
| RESEARCH ARTICLE

Political Implication of Presidential System Practice in The Jokowi-JK Government

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| ABSTRACT

This study focuses on the political implications of the presidential system practice in the Jokowi-JK government. Constitutionally, the Indonesian government system adheres to a presidential system. However, there is a system confusion in practice that causes the President's role and position as head of government to be not optimal because his policies are often criticized and even intervened by the DPR. The purpose of this study is to analyze the political implications of the presidential system practice run by Jokowi-JK, using a case study approach and analyzing primary and secondary data. The specification of the research is analytical descriptive with qualitative method. The theories used include presidential theory, party system, coalition, and leadership theory. The study results show that the presidential-parliamentary-style system run by Jokowi-JK has implications for less than optimal decision-making by the President in the preparation of the cabinet and disruption of relations with parliament.

| KEYWORDS

Presidential Government System, Jokowi-JK.

| ARTICLE DOI: [10.32996/bjpsh.2022.2.1.2](https://doi.org/10.32996/bjpsh.2022.2.1.2)

1. Introduction

The presidential government system based on the 1945 Constitution has fulfilled the general characteristics of a presidential system. However, this system has unique characteristics identically to Indonesia and cannot be enforced the same as presidential systems in other countries. Indonesia's presidential government system was built by considering the principle of mutual balance and supervision so that it does not create power abuse, avoids the emergence of authoritarianism, and creates a stable government. The presidential system practice in the reformation era with the type/style of presidential leadership experienced a kind of reduction in the value of the presidential system because the government resulted from the 2014 direct election used a parliamentary government system approach. One of the characteristics that appeared when President Jokowi drafted the Working Cabinet was that the cabinet he formed was mostly from party elements rather than from professional circles as politics to accommodate various political interests. In fact, in a presidential system, the preparation of a cabinet is the prerogative of the President. The weakness of the Jokowi-JK regime in practicing the presidential system is very evident in the forming of the cabinet and coalition system created.

The coalition system built was not based on ideological values but rather on pragmatic political consideration. Institutionalization of the coalition became unavoidable, namely the formation of a large coalition which was a gathering place for the government supporting parties. Many people interpret the presidential system run by President Jokowi as a mixed presidential system (presidential and parliamentary). The unclear presidential system practice is also influenced by the existing party system, which is a multiparty system that unlikely creates an absolute majority power since it is usually applied to a multiparty parliamentary system of government. According to Duverger, the electoral system tendency towards the party system can be formulated into three sociological, legal models; the majority (district) system, the proportional representative electoral system, which will be more conducive to creating a multiparty system, and the victory of two votes will also bring victory in a multiparty system which tends to form coalitions. Political phenomena in the practice of the presidential government system in the Jokowi-JK era certainly have political implications, especially related to the suspicion that the government formed in the Jokowi-JK era was a manifestation of

the political compromise the parties in the coalition in the government. Because of this, it becomes consideration on the importance of studying the political implications of the presidential system practice in the Jokowi-JK government.

2. Literature Reviews

Giovanni Sartory divides three main characteristics of the presidential system. First, the head of government (President) is directly elected by the citizens for a particular term of office. Second, during his term of office, the President cannot be overthrown by parliament. Third, the President directly leads the government he forms. There are four features of presidential government. First, leadership is more evident in implementing policies (administration). Second, comprehensive policies are rarely made because of the separate portion of the legislative and the executive (one cannot have multiple functions), the loose party ties, and the possibility of these two institutions being controlled by different parties. Third, the head of government and head of state is on the one hand. Fourth, the legislative is not a place of regeneration for executive positions that various sources, including the legislative itself, can fill. There are several functions of the President in a presidential system. As head of state, the President carries out symbolic and ceremonial functions. It represents the nation and state. As the chief executive, he leads the cabinet and bureaucracy in implementing public policies. It is also as head of the legislature. It is also a leader in the formulation and implementation of foreign policy. The last one is as party leader (Surbakti, 1992). In a presidential system, the survival of the executive does not depend on the legislative. Meanwhile, the executive has certain positions (Budiardjo, 2008).

The parliamentary government system is a system of government in which the government (executive) is responsible to parliament. In this system of government, the parliament has excellent power and has the authority to supervise the executive. Ministers and prime ministers are responsible to parliament. In a parliamentary system, there are at least some general characteristics. They are the cabinet formed, and it is responsible to parliament. The cabinet is formed as a unit with collective responsibility under the prime minister. The cabinet has the right to dissolve parliament before the period ends, each member is an elected parliament, the prime minister is not elected as head of government but as a member of parliament (the people do not directly elect the prime minister), a clear separation between the head of state and the head of government (Asshiddiqie, 1996).

