REFORM OF VOTE COUNTING METHODS IN LEGISLATIVE ELECTIONS IN REALIZING THE EFFECTIVENESS INDONESIAN PRESIDENTIALISM

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ABSTRACT

Post-amendment Indonesia implemented a presidentialism system as a government system, the implementation of this presidentialism system together with a multi-party system that tends to hamper the effectiveness of the government. Efforts to simplify the party system can be carried out through the general election system, one of which is the renewal of the vote counting system in the legislative general election in Indonesia. The research method that the author uses in writing this thesis is a normative approach, namely legal research that examines written law from the theoretical, historical, philosophical, comparative aspects and compares them with applied aspects and their implications in state administration in Indonesia. Then this research is descriptive analytic, which is a research that tries to describe the data and then analyzes the collected data using constitutional democracy theory as a basic theory, general election theory as an intermediate theory, and presidentialism theory as an applied theory. The application of the vote counting method in the legislative general election in Indonesia tends to provide opportunities for small parties to gain seats in parliament and make the party system pragmentation bigger. This has an impact on the polarization of political parties in parliament which causes the president or the presidential party to form coalitions with many parties and results in the presidentialism system not working properly. The renewal of the vote counting method in the legislative general election seeks to reduce the number of political parties in parliament and create an effective presidentialism system in Indonesia.

Keywords: Vote Counting, Elections, Parties, and Presidentialism

Abstrak

Indonesia pasca amandemen menerapkan sistem presidensialisme sebagai sistem pemerintahan, penerapan sistem presidensialisme ini bersamaan dengan sistem kepartaian multipartai yang cenderung dapat menghambat efektivitas pemerintahan. Upaya penyederhanaan sistem kepartaian dapat dilakukan melalui sistem pemilihan umum, salah satunya yaitu dengan pembaharuan sistem penghitungan suara pada pemilihan umum legislatif di Indonesia. Metode penelitian yang penulis gunakan dalam penulisan tesis ini adalah pendekatan normatif yaitu penelitian hukum yang mengkaji hukum tertulis dari aspek teori, sejarah, filosofi, perbandingan dan membandingkannya dengan aspek terapan dan implikasinya dalam tata negara di Indonesia. Kemudian penelitian ini bersifat deskriptif analitik, yaitu merupakan penelitian yang berusaha mendeskripsikan suatu data kemudian menganalisa data yang terkumpul dengan menggunakan teori demokrasi konstitusional sebagai teori dasar, teori pemilihan umum sebagai teori menengah, dan teori presidensialisme sebagai teori terapan. Penerapan metode penghitungan suara dalam pemilihan umum lelgislatif di Indonesia cenderung memberikan peluang partai-partai kecil untuk memperoleh kursi di parlemen dan membuat pragmentasi sistem kepartaian semakin besar. Hal ini berdampak pada polarisasi partai politik di parlemen yang mengakibatkan presiden atau partai presiden membentuk koalisi dengan banyak partai dan mengakibatkan sistem presidensialisme tidak berjalan sebagaimana mestinya. Pembaharauan metode penghitungan suara pada pemilihan umum legislatif ini berupaya untuk mereduksi jumlah partai politik di parlemen dan menciptakan efektivitas sistem presidensialisme di Indonesia.

Kata Kunci : Penghitungan Suara, Pemilu, Partai, dan Presidensialisme

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A. Introduction

Democratic countries can be run in various ways. The two main alternative models are parliamentary government and presidential government[54] In line with the above, the modern politician C.F. Strong argues that countries in the world have two kinds of government systems, the first is a presidential system of government and the second is a parliamentary system of government[55]

Theoretically, the presidential democratic system which is our nation's choice in the amended constitution promises a stable government because of a fixed term of office. The president who is directly elected by the people also has stronger legitimacy than the prime minister who is elected by parliament in a parliamentary scheme. In addition, the principle of separation of executive-legislative powers in presidentialism allows the establishment of a system of checks and balances between the two branches of government power.[56]

