# REVIEW OF POLITICAL DEVELOPMENTS

# The 2014 Presidential Election: Role of Research Organizations and the Challenges for the New Government

#### ARYA FERNANDES

N 22 JULY 22 2014, the General Elections Commission of Indonesia (Komisi Pemilihan Umum or KPU) announced the final result of the presidential election. In its statement, KPU declared Joko "Jokowi" Widodo and Jusuf Kalla (JK)— the candidates supported by the Indonesian Democratic Party-Struggle (PDI-P), the National Democratic Party (Nasdem), the National Awakening Party (PKB), the People's Conscience Party (Hanura), and the Indonesian Justice and Unity Party (PKPI)— as the winners, after securing 53.15 percent of popular votes. The opposing presidential candidate, Prabowo Subianto, and his running mate, Hatta Rajasa, who were supported by the Great Indonesia Movement Party (Gerindra), the National Mandate Party (PAN), the Golongan Karya Party (Golkar), the United Development Party (PPP), the Prosperous Justice Party (PKS), the Democratic Party (Demokrat),

Arya Fernandes is a researcher at the Department of Politics and International Relations, Centre for Strategic and International Studies (CSIS).

and the Crescent Star Party (PBB), gained 46.85 of the vote1. The series of events leading up to the delivery of verdict by the Constitutional Court over the presidential election dispute showcased the maturation of Indonesian public politics. Virtually no violence or conflict occurred during this political process.

Post-election political environment in Indonesia has presented some interesting findings. First, quick count is regarded as a scientific method with an ability to produce a fast, precise, and accurate estimation of election results. Indeed, as it was later found out, the difference between quick count result and the recapitulation of votes done manually by the KPU was minimal. Second, public opinion surveys conducted using rigorous methodology is able to predict the eventual winner of an election before an election is held. Third, the level of public trust of and satisfaction with democracy has increased. People increasingly believe that democracy is the only political system suitable for Indonesia. Fourth, the then president, Susilo Bambang Yudhoyono has demonstrated his commitment to build a new tradition in the history of Indonesia by overseeing the transition to a new administration led by Jokowi-JK. Fifth, in the post-Yudhoyono era, new challenges await Jokowi-JK, especially in regards to the formation of inter-party coalitions, the selection of parliamentary leaders, and the planned increase of the fuel price.

### **Elections and Quick Counts**

In the last presidential election, held on 9 July 2014, a number of credible institutions were able to produce quick count results predicting the victory of Jokowi-JK in less than four hours after all polling stations were closed. When compared to the manual counting done by the KPU which was finalized two weeks later, these quick count results were only different by ±1% margins. As a research method, quick count has been successful in predicting the winners of various elections across the world. In Indonesia, since the 2004 election, there hasn't been any credible survey institution that erroneously predicted the outcome of legislative or presidential election.

Technically, quick count is referred to as 'parallel vote tabulation' (PVT). Quick counts are designed to mirror the official vote count as

<sup>1</sup> General Elections Commission Decision No. 535/Kpts/KPU (2014) on the official recapitulation of votes cast in the 2014 Presidential Election.

quickly and accurately as possible. This method is also utilized for several other purposes, such as: preventing and detecting frauds in an election, determining the quality of the electoral process and the quality of voter participation in an election.<sup>2</sup> Methods and techniques employed in a quick count are different from those used in surveys or exit polls. These differences lie in the unit of analysis, research period, methodology, as well as research objectives (see Table 1).

Table 1. Differences between survey, exit polling, and quick count

Type of study	Unit of analysis	Research period	Methodology	Objective	
Survey (national)	Individual	Pre-Election	Data are collected through interviews. Respondents are selected randomly and proportionally from all provinces of Indonesia through a multistage random sampling technique. The population surveyed consist of eligible voters (at least 17 years of age or married when the survey is conducted)	To find out the voter preferences before an election.	
Exit Polling	Individual in some sample polling stations	Immediately after voters leave voting booths	Data collected through interviews. Polling stations are randomly and proportionally selected from a population of all polling stations in all provinces of Indonesia. At each polling station, pollsters interview respondents who have just exited the voting booth. The selection of respondents may be randomized based on the time exiting voting booth.	To find out the voter preferences immediately after votes are cast.	
Quick count	Polling station	After vote counting at polling stations	Data collection is done by identifying election outcome at each polling station. Polling stations are randomly and proportionally selected from a population of all polling stations in all provinces of Indonesia. In each polling station, pollsters place a field officer who records voting results and report them to the selected data center.	To find out the election results quickly and to prevent frauds.	

