

THE RELEVANCE OF POLITICAL PARTIES IN THE IMPLEMENTATION OF PARLIAMENTARY THRESHOLDS IN THE GENERAL ELECTIONS OF 2019

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Abstract

The Research Objectives to Analyze the Relevance of Political Parties to the Implementation of the Parliamentary Threshold in Indonesia. This Research Using Normative Law Research Methods. Data was Collected Using Library Methods, Materials, and Data Related to Legislation, and Interviews with Several Experts. Data were analyzed using deductive and inductive methods, then presented descriptively. The Research Results Show That The Implementation Of The Parliamentary Threshold In Addition To Simplifying The Existing Political Parties, This Application Also Makes Political Parties More Competitive And Can Become The Dominant Representation Of The Public In Every General Election. There needs to be more innovative creativity shown by political parties to get as many votes as possible to get seats in the DPR. Political parties are also demanded to be more humanist, participative, transparent, and able to maximize voters' votes.

Keywords: Political parties; Threshold; Limit; Parliamentary

INTRODUCTION

The implementation of a democratic election is essential. A democratic election in a democratic country is very important given that the purpose of the election is to open up opportunities for a change of government as well as a moment to test and evaluate the quality of people's support for the successes and shortcomings of the government in power (Arrsa, 2016). As a means of absorbing the dynamics of people's aspirations to be further identified, articulated, and aggregated over a certain period of time. The key consideration, however, is to assess the quality of the enactment of the people's sovereignty itself (Prasetyoningsih, 2014).

According to the current legal provisions in Indonesia, the way to hold democratic elections can be interpreted in two ways, either directly or through other democratic means, one of which is election through representative institutions (Pigome, 2011). This is in accordance with the decision of the Constitutional Court (MK) No. 14/PUU-XI/2013, which states that in order to implement the Articles of the Constitution of the Republic of Indonesia of 1945, a Regional Government Law is required, the substance of which includes provisions regarding Regional Heads Election (Pilkada) (Solihah, 2018). In regard to this, the Court holds the view that it is within the authority of the legislature to decide whether to implement this provision through direct election or other democratic procedures. Since the Constitution of 1945 has stipulated a democratic Pilkada, both direct elections and other procedures must adhere to general election principles (Zoelva, 2016).

On the basis of the decision of the Constitutional Court, it can be concluded that general elections, both legislative and direct by the people, are equally democratic as long as they adhere

to the general election principles stated in Article 22E paragraph (1) of the Constitution of the Republic of Indonesia of 1945, which states, "General elections are held directly, publicly, freely, confidentially, truthfully, and fairly every five years (Ghofur & Arif, 2017)." However, as the supreme law of the Indonesian state, the constitution has regulated which elections are allowed to be conducted indirectly (elected by representative institutions) and which elections can be conducted directly by the people. The type of election for leaders that the legislature might conduct, for instance, is the election for regional head and deputy regional head (Insiyah, Nugraha & Danmadiyah, 2019).

Article 18, paragraph (4) of the Constitution of the Republic of Indonesia of 1945 states that "Governors, Regents, and Mayors are democratically elected as heads of provincial, regency, and city regional governments." The article does not state explicitly that "must be directly elected by the people in elections," but it does use the phrase "elected democratically." Therefore, the election of regional heads through the Regional Legislative Council (DPRD), as occurred in the election of the Governor and Deputy Governor of the Special Region of Yogyakarta, also qualifies as a democratic way of election (Djanggih, Hipan & Hambali, 2018).

One of the sorts of elections of leaders that the Constitution decisively states must be directly elected by the people is the election of the president and vice president. Article 6A paragraph (1) of the Constitution of the Republic of Indonesia of 1945 stipulates that the President and Vice President are directly elected as a pair by the people (Subhi, 2015). According to Ni'matul Huda, there are at least two reasons why direct presidential elections are regarded as necessary. The first is to further open the door for the rise of a president who is in accordance with the wishes of the majority of the people themselves, and the second is to maintain the stability of the government so that it is not easily brought down in the middle of the road (Huda, 2005).

