parliamentary institution that has the position of the highest state institution. Accountability for the President's policies to the People's Consultative Assembly is a consequence of the President being elected by the People's Consultative Assembly, not directly by the people.[37]

The goal of the 1945 Constitution was to move toward a presidential system, and the People's Consultative Assembly agreed in 1999 to preserve the presidential system while refining it to meet its general requirements.[38] The legal reasoning behind efforts to maintain and refine the presidential system in the 1945 Constitution amendment is based on the need to create executive stability that is independent of parliamentary supremacy. Conceptually, the amendment to Article 1 paragraph (2) shifts the paradigm from supreme assembly to supremacy of the constitution.[39] This logically implies the legitimacy of the President; direct elections (Article 6A) are not merely a technical mechanism, but an effort to build an independent mandate from the people so that the President is no longer a representative of the People's Consultative Assembly.[40] Furthermore, the rationalization of the mechanism for dismissal (impeachment) from political reasons to legal reasons (serious violations of the law) is a form of purification of the presidential system. This reasoning confirms that in a pure presidential system, the President's term of office can only be challenged through legal channels (legal process), not because of political distrust, in order to maintain the continuity of government.[41]

As a follow-up to the efforts to improve the presidential system adopted, several arrangements have been made that support that direction, among others by[42]:

a) Amend Article 1 paragraph (2) of the 1945 Constitution, which originally stated that the sovereignty of the people is exercised entirely by the People's Consultative Assembly, to become the sovereignty of the people exercised according to the 1945 Constitution;

b) Changing the method of presidential election from the People's Consultative Assembly to direct election by the people (Article 6A of the 1945 Constitution);

c) Changing the scope of reasons for accountability or dismissal of the president, which was originally sufficient only because of the implementation of policies or the Outline of State Policy in Indonesia, to accountability for violations of the law in the form of betrayal of the state, corruption, bribery, other serious crimes, disgraceful acts or proven to no longer qualify as President or vice president.

The 1945 Constitution brought about a number of important changes to Indonesia's presidential system, including the transfer of popular sovereignty, direct presidential election, and provisions pertaining to accountability and dismissal. These provisions now address grave legal offenses such as treason, corruption, and bribery.[43]

The paradigm underlying the strengthening of the presidential system of government is to realize

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[36] M, *Ketetapan Majelis Permusyawaratan Rakyat (S) Sebagai Salah Satu Sumber Hukum Tata Negara*.
[37] Jimly Asshiddiqie, *Hukum Tata Negara Dan Pilar-Pilar Demokrasi* (Jakarta: Konstitusi Press, 2006).
[38] Jimly Asshiddiqie, *Implikasi Perubahan UUD 1945 Terhadap Pembangunan Hukum Nasional*, *Universitas Stuttgart*, 1945.
[39] Jimly Asshiddiqie, *Pokok-Pokok Hukum Tata Negara Indonesia Pasca Reformasi* (Jakarta: Bhuana Ilmu Populer, 2007).
[40] Saldi Isra, *Pergeseran Fungsi Legislatif: Menguatnya Model Legislasi Parlementer Dalam Sistem Presidensial Indonesia* (Jakarta: RajaGrafindo Persada, 2010).
[41] Ariful Amir & Zainal Arifin Mochtar Firmansyah, "Penataan Sistem Presidensial Di Indonesia," *Mimbar Hukum* 31, no. 1 (2019): 147–60, https://doi.org/10.22146/jmh.42345.
[42] Elena Semenova and Keith Dowding, "Presidential Power Effects on Government and Ministerial Durability: Evidence from Central and Eastern Europe," *European Political Science Review* 13, no. 2 (2021): 227–48, https://doi.org/10.1017/S1755773921000059.
[43] Fadhlan Fahmi Tarigan, Fiyan Hamdi Lubis, and Abdul Hadi Mustofa, "Problematics of the Implementation of the Presidential Threshold in Elections," *NOMOI Law Review* 4, no. 1 (2023): 33–42, https://doi.org/10.30596/nomoi.v4i1.14940.

effective governance.[44] However, a crucial question arises: does the current multiparty system in presidential government support the effectiveness of government, or is it an inhibiting factor that undermines stability and executive decision-making? Presidents in multiparty systems frequently have to establish political coalitions, which can result in instability and policy concessions. In a multiparty presidential system, striking a balance between broad political representation and government efficacy is essential.[45]

The findings of this research reveal that the Indonesian presidency, operating within a fragmented multiparty configuration, exhibits a set of structural weaknesses that systematically constrain executive effectiveness. The analysis demonstrates that the President's authority is not exercised in a fully autonomous manner but is instead mediated by the imperatives of coalition politics. In practice, the necessity to secure and maintain legislative support compels the President to construct broad, heterogeneous coalitions, thereby transforming executive leadership into a continuous process of political negotiation rather than decisive governance. Furthermore, the research finds that this coalition dependency produces significant policy incoherence. Executive decision-making is frequently shaped by competing interests among coalition partners, resulting in diluted policy outputs and delays in strategic implementation. Rather than reflecting a unified governmental agenda, public policies tend to emerge as compromises that prioritize political accommodation over substantive effectiveness.

The analysis also indicates that coalition structures are predominantly non-programmatic and transactional, lacking binding commitments to shared policy objectives. This condition contributes to weak coalition discipline, internal fragmentation, and a high degree of cabinet instability. As a consequence, the President faces persistent challenges in ensuring policy continuity and maintaining administrative coherence. In addition, the research identifies a recurring pattern of executive–legislative deadlock, particularly in contexts where coalition alignment is fragile. Legislative processes are often prolonged or obstructed, reducing the government's capacity to respond effectively to urgent national issues. This institutional friction reflects a deeper misalignment between the President's direct electoral mandate and the fragmented composition of the legislature.

Overall, the findings suggest that the presidency in Indonesia's multiparty system is characterized by constrained authority, compromised policy capacity, and heightened vulnerability to political fragmentation. These conditions indicate a shift from a model of strong presidentialism toward a form of negotiated governance, in which executive effectiveness is contingent upon unstable coalition dynamics rather than institutional coherence.