<sup>2</sup> See Melissa Estok, et.al., (2002), The Quick Count and Election Observation: An NDI Handbook for Civic Organizations and Political Parties, Washington, DC: National Democratic, Institute for International Affairs, pp. 1-4.

#### History of Quick Count

Quick count was used for the first time by the National Citizens' Movement for Free Elections (NAMFREL) in the 1986 Philippine Presidential Election.<sup>3</sup> It took ten days for NAMFREL to survey 69.03 percent of all polling stations due to some restrictions on its activities imposed by the Marcos regime<sup>4</sup>. In its report, NAMFREL concluded that Corazon Aquino secured 7,502,601 votes, while Ferdinand Marcos gained 6,786,556 votes.<sup>5</sup> However, the voting results counted by the Philippine electoral commission (COMELEC) indicated the victory of Ferdinand Marcos with 53.62% of the vote, while Corazon Aquino obtained 46.10%.6

The quick count results helped prevent structural and systematic frauds during the election in the Philippines. International observers from the National Democratic Institute (NDI) and the National Republican Institute (NRI) who conducted election monitoring were able to identify frauds committed during the voting and counting processes. First, the poor quality of voter list is reflected on the existence of numerous double voters and unregistered eligible voters. This poor management of voter database led to a decrease in participation rate from 89 percent in the 1984 legislative election to 76 percent in the 1986 presidential election.<sup>7</sup>

Second, the electoral commission did not remain neutral. Observers detected that COMELEC deliberately provided unequal access for different candidates to campaign through television. Speeches delivered by Marcos enjoyed more airtime than news stories on Aquino. Third, the prevalence of money politics in order to mobilize voters. It was reported that some Filipinos were given 25-100 pesos to vote for Marcos and his running mate, Tolentino. Fourth, removable 'indelible' ink was used for voting.

#### Precision of Quick Count Results

In post-Suharto Indonesia, quick count was conducted for the first time by Lembaga Penelitian Pendidikan & Penerangan Ekonomi dan Sosial (LP3ES) in cooperation with the National Democratic Institute (NDI) in the 2004

<sup>3</sup> Ibid, p.3.

<sup>4</sup> The slow pace of quick count data collection conducted by NAMFREL was caused by a host of factors, including: political intimidation by the military and the Department of National Defense, expulsion of NAMFREL volunteers from a number of polling stations, reluctance of the election organizers to provide copies of vote tabulation forms at polling stations. See International Observer Delegation, A Path to Democratic Renewal: A Report on the February 7, 1986 Presidential Election in the Philippines (Washington, DC: National Democratic Institute for International Affairs, 1986), p.61.

<sup>5</sup> Ibid, p.60.

<sup>6</sup> Ibid, p.79.

<sup>7</sup> Ibid, p.40.

legislative election. The quick count results released by LP3ES-NDI accurately predicted the outcome of this election – including the sequence of political parties from the one obtaining the most votes to one obtaining the least.<sup>8</sup> In the first and second rounds of the 2004 presidential election, LP3ES successfully predicted the victory of Yudhoyono-Jusuf Kalla. Similarly, in the 2009 presidential election, a number of pollsters accurately predicted the victory of Yudhoyono-Boediono. In the 2014 election, for the third time in a row, quick count results accurately predicted the victory of the eventual winners, Jokowi-JK.

In the first and second rounds of the 2004 presidential election, LP3ES predicted the victory of Yudhoyono-Jusuf Kalla. In the first round, the quick count results released by LP3ES accurately predicted that Megawati-Hasyim and Yudhoyono-Jusuf Kalla tickets would advance to the second round of election<sup>9</sup> (See Table 2). In the second round, based on the quick count results, LP3ES predicted that Megawati-Hasyim would obtain 38.8 percent of the vote and SBY-Jusuf Kalla would secure 61.2 percent. The official results released by the KPU indicated that Megawati-Hasyim acquired 39.38 percent of the vote, while SBY-Kalla gained 60.62 percent.