In contrast to previous elections, in which the Legislative Election preceded the Presidential Election, the legislative and presidential elections since 2019 have been held simultaneously. This conforms to the mandate of Constitutional Court Decision No. 14/PUU-XI/2013 (Jurdi, 2020). In the decision, the Constitutional Court stated, "Considering that based on the aforementioned considerations, the petition of the petitioner regarding the simultaneous holding of Presidential Elections and the election of Representative Council Members is lawfully grounded." This simultaneous election, which will be held later, is confronted with the provisions on the threshold for the candidacy of the president and vice president (presidential threshold) stipulated in Article 222 of Act Number 7 of 2017 concerning General Elections, which requires Candidate Pairs to be proposed by Political Parties or Coalitions of Election-Contesting Political Parties who meet the requirements for obtaining at least 20% (twenty percent) of the seats in the DPR or obtain 25% (twenty-five percent) of the valid national votes in the previous DPR Election.

Constitutionally, there is no problem with setting the threshold. Although there are no issues with respect to the application of the threshold in the presidential election, this is not the case at the implementation level (Ginting & Saragih, 2018). If the implementation of the threshold in the presidential election does not encounter any obstacles, the reason for this is that the legislative election is held earlier than the presidential election. Therefore, the votes and seats

in parliament by each political party are known as the basis for determining whether or not the political party meets or does not meet the threshold standards that have been set.

The multiparty condition that exists in Indonesia will eventually face simultaneous elections. On this basis, the existence of Article 222 of the Election Law raises several issues. Firstly, the outcome of the 2014 election is the result of a series of long processes. Beginning with the registration of election participants, registration of candidates, campaigns, voting, vote counting, constitutional court disputes, and concluding with the results of the 2014 election. It becomes irrelevant if the result of the 2014 election is taken as a reference for the candidacy of President and Vice President in 2019. Furthermore, the result of the 2014 election was obtained from the total number of voters and socio-political conditions that were different from 2019. Secondly, if the presidential candidacy threshold is eliminated from the 2014 election, new political parties that did not participate in the 2014 election will lose their rights to propose pairs of candidates for president and vice president. This is certainly not in accordance with the principle of electoral justice, according to which every election participant has the same candidacy rights. This was reinforced by the dissenting opinion of a Constitutional Court judge who said that Article 222 of the Election Law was clearly detrimental and far from being fair to political parties participating in the 2019 election, which were not given the opportunity to propose candidates for president and vice president as they did not have seats or votes in the 2014 election.

Thirdly, if the implementation of the threshold in the previous presidential election did not encounter any obstacles, it was because the legislative election was held earlier than the presidential election, and therefore the acquisition of votes and seats in parliament by each political party was already known as the basis for determining whether the political party met or did not meet the PT in an effort to propose candidates for president and vice president. Since the 2019 presidential election, in which the legislative and presidential elections were held simultaneously, there is a provision in Article 222 of the Election Law that has no relevance.

Fourthly, even though the threshold is normatively regarded as legal and constitutional, this does not compel all parties to agree with this provision. For those who oppose it, PT is actually no longer relevant, and there is no urgency for it to be implemented in the Presidential Election, which will be held simultaneously with the Legislative Election. And fifthly, the existence of a threshold can be a means of simplifying political parties that need to be tested and debated. Given that the simplification of political parties can be done in a different constitutional way.

RESEARCH METHOD

The research method utilizes normative legal research methods to conduct research and compose this discussion as a legal research approach. The type of research utilized by the writer in the preparation of this legal document is normative legal research or literature, which is legal research conducted by examining library materials or secondary data consisting of primary legal materials, secondary legal materials, and tertiary legal materials. These materials are systematically arranged and studied, and then a conclusion is derived in relation to the problem under investigation. Legal research conducted solely through the examination of literature or

secondary data can be referred to as normative legal research or library legal research. In legal research, there are several approaches, and with this approach, the researcher will obtain information from various aspects regarding the issue for which the answer is being searched. The approach used in this research is the statutory approach. Normative research must certainly apply a statutory approach, considering the various regulations that will be examined are both the focus and the central theme of the research.