Modern government systems (both parliamentary and presidentialism) are in practice run by political parties. Political parties in a government have several forms or systems, be it a bi-party system, multi-party system or a simple multi-party system. Some countries, such as the United States which adopts pure presidentialism, generally combine the presidential system with a bi-party system. In Indonesia, the presidential system is actually combined with a multi-party system[57]

A multiparty system is theoretically believed to be more suitable for a parliamentary system. The multiparty system is believed to be less flexible than the two-party system in terms of blending with the government system. The experience of some countries that combine two-party systems and presidential systems tends to form stable governments, for example the United States. A two-party system combined with a parliamentary system also tends to form a stable government, as in the British experience[58]

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[54] Ada beberapa istilah yang digunakan dalam menyebutkan sistem presidensial ini, seperti presidensialisme, presidensiil, dan presidensial itu sendiri. Istilah tersebut sama dan akan digunakan dalam penulisan tesis ini.

[55] Dahlan Thaib, Jazim Hamidi, dan Ni'matul Huda, *Teori dan Hukum Konstitusi, (*Jakarta: PT. RajaGrafindo Persada, 2005), hlm. 27-28.

[56] Syamsuddin haris, *Partai, Pemilu, dan Parlemen Era Reformasi*, (Jakarta: Yayasan Pustaka Obor Indonesia, 2014), hlm. 52.

[57] Hanta Yuda HR, *Presidensialisme Setengah Hati dari Dilema Ke Kompromi*, (Jakarta: PT Gramedia Pustaka Utama, 2010), hlm. 38.

[57] *Ibid.*

[58] *Ibid.*

The main implication of implementing a multi-party system is that the level of party institutionalization is low and political power in the parliament tends to be fragmented. The fragmentation of political power is very difficult to avoid in a multi-party system that has a fairly high level of party pluralism. This is because political power in parliament tends to be evenly distributed, so it will be difficult to obtain a majority in parliament. Consequently, parties must form coalitions, both in the government (cabinet) and in parliament.[59]

According to Slater, the impact of the presence of a coalition for democracy in Indonesia is the emergence of what he calls the accountability trap. This trap arises because political parties fail to carry out their checks and balances functions at the government level. He stated that instead of maintaining competition after the election, political parties formed a cartel that prevented the emergence of the opposition[60]

Ideally, to maintain government stability in a presidential political structure, the president's party must be the majority party, that is, the party that is supported by a majority vote in parliament. This majority power is needed in parliament, to ensure the stability of the government of the elected president so that it is easy for the president to get political support from parliament to launch the political policies made by the president. However, this majority vote is difficult for the presidential party to obtain in a multi-party system, unless it relies on a coalition of political parties in the parliament and cabinet to gain a majority to ensure government stability.[61]

Looking at the characteristics described above, the Indonesian government system can be categorized as presidentialism with a highly fragmented multiparty system. If you use Linz's theoretical predictions about the "danger of presidentialism" and Mainwaring's concept of "a complicated combination of presidentialism and multi-party", the system in Indonesia is likely to stagnate.[62]

An effective presidential system itself must be supported by a conducive party structure, namely a simple two-party or multi-party system. If there is a coalition of parties in parliament (simple multi-party not dual-party), the greatest coalition ties will be solid because the ideology of the parties is also strong. In a political situation like this, the

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[59] *Ibid.,* hlm. 38.

[60] Kuskridho Ambardi, *Mengungkap Politik Kartel Studi tentang Sistem Kepartaian di Indonesia Era Reformasi,* (Jakarta: Kepustakaan Populer Gramedia, 2009), hlm. 6.

[61] Hanta Yuda HR, *Op.Cit,* hlm. 39.