Table 2. Comparison of Quick Count and Official Results, 2004 Presidential Election

Presidential ticket	QC result	Official result	Δ
Wiranto-Salahuddin	23.8	22.19	1.6
Megawati-Hasyim Muzadi	24.9	26.24	1.3
Amien Rais-Siswono	14.6	14.94	0.3
SBY-Jusuf Kalla	33.9	33.58	0.3
Hamzah Haz-Agum Gumelar	2.9	13.05	0.2

Source: LP3ES-NDI

In the 2009 presidential election, quick count results released by a number of pollsters did not differ significantly from the official recapitulation conducted by the KPU. Most of these pollsters were successful in predicting the vote share of SBY-Boediono – estimations ranged from 60.12 to 60.85 percent (see Table 3). These predictions were accurate: the official result released by the KPU reported that SBY-Boediono secured 60.80 percent of the vote.

<sup>8</sup> See Lembaga Survei Indonesia, Jajak Pendapat dan Pemilu di Indonesia, Kinerja Lembaga Jajak Pendapat dalam Meramal Hasil Pemilu 1999 dan 2004 (Jakarta: Lembaga Survei Indonesia, 2004), pp. 70-71.

<sup>9 &</sup>quot;Tidak Ada Pemenang Mutlak, Pemilu Putaran Kedua di Depan Mata," Press Conference Statement by LP3ES and National Democratic Institute, Jakarta, 5 July 2005.

Table 3. Quick Count Results for the 2009 Presidential Election

Institution	Megawati- Prabowo	SBY- Boediono	Jusuf Kalla- Wiranto
KPU	26.79	60.80	12.41
Lembaga Survei Indonesia	26.56	60.85	12.59
Lingkaran Survei Indonesia	27.34	60.12	12.54
LP3ES	27.33	60.36	12.30
Cirus Surveyors Group	27.49	60.20	12.31

Collected from various sources

The data above show that in three post-New Order presidential elections, quick count results have shown high degree of accuracy and precision with minimal differences – within ±1% margin –to the official results from the KPU. Empirically speaking, there has not been any significant difference among quick count results in Indonesia until the 2014 election (see Table 4). In the realm of social science research, the diverging quick count results in 2014 can be considered as an anomaly based on two reasons. First, quick counts conducted by various pollsters share the same unit of analysis, i.e. polling station. Second, all quick count processes are conducted at the same time, i.e. on the Election Day.

#### 2014 Presidential Election

Most credible survey institutions predicted the victory of Jokowi-JK in the last presidential election. However, there were several pollsters that predicted the victory of the eventual losers, Prabowo-Hatta. The differences among quick count results triggered a national debate. Some concerned the extent of media reporting related to this issue which could lead to a conflict within the society. An immediate audit of all quick count organizers was suggested, which should would examine sampling design, data collection, data management, data analysis, inference, as well as the qualification of human resources and the availability of devices needed to conduct a reliable and proper quick count study. 11 Perhimpunan Survei Opini Publik Indonesia (PERSEPI), a professional organization that oversees various survey agencies immediately reacted by conducting an audit of , methodology used by pollsters. The audit results released by the ethics council of PERSEPI indicated that quick counts conducted by Centre for

<sup>10 &</sup>quot;Jokowi-JK Unggul", Kompas, 10 July 2014.

<sup>11</sup> Khairil Anwar Notodiputro, "Sesat Pikir Quick Count," Republika, 14 July 2014.

Strategic and Internaional Studies (CSIS)-Cyrus Network, Indikator Politik, Lingkaran Survei Indonesia, Populi Center, Saiful Mujani Research Center (SMRC), and Poltracking Institute properly followed scientific rules. <sup>12</sup> In its decision, the ethics council expelled Jaringan Survei Indonesia (JSI) and Pusat Studi Kebijakan dan Pembangunan Strategis (Puskaptis) from the membership of PERSEPI because these institutions refused to be audited. <sup>13</sup>