Political experts often divide the party system based on the number of parties into three groups. The originator is Maurice Duverger. First is the single-party system. The term single-party system is a self-denying term (*contradictio in terminis*) because a system always contains more than one part (*pars*) (Budiardjo, 2008). The second is the two-party system. In the political science literature, the definition of a bi-party system usually means two parties among several parties (Surbakti, 1992). The third is the multiparty system. It is generally considered that the diversity of a society's political culture encourages the choice towards a multiparty system.

The coalition basic principle teaches that only certain political parties can create a compelling and conditional coalition for the continuation and development of the party system. Anas Urbaningrum argues that two factors at least cause the coalition. The first is ideology. This factor is significant for the formation of a coalition of political parties. The second is the political interest factor. Usually, political parties whose basic collision is on political interest equality will practically support each other to roll out their political goals to thwart political opponents considered common enemies (Urbaningrum, 2004).

Kreiner states that leadership is influencing others and inviting voluntary participation to achieve organizational goals. Gunaidi Getol states that leadership style is related to how to influence subordinates, convey and apply their ideas to the group, and how big the leader gives or delegates trust and authority to his subordinates. This does not mean that a leader has to change his character. Nevertheless, act according to his needs and situation (Getol, 2010).

3. Research Methods

This study uses a qualitative method. According to Kirk and Miller, qualitative research is a tradition in social knowledge that fundamentally depends on human observation in his area and relates to these people in their language and terminology (Moleong, 2003). This study uses a descriptive-analytical design, while data collection is conducted by documentation or library research technique. Analyzing data is conducted simultaneously with the data collection by organizing the data to collect them ultimately. If there is a lack of data, the interview is carried out again until it feels enough. Therefore, the data generated from both literature studies and field studies will be grouped first. The data obtained from in-depth interviews were grouped and analyzed using qualitative techniques by analyzing the unmeasured data. In this analysis, there is a comparison of the results of interviews with the existing literature studies and then evaluate them. Furthermore, it is written using the descriptive-analytical method.

4. Results and Discussion

Comprehensively, the implementation of the presidential government system in Indonesia has just occurred after the fourth amendment to the 1945 Constitution. There are at least 5 (five) main characteristics of the purification of the presidential system. They are, first, strengthening the function of checks and balances between the legislative and executive institutions. The function

and position of parliament have become more robust than in the new order era. There is even a tendency for the legislature to be stronger than the executive. Strengthening the function of checks and balances between the executive and the legislature is one of the demands in the reform era and efforts to purify the presidential system. The separation of power and the institutionalization of checks and balances mechanisms in the administration of state power are essential changes in the reform era and the development of Indonesian democracy.

Refinement of the presidential system through the institutionalization of checks and balances has a political consequence that the President and the DPR have an equal position. The President cannot dissolve the DPR, and the DPR cannot overthrow the President (Yuda. & Hanta, 2010). Second, the term of office of the President is limited. In the first amendment to the 1945 Constitution, Article 7 confirms that "The president and vice president hold office for five years, and after that can be re-elected in the same office, only for one term" (First Amendment to the 1945 Constitution, n.d.). The institutionalization of limiting the term of office of the President and vice president automatically makes the term of office of the President and the vice president more fixed. Thus, the presidents in power in the reform era had 30 terms of office limited by the constitution.

Third, the institutionalization of a direct presidential election system. The institutionalization of this system has been democratically implemented in the 2004 and 2009 Presidential Elections. The third and fourth amendments to the 1945 Constitution carried out by the MPR have succeeded in changing the system and mechanism for the election of the President and vice president, namely that the President and vice president are elected directly by the people. Prior to the amendment of the 1945 Constitution, the President and vice president were elected by the MPR. The presidential and vice-presidential election system directly by the people is the main feature of the purification of the presidential system in Indonesia. The direct presidential election has a positive impact on encouraging changes in the political format and the return of sovereignty to the people. First, the President has strong legitimacy because the people directly elect him; second, the position of the President becomes strong, it is not easily overthrown by the DPR for political reasons, such as the case of the fall of President Abdurrahman Wahid. Fourth is nominating the President and vice president in one package. The system of one package of nominations for President and vice president has political consequences on the structure of the presidential institution that the President and vice president are a single political institution. The structure of the presidential institution will be different if the President and vice president are nominated and elected separately so that the presidential and vice-presidential nomination system in one package is an essential substance in the purification of the presidential system in Indonesia. The nomination of the President and vice president in one package is expected to reduce the risk of leadership friction or leadership being divided between the President and vice president in running the government. In addition, the relationship between the President and the vice president is more harmonious and cooperative. Fifth, the President and vice president cannot be overthrown politically. Impeachment of the President can only be carried out through a judicial process.