[62] Djayadi Hanan, *Menakar Presidensialisme Multipartai di Indonesia Upaya Mencari Format Demokrasi yang Stabil dan Dinamis dalam Konteks Indonesia*, (Bandung: PT Mizan Publika, 2014), Hlm. 30.

dynamics of government lead to the strengthening of the institutionalization of the presidential system and the government runs effectively which is also accompanied by checks and balances between the president and parliament.[63]

Compromising the application of presidentialism in a multiparty context allows the presidential system and government to run effectively if the multiparty is not too fragmented or simple multiparty with strong and solid coalition ties. Even though politically, the president's position in parliament is a minority, the president gets political support from political parties in parliament through an effective coalition. Indications of effective presidentialism are also accompanied by a constructive checks and balances mechanism between the president and parliament[64]

Beberapa upaya untuk memperbaiki dan meningkatkan efektivitas penyelenggaraan pemerintah di bawah sistem presidensiil, setidaknya dapat dilakukan dengan 2 (dua) pendekatan. Pertama adalah pendekatan instutisional. Pendekatan ini menekankan adanya perubahan ataupun perbaikan kelembagaan presiden, terutama melalui pelurusan peraturan perundangan[65]

The second approach is the systems approach. This systems approach presents a link between the electoral system, the party system, and the presidential system. The synchronization and synergy of the three systems is expected to maintain the goal of helping one effective government. Therefore, an engineering of the electoral system becomes very important to realize an effective party system and presidential system[66]

Indonesia itself uses a proportional system as the chosen electoral system. The essence of this system is that there is a proportion of seats won by a party in an electoral area that will be proportional to the proportion of votes obtained by that party in its election. This system is called proportional because the vote acquisition is proportional to the seat acquisition so that in this system not many votes are wasted. This system is suitable to be applied to a plural or heterogeneous country[67]

The electoral system is clearly related to the party system. It has been realized that the 1945 Constitution and political realities in Indonesia require a simple multi-party system,

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[63] Hanta Yuda HR, *Op.Cit.*

[64] *Ibid.*, hlm. 62-63.

[65] Bagian Analisis Teknis Pengawasan dan Potensi Pelanggaran, *Kajian Sistem Kepartaian, Sistem Pemilu dan Sistem Presidensiil*, (Jakarta: Sekertariat Jendral Bawaslu RI, 2015), hlm. 77-78.

[66] *Ibid.*, hlm. 80.

[67] Muhadam Labolo, Teguh Ilham, *Partai Politik dan Sistem Pemilihan Umum di Indonesia*, (Jakarta:Raja Grafindo Persada, 2015), hlm. 73.

for the sake of stability in state administration, smooth decision-making and preventing deadlock due to transactional politics.[68]

Responding to the complexity between the combination of a presidential government system and a multi-party party system, it is appropriate that any policy choices built within the legal political framework of the electoral system in Indonesia must support the creation of an effective presidential system.[69]

Efforts to simplify the party system certainly cannot be done by rigidly determining the number of parties allowed, because it would violate freedom of association. In fact, even in countries that have been known as two-party systems, there are actually many political parties, but only these two parties have majority power.[70]

Regarding to efforts to carry out legal engineering and legal policy on the simplification of the multi-party system, there are at least four ways to simplify the multi-party system without forcing the dissolution of political parties, including:

1. Enactment of the political parties threshold, which is meant here is the tightened requirements for political parties to become election participants;

2. Enactment of the parliamentary threshold, which is the threshold for the national election results to be able to participate in the calculation of the number of seats in the DPR;

3. Reducing the district magnitude, which means reducing the number of seats contested by political parties in elections in each electoral district; and

4. Change the method of converting voice into chairs[71]

The first and second methods have actually been adopted in the Election Law in order to reduce the number of political parties that can participate in elections. Unfortunately, these two methods have not been able to significantly reduce the number of political parties. For this reason, other electoral engineering is needed through the renewal of the vote conversion method. This method is the most relevant legal engineering to simplify the number of parties[72]

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[68] Jenedjri M. Gaffar, *Politik Hukum Pemilu*, (Jakarta: Konstitusi Press, 2013), hlm. 42.