Tabel 4. Comparison of Quick Count Results

Survey institution	Prabowo- Hatta	Jokowi- JK	Polling stations surveyed
KPU	46.85%	53.15%	
Litbang Kompas	47.66%	52.34%	2,000
RRI	47.29%	52.71%	2,000
SMRC	47.09%	52.91%	4,000
CSIS-Cyrus	47.90%	52.10%	2,000
Lingkaran Survei Indonesia	46.43%	53.37%	2,000
Indikator Politik Indonesia	47.20%	52.47%	2,000
Populi Center	49.05%	50.95%	2,000
Puskaptis	52.05%	47.95%	1,250
Jaringan Survei Indonesia (JSI)	50.14%	49.86%	2,000
Lembaga Survei Nasional (LSN)	50.56%	49.44%	-
Indonesia Research Centre (IRC)	51.11%	48.89%	-

Source: Kompas

Potential for error in quick count studies is actually very small, because quick counts collect available quantitative data from polling stations – unlike surveys or exit polls that collect data on public perception or opinion through interviews. Thus, credibility and integrity factors of quick count organizers, not sampling methods, could explain the differences among quick count results.

# **Public Opinion Survey**

Political survey has been becoming more popular ever since the introduction of direct elections for local officials (pemilihan kepala daerah or

<sup>12</sup> See "Hasil Audit Persepi, Metodologi CSIS-Cyrus, Indikator, LSI, SMRC Sudah Tepat," Kompas.com, 15 July 2014; dan www.detik.com, (2014, 16 July), "Audit Quick Count Pol-Tracking, Persepi: Metodologi dan Sampelnya Benar," Detik.com, 16 July 2014.

<sup>13 &</sup>quot;JSI dan Puskaptis Dikeluarkan dari Persepi," Detik.com, 16 July 2014.

The data above show that the survey results were published in a period relatively close to each other. Therefore, erroneous predictions of a number of pollsters which named Prabowo-Hatta as the winners of the presidential elections raised some eyebrows. When data of various surveys are collected in a relatively similar time frame, with similar sampling method, survey results are supposed to also be similar to each other. If there is a striking difference between results, then it is almost certain that one of the surveys is not conducted properly or the one of the pollsters reports a fabricated result. This error can occur due to several reasons: pollster does not understand survey methodology; field interview is not conducted by pollster (fictitious data); data presented are fabricated or faulty.

# Existing Regulation on Surveys and Quick Counts

Even though survey and quick count as research methods have been established as a reliable way to predict election outcomes, some political parties still expressed some irrational concerns over the publication of these scientific studies. Such concerns are manifested in several articles of the Law No. 42/2008 about the presidential election, and Law No. 8/2012 about legislative election which restrict the publication of research findings. These pieces of law prohibit the publication of research reports of electoral studies (including surveys) during the 'quiet period' or masa tenang before the Election Day and ban the publication of quick count results on the Election Day.

The oversimplified reasoning behind these prohibitions is to prevent bandwagon effect in voting, even though Mujani (2004) shows that neither bandwagon nor underdog effect occurs as a result of the publication of survey results before an election 16. Trihartono (2012) argues that concerns surrounding the publication of survey results originate from the fear of political parties that businesses and political elites (local leaders) would switch sides and support the candidate favored in the surveys. Trihartono argues that the restriction on the publication of research reports during the 'quiet period' is an attempt to prevent business owners and party elites from switching side. In his research, Trihartono finds that some business and party elites who were affiliated to Golkar or PDI-P decided to switch

<sup>16</sup> Saiful Mujani, "Survei dan Perilaku Pemilih," Kompas, 14 June 2004.

The data above show that the survey results were published in a period relatively close to each other. Therefore, erroneous predictions of a number of pollsters which named Prabowo-Hatta as the winners of the presidential elections raised some eyebrows. When data of various surveys are collected in a relatively similar time frame, with similar sampling method, survey results are supposed to also be similar to each other. If there is a striking difference between results, then it is almost certain that one of the surveys is not conducted properly or the one of the pollsters reports a fabricated result. This error can occur due to several reasons: pollster does not understand survey methodology; field interview is not conducted by pollster (fictitious data); data presented are fabricated or faulty.

# Existing Regulation on Surveys and Quick Counts

Even though survey and quick count as research methods have been established as a reliable way to predict election outcomes, some political parties still expressed some irrational concerns over the publication of these scientific studies. Such concerns are manifested in several articles of the Law No. 42/2008 about the presidential election, and Law No. 8/2012 about legislative election which restrict the publication of research findings. These pieces of law prohibit the publication of research reports of electoral studies (including surveys) during the 'quiet period' or masa tenang before the Election Day and ban the publication of quick count results on the Election Day.