In constitutional practice in Indonesia, there have been two impeachments of the President, namely the impeachment of President Soekarno in 1967 and President Abdurrahman Wahid in 2001 (Fadjar, 2006). The post-amendment 1945 Constitution stipulates that before the President and Vice President are dismissed. They must first be brought to the Constitutional Court to enforce the law and purify political decisions in the DPR. Furthermore, the MPR dismisses the President and Vice President. According to the 1945 Constitution, after the amendment, the President and Vice President can be dismissed in the middle of their term of office if it is proven that they have violated the law in the form of treason against the state, corruption, bribery, other serious crimes, or disgraceful acts or if they are proven to no longer meet the requirements as President and Vice President. The regulation of this article of impeachment is to ensure legal certainty (*rechtszekerheid*) for the President and Vice President's positions and serves as the basis that impeachment is constitutional.

As discussed above, Indonesia is practically implementing a presidential government system. The most tangible form is marked by a direct President and vice president elections system. The legitimacy of the direct President and vice president election is robust but has not produced an effective and stable government. One answer is that the presidential government system adopted by Indonesia is not compatible with the multiparty system that has developed since the reformation era. The direct presidential election has made the President's legitimacy strong; meanwhile, the multiparty system has also produced a strong parliament (DPR). The experience of several countries implementing a presidential system combined with two parties has proven to be successful in forming an effective and stable government, as practiced by the United States. The party structure in Indonesia is multiparty with a variable number of parties. This condition makes it difficult for the President to obtain majority power in forming a government. The coalition is the choice that the elected President must make if he wants his government to be effective and stable.

This political configuration has resulted in Joko Widodo, as the elected President with a massive mandate from the people, having to build a large coalition so that the government could run stably. The President elected must also recruit ministers who support political parties. The consideration of embracing political parties in the cabinet can interfere with the President's performance. The implementation of presidential government at the beginning of President Jokowi's administration has not run optimally. The

President faces a dilemmatic position, compromising with parliament or adhering to presidential principles that have not been fully supported by a solid political design. Compromises are difficult to avoid, causing the presidential system to be further reduced because the President's personality and leadership style tend to compromise and make decisions less firm.

There are several negative impacts of the combination of the presidential and multiparty systems that are often encountered in government practice in this reform era.

1. Cabinet Reshuffle Becomes Very Political

Usually, what is formed is a professional cabinet. However, in this reform era, political parties supporting the government always influence the President informing and reshuffling the cabinet. So political compromise is unavoidable. The emergence of compromises in the formation and reshuffling of the cabinet is the intervention of political parties, government coalition partners, against President Jokowi, and vice versa, the President's accommodation to the interests of political parties in the process of drafting or reshuffling the cabinet. Presidentialism is in a dilemma and forced to compromise with political realities that have been institutionalized and entrenched. One of the compromises made was that the President was forced to accommodate the interests of political parties to gain political support in parliament to maintain the government's stability and effectiveness.

As a coalition cabinet, the United Indonesia Cabinet, led by President Jokowi, is very vulnerable to political party intervention. Although the people with a majority vote directly elect the President, the President's prerogative rights are forced to compromise with political parties. The political implication is that President Jokowi is forced to consider the interests of political parties by allocating a share in the cabinet. Political compromise confirms that coalition cabinets are difficult to avoid in a presidential and multiparty combination. Half of the cabinet composition is dominated by ministers from political parties, and the cabinet preparation process is heavily loaded with political intervention. This condition confirms and reaffirms that Indonesia's presidential combined with multi-partyism in the reform era has not displayed a stable and effective government.