The configuration of Indonesia's multiparty presidential system presents a set of structural and functional challenges that significantly impede the effectiveness of governance. Chief among these is the instability of political coalitions.[46] The fragmented nature of the legislature compels the President to construct alliances with multiple parties to secure legislative support.[47] These coalitions, however, are often fragile and short-lived, driven more by pragmatic political accommodation than by cohesive policy agendas. As a result, the executive frequently struggles to implement consistent and coherent public policies.[48] Closely tied to this instability is the prevalence of protracted policy compromises. In seeking to preserve coalition unity, the President is routinely required to accommodate the divergent interests

[44] Amanda Dea Lestari, "Implikasi Sistem Multipartai Terhadap Sistem Pemerintahan Presidensil Indonesia," *Jurnal Sains Sosio Humaniora* 6, no. 2 (2022): 412.
[45] Suparto, "Pelaksanaan Sistem Pemerintahan Presidensial Dengan Multi Partai Di Indonesia," 2021.
[46] Lee Jones, "Explaining Myanmar's Regime Transition: The Periphery Is Central," *Democratization* 21, no. 5 (2014): 780–802, https://doi.org/10.1080/13510347.2013.863878.
[47] Thomas B Pepinsky, "Why Indonesia's Democracy Is in Danger," *Journal of Democracy*, 2024, https://www.journalofdemocracy.org/online-exclusive/why-indonesias-democracy-is-in-danger/.
[48] Anita Indah Widiastuti, "Multi-Party in Presidential System in Indonesia: What Does Democracy Mean?," *The Indonesian Journal of International Clinical Legal Education* 2, no. 4 (2020): 517–26.

of coalition partners.[49] This often dilutes the quality and decisiveness of policy outcomes, delays critical reforms, and undermines the responsiveness of the government to urgent national issues.[50]

In addition, the ideological and strategic heterogeneity among parties increases the likelihood of intra-coalition conflict.[51] Such conflict not only hampers cabinet solidarity but also creates vulnerability to sudden shifts in political allegiance, threatening the continuity of governance and precipitating periodic political crises.[52] The risk of executive-legislative deadlock is also accentuated in this system. Fundamental disagreements between the President and parliament especially when coalition loyalty is weak can obstruct legislative proceedings and delay the passage of essential laws.[53] This institutional friction contributes to an environment of policy uncertainty and may erode public confidence in democratic processes.[54]

While the diversity of political parties is often celebrated as a reflection of Indonesia's pluralistic society, it also introduces significant complications in achieving effective governance. The broad spectrum of political representation, though normatively desirable, frequently leads to polarization, fragmentation, and inefficiency in decision-making processes.[55] The central dilemma lies in reconciling the principles of political inclusiveness with the demands of governmental effectiveness.[56] An overemphasis on representation risks weakening executive authority and slowing governance performance, while prioritizing efficiency may marginalize minority voices and undermine democratic legitimacy.[57] Without substantive reform to simplify and discipline the party system, Indonesia's multiparty presidential framework will remain prone to institutional gridlock and underperformance.[58]

In Indonesia's presidential system, the multiparty system can serve a variety of political interests and promote smooth governance, but it can also cause division and disagreement, which makes it more difficult for the executive to make decisions. The effects of the multiparty system on government efficiency include:[59]

a) **Strengthening Government Effectiveness.** Presidents can balance a variety of political interests in a multiparty system, which increases the legitimacy and support of governmental programs while fostering inclusivity and societal goals.

b) **An impediment to stability and decision-making.** Party fragmentation can hinder decision-making and cause political deadlock, weakening government stability and reducing executive effectiveness. Inter-party conflicts can also lead to political deadlock.

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[49] Bevaola Kusumasari, Anang Dwi Santoso, and Sajida, "Emojis in Digital Governance: Empirical Insights from Indonesian Ministries," *Jurnal Ilmu Sosial Dan Ilmu Politik* 28, no. 3 (2025): 269–96, https://doi.org/10.22146/jsp.96402.
[50] Ulrich Jochheim, "Political Institutions in Indonesia
after the October 2024 Elections: Democracy, Decentralisation ,Diversity," no. October (2024).
[51] Andreas Ufen, "Political Party and Party System Institutionalization in Southeast Asia: Lessons for Democratic Consolidation in Indonesia, the Philippines and Thailand," *The Pacific Review* 2, no. 7 (2008), www.tandfonline.com/doi/full/10.1080/09512740802134174?scroll=top&needAccess=true.
[52] Jochheim, "Political Institutions in Indonesia
after the October 2024 Elections: Democracy, Decentralisation ,Diversity."
[53] A Oktaviani and N Prasetyoningsih, "The Effectiveness of Presidential Democratic System Government in Multiparty Systems," *Proceeding Universitas …* 4, no. 1 (2024): 15–21, https://doi.org/10.18196/umygrace.v4i1.660.
[54] Thomas B Pepinsky, "Why Indonesia's Democracy Is in Danger."
[55] Oktaviani and Prasetyoningsih, "The Effectiveness of Presidential Democratic System Government in Multiparty Systems."
[56] Akili and Achmad, "The Role of Political Parties in the Implementation of Democratic General Elections in the Indonesian State Administration System."
[57] Semenova and Dowding, "Presidential Power Effects on Government and Ministerial Durability: Evidence from Central and Eastern Europe."
[58] Widiastuti, "Multi-Party in Presidential System in Indonesia: What Does Democracy Mean?"
[59] Widiastuti.