The oversimplified reasoning behind these prohibitions is to prevent bandwagon effect in voting, even though Mujani (2004) shows that neither bandwagon nor underdog effect occurs as a result of the publication of survey results before an election<sup>16</sup>. Trihartono (2012) argues that concerns surrounding the publication of survey results originate from the fear of political parties that businesses and political elites (local leaders) would switch sides and support the candidate favored in the surveys. Trihartono argues that the restriction on the publication of research reports during the 'quiet period' is an attempt to prevent business owners and party elites from switching side. In his research, Trihartono finds that some business and party elites who were affiliated to Golkar or PDI-P decided to switch

<sup>16</sup> Saiful Mujani, "Survei dan Perilaku Pemilih," Kompas, 14 June 2004.

sides and support SBY17.

In response to these bans, survey agencies decided to submit the case to the Constitutional Court. The request for judicial review filed by Asosiasi Riset Opini Publik (AROPI) over Article 188 verse (2) and (3), Article 228, and Article 255 of the Law No 42/2008 on presidential election was approved by the Constitutional Court<sup>18</sup>. The Court also approved the request for judicial review over Article 247 verse (2), (5), and (6), Article 291, and Article 317 verse (1) and (2) of the Law No. 8/2012 on legislative election which was filed by Perhimpunan Survei Opini Publik (PERSEPI)19

The decision made by the Constitutional Court to overturn the laws restricting the publication of research reports during the "quiet period" (where no campaign activity is allowed) and on the Election Day was expected to help reduce the possibility of electoral fraud. The changes in regulation over quick count have also allowed survey institutions to report their quick count results in a timely manner without having to wait until after the Election Day.

#### **Electoral Bases**

Exit polls conducted by CSIS and Cyrus Network on 9 July 2014 showed that level of support for Jokowi-JK is evenly distributed among different age groups.<sup>20</sup> In terms of educational background, Jokowi-JK were more popular among voters with junior high school education or less, while Prabowo-Hatta were popular among voters with education higher than junior high school level. In terms of occupation, support for Jokowi-JKwas stronger among stay-at-home mothers and farmers, while support for Prabowo-Hatta was stronger among traders and entrepreneurs.

<sup>17</sup> Agus Trihartono, "Controlling Pre-Election Poll and Quick-Count in Contemporary Indonesia," Paper for Ritsumeikan Graduate School of International Studies No. 24-3, pp.105-106.

<sup>18 &</sup>quot;MK Kabulkan Gugatan Denny JA," Kompas.com, 3 July 2009.

<sup>19 &</sup>quot;MK Putuskan Survei dan Quick Count Pemilu Tak Dibatasi Tenggang Waktu," Detik.com, 3 April 2014.

<sup>20</sup> Exit polls were conducted on 9 July 9 2014 at 2,000 polling stations, which were randomly and proportionally selected from all provinces of Indonesian. Multi-stage random sampling was used to select polling stations. At each polling station, 4 respondents were interviewed upon exiting the voting booths. At ever station, 2 men and 2 women were interviewed. In total, there were 8,000 respondents from 2,000 polling stations. The number of respondents who were interviewed was 8,000 (100%). Margin of error is ±1.1% at 95% confidence level.

Table 6: Background of voters

Category	Prabowo- Hatta	Jokowi- Jusuf Kalla	Secret	Don't know/ no answer	Total
AGE					
17 – 24	42.5%	45.0%	10.2%	2.3%	100.0%
25 – 34	43.0%	44.0%	11.1%	1.8%	100.0%
35 – 44	41.3%	44.8%	11.7%	2.2%	100.0%
45 – 54	42.4%	45.8%	9.8%	2.0%	100.0%
55 – 64	42.9%	46.9%	7.9%	2.3%	1000%
≥ 65	37.8%	50.0%	8.1%	4.1%	100.0%
Don't know/no answer	3.7%	3.2%	1.8%	91.3%	100.0%
EDUCATION					
Junior high school or less	39.8%	49.7%	8.6%	1.9%	100.0%
High school or higher	44.6%	41.6%	115%	2.2%	100.0%
Don't know/no answer	17.1%	19.1%	11.3%	52.5%	100.0%
OCCUPATION					
Stay-at-home mother	40.2%	47.0%	10.3%	2.5%	100.0%
Farmer	38.3%	50.0%	9.3%	2.4%	100.0%
Trader/entrepreneur	44.7%	43.0%	10.5%	1.7%	100.0%
Others	44.5%	42.1%	11.4%	2.0%	100.0%
Don't know/no answer	11.2%	11.5%	5.0%	72.3%	100.0%

Source: Exit Poll CSIS-Cyrus Network, July 2014.