[69] Dian Agung Wicaksono, "Reformulasi Metode Konvensi Suara Menjadi Kursi dalam Sistem Pemilihan Umum Legislatif di Indonesia", *Jurnal Rechts Vinding*,Vol. 3 No. 1, April, (2014), hlm. 71.

[70] Jenedjri M. Gaffar, *Demokrasi Konstitusional Praktik Ketatanegaraan Indonesia Setelah Perubahan UUD 1995,* (Jakarta: Konstitusi Press, 2013), hlm. 125.

[71] Dian Agung Wicaksono, *Op.Cit.*, hlm. 77-78.

[72] *Ibid.*, hlm. 78.

The vote counting method itself is the main variable of the general sorting system whose job is to convert votes into seats. The vote counting method has at least three effects, namely: the degree of proportionality of the votes, the number of seats acquired by political parties and the party system. So even though it seems very technically mathematical, the choice of the vote counting method is the arena for the survival of political parties in a democratic country[73]

The electoral system applied in Indonesia is the proportional electoral system. In the electoral system that is implemented, there are at least two general vote counting methods that can be applied, namely the Quota calculation method and the Divisor calculation method. In the quota calculation method, there are two vote counting techniques, namely the Hare Quota and the Droop Quota. Meanwhile, in the method of calculating the Division's Quota, it is divided into three vote counting techniques. First, Divisor D'Hond's vote counting technique; Second, Divisor Sainte Lague's vote counting technique; and, Third, the vote count for the Divisor Sainte Lague Modifikas[74]

B. Focus of Problems

From the background described above, the identification of the problem can be taken as follows:

1. What are the Implications of the Vote Counting Method to Become a Chair in Legislative General Elections in Realizing the Effectiveness of Presidentialism in Indonesia

2. Analysis of the Implications of Changes in the Vote Conversion Method on Acquiring Political Parties Legislative Seats

3. Analysis of Implications of Changes in Vote Counting Methods on the Number of Political Parties in Parliament

4. Renewal of the Vote Counting Method in Realizing the Effectiveness of Presidentialism in Indonesia

C. Research Methodology

The research method used in this research is normative legal research or also called library law research. Where the author wants to provide a complete description

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[73] Perludem, "Siaran Pers Konversi Suara Menjadi Kursi", http://perludem.org/2016/10/08/konversi-suara-menjadi-kursi/, diakses pada tangal 3 Desember 2020.
[74] *Ibid.*

of the method of counting votes in the legislative general election in realizing the effectiveness of Indonesian presidentialism. As for the approach in this study, the author uses a conceptual approach, namely a concept that departs from the views and doctrines that develop in legal science that are relevant to the legal issues written in this issue. This is used in order to provide an overview of the appropriate vote counting method in order to create the effectiveness of Indonesian presidentialism.

The preparation of this paper uses qualitative research using an inductive method as a way of analysing the problem. Qualitative research itself is research that analyses data using a qualitative approach. The data in the research are not in the form of numbers but verbal words[75] The approach is used to achieve a complete understanding of the vote counting system in the legislative general election in order to achieve the effectiveness of the presidentialism system in Indonesia.

D. Finding & Discussion.

1. Implications of the Vote Counting Method to Become a Chair in Legislative General Elections in Realizing the Effectiveness of Presidentialism in Indonesia.

One of the factors in creating an effective presidentialism system is the structure of the party system. This conducive structure of the party system makes the presidential system run according to its corridors. This conducive party system is characterized by a two-party system or a simple multi-party system.

The multiparty party system in the Indonesian context is rather difficult to separate because it has several basic reasons, one of which is the high heterogeneity or plurality of society, political history and culture, and finally the design of the general election system that has helped shape the character of the party system into a multiparty system. some of these factors are the reasons why the multiparty system works in Indonesia.