2. The President's Prerogatives Are Weakened

The President has the prerogative to appoint his assistants, ministers, TNI commanders, National Police Chief, and ambassadors. However, the President's prerogative is reduced due to the decisive intervention of political parties, which is supported by the personality and leadership style of the President, which tends to be accommodative and compromising. The strength of party intervention, especially coalition parties, is very reasonable because these political parties are supporters of the government. So that the parties that are members of the coalition participated in determining or influencing the President in making policies and choosing his assistants, with such a situation, the President cannot entirely run the government according to the presidential government system.

3. Political Consideration in Making Policy

The President cannot take the desired policy because there must be approval from the party supporting the government. The considerations for taking policies always drag on if they have not received the approval of the DPR or coalition parties. For example, the appointment of ministers or public officials tends to be more dominant due to bargaining and political compromise rather than competence and professionalism. The President seems to be held hostage by the political parties that support the coalition because every time he takes a policy, there is always a political bargain so that it seems as if the President is powerless against political parties in the coalition or parliament. In dealing with this problem, the President always takes the middle way of political compromise. Even taking the policy of cabinet reshuffle has been a tug of war between coalition parties if their representatives in the cabinet are removed.

4. Weakening the Character of National Leadership

The President cannot take the desired policy because there must be approval from the party supporting the government. The considerations for taking policies always drag on if they have not received the approval of the DPR or coalition parties. For example, the appointment of ministers or public officials tends to be more dominant due to bargaining and political compromise rather than competence and professionalism. The President seems to be held hostage by the political parties that support the coalition because every time he takes a policy, there is always a political bargain so that it seems as if the President is powerless against political parties in the coalition or parliament. In dealing with this problem, the President always takes the middle way of political compromise. Even taking the policy of cabinet reshuffle has been a tug of war between coalition parties if their representatives in the cabinet are removed.

The strengthening of the presidential system is very relevant to be realized to make government administration more effective. The ineffectiveness of President Jokowi's administration over the past two years has become a lesson in strengthening the presidential system by simplifying the party system in the revision of the package of political laws. Creating an effective presidential

government is not easy. Based on the literature and observations of the Indonesian presidential government in the reform era, there are at least three things: first, creating an ideal and balanced presidential system. Second, simplification of the party system. Third, a solid (limited) coalition.

Building a lean and solid but strong coalition to support the presidential government is necessary. An *effective presidential system* is a presidential system that arranges the various basic requirements of presidential government in a balanced way. Since the presidential system was formed in the United States at the end of the 18th century, the presidential story is full of the romance of ups and downs of success and failure (Indrayana, 2011). The President is the head of state and government. So the powers granted by the constitution and its derivative rules must remain sufficient for the President to govern effectively. The President is the strongest person, the number one person, in the life of the nation and state. A stripped president will find it difficult to govern, as has been the case for presidents in Latin America. However, it should be noted that sufficient authority does not mean excessive. Indonesia once had a heavy executive constitution before the amendment to the 1945 Constitution in 1999-2002. At that time, the President's authority was "not unlimited," but the President's power was too strong.

A practical and stable government is the dream of every country and nation. The smaller number of parties dramatically affects the effectiveness of the government so that the government runs stable and its performance is optimal. In Indonesia, efforts to simplify (the number of) parties through the parliamentary threshold are still at the level of prolonged debate. The results of the Kompas poll on July 21-23, 2010, published on Monday, July 26, 2010, showed that most respondents agreed that the number of political parties should be reduced (93.8 percent). The majority of respondents (84.4 percent) stated that the current performance of political parties has not been effective because political parties think more about their agenda than the national agenda. Political parties are often subjective because their orientation changes following the political winds. Efforts to simplify the number of political parties by setting a higher parliamentary threshold than the 2009 general election, which was 2.5 percent, are a must. One way to simplify the number of political parties is by setting the parliamentary threshold. This is far more possible than using the confederation system, which is undoubtedly complicated, and the legal norms do not yet exist.

Democracy will succeed if built on the pillars of effective and efficient party politics. Many parties will only give birth to a coalition government that is vulnerable and transactional. Governments are easy to shake, while radical public policies are hard to hope. The revision of the Political Law (UU) package is an essential effort to create simple and effective party politics. To increase the percentage of the parliamentary threshold, one of the revision contents is a strategy to strengthen democracy through constitutional channels. For political parties (political parties), the parliamentary threshold determines whether or not a political party can place its representative in parliament.