Exit poll data also show consistent partisan affiliations among voters throughout the 2014 legislative and presidential elections (see Table 7). Those who voted for a member of the Red and White coalition in the legislative election exhibited a solid support for Prabowo-Hatta in the presidential election. Likewise, those supporting Jokowi-JK were the ones who voted for a member of the coalition backing this presidential ticket. The highest level of support for Jokowi-JK came from the voters of PDI-P. According to the exit poll, 85 percent of PDI-P voters in the legislative election consistently supported Jokowi-JK. Meanwhile, the voters of Gerindra showcased the highest level of support for Prabowo-Hatta – 83.5% of respondents who voted for Gerindra in the legislative election casted their votes in support of Prabowo-Hatta in the presidential election. The last-minute support from Democratic Party for Prabowo-Hatta ticket did not do much to help the candidates – only 56.8% of Demokrat voters surveyed voted for Prabowo-Hatta, while 34.9% voted for Jokowi-JK.

Table 7. Votes in the legislative and presidential elections

Category	Prabowo- Hatta	Jokowi- JK	Secret	Don't know/ no answer	Total
Party voted in the legisle	ative election				n mak te aban a seco
Nasdem	38.8%	51.2%	8.8%	1.2%	100.0%
PKB	35.0%	58.0%	5.0%	1.9%	100.0%
PKS	68.0%	23.7%	7.1%	1.1%	100.0%
PDI P	10.0%	85.0%	4.1%	0.9%	100.0%
Golkar	62.1%	31.5%	5.6%	0.9%	100.0%
Gerindra	83.5%	12.2%	3.8%	0.4%	100.0%
Demokrat	56.8%	34.9%	7.1%	1.2%	100.0%
PAN	60.3%	31.9%	5.9%	1.9%	100.0%
PPP	60.6%	33.2%	5.5%	0.7%	100.0%
Hanura	39.4%	52.2%	7.8%	0.6%	100.0%
PBB	52.0%	32.0%	9.3%	6.7%	100.0%
PKPI	40.7%	59.3%	0%	0%	100.0%
Secret	22.2%	23.3%	50.7%	3.7%	100.0%
Don't know/no answer	23.5%	30.0%	16.6%	29.9%	100.0%

Source: CSIS-Cyrus Network, July 2014.

Exit poll also revealed that debates conducted before the election had little impact on voters' ultimate choice for president and vice president. The results of poll conducted by CSIS and Cyrus indicated that 73.3 percent of respondents admitted that these debates did not affect their minds about whom to support, while only 17.5 percent of them said that debates were influential. Even though presidential and vice presidential debates exercised little influence on the polls, they were able to attract the attention of voters - 69.8 percent of respondents claimed to have watched at least one of these debates, 26.2 percent have never seen any, and 4 percent did not know or did not respond. Exit poll also discovered the prevalence of 'early deciders' - voters who make up their minds before the campaign season even begins - 58.2 percent of respondents decided their presidential and vice presidential choice 4-3 weeks before the Election Day; 10.8 percent decided 3-2 weeks before; 9.5 percent decided 2-1 weeks before; 4.5 percent 6-2 days before the election; 3.6 percent one day before; 5.6 percent decided on the Election Day; and the remaining 7.8 percent did not know or did not answer.