Indonesia's multiparty system poses stability and decision-making threats, but can enhance government performance by balancing inter-party friction and political objectives. The system has a 40% chance of promoting government effectiveness.[60]

3.2 The Presidential System in the United States

A presidential system is a form of government in which the president acts as both head of state and government.[61] The president is directly elected by the people through electoral elections, she/he has full executive authority, and is not accountable to the legislature, except within certain limits set by the constitution.[62] The President of the United States, who is the head of state and government, possesses full executive power in accordance with Article II of the United States Constitution.[63] Some of the president's powers include the execution of federal laws.[64] Signing laws or vetoing bills from Congress, serve as commander in chief of the armed forces, appoint federal officials, such as cabinet ministers, ambassadors, and federal judges (with Senate approval).[65]

The president is elected through the Electoral College system, where each state has an equal number of electoral votes as its delegates in Congress (the House of Representatives and Senate combined).[66] The United States presidential system combines federalism and representative democracy, with a candidate receiving a majority of electoral votes. The president is not accountable to Congress but can be impeached for serious crimes.[67]

A comparative analysis of the presidential systems in Indonesia and the United States reveals both structural parallels and functional divergences, shaped by their distinct constitutional traditions, political cultures, and historical trajectories.[68]

At the constitutional level, both countries adopt written constitutions as the foundational source of legal authority. Indonesia operates under the 1945 Constitution (as amended), while the United States is governed by the Constitution of 1787.[69] Both documents establish the president as the head of state and government, affirming a strong executive leadership model. However, the methods of presidential election differ significantly.[70] Indonesia utilizes a direct popular vote, ensuring immediate electoral legitimacy, whereas the United States applies an indirect system through the Electoral College, reflecting its federal structure.[71] Term limits in both systems are relatively similar two terms of five years in Indonesia and four years in the U.S. but the mechanisms for removal from office show

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[60] Aditya Perdana, Muhammad Imam, and Syafril Effendi, "The Coalitional Presidentialism and Presidential Toolbox in the Philippines and Indonesia," *Journal of ASEAN Studies* 12, no. 2 (2024): 461–81, https://doi.org/10.21512/jas.v12i2.11449.
[61] William Partlett, "Crown-Presidentialism" 20, no. 1 (2022): 204–36.
[62] Cass R Sustein, "The Rule of Law vs. 'Party Nature': Presidential Elections, the U.S. Constitution, the Electoral Count Act of 1887, the Horror of January 6, and the Electoral Count Reform Act of 2022," *Boston University Law Review* 33, no. 1 (2022): 1–12.
[63] United States Senate, "Constitution of the United States," United States Senate, 1992, https://www.senate.gov/about/origins-foundations/senate-and-constitution/constitution.htm.
[64] Gene Healy, *America's Dangerous Devotion to Executive Power The Cult or the Presidency* (Canada: Cato Institude, 2024).
[65] Rodrigo Barrenechea and Alberto Vergara, "Peru: The Danger of Powerless Democracy," *Journal of Democracy* 34, no. 2 (2023): 77–89, https://doi.org/10.1353/jod.2023.0015.
[66] Gleaves Whitney, "Presidential Power," *Ideas and Movements That Shaped America: From the Bill of Rights to "Occupy Wall Street":* 1, no. 3 (2015): 786–92, https://doi.org/10.5840/cssr20152020.
[67] United States Senate, "Constitution of the United States."
[68] Rizki Aulia Adinda, Cici Fatmala, and Yana Syafrie Hijri, "Perbandingan Sistem Pemerintahan Presidensial Amerika Dan Indonesia," *Jurnal Pendidikan Dan Konseling* 4 (2022): 1349–58.
[69] Fakhri Asshidiqy, "Perbandingan Sistem Pemerintahan Presidensial Dan Kedua Sistem , Serta Implementasi Di Negara Amerika," *Jurnal Ilmu Hukum* 2, no. 1 (2024): 97–105.
[70] Mohammad Syaiful Aris, "Opportunities and Challenges in the Implementation of Plurality - Majority (District) Electoral System for Strengthening the Indonesian Presidential System," *Yuridika* 37, no. 3 (2022): 563–90, https://doi.org/10.20473/ydk.v37i3.37604.
[71] Adinda, Fatmala, and Hijri, "Perbandingan Sistem Pemerintahan Presidensial Amerika Dan Indonesia."

nuanced distinctions. While both countries allow for presidential impeachment, the Indonesian process involves the Constitutional Court and the People's Consultative Assembly, whereas in the U.S., impeachment is initiated in the House of Representatives and adjudicated by the Senate.[72]

A major institutional divergence lies in the party system. Indonesia operates within a multiparty framework that often necessitates coalition-building, resulting in executive-legislative negotiations that can be both dynamic and unstable.[73] Conversely, the United States features a dominant two-party system (Democrats and Republicans), which tends to produce clearer electoral outcomes and more stable policy direction, albeit sometimes at the cost of excluding minority political voices.[74] Cabinet formation further illustrates these differences. In Indonesia, the President is constitutionally permitted to appoint ministers from outside political parties, affording greater flexibility but potentially weakening party discipline.[75] In contrast, U.S. Presidents typically appoint cabinet members from within their party or affiliated experts, subject to Senate confirmation, reinforcing partisan coherence and legislative alignment.[76]

Legislative authority and the system of checks and balances also reflect contrasting designs.[77] While both systems separate powers among the executive, legislative, and judicial branches, the U.S. system is characterized by stricter institutional boundaries and more frequent instances of inter-branch confrontation. Indonesia's checks and balances are comparatively more flexible but can sometimes lead to blurred institutional accountability, especially within coalition dynamics.[78]

The correlation between the two systems suggests that Indonesia could adopt certain stabilizing elements from the U.S. model to further refine its presidential efficacy.[79] Specifically, the implementation of a more simplified party system through a higher legislative threshold resembling the U.S. two-party stability could mitigate the fragmentation often found in Indonesia's multiparty coalitions. Furthermore, the U.S. experience indicates that a clearer demarcation of checks and balances, particularly regarding the Senate's role in confirming executive appointments, could provide Indonesia with a model for more rigorous legislative oversight without compromising executive independence. By adopting these structural nuances, Indonesia can move toward a 'purified' presidentialism that balances the diverse representation of a multiparty system with the executive decisiveness characteristic of the American model.[80]

The fundamental structural and functional differences between the two systems, as discussed in the preceding sections, are synthesized in Table 1 below.