Therefore, this multi-party system that has a background and history of its presence needs to be organized so that the party system is not too fragmented and has a negative impact on the presidential system of government that applies in Indonesia. In addition, this simplification of the party system will also have an impact on the

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[75] Suteki, Galang Taufani, *Metodelogi Penelitian Hukum (Filsafat, Teori dan Praktik)*, (Depok: Rajawali Pers, 2018), hlm. 139.

principle of the balance of power between the executive and the legislature, where with the formation of an increasingly simple party system, political parties will form patterns and maintain competition between parties. This is important so that the checks and balances function at the government level runs properly.

This is in accordance with Hanta Yuda's view of an effective presidentialism system (hard Presidentialism-strong president), namely if the principles of the presidential system are in synergy with the party system, supported by a strong presidential personality and leadership style. This conducive party structure is a simple two-party or multi-party simple system.[76]

The presidential system of government chosen by the Indonesian people actually has several advantages, including the stability of the government because the president's position is permanent and cannot be demoted before his term of office runs out, the two presidents have more legitimacy because they are directly elected by the people, and finally the principle of separation of executive and executive powers. The legislature allows the establishment of the principle of balance of power or checks and balances. However, this system requires several factors in order to create effectiveness in government, one of which is the party system.

Simplification of the party system needs to be done so that the government system can run effectively. However, this simplification cannot be done by specifying in detail the number of parties allowed in Indonesia, this is because it is contrary to democratic principles applied in Indonesia, one of which is an important point about freedom of association.

The forced simplification of the party system was once carried out in Indonesia during the New Order government with the issuance of Law no. 3 of 1975 concerning Political Parties and the Work Group. Where this law forces or reduces political parties to merge into three groups, namely the working group (Golkar), the nationalist group (PDI) and the spiritual group (PPP).

This simplification by means of a rigid determination cannot be justified because it can eliminate democratic values which are being and are being pursued to develop in Indonesia. Moreover, Indonesia itself adheres to the concept of a constitutional state in which the state or government power is limited and is not allowed to act arbitrarily against its citizens.

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[76] Hanta Yuda, *Op.Cit.*, hlm. 28-29.

This is in accordance with the theory of constitutional democracy put forward by Miriam Budiarjo where a democratic government is a government whose power is limited and is not allowed to act arbitrarily against its citizens. The limitations on government power are stated in the constitution, therefore it is often called a government based on the constitution[77]

Rigid simplification of the party system is no longer allowed in Indonesia. It is necessary to adopt other methods or other policies carried out by the government and the DPR in the context of simplifying the party system in accordance with democratic principles. One way to simplify the party system is through engineering the general election system in Indonesia through the renewal of the vote counting method into seats.

The renewal of the vote counting method in the general election is one way that can be done to engineer the electoral system in the context of simplifying the party system in parliament. This simplification is important so that the president as head of state and head of government can carry out his vision and mission without being disturbed by the party system or coalition system of large political parties in parliament.

The method of counting votes into seats is one of the important variables in the general election system whose job is to convert votes into seats. This method of counting votes into seats becomes one of the tools to engineer the electoral system in order to create a simplification of the party system. Simplification of the party system needs to be done as a logical consequence of the implementation of the presidential system in Indonesia, which also applies the multiparty party system.

The method of counting votes into seats is one of the important variables in the general election system whose job is to convert votes into seats. the degree of proportionality of votes, the number of seats acquired by political parties and the party system. So even though it seems very technically mathematical, the choice of the vote counting method is the arena for the survival of political parties in a democratic country[78]

The important implication of the renewal of this vote counting method is to reduce or reduce the number of effective parties or parties in parliament without violating the

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[77] Miriam Budiarjo, *Dasar-Dasar Ilmu Politik*, (Jakarta: PT Gramedia Pustaka Utama, 2008), hlm.

[78] Perludem, *Loc.Cit.*

people's right to create or join certain parties but still be able to create simplification of the party system so that it becomes a simple multiparty system or approaches a simple multiparty system. This simplification of the party system is expected to make the presidential system of government in Indonesia effective and stable. The effectiveness of this presidential system can be characterized by several things, namely:

1. The prerogative of cabinet formation belongs to the President entirely without the intervention of political parties;

2. The appointment of cabinet members prioritizes professionalism for the realization of the president's vision and mission;

3. The relationship between the president and vice president is harmonious and mutually supportive.

To find the implications of changing the vote counting method into seats in a presidential system through a simplification mechanism for the party system, several simulations are needed to find the implications of changing the vote counting method on seat acquisition. ENPP which has been formulated mathematically by Laakso and Taagepera.