# Presidential Election Dispute

The KPU announced the final result of presidential election on July 22, 2014. In this announcement, Jokowi-JK were declared by the KPU as the President- and Vice President-elect of Indonesia. Three days following the announcement, the opposing candidates, Prabowo-Hatta launched a legal challenge by filing a complaint against the election commission to the Constitutional Court. In this lawsuit, the losing candidates expressed some of their demands to the Court. *First*, they asked the Constitutional Court to annul the KPU's final national recapitulation of votes. Prabowo's camp claimed that Prabowo-Hatta ticket obtained 67,139,153 votes while Jokowi-JK only secured 66,435,124 votes. The applicant also claimed that the KPU's national recapitulation of votes which put Jokowi-JK as the winners with 70,997,833 votes and Prabowo-Hatta as the losing candidates with 62,576,444 was not done in a rightful manner and therefore the KPU had violated the law.

According to the Constitutional Court, Prabowo's team did not support the charges with clear and detailed regarding where ballot tampering which altered the election outcome occurred<sup>21</sup>. According to the Court, Prabowo's legal team also failed to convince the justices that several mechanisms were conducted in order to increase the votes for Jokowi-JK and invalidate votes for Prabowo-Hatta. The Court also noted that none of the observers from Prabowo's camp filed a complaint against the vote counting process at the time of recapitulation<sup>22</sup>.

Second, the applicant also filed charges against the KPU for committing structured, systematic, and massive fraud by ignoring the official potential voters population data (Data Penduduk Pemilih Potensial Pemilu or DP4) when creating the official preliminary voters list (Daftar Pemilih Sementara or DPS) and the subsequent final voters list (Daftar Pemilih Tetap or DPT). In its ruling, the Constitutional Court maintained that the KPU, in line with the Article 29 verse (1) of the Law No. 42/2008, properly compiled voter lists for the presidential election based on the DPT for legislative election.<sup>23</sup>

Third, the challenge from Prabowo and his running mate was also based on the allegation of voter mobilization using Daftar Pemilih Tambahan (additional voter list or DPTb) and Daftar Pemilih Khusus Tambahan (additional special voter list or DPKTb) in virtually all parts of the country.

<sup>21</sup> Constitutional Court Ruling No. 1/PHPU.PRES-XII/2014 on the 2014 Presidential Election dispute, p. 24.

<sup>22</sup> Ibid, pp.25-26.

<sup>23</sup> Ibid, p.27.

However, Prabowo's legal team failed to submit any credible evidence suggesting that the KPU or other related parties had favored one candidate by mobilizing voters and violating the election law. According to the Court, DPTb, DPK, and DPKTb were regulated through PKPU, therefore they were considered as integral part of the electoral process and essential to secure enfranchisement of the people based on the 1945 Constitution.<sup>24</sup> The court ruled that there was no evidence of structured, systematic, and massive fraud taking place during the presidential election.

Fourth, the applicant also claimed that either direct or traditional (noken) election did not take place in 14 regencies (kabupaten) in Papua. According to the Court, the presidential election was held according to the schedule set nationally, using both conventional system (with ballots) and the traditional noken system (or its variations) which has been approved by the Constitutional Court through a series of rulings. Through a Constitutional Court ruling No. 1/PHPU.PRES-XII/2014 on the 2014 presidential election dispute, the judges rejected claims by Prabowo's camp. This final and binding decision of the Court ended the national debate surrounding the recapitulation of votes conducted by the KPU.

#### Coalition of Political Parties

Following the ruling, political parties commenced a pursuit for seats in the cabinet. It was likely for the President-elect to welcome political parties in the Red and White Coalition into his administration. In order to maintain a balance of power in the House of Representatives (DPR), Jokowi-JK might consider asking for support from political parties outside of their coalition. Ever since reform started in Indonesia, the imbalance of power in the parliament had always forced the president's party to form a coalition with other groups. This emerging coalition was usually formed to minimize parliamentary opposition to the executive.

The informal institutional mechanism to forge close relations between the executive and the legislative was implemented through the formation of the First and Second United Indonesia Cabinets under Yudhoyono administration. The compositions of these cabinets represented a posture of political accommodation pursued by SBY in order to maintain a balance of power in the parliament. Seventeen members of the first United Indonesia Cabinet (Kabinet Indonesia Bersatu 1 or KIB 1) were affiliated to political parties.

<sup>24</sup> Ibid, pp.34-345.