[72] Tarigan, Lubis, and Mustofa, "Problematics of the Implementation of the Presidential Threshold in Elections."
[73] Widiastuti, "Multi-Party in Presidential System in Indonesia: What Does Democracy Mean?"
[74] Abdul Ghoffar, "Problematika Presidential Threshold: Putusan Mahkamah Konstitusi Dan Pengalaman Di Negara Lain," *Jurnal Konstitusi* 15, no. 3 (2018): 480, https://doi.org/10.31078/jk1532.
[75] Tarigan, Lubis, and Mustofa, "Problematics of the Implementation of the Presidential Threshold in Elections."
[76] Dkk. Tiopan, Demson., Kurniawan, Shelly., Rabbani, Kevin Alim., "The House of Representatives Legislative Authority in Indonesia ' s Amended 1945 Constitution," *CIRR* XXIX, no. 93 (2023): 254–72, https://doi.org/10.2478/CIRR-2023-0062.
[77] Gabriela Borz and George Jiglău, "The Impact of Legislative Reforms on Party System Change," *Studia Politica Romanian Political Science Review* XXI, no. 2 (2021): 461–86.
[78] Tiopan, Demson., Kurniawan, Shelly., Rabbani, Kevin Alim., "The House of Representatives Legislative Authority in Indonesia ' s Amended 1945 Constitution."
[79] Isra, *Pergeseran Fungsi Legislatif: Menguatnya Model Legislasi Parlementer Dalam Sistem Presidensial Indonesia*.
[80] Lijphart, *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries*, 2012.

Table 1.

Comparative Overview of the Presidential Systems in Indonesia and the United States.

Comparison Feature	Indonesia	United States
Selection Method	Direct Election by the People	Sistem *Electoral College* (Tidak Langsung)
Party System	Multi-party (Tendency toward coalition)	Dua Partai Dominan (*Two-Party System*)
Department Time	5 Years (Maximum 2 Terms)	4 years (maximum 2 terms)
Mechanism Impeachment	Involving the Constitutional Court & the People's Consultative Assembly	Involving the House of Representatives & Senate
Cabinet Authority	Presidential Prerogative (More Flexible)	Requires Senate Approval
Separation of Powers	More Flexible (Flexible Checks)	Very Strict (Stringent Separation)

In summary, although both Indonesia and the United States adhere to the presidential model, the practical implementation of executive authority, party systems, and mechanisms of accountability demonstrate considerable variation.[81] These differences underscore the contextual nature of constitutional design and highlight the importance of aligning institutional arrangements with the socio-political realities of each country.[82] Although the president of both nations holds the same position as head of state and government,[83] their party systems and systems of checks and balances are fundamentally different; Indonesia's multiparty system often leads to political instability, while the U.S. maintains a more stable two-party system.[84] In contrast to the Electoral College system in the U.S.,[85] the president of Indonesia is chosen through a direct popular vote for a five-year tenure with the potential for extension.[86] Furthermore, unlike the U.S. House of Representatives and Senate, the Indonesian impeachment process is uniquely handled by the Constitutional Court and the People's Consultative Assembly.[87] Finally, while the U.S. president possesses a stronger veto power and requires Senate approval for appointments, the Indonesian president faces different constraints in cabinet

[81] Widiastuti, "Multi-Party in Presidential System in Indonesia: What Does Democracy Mean?"
[82] Jochheim, "Political Institutions in Indonesia
after the October 2024 Elections: Democracy, Decentralisation ,Diversity."
[83] Nor Lailatul. Rihadatul'Asy, Ranarosyidah., Putri, Widy Anastasya., Mutfaidah, "Comparison of Presidential Term Regulations in Several Countries with Presidential Systems: Indonesia, United States, and Philippines," *JOURNAL OF INDONESIAN CONSTITUTIONAL LAW* 1, no. 2 (2024): 84, https://ejournal.pustakaparawali.com/index.php/jicl/index.
[84] Adinda, Fatmala, and Hijri, "Perbandingan Sistem Pemerintahan Presidensial Amerika Dan Indonesia."
[85] Tarigan, Lubis, and Mustofa, "Problematics of the Implementation of the Presidential Threshold in Elections."
[86] Adinda, Fatmala, and Hijri, "Perbandingan Sistem Pemerintahan Presidensial Amerika Dan Indonesia."
[87] Adinda, Fatmala, and Hijri.

formation and judicial appointments.[88]

This research identifies several usable correlations. First, party system consolidation is positively correlated with coalition stability and policy coherence, suggesting that excessive fragmentation undermines effective presidential governance. Second, institutionalized mechanisms of political alignment—whether through party discipline or formal procedures—are critical in maintaining consistency between executive mandates and legislative support. Third, the effectiveness of presidential systems is not solely determined by constitutional design, but by the degree of synchronization between political parties and governing institutions. However, the findings also caution against simplistic institutional transplantation. The relative stability of the United States system is rooted in its historical development and sociopolitical context, which cannot be directly replicated in Indonesia's pluralistic society. Therefore, rather than adopting a two-party model, Indonesia requires an adaptive institutional solution that preserves political inclusiveness while enhancing governability.

In this context, the research reinforces the argument for "Purified Presidentialism" as a model of institutional synchronization tailored to multiparty environments. The comparative insights demonstrate that the key challenge is not the existence of multiple parties per se, but the absence of mechanisms that transform fragmented representation into coherent governance. Accordingly, the proposed Policy-Based Coalition Contract (PBCC) emerges as a contextually relevant instrument, designed to replicate the functional benefits of programmatic alignment found in more consolidated systems without undermining democratic diversity. In sum, the integration of comparative analysis into the final discussion underscores that the future of Indonesia's presidential system depends on its capacity to move beyond ad hoc coalition practices toward institutionalized, policy-driven governance structures that align executive authority with legislative support.