DISCUSSION

A. Description of Research Findings on the Relevance of Political Parties to the Implementation of Parliamentary Thresholds in Indonesia

Indonesia held simultaneous general elections in 2019, which included the election of the President and Vice President, as well as members of the People's Representative Council, Regional Representative Council, and Regional Legislative Council. Act No. 7 of 2017 concerning General Elections regulates the parliamentary threshold for political parties participating in the election, which is different from the previous election provisions, namely 4% of the total valid votes nationwide to be included in determining the vote acquisition for House of Representatives (DPR) seats. As is common knowledge, the Parliamentary Threshold is the minimum threshold of votes required for a political party to be able to enter parliament. This provision was initially implemented in the 2009 DPR Election, and then it was continued with a different amount in the 2014 DPR Election and the 2019 DPR Election. Article 202 paragraph (1) of Law Number 10 of 2008 specifies that "Political parties participating in the election must meet the vote acquisition threshold of at least 2.5% (two point five percent) of the total valid votes nationally in order to be included in the determination of winning seats in the DPR." This provision was applied to the 2009 election. Five years later, for the 2014 Election, Article 208 of Act Number 10 of 2012 stipulates, " Political parties participating in the election must meet the vote acquisition threshold of at least 3.5% (three point five percent) of the total valid votes nationwide to be included in the determination of seats for Members of the DPR." Then, for the DPR election in 2019, Act Number 10 of 2017 stipulates that "Political parties participating in the election must meet the vote acquisition threshold of at least 4% (four percent) of the number of valid votes nationwide to be included in the determination of the acquisition of DPR seats." From the formulation of the articles in the three acts pertaining to elections, it can be concluded that the vote acquisition threshold for political parties to gain seats in the DPR always increases from election to election in terms of amount and percentage. If the figure was 2.5% in the 2009 election, it increased to 3.5% in the 2014 election, then increased again to 4% in the 2019 election. The provisions concerning the vote acquisition threshold for winning the seat only apply to the DPR election. It is inapplicable to elections for the provincial DPR and the regency/city DPRD.

Furthermore, the presidential threshold is the number of seats won or the minimum number of votes a political party or coalition of political parties must acquire in order to propose a pair of candidates for president and vice president. Act Number 42 of 2008, which became the basis for the implementation of the 2009 Presidential Election and the 2014 Presidential Election, is

the first law to regulate the alleged presidential threshold. Pay attention to the following content of Article 9 of Act Number 42 of 2008: "Candidate pairs are proposed by political parties or coalitions of political parties participating in the election who meet the requirements of acquiring at least 20% (twenty percent) of the seats in the DPR or obtaining 25% (twenty-five percent) of the national valid votes in the election for members of the DPR, prior to the holding of the election for president and vice president." This provision has been rewritten in Article 222 of Act No. 7/2017, which serves as the legal basis for the 2019 Election. It states, "Candidate pairs are proposed by Political Parties or Political parties participating in the election that meet the requirements of acquiring at least 20% (twenty percent) of the number of seats in the DPR or obtaining 25% (twenty-five percent) of the valid votes nationwide in the previous election for members of the DPR."

In light of the existence of articles in the Election Law that regulate the parliamentary threshold for the DPR election and the presidential threshold for the presidential election, despite the fact that both use the term threshold in their respective titles, the meanings of these thresholds are distinct from one another. The parliamentary threshold regulates the minimum requirements for votes acquired nationally by political parties in order to gain seats in the DPR, whereas the presidential threshold regulates the minimum requirements for obtaining seats in the DPR or the acquisition of votes for the DPR election by political parties or coalitions of political parties in order to propose pairs of presidential candidates. Therefore, with the parliamentary threshold, we are discussing the rules for the requirements to gain seats in the DPR, whereas with the presidential threshold, we are discussing the rules for the requirements for the candidacy of the presidential and vice-presidential pairs. The first discusses the determination of seats resulting from an election, while the second discusses candidacy. Thus, although both use the term threshold, their applications are distinct.