In the second United Indonesia Cabinet (KIB 2), the portion of party bureaucrats fell from 20 members before a cabinet reshuffle to 17 members (see Table 8). The entry of Golkar into the coalition of parties supporting SBY-JK (KIB 1) increased the strength of this coalition in the parliament from 49.11 percent of the seats to 71.96 percent. Likewise, in the following term, Golkar amplified the strength of the presidential coalition in the parliament from 56.61 percent to 75.54 percent.

Table 8. Seats in the DPR and in the Cabinet: A Comparison

PARTY	SEATS IN THE DPR	SEATS IN THE CABINET	SEATS IN THE CABINET AFTER 1st RESHUFFLE	SEATS IN THE CABINET AFTER 2nd RESHUFFLE
2004 Election				
GOLKAR	128	2	3	4
PPP	58	2	2	2
DEMOKRAT	55	3	3	3
PAN	53	2	2	2
PKB	52	2	1	1
PKS	45	3	3	3
PBB	11	2	2	1
PKPI	1	1	1	1
Total	403	17	17	17
2009 Election				
DEMOKRAT	148	6	4	
GOLKAR	106	3	3	
PKS	57	4	3	
PAN	46	3	3	
PPP	38	2	2	
PKB	28	2	2	
Total	423	20	17	Hayle - Carle rate - No. 1

Sources: KPU, DPR, various others.

Moving forward, there are two challenges facing the coalition supporting Jokowi-JK. First, internally, the formation of a professional cabinet may seem at odds with the need to maintain a balance of power in the parliament. Internally as well, the process of cabinet formation will be a challenging task. Such disproportion between the number of seats

obtained by the coalition members in the parliament and the number of seats in the cabinet is feared to negatively affect the level of loyalty among coalition members. On the other hand, the patterns of interaction among coalition members will also be affected by the expansion of the coalition. Second, externally, the political maneuvering of the opposing Red and White coalition will impose some challenges to the new government, which could potentially be disruptive to the state management. The Red and White coalition can exercise some challenges by appropriating strategic issues, including the election of parliamentary leadership, the formation of the special committee on election, the proposal of fuel price increase, as well as the revision of the local election law.

# **Concluding Notes**

The relatively smooth presidential election without any mass violence or political intimidation is a testament to the commitment of Indonesian people to sustain democracy. Democracy is now regarded as the rule of the game in this country. Not surprisingly, the level of citizen satisfaction with the performance of democracy has reached 83 percent.<sup>25</sup> Following the election, the public has a duty to maintain the quality of Indonesian democracy in order to further improve and control the performance of the government. Public engagement during the campaign season should also be transformed into efforts to monitor the performance of the new administration.

Public excitement over the election processes was also-reflected by Yudhoyono. Shortly after the KPU announced the final result of the presidential election, the SBY-Boediono administration quickly demonstrated its commitment to oversee the process of transition to a new government. The support shown by Yudhoyono could be considered as a new political tradition, which was not seen during the transition from Megawati administration to that of Yudhoyono. The Soekarno administration ended after his accountability report on the 30 September Movement was rejected by the Provisional Parliament (MPRS). Soeharto decided to resign following mass demonstrations and an economic criss. B.J. Habibie, who replace Soehartno, had to end his presidency during the General Session of the DPR in 1999 after East Timor voted to leave Indonesia in a popular referendum. The post-reformasi administrations did not fare much better compared to their predecessors. The General Session

<sup>25</sup> The result of Exit Poll by Indikator Politik Indonesia, 9 July 2014.

of the Parliament toppled Abdurrahman Wahid after he launched a decree to dissolve the parliament, hold an election immediately, and dissolve Golkar. Meanwhile, Megawati and SBY enjoyed an inimical relationship after the former lost the second round of the 2004 presidential election.

SBY made an important breakthrough by agreeing to cooperate with the elected government during the transition. If this transition went well, SBY would inherit a new tradition in Indonesian politics and finish his two terms as president smoothly (soft landing). Meanwhile, Jokowi-JK are faced with the challenge to deliver the political promises have made during campaign. One of the first tasks for them is to form a working and professional cabinet. The selection process of cabinet members must be conducted in a rigorous manner to find new ministers who could help realize the vision and missions of Jokowi-JK. High level of public expectation regarding Jokowi must also be translated to the formation of such cabinet, and not a cabinet full of party bureaucrats.

<sup>\*</sup> Translated from the Indonesian language by Haekal Eki Ramadhan.