3.3 Multiparty in a Presidential System of Government

According to Scott Mainwaring's 1993 study, only Chile is able to successfully integrate presidentialism and multiparty systems, highlighting their incompatibility.[89] Particularly in multiparty presidential systems where majority support is uncommon, combining presidentialism and multipartyism can lead to impasse and unstable governments.[90] Jose Antonio Cheibub's 2007 study on presidentialism and parties,[91] which found that multiparty parliamentary systems are more effective in legislative procedures,[92] has improved Sunny Tanuwidjaja's research on the instability and inefficiency of presidential multiparty systems.[93]

The structural integrity of the presidential system lies in its ability to foster executive decisiveness through fixed tenure and legislative independence. Theoretically, the correlation between executive stability and policy-making is evidenced by the President's capacity to propose bold legislative initiatives without the immediate threat of a politically motivated "no-confidence" vote, a stark contrast to the vulnerability inherent in parliamentary systems.[94] While parliamentary systems may exhibit a more accelerated legislative process due to the fusion of executive and legislative powers, the presidential

[88] Amal Sethi, "Politicising Constitutional Court Appointments in Europe," *European Constitutional Law Review*, 2025, 1–37, https://doi.org/10.1017/S1574019625000045.
[89] Tiopan, Demson., Kurniawan, Shelly., Rabbani, Kevin Alim., "The House of Representatives Legislative Authority in Indonesia ' s Amended 1945 Constitution."
[90] Tiopan, Demson., Kurniawan, Shelly., Rabbani, Kevin Alim.
[91] Shinta Tri Lestari, "Sistem Penyederhanaan Kepartaian Dalam Konstitusi Negara-Negara Presidensial Multipartai Dan Pengalaman Di Indonesia," *Jurnal Konstitusi Dan Demokrasi* 3, no. 1 (2023), https://doi.org/10.7454/jkd.v3i1.1301.
[92] José A. Cheibub, Fernando Limongi, and Adam Przeworski, "Electing Presidents: A Hidden Facet of Democratization," *Presidential Studies Quarterly* 53, no. 4 (2023): 476–500, https://doi.org/10.1111/psq.12846.
[93] Widiastuti, "Multi-Party in Presidential System in Indonesia: What Does Democracy Mean?"
[94] Gleaves Whitney, "Presidential Power," *Ideas and Movements That Shaped America: From the Bill of Rights to "Occupy Wall Street":* 1, no. 3 (2015): 786–792, https://doi.org/10.5840/cssr20152020.

model prioritizes a deliberate process of checks and balances. This slower pace is not a systemic failure but a conceptual necessity that encourages inter-party deliberation and long-term policy consensus.[95]

Furthermore, the correlation between government stability and systemic design is often misunderstood. Contrary to the traditional critique of "presidential instability", the research of José Antonio Cheibub demonstrates that legislative efficacy and political endurance are more significantly correlated with external socioeconomic variables such as per capita income and the maturity of democratic institutions than with the specific type of coalition or party framework.[96] Consequently, a multiparty system in a presidential context does not inherently yield instability; rather, it is the capacity of the constitutional framework to withstand external shocks that determines the longevity of the regime.[97]

According to Cheibub, the government structure or coalition parties have less of an impact on the stability and efficacy of government than elements like economic conditions and the level of democracy.[98] Lijphart gives the example of building a governing coalition among political parties.[99] Arend Lijphart contends that by fostering a coalition of political parties known as consensual democracy, a multiparty system can produce a stable presidential democracy.[100]

The 1945 Constitution leaves it up to the legislature to govern political parties and their numbers. However, as popular sovereignty is chosen as the greatest authority, political parties provide a platform for citizens to fight for their rights and obligations in the country.101 Discussions concerning the creation of political parties for general elections surfaced during Indonesia's independence. While some supported a multiparty system, others favored a single party system headed by President Soekarno. In November 1945, the Central Indonesian National Committee called for the formation of new parties.[102]

Indonesia has had a multiparty system since 1945 after delaying general elections until 1955. President Soekarno, who came up with the term "cattle trading", was dissatisfied with the power-driven focus of party administrators and criticized the system.[103] After the 1955 general election, Soekarno reduced the number of political parties, leading to the dissolution of 26 out of 36. The remaining ten parties included the Indonesian National Party, Indonesian Communist Party, the Indonesian Islamic Union Party, the Indonesian Christian Party, the Catholic Party, Perti Islamic Party, Indonesian Independence Support Association, Murba Party, and Indonesian Party.[104] General Soeharto's idea that the multiparty system was unsuitable for Indonesia grew rapidly.[105] After the transition from the Old Order to the New Order, the New Order Multiparty System was simplified with a compromise on July 27, 1967. Districts

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[95] Cass R Sunstein, "The Rule of Law vs. 'Party Nature': Presidential Elections, the U.S. Constitution, the Electoral Count Act of 1887, the Horror of January 6, and the Electoral Count Reform Act of 2022," *Harvard Law Review*, 2022.
[96] José Antonio Cheibub, *Presidentialism, Parliamentarism, and Democracy* (Cambridge: Cambridge University Press, 2007).
[97] Widiastuti, "Multi-Party in Presidential System in Indonesia: What Does Democracy Mean?"
[98] dkk. Ardhana, Phil. I Ketut., Ardika, I Wayan., Putra, I Nyoman Darma., ed., *Proceedings Internasional Seminar "Building Collaboration and Network in A Globalized World"* (Bali: Postgraduate Program of Cultural Studies Faculty of Arts-Udayana University, 2017).
[99] Titon Slamet Kurnia, "Presidential Candidacy Threshold and Presidentialism Affirmation in Indonesia," *Padjadjaran Jurnal Ilmu Hukum* 7, no. 3 (2020): 353–79, https://doi.org/10.22304/pjih.v7n3.a4.
[100] Tarunabh Khaitan, "Melbourne Legal Studies Research Paper Series Case for Moderated Parliamentarism," no. 941 (2021).
[101] Dewi Mulyanti, "Mekanisme Pemberhentian Presiden Dalam Sistem Pemerintahan Presidensial Di Indonesia (Tinjauan Perbandingan Hukum Di Negara Amerika Serikat, Filipina Dan Sudan)," *Jurnal Ilmiah Galuh Justisi* 6, no. 2 (2018): 195, https://doi.org/10.25157/jigj.v6i2.1714.
[102] dkk Judijanto, loso., *Sistem Politik Indonesia*, 1st ed. (Yogyakarta: PT. Green Pustaka Indonesia, 2025), https://books.google.co.id/books?hl=en&lr=&id=DMQ9EQAAQBAJ&oi=fnd&pg=PA1&dq=Abdul+Sjukur,+Saatnya+Mereformasi+Sistem+Multipartai&ots=YPZljC6cbT&sig=P9iU0BbW3Nbnjl_2lg5thjC8cLk&redir_esc=y#v=onepage&q&f=false.
[103] Judijanto, loso.
[104] Ardhana, Phil. I Ketut., Ardika, I Wayan., Putra, I Nyoman Darma., *Proceedings Internasional Seminar "Building Collaboration and Network in A Globalized World."*
[105] Judijanto, loso., *Sistem Politik Indonesia*.