Neither the legislative election laws, the presidential election laws, the election laws, and the regional election laws make use of the terms or nomenclature of parliamentary threshold and/or presidential threshold. In the academic world, there is no understanding of either the term or the concept of the presidential threshold. Even if one is compelled to use the term so as to avoid confusion and maintain consistency with academic concepts, the term presidential threshold must be aligned with the parliamentary threshold, which means discussing the results of the election.

The concept of "parliamentary threshold" was originally used to assess the level of competition among political parties in contending for seats in constituencies in a proportional election system. This concept connects the magnitude of the district to the seat allocation formula. The extent of electoral districts in a proportional electoral system ranges from two to an amount equal to the total number of seats in the parliament. In the meantime, the formula for allocating seats is proportionally determined, which means that the seats gained by political parties in each electoral district are in accordance with their vote acquisition.

In a proportional election system, the size of the electoral district and the seat allocation formula are closely related to the level of competition between political parties in competing for seats

in the electoral district. According to the general formula, the smaller the size of the electoral district, the higher the level of competition. Likewise, the larger the size of the electoral district, the lower the level of competition. At this point, the term "threshold" emerges. The term threshold refers to the minimum number of votes that a political party must obtain to gain a seat in a particular electoral district.

If the seat allocation formula for political parties uses the Hare variant quota method, then the political party must exceed the upper threshold to obtain the first seat. Meanwhile, to obtain the remaining seats, the political party must meet the lower threshold. Furthermore, Taagepera (1989) formulated the upper and lower threshold into an effective threshold. The upper, lower, and effective thresholds ensure the level of competition between political parties in each electoral district. This means that even though the law does not specify a threshold for obtaining seats, the size of the electoral district already indicates a minimum percentage of votes that a political party must obtain to obtain a seat. Hence the size of the upper, lower, and effective thresholds is known as the hidden threshold. This means that it is not stated in the election regulations, but it does exist mathematically. However, if the size of the threshold is written within the law, then it is known as the formal threshold.

There has been an increase in the threshold location from the level of electoral districts, which applied to every electoral area. This means that the magnitude of the disguised or formal threshold that applies at the level of electoral districts is raised to be applied throughout all electoral areas, including national and local elections. Henceforth, in order to obtain parliamentary seats, each party shall compete to pass two filters: first, the district-level threshold (disguised or formal), and second, the threshold at the electoral area (national or local election). This is what is called the parliamentary threshold. Additionally, it is better to refer to the result of election and to not apply the term presidential threshold within the concept of parliamentary threshold for candidacy (minimum seat or vote ownership required to propose a candidate pair) in order to avoid public confusion and misconception.

Therefore, the concept of a presidential threshold in presidential elections is not available. However, if one wants to use it boldly, the regulation is written in the 1945 Constitution of the Republic of Indonesia Article 6A Verse (3) and (4). Article 6A Verse (3) states, "The President and Vice President candidate pair who receive more than fifty percent of the total votes in the general election with at least twenty percent of the votes in each province spread across more than half of the total provinces in Indonesia, shall be inaugurated as President and Vice President." While Article 6A Verse (4) states, "In the event that no President and Vice President candidate pair is elected, the two pairs of candidates who receive the highest number of votes in the general election will be selected directly by the people, and the pair that receives the highest number of votes will be inaugurated as President and Vice President."

B. The Role of Political Parties in Elections in Indonesia with the Implementation of Parliamentary Threshold

After the Constitutional Court Verdict Number 14/PUU-XI/2013 was released, Indonesia entered a new phase in organizing general elections. In 2019, presidential and legislative

elections were held simultaneously for the first time, which became a historical event in Indonesia. Previously, the elections for the members of the House of Representatives, the Regional Representatives Council, and the Regional House of the Representatives were held separately from the President and Vice President elections. However, this event can no longer happen in the future after the election regulations are merged into the Law of the Republic of Indonesia No. 7 Year 2017 on General Elections, where the regulation of presidential and legislative elections were within separate laws.