So far, the multiparty system has only given birth to a government that concentrates more on securing government seats rather than working full-time for the people. Political stability was created, but a strong and effective government never materialized. The number of political parties formed in Indonesia could be hundreds by the diversity of the Indonesian nation. However, to participate in the election, each political party must meet certain conditions that are even more stringent. The requirements are no longer only on the number of members but also on the availability of resources and management structure. This reason is quite reasonable because only with the fulfillment of these conditions can a political party have the potential to gain seats in parliament. Simplification in the form of requirements to participate in elections can also be an electoral threshold (ET) for political parties that have participated in previous elections. Political parties that successfully participate in the general election will not necessarily become a political force in parliament because to be able to place representatives in parliament, and they must meet the parliamentary threshold (PT)

The determination of PT has rationality because without fulfilling the PT, a political party may not be able to fight for or influence a decision in parliament. However, the PT should not be set too high because it will result in many voter votes being "transferred" if the selected candidate turns out to be a party that does not pass the PT. The simplification of political parties aims to reduce the number of political powers in parliament. This effort has a strategic meaning because so far, the problem of instability in the presidential system occurs when the government is dealing with parliament. When parliamentary powers are more straightforward, decision-making is also easier. According to Katz and Mair, the threshold system's weakness is that the threshold mechanism is more likely to benefit established parties. The threshold system, in the end, tends to strengthen the emergence of cartel parties. In rubber parties, new parties tend to have difficulty entering the electoral arena and gaining support from voters. Big parties that form coalitions with executive positions try to block new parties from coming to power and not getting seats in parliament. Established parties tend to support the application of a threshold with a high percentage in elections.

According to Satori, the party system is classified into three, first is a simple pluralism system, namely when there are two dominant parties but ideologically not polarized, and the relationship is centripetal. Second, the moderate pluralism system, namely when there are more than two dominant parties and ideological polarization has begun, even though it is small, but the relationship is

still centripetal. Third, the system of extreme pluralism, when there is party polarization based on number and ideology, and relations with a centrifugal pattern. Referring to Satori's theory, 1999, 2004, 2009, and 2014 election results were different from the 1955 election results. The 1955 election resulted in an extreme multiparty system but no dominant party. In the 1955 election, there were four major parties, but the relations between the parties were full of conflict because their ideological relations tended to be extreme or centrifugal. While 1999, 2004, 2009, and 2014 elections resulted in a moderate multiparty system, the ideological relations tended to be centripetal, and no single party was dominant.

Observing the results of the 1999, 2004, and 2009 elections, the built party system has not been permanent into a simple multiparty, or moderate multiparty borrowing from Satori's theory, because the democratic process is still ongoing and continues to develop in Indonesia. Given the pluralistic Indonesian society, it is possible that the party system could turn into an extreme multiparty. Therefore, to prevent relations between parties from being centrifugal, connecting one ideology to another is needed. The link between party ideologies can be realized when the parties recognize the existence of Pancasila as the basis of the state and the ideology of the Indonesian nation.

5. Conclusion

The 1999 general election was also considered very democratic because many parties, namely 48 parties, attended it. Even the presidential system of government has been strengthened (refined/purified) through the amendment process of the 1945 Constitution. Five (5) fundamental changes mark the purification of the presidential system:

1. Strengthening the function of checks and balances between the legislative and executive institutions.
2. The term of office of the President is limited.
3. The institutionalization of a direct presidential election system.
4. Nominating the President and vice president in one package.
5. The President and vice president cannot be overthrown politically.

However, the problems that arise are that the combination of presidential and multiparty systems in the reform era has led to political and government instability. It includes issues related to the formation and reshuffling of the cabinet, the weakness of the coalition of parties supporting the government, the size of the coalition structure, the threat of impeachment, weakened presidential prerogatives, political factors as considerations. in policymaking, the dual loyalty of ministers from political parties, disharmony in the relationship between the President and the vice president, the weak character of the national leadership.

The implementation of the presidential government has not run optimally. The President is faced with a dilemmatic position, compromising with parliament or adhering to presidential principles that have not been fully supported by a solid political design. The ineffectiveness of President Susilo Bambang Yudhoyono's administration for two terms has become a lesson in strengthening the presidential system by simplifying the party system in the revision of the package of political laws. The coalition that was built has not been able to stabilize the running of the government. A multiparty party system is still the best choice for Indonesia, a pluralistic and pluralistic society. If combined with a presidential system of government, a limited multiparty system is suitable; 3-5 parties are ideal enough to create a compelling and stable government. To limit the number of political parties, it is necessary to regulate them in democratically drafted laws through the parliamentary threshold mechanism

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