The results of the analysis of the acquisition of seats in parliament using various methods of counting votes and looking for relevant or effective parties in parliament using the ENPP formula, it will be found what method of counting votes is suitable for the creation of an effective presidentialism system.

2. Analysis of the Implications of Changes in the Vote Conversion Method on Acquiring Political Parties Legislative Seats

The author simulates vote counting conventions in the 2019 legislative elections in the Banten III electoral district. The Banten III electoral district covers several areas, starting from Tangerang Regency, Tangerang City and South Tangerang. In this Dapil III Banten, 10 seats are contested.

This vote counting simulation is to prove that there is a change in the acquisition of seats for political parties in parliament. Here, the authors present the results of the simulation of vote counting in the 2019 legislative elections in the Banten III electoral district by using various methods of vote conversion systems that can be applied in the proportional electoral system implemented in Indonesia. The results of the

simulation of the vote conversion method in the 2019 Banten III legislative election will be presented in the form of a table below.

Table 1: Simulation of the 2019 Legislative Elections for the Banten III Dapil with Various Vote Counting Methods

NO.	POLITICAL PARTIES	LEGITIMATE VOTERS	Seats Gain					
			Pemilu 2019	Kuota Hare	Kuota Drop	Divisor D'Hondt	Divisor Sainte Lague	Divisor Sainte Lague Modifikasi
1.	PKB	256685	1	1	1	1	1	1
2.	Gerindra	420429	2	2	2	2	2	2
3.	PDIP	647633	3	2	3	3	3	3
4.	Golkar	375725	1	1	1	1	1	1
5.	Nasdem	123128	-	1	-	-	-	-
6.	PKS	375097	1	1	1	1	1	1
7.	PPP	119749	-	-	-	-	-	-
8.	PAN	188924	1	1	1	1	1	1
9.	Demokrat	244628	1	1	1	1	1	1

Notes: (*) Total number of seats

Source: processed from the Election Smart House, 2019

A more detailed study has been carried out by the Association for Elections and Democracy (PERLUDEM), where needdem has conducted a national study related to the vote conversion method in the proportional electoral system which was applied to the 2014 legislative general election in Indonesia. voting convention method, starting from hare quota, droop quota, divisor d'hondt, sainte lague divisor and modified sainte lague divisor. Where the results of the study found differences in the number of seats obtained by each political party participating in the 2014 election.

In simple terms, the results of the 2014 legislative elections in Indonesia with various methods of counting votes will be presented in the form of a table that the author has processed from the source of the press release for converting votes into seats carried out by Needdem in 2016. The form of tables of 2014 election results with various methods of counting votes will be shown below.

Table 2: Simulation of the 2014 Legislative Election with various Vote Counting Methods

No.	POLITICAL PARTIES	LEGITIMATE VOTERS	Seats Gain					
			Pemilu 2014	Kuota Hare	Kuota Drop	Divisor D'Hondt	Divisor Sainte Lague	Divisor Sainte Lague Modifikasi
1.	NASDEM	8.412.949	36	36	22	25	36	28
2.	PKB	11.292.151	47	47	56	46	46	46
3.	PKS	8.455.614	40	40	29	30	38	32
4.	PDIP	23.673.018	109	109	141	137	110	126
5.	Golkar	18.424.715	91	91	93	118	95	111
6.	Gerindra	14.750.043	73	73	92	78	71	83
7.	Demokrat	12.724.509	61	61	57	59	62	59
8.	PAN	9.459.415	48	48	33	33	45	35
9.	PPP	8.152.957	39	39	23	25	40	27
10.	Hanura	6.575.391	16	16	14	9	17	13
11.	PBB	1.822.908	0	0	0	0	0	0
12.	PKPI	1.142.067	0	0	0	0	0	0

Source: processed from Perludem, 2016

The simulation of vote counting both the first simulation in the legislative election in the Banten Province Dapil III in 2019 and the second simulation nationally in the 2014 legislative election by the need for democratization both resulted in the implication of changing the composition of seat acquisition for the political parties participating in the election, the change could be in the form of an additional number of seats. seats or a decrease in the number of seats in parliament, it depends on what vote counting system is applied.