In order to simplify the multiparty system in Indonesia, the parliamentary threshold of the electoral system is aimed at screening parties that have participated in the contest to sit in parliament. The parliamentary threshold itself is regulated in the Law of the Republic of Indonesia No. 7 Article 414 Year 2017 on General Elections to determine seats acquisition in the House of Representatives.

Additionally, four new parties participated in the simultaneous election in 2019. Those parties are the Indonesian Solidarity Party, the Berkarya Party, the Garuda Party, and the Indonesian Unity Party. As a new party to participate in the election, these parties must gather at least 4% of the national vote in order to send their representatives to the House of Representatives. This was certainly a challenge for them to provide new ideas in order to attract voters in the election.

1. Parliamentary Threshold in Indonesia

Indonesia is a country that upholds the sovereignty of the people in running the government. The people have the power to determine the form and method of governance that will be carried out. In practice, the people's sovereignty is carried out by the representatives who sit in the parliament, which is based on the system of indirect democracy. Election as a means of elite circulation to choose representatives of the people is an important characteristic that must be carried out periodically in a democratic country.

Additionally, the International Commission of Jurists defined representative government as "a government deriving its power and authority through representatives freely chosen and responsible to them" in a conference in Bangkok in 1965. The conference established the importance of election as an essential requirement for democratic countries in order to carry out the sovereignty of the people.

In Indonesia, the process of holding elections to elect representatives who sit in parliament uses the parliamentary threshold as a requirement for political parties to convert their votes into seats in the House of Representatives. Parliamentary threshold is a requirement for the minimum vote share a political party must achieve in order to enter parliament. Therefore, after the total number of votes for each political party is known, it is then divided by the total number of votes nationally.

There are several terms, such as parliamentary threshold, electoral threshold, and threshold. However, August Mellaz stated that those terminologies are essentially the same, which can be referred as the minimum threshold that must be exceeded by political parties to be able to send their representatives to parliament. On the other hand, the Constitutional Court Verdict Number

3/PUU-VII/2009 stated that there is a difference between parliamentary threshold and electoral threshold. According to the Constitutional Court, the electoral threshold is a policy of a minimum percentage of seats or vote acquisition required by the participating political parties in an election to be able to participate in the next election, which was first implemented in Indonesia in elections within the year of 1999 until 2004.

The parliamentary threshold policy aims to simplify the number of political parties sitting in parliament. Hence only large and medium-sized parties will manage the government in the legislative branch. This policy is a form of change from the electoral threshold policy in the Law of the Republic of Indonesia on General Elections for Members of the House of Representatives, the Regional Representatives Council, and the Regional House of the Representatives prior to the Law of the Republic of Indonesia No. 10 Year 2008. Additionally, Indonesia, with its variety of race, religion, and ethnicity, adopts a multiparty system in order to encourage social groups to gather in several smaller groups. The multiparty system is considered more suitable for cultural and political pluralism than a two-party system. The parliamentary threshold policy is a legal policy formed by the lawmakers who receive delegated authority based on the 1945 Constitution of the Republic of Indonesia. The Constitutional Court Verdict No. 3/PUU-VII/2009 ensured the constitutionality of the parliamentary threshold with the aim of creating a moderate party system by reducing the number of political parties that can place their representatives in parliament.

Arend Lijphart explained the concept of the parliamentary threshold with the concept of threshold or electoral threshold as "the legal minimum required for representation." Furthermore, he also stated, "In the party-list proportional representation system, an election threshold is a clause that stipulates that a party must receive a minimum percentage of votes, either nationally or within a particular district, to get any seats in the parliament." In short, the threshold or currently known as "PT" in Indonesia is the requirement for political parties and coalitions to enter the parliament by participating in elections.

Based on the concept of threshold, as stated above, the parliamentary threshold is an instrument to reduce the number of political parties that can sit in parliament. According to the classic theory of parties by Giovanni Sartori and Maurice Duverger, the effort to simplify political parties is determined by a country through choosing a one-party system, a two-party system, or a multiparty system. Theoretically, cooperation will be easier to achieve through a simple multiparty system in order to achieve national synergy. Besides avoiding monolithism, this system will also foster a democratic atmosphere that allows political parties as national assets to run optimally.