were guaranteed at least one seat, and 100 members of the House of Representatives were appointed from the Armed Forces and Non-Armed Forces. Critics feared it would reduce party leaders' power.[106]

President Soeharto forced all parties to join either the Indonesian Youth Party or The Party of Functional Groups after the New Order in Indonesia limited the number of parties from ten to three in 1973. As a result, there were only three competitors from 1977 to 1992.[107] Soeharto's approach to political parties was influenced by religious diversity, with Catholic and Christian parties joining the Indonesian Democratic Party instead of the United Development Party, leading to a more diverse coalition cabinet. However, this approach also resulted in a lack of familiarity between representatives and the people.[108] President Habibie recognized his government's lack of political legitimacy and hastened elections after the fall of the New Order.[109] In the 1999 elections, more than 200 political parties were formed, but only 48 made it to the selection stage. More than half failed to achieve the basic requirements. Parties had to meet more stringent conditions in the 2004 general elections as a result of the 1999 elections' invaluable experience.[110]

The Third Amendment to the 1945 Constitution, particularly Article 6A paragraph (2), fundamentally transformed the Indonesian executive-legislative dynamic by designating political parties as the exclusive gateway for presidential nominations. Argumentatively, the constitutional phrasing of "a combination of political parties" acknowledges the inherent multiparty reality of Indonesia while simultaneously necessitating a legal mechanism to prevent excessive executive-legislative fragmentation.[111] As a direct implementation of this constitutional mandate, Law Number 12 of 2003 was promulgated, introducing the Electoral Threshold as a strategic instrument for party simplification.

The correlation between the stringent seat requirements specifically the 3% threshold in the House of Representatives and the 4% regional threshold and presidential stability lies in the concept of "Rationalizing Multiparty Presidentialism". By setting these numerical barriers, the law enforces a "natural selection" process that compels smaller or underperforming parties to either merge or form permanent coalitions to maintain their eligibility for future elections. This legal engineering is not merely an administrative filter; it is a deliberate effort to consolidate the party system, thereby reducing the likelihood of a "minority president" struggling against a fractured parliament. Consequently, these thresholds serve as a constitutional safeguard to ensure that the President's direct mandate is supported by a more cohesive legislative base, mitigating the risks of government deadlock and ensuring institutional efficacy.

According to Article 9 of Law Number 12/2003 on Elections, each political party participating in the 2004 elections must have at least 3 percent of the seats in the House of Representatives, 4 percent of the seats in the Provincial House of Representatives, and 4 percent of the seats in the district/city House of Representatives.[112] Each political party must have representation in at least half of the provinces and districts/cities. This law cut the number of political parties in the 2004 elections by half, from 48 to 24. The Party of Functional Groups won the 2004 legislative election, while the Democratic Party (Susilo Bambang Yudhoyono-Jusuf Kalla) won the presidential election. Because of its widespread support in the House of Representatives, Susilo Bambang Yudhoyono-Jusuf Kalla benefited when the Party of Functional Groups entered the government as a result. In a multiparty setting, the president

[106] Judijanto, loso.
[107] Judijanto, loso.
[108] Judijanto, loso.
[109] Sethi, "Politicising Constitutional Court Appointments in Europe."
[110] Judijanto, loso., *Sistem Politik Indonesia*.
[111] Judijanto Loso, "Analysis of the Dynamics of the Presidential System and the Role of Political Parties in Indonesia's Constitutional Amendments," *Journal of International Law and Governance* 5, no. 1 (2023): 112–25.
[112] Khaitan, "Melbourne Legal Studies Research Paper Series Case for Moderated Parliamentarism."

and vice president successfully carried out the government.[113]

The transition toward the 2009 elections was marked by a more rigorous institutionalization of the party system through Law Number 10/2008. Argumentatively, the legal requirements stipulated in Article 8 ranging from legal entity status to geographical representation in two-thirds of provinces and regencies represent an effort to ensure that political parties are not merely temporary electoral vehicles, but robust national institutions with substantial grassroots legitimacy. By mandating a minimum of 1,000 members and a 30% quota for women's representation, the law aims to improve the quality of political representation and the internal democratic structure of parties.[114]

The correlation between these stringent administrative requirements and the stability of the presidential system is found in the concept of "Party System Nationalization". By requiring parties to possess a permanent office and management spread across the archipelago, the legal framework prevents the emergence of fragmented, localized, or "shell parties" that could otherwise complicate executive-legislative bargaining. This ensures that the President interacts with political entities that have a clear national mandate and organizational stability. Consequently, these provisions serve as a prerequisite for a functional presidential system, where the executive's policy-making process is supported by a consolidated and professionalized parliamentary base rather than an unstable collection of minor political interests.[115]

The 2009 general elections saw an increase in political parties compared to the 2004 elections due to the loosening of party requirements. The number of parties increased from 24 to 44, with 20 new national and 6 local parties added, indicating that the simplification of political parties was not successful.[116] The Parliamentary threshold system in Indonesia restricts the membership of political parties in the House of Representatives to prevent excesses from large parties participating in elections. Article 202 paragraph (1) of Law Number 10 Year 2008 mandates parties meet a 2.5% threshold. In 2009, nine parties were included, including the Democratic Party, Golkar Party, Struggle Democratic Party, Social Justice Party, National Mandate Party, United Development Party, and People's Conscience Party.