Historically, the parliamentary threshold was first applied in Indonesia during the 2009 election with a threshold of 2.5%, then raised to 3.5% during the 2014 election, and up to 4% during the 2019 election which did not apply nationally. The Law of the Republic of Indonesia Article 202 No. 10 Year 2008 stated that the parliamentary threshold is set at 2.5% of the total valid votes nationwide, which applies to determine seats acquisition in the House of Representatives. Prior to the 2014 election, the Electoral Law was revised and became the Law of the Republic of Indonesia No. 8 Year 2012, which raised the parliamentary threshold to 3.5% as stated in Verse

208. A total of 15 political parties participated in the 2014 election (including 3 local parties from Aceh), in which two parties did not qualify for the parliament. Furthermore, the prevailing Electoral Law was revised again and became the Law of the Republic of Indonesia No. 7 Year 2017, which raised the parliamentary threshold to 4% of the national valid votes. As the organizer of the election, the General Election Commission has determined the participating political parties in the 2019 election, which for the first time was held simultaneously for both presidential and legislative elections.

2. Parliamentary Threshold and the Simplification of Political Parties

The main goal of implementing the parliamentary threshold is to enhance the effectiveness of the government and to ensure that every political party in parliament is supported adequately by the public, as evidenced by the minimum number of votes or seats obtained. The implementation of the parliamentary threshold is expected to create a moderate multiparty system within the House of Representatives by reducing the number of participating political parties.

The simplification of political parties through the implementation of a threshold aligns with the principle of democracy and human rights, especially the right to associate, assemble, and express opinions. According to Kuswanto, political parties are a part of the instrument supporting the system for democracy. Therefore, the number of political parties cannot be the only measurement to assess whether a country is democratic or not because democracy is not solely identical to the number of political parties.

The main reason for the simplification of political parties is to prevent political freedom, which disables the realization of the idea of government for the people, where the people are the beneficiaries of governance.

In order to determine whether the implementation of the parliamentary threshold has effectively resulted in the simplification of political parties in Indonesia, the data relating to the case shall be examined. For instance, the data obtained from the General Election Commission regarding the number of political parties that passed verification and were eligible to participate in the elections, the number of political parties that made it to the parliament are fluctuating. This means that the implementation of the threshold is not always able to reduce the number of political parties competing in every election. In the 2009 elections, nine political parties made it to the parliament. Then, in 2014, when the minimum threshold was raised to 3.5%, the number of political parties that made it into the parliament increased to ten. And in the latest election in 2019, with the threshold raised again to 4%, only nine political parties made it to the parliament.

Table 1: National Vote Results and Number of Seats in DPR RI in 2009

No.	The Name of the Political Party	Vote Count		Number of Seats in DPR	
		Number	Percentage	Number	Percentage
1	Partai Demokrat	21.703.137	20,85	148	26,43
2	Partai Golkar	15.037.757	14,45	106	19,11
3	Partai PDIP	14.600.091	14,03	94	16,79
4	Partai PKS	8.206.955	7,88	57	10,18
5	Partai PAN	6.254.580	6,01	46	8,04
6	Partai PPP	5.533.214	5,32	38	6,25
7	Partai PKB	5.146.122	4,94	28	5,54
8	Partai Gerindra	4.646.406	4,46	26	4,46
9	Partai Hanura	3.922.870	3,77	17	3,04

Source: KPU RI on May 9, 2009

The 2009 General Election was the first election to implement a parliamentary threshold. The parliamentary threshold set for the 2009 election was 2.5%, which allowed 9 political parties to pass the threshold. The Democratic Party received the highest national vote and won 148 seats in the parliament. Golkar Party followed with 106 seats, PDIP Party with 94 seats, PKS Party with 57 seats, PAN Party with 46 seats, PPP Party with 38 seats, PKB Party with 28 seats, Gerindra Party with 26 seats, and Hanura Party with 17 seats. Gerindra and Hanura, as new parties at the time, were able to pass the parliamentary threshold of 2.5% and secure their seats in the Indonesian parliament.

Table 2: National Vote Results and Number of Seats in DPR RI in 2014

No.	The Name of the Political Party	Vote Count		Number of Seats in DPR	
		Number	Percentage	Number	Percentage
1	Partai PDIP	23.681.471	18,95	109	19,46%
2	Partai Golkar	18.432.312	14,75	91	16,25%
3	Partai Gerindra	14.760.371	11,81	73	13,04%
4	Partai Demokrat	12.728.913	10,19	61	10,90%
5	Partai PKB	11.298.957	9,04	47	8,39%
6	Partai PAN	9.481.621	7,59	49	8,75%
7	Partai PKS	8.480.204	6,79	40	7,14%
8	Partai Nasdem	8.402.812	6,72	35	6,25%
9	Partai PPP	8.157.488	6,53	39	6,96%
10	Partai Hanura	6.579.498	5,26	16	2,86%

Source: Med.com on May 14, 2014

In the 2014 election, the parliamentary threshold was increased to 3.5% from the previous election in 2009 of 2.5%. In the 2014 election, another new party was passed, the Nasdem Party, which won 8,402,812 national votes and secured 35 seats in the DPR. A total of 10 political parties passed the parliamentary threshold, consisting of 9 existing parties and 1 new party, the Nasdem Party. The PDIP Party won the most seats with 109, followed by the Golkar Party with

91, the Gerindra Party with 73, the Democratic Party with 61, the PKB Party with 47, the PAN Party with 49, the PKS Party with 40, the Nasdem Party with 35, the PPP Party with 39, and the Hanura Party with 16 seats.

Table 3: National Vote Results and Number of Seats in DPR RI in 2019

No.	The Name of the Political Party	Vote Counts		Seats in DPR	Status
		Number	Percentage		
1	Partai PDIP	27.03.961	19,33	128	Meeting the Parliamentary Thresholds
2	Partai Golkar	17.229.789	12,31	85	Meeting the Parliamentary Thresholds
3	Partai Gerindra	17.596.839	12,57	78	Meeting the Parliamentary Threshold
4	Partai Nasdem	12.661.792	9,05	59	Meeting the Parliamentary Threshold
5	Partai PKB	13.570.970	9,69	58	Meeting the Parliamentary Threshold
6	Partai Demokrat	10.876.057	7,77	54	Meeting the Parliamentary Threshold
7	Partai PKS	11.493.663	8,21	50	Meeting the Parliamentary Threshold
8	Partai PAN	9.572.623	6,84	44	Meeting the Parliamentary Threshold
9	Partai PPP	6.323.147	4,52	19	Meeting the Parliamentary Threshold
10	Partai Berkarya	2.902.495	2,09	0	Not Meeting the Parliamentary Threshold
11	Partai Perindo	3.738.320	2,07	0	Not Meeting the Parliamentary Threshold
12	Partai PSI	2.650.361	1,85	0	Not Meeting the Parliamentary Threshold
13	Partai Hanura	2.161.507	1,54	0	Not Meeting the Parliamentary Threshold
14	Parta PBB	1.990.848	0,79	0	Not Meeting the Parliamentary Threshold
15	Partai Garuda	702.536	0,5	0	Not Meeting the Parliamentary Threshold
16	Partai PKPI	312.775	0,22	0	Not Meeting the Parliamentary Threshold

Source: nasional.kompas.com on August 31, 2019

Previous election's 3.5%. As is well known, the main purpose of implementing a parliamentary threshold in Indonesia is to simplify the existing political parties. However, the increase of the parliamentary threshold to 4% did not discourage some elites from establishing new political parties to participate in the elections. Four new political parties, namely the Perindo Party, the PSI Party, the Berkarya Party, and the Garuda Party, passed the verification process of the Election Commission to participate in the legislative elections. A total of nine political parties passed the parliamentary threshold in the 2019 elections, consisting of the PDIP Party with 128 seats, the Golkar Party with 85 seats, the Gerindra Party with 78 seats, the Nasdem Party with 59 seats, the PKB Party with 58 seats, the Democratic Party with 54 seats, the PKS Party with 50 seats, the PAN Party with 44 seats, and the PPP Party with 19 seats. None of the new political

parties were able to pass the parliamentary threshold in the 2019 elections, as they did not receive significant votes in the national vote count and were unable to reach the required parliamentary threshold.