In 2009, the Democratic Party and several political parties formed a consensus model to support the government in exchange for cabinet seats. This model aligns with Lijphart's idea that a multiparty presidential system can create an effective government by building a government coalition. The Susilo Bambang Yudhoyono government's coalition of political parties is effective, but fragile due to short-term pragmatics.[117]

Simulating parties and maturing politicians is more crucial for effective government.[118] Future election laws should regulate selective requirements for political parties to participate in general elections,

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[113] Muklis Muklis and Muhammad Kholis Mujaiyyin Ahda, "Persetujuan Dewan Perwakilan Rakyat Dalam Pengangkatan Dan Pemberhentian Kepala Kepolisian Negara Republik Indonesia Dalam Sistem Presidensial Di Indonesia," *Legalitas: Jurnal Hukum* 14, no. 2 (2023): 265, https://doi.org/10.33087/legalitas.v14i2.348.

[114] T. R Mainwaring, S., & Scully, *Building Democratic Institutions: Party Systems in Latin America* (Stanford: Stanford University Press, 1995).

[115] A Ufen, "From Micro-Groups to Parties: The Politicization of Local Politics in Indonesia," *South East Asia Research* 16, no. 1 (2008): 5–41, https://doi.org/https://doi.org/10.5367/000000008784230154.

[116] Mahesa Rannie, Retno Saraswati, and Fifiana Wisnaeni, "Does the Reform of the Parliamentary and Presidential Threshold Strengthen the Presidential System in Indonesia?," *Sriwijaya Law Review* 8, no. 1 (2024): 133–51, https://doi.org/10.28946/slrev.Vol8.Iss1.3157.pp133-151.

[117] Rihadatul'Asy, Ranarosyidah., Putri, Widy Anastasya., Mutfaidah, "Comparison of Presidential Term Regulations in Several Countries with Presidential Systems: Indonesia, United States, and Philippines."

[118] Karmel Hebron Simatupang, "Multi-Party Systems and Parliamentary Thresholds: The Case of Indonesia's Presidential System with Comparisons to Germany and Taiwan," *Journal of Political Issues* 6, no. 2 (2025), https://doi.org/https://doi.org/10.33019/jpi.v6i2.291.

protecting human rights and avoiding limiting parties in elections. This can be achieved by minimizing new party births and increasing the national minimum vote acquisition threshold for political parties to participate in the next election.[119]

Political parties participating in the 2004 general elections that obtained at least 3% (three percent) of the number of seats in the House of Representatives) or obtained at least 4% (four percent) of the number of seats in the provincial House of Representatives spread over at least 1/2 (half) of the provinces throughout Indonesia, or obtained at least 4% (four percent) of the number of seats in the l district/city House of Representatives in regencies/cities spread over at least 1/2 (half) of the regencies/cities throughout Indonesia, are designated as political parties participating in the general elections after the 2004 general elections. Political parties not meeting Article 315's requirements can participate in the 2009 election if they join a party that meets the provisions, use the party's name and image sign to meet the minimum number of seats, form a new party, have seats in the House of Representatives, or meet verification requirements by the General Elections Commission.[120]

3.4. The Constitutional Court's Decision on the Multiparty System

The substance of this Decision focuses on the review of Article 222 of Law Number 7/2017 on General Elections which regulates the presidential nomination threshold of 20% of the seats in the House of Representatives or 25% of the national valid votes in the previous legislative elections. The applicant argues that the provision is contrary to the 1945 Constitution because it violates the principle of democratic morality by limiting the opportunity for small parties to nominate the president.[121] Then, it disrupts the rationality of the political system by narrowing the representation of small parties in the presidential nomination arena, and reduces political justice for voters, because the choice of presidential candidates becomes limited. In that sense, if the Constitutional Court decides that the presidential threshold provision is unconstitutional, then the implications are enormous for the multiparty system in Indonesia.[122]

Indonesia's multiparty system is currently facing serious challenges due to the high presidential nomination threshold. With the removal or revision of this threshold, small and medium-sized parties will have a greater opportunity to play an active role in presidential nominations.[123] This could strengthen the bargaining power of small parties in the dynamics of national politics.[124] A high presidential nomination threshold is often considered to encourage political cartelization, where only large parties or large coalitions can carry presidential candidates.[125]

A Constitutional Court ruling that eliminates or lowers this threshold will break the dominance of large parties and allow for healthier and more inclusive political competition. In this sense, the Constitutional Court has created a space for political diversity, where voices from various groups of people, both large and small, can be represented in the House of Representatives. This move is in line with democratic principles that emphasize the right of every individual to be elected and to vote, as well as ensuring

[119] Tarigan, Lubis, and Mustofa, "Problematics of the Implementation of the Presidential Threshold in Elections."
[120] Dody Wijaya, "Pengaruh Pemilu Serentak Terhadap Penguatan Sistem Presidensial Di Indonesia," *INDEPENDEN: Jurnal Politik Indonesia Dan Global* 2, no. 2 (2021): 17, https://doi.org/10.24853/independen.2.2.17-28.
[121] Rihadatul'Asy, Ranarosyidah., Putri, Widy Anastasya., Mutfaidah, "Comparison of Presidential Term Regulations in Several Countries with Presidential Systems: Indonesia, United States, and Philippines."
[122] Nisa Nur Islami and Agus Riwanto, "Eksistensi Kedudukan Serta Peran Mahkamah Konstitusi Dalam Pemakzulan (Impeachment) Presiden Dan/Atau Wakil Presiden Pasca Amandemen Uud Nri 1945," *Res Publica: Jurnal Hukum Kebijakan Publik* 7, no. 2 (2023): 210, https://doi.org/10.20961/respublica.v7i2.51932.
[123] Stephen. M Krason, "Presidential Power: A Rescuer, Not a Nemesis" 20 (2015).
[124] Gene Healy, "Cult of The Presidency America's Pathological Relationship with Executive Power," 1962.
[125] Tarr and O'Connor, "House of Representatives."

that people's voices are not marginalized.[126]

The parliamentary threshold is one of the mechanisms implemented to screen political parties that can gain seats in the legislature. This mechanism aims to ensure that only parties with significant support from the people can be elected into the House of Representatives. In the 2017 General Election Law, the parliamentary threshold is set at 4% of the total national valid votes for political parties wishing to gain seats in the House of Representatives. Previously, in the 2009 General Election Law, the threshold was set at 3.5%.[127]

This parliamentary threshold is regulated in Article 414 paragraph (1) which states that political parties that obtain less than 4% of the national valid votes are not entitled to seats in the House of Representatives. This provision causes some small parties that have a limited mass base in certain regions, but are quite significant on a local scale, to be unable to qualify for parliament if their national votes do not meet the predetermined threshold.[128]

Removing or adjusting the threshold will open up opportunities for more presidential candidates from different backgrounds.[129] This would give voters more options, while reflecting the diversity of Indonesians' aspirations in elections.[130] While reducing or removing the threshold may strengthen the role of smaller parties, it also has the potential to split votes and increase political fragmentation.[131] Without a threshold, too many presidential candidates can cause voter confusion and undermine political stability.[132] If the ruling results in the removal of the presidential threshold, the configuration of political party coalitions will change significantly.[133] Major parties are likely to find it more difficult to maintain a monopoly on power, while smaller parties can choose to form coalitions or stand alone without having to submit to the dominant party's agenda.[134]

The removal of the threshold could create a more open democracy, where every political party has an equal opportunity to nominate a president.[135] With more choices of presidential candidates, public enthusiasm for the election could potentially increase.[136] Conversely, if there are too many candidates, the public could be divided into various political camps, further weakening national solidarity.[137] The General Elections Commission needs to adjust its technical regulations to accommodate more candidates and political parties should adjust their strategies to deal with a more competitive political landscape.[138]

The lowering of the parliamentary threshold to 3% through the Constitutional Court's ruling presents a dualistic phenomenon in Indonesian presidentialism: it enhances democratic pluralism but simultaneously risks systemic fragmentation. Theoretically, this shift allows smaller parties to act as

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[126] Ghoffar, "Problematika Presidential Threshold: Putusan Mahkamah Konstitusi Dan Pengalaman Di Negara Lain."
[127] Summarized in Fadhli, Rizky. "Sistem Multipartai dan Stabilitas Politik di Indonesia." Jurnal Politik Indonesia 5, no. 2 (2020): 98-115
[128] Kurnia, "Presidential Candidacy Threshold and Presidentialism Affirmation in Indonesia."
[129] Oktaviani and Prasetyoningsih, "The Effectiveness of Presidential Democratic System Government in Multiparty Systems."
[130] Kristiyanto, "Pemakzulan Presiden Republik Indonesia Pasca Amandemen Uud 1945."
[131] Emerson, "The Departmental Structure of Executive Power: Subordinate Checks from Madison to Mueller."
[132] Florian Grotz et al., *How Political Careers Affect Prime-Ministerial Performance: Evidence from Central and Eastern Europe*, *Comparative Political Studies*, vol. 54, 2021, https://doi.org/10.1177/0010414021997174.
[133] Borz and Jiglău, "The Impact of Legislative Reforms on Party System Change."
[134] Cheibub, Limongi, and Przeworski, "Electing Presidents: A Hidden Facet of Democratization."
[135] Barrenechea and Vergara, "Peru: The Danger of Powerless Democracy."
[136] Jochheim, "Political Institutions in Indonesia
after the October 2024 Elections: Democracy, Decentralisation ,Diversity."
[137] Ghoffar, "Problematika Presidential Threshold: Putusan Mahkamah Konstitusi Dan Pengalaman Di Negara Lain."
[138] Lestari, "Sistem Penyederhanaan Kepartaian Dalam Konstitusi Negara-Negara Presidensial Multipartai Dan Pengalaman Di Indonesia."

conduits for niche and regional interests that are often marginalized by larger political entities.[139] However, this research identifies a significant novelty in the emergence of a "Representation-Stability Paradox".[140] While the ruling decentralizes legislative power, it creates a "fragmented plurality" that complicates the formation of stable governing coalitions. Unlike previous eras of forced party simplification, the current legal landscape necessitates a transition from informal political bargaining to institutionalized coalition-building to prevent the executive-legislative deadlocks typically observed in extreme multiparty systems.[141][142]

To resolve this tension, this study recommends the adoption of a "Policy-Based Coalition Contract" (PBCC). Instead of merely relying on numerical thresholds, the stability of the presidential system should be reinforced by legal mechanisms that bind coalition partners to a specific, transparent policy agenda for the duration of the president's term. By implementing this recommendation, the diversity facilitated by the 3% threshold can be channeled into a constructive legislative force rather than a disruptive one. This approach ensures that the "Purified Presidentialism" sought in this research is achieved where the President's direct mandate is respected, yet the legislative process remains inclusive and diverse.[143]

4. CONCLUSION

This research set out to examine whether Indonesia's multiparty configuration undermines the effectiveness of its presidential system and to identify an institutional pathway capable of reconciling democratic inclusiveness with executive governability. The findings demonstrate that the core challenge does not lie in the existence of a multiparty system per se, but in the absence of institutional mechanisms that align fragmented legislative representation with a coherent executive mandate. The analysis confirms that the post–Constitutional Court recalibration of electoral thresholds enhances political inclusiveness, yet simultaneously intensifies coalition fragility, policy incoherence, and the risk of executive–legislative deadlock. In addressing this problem, the research advances a novel theoretical and institutional contribution. It introduces the concept of the Representation–Stability Paradox as a framework for understanding the trade-off between inclusiveness and governability in multiparty presidential systems. Building upon this, the article proposes Purified Presidentialism as a model of institutional synchronization, operationalized through the Policy-Based Coalition Contract (PBCC). This approach shifts the focus from electoral simplification toward the institutionalization of programmatic, policy-driven coalitions. Accordingly, the novelty of this research lies in repositioning coalition governance as a legal-institutional design problem, offering a practical and theoretically grounded solution to strengthen presidential effectiveness without compromising democratic plurality.

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