The concept of parliamentary threshold is often preferred because it does not diminish citizens' freedom to establish a political party or hinder political parties from participating in the political contest. However, in the political reality of Indonesia, the assumption that the implementation of a parliamentary threshold will force political parties to behave rationally does not have empirical justification. Thus, an indication arises that increasing the parliamentary threshold may not necessarily curb the mode of establishing new political parties.

As we know, in the 2009 election, 18 new political parties emerged, which for the first time had a parliamentary threshold of 2.5%. However, only 9 political parties managed to pass the parliamentary threshold, and of those, only 2 were newly established parties: Gerakan Indonesia Raya Party dan Hati Nurani Rakyat Party. Then in the 2014 elections, the number of political parties that passed to parliament was 10 political parties, with the addition of 1 new political party, namely the Democratic National Party.

Furthermore, in the 2019 General Election contestation where in the history of Indonesian democracy, presidential and vice presidential elections were held simultaneously with legislative elections. The General Election Commission of the Republic of Indonesia verified 16 political parties for the 2019 election, consisting of 12 old parties and 4 new parties. However, with a parliamentary threshold of 4%, only 9 parties managed to pass, and none of the new parties passed the administrative verification conducted by the General Election Commission.

The emergence of several new political parties gave rise to strong indications of elite fragmentation within some major political parties, which has prompted several initiatives to build new parties. The choice to establish a new party could be part of a rational, calculative logic used by some elites to obtain political vehicles to win the election. In addition to the fragmentation of some party elites, the emergence of new political parties cannot be separated from the desire to profit from party business. This phenomenon arises because political parties were established to become economic commodities, which are ready to be sold to elites who need them.

In a modern democratic country, political parties play a crucial role in bridging the gap between the government and society. Political parties ensure community participation and accommodation of aspirations as well as community interests for the common good. To achieve this, political parties need the power to shape policy by placing their representatives in government.

Ideally, political parties are responsible for advocating for the interests of society based on the adopted ideological basis. However, this ideal value is occasionally ignored, resulting in political parties abusing the trust placed in them by prioritizing personal interests over the greater good of society.

CONCLUSION

1. The relevance of political parties to the implementation of this parliamentary threshold is a note and concern for every political party participating in general elections. Political parties are required to innovate to win votes and public sympathy, which has an impact on obtaining national valid votes. This is a challenge for old political parties in general and new political parties in particular. In Indonesia's democratic system, several political parties emerged which were able to give a new color in gaining the people's votes, which not only sought to be elected but also addressed regional problems and provided solutions to issues faced by the public.
2. The multiparty system that exists in Indonesia results in a large number of existing political parties. This is in accordance with the contents of the Preamble to the 1945 Constitution and the Body of the 1945 Constitution that Indonesia adheres to a multiparty system, namely the system of electing heads of state or electing their people's representatives through legal elections followed by many political parties. This multiparty system is due to the diversity that is owned by the State of Indonesia as an archipelagic country in which there are differences in ethnicity, race, and religion. The application of the parliamentary threshold is a means of simplifying the political party system in Indonesia. Several parties are required to provide new innovations in increasing the electability of their party to achieve the target of passing within the parliamentary threshold.

SUGGESTION

There is a need for political parties to exhibit more innovative creativity in order to garner as many votes as possible to secure seats in the DPR. Political parties are also required to be more humane, participatory, transparent, and able to maximize the votes of first-time voters, commonly known as millennial voters. Beginner voters, who are often perceived as swing voters, represent one way for political parties to increase their electability. Furthermore, the implementation of a parliamentary threshold not only simplifies the existing political parties but also makes them more competitive and able to represent society dominantly in every general election while upholding democratic values.

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