The vote counting system into seats would be better if it was not only analyzed using data based on one region, because in certain areas a certain vote counting system could have an impact on reducing seats in a party, but overall or at the national level it would have an impact on increasing the number of seats in the country. parliament. This is because the vote counting system is influenced by several factors, including the number of voters, the size of the area, and also the number of seats provided in each electoral district.

Writing this thesis will analyze the results of seat acquisition nationally because the number of seats acquired nationally for each political party will affect the party system in Indonesia. From the data described above, a classification of the voting convention method in the proportional electoral system in Indonesia can be drawn.

Based on the data described above, it can be concluded that the selection of the vote counting method will have an impact on the number of seats for each political party. This is what causes the discussion related to the method of voting conventions to become seats to

become one of the crucial issues that are very interesting in any discussion of changes to the Law on elections. This is because it concerns the number of party seats in parliament.

To facilitate the analysis, the authors have processed and divided the vote acquisition data for each political party in the 2014 legislative elections based on the voting convention method into seats.

a. Comparison of Seat Acquisition in the Quota Method Family

From the data above, if we compare the results of seats obtained by political parties in the vote counting method in the quota method family, the authors find a very significant difference that will be obtained by political parties, where in the hare quota method the Indonesian Democratic Party of Struggle (PDIP) gets seats. in parliament, which is 109, while using the droop quota method, PDIP will get 141 seats in parliament. The number of seats acquired by PDIP has increased by 32 seats.

Increasing the seats in parliament was not only obtained by PDIP, but also obtained by other parties, namely the National Awakening Party (PKB), the Golkar party and finally the Gerindra party. The addition of the PKB party's seat acquisition which was originally in the Hare Quota method got 47 seats, increased to 56 seats. This means that PKB has added 9 seats in parliament.

Meanwhile, the additional seats in the Gerindra Party increased by 19 seats. Where, the Gerindra party in the hare quota vote counting method got 73 seats in parliament, while in the droop quota method it changed to 92 representative seats in parliament.

The smallest increase occurred in the Golkar party, where the Golkar party on the hare quota method got 91 seats in parliament and changed to 93 seats in parliament if using the droop quota voting convention method.

Unlike the aforementioned parties, the Nasdem Party, PKS, Democrat, PAN, PPP and Hanura experienced a decrease in the number of seats in parliament. The Hanura Party was the least affected by this change, which in the convention method the quota vote hare got 16 seats, reduced by 2 seats to 14 seats in parliament if using the droop quota method.

The United Development Party (PPP) is the party with the largest decrease in the number of seats in parliament if the voting convention method changes from the hare quota to the droop quota. Where the PPP Party which uses the hare quota method to get 39 seats in parliament to only 23 seats, or reduced by 16 seats.

The PAN party had a similar fate, where the PAN party lost 15 votes if the voting convention method was changed. Where, if in the hare quota method the PAN party gets 48 seats, then in the droop quota method the PAN party only gets 33 seats in parliament.

Not much different from the PPP party, the Nasdem party also experienced a decrease in the number of seats in parliament if in the 2014 election it applied the droop quota method of voting convention. Where in the hare quota method the Nasdem party obtained 36 seats, in the droop quota method the Nasdem party only gained 22 seats or decreased by 14 seats in parliament.

Furthermore, the PKS party experienced a decrease of 11 seats in parliament, where in the hare quota method it got 40 seats in the droop quota method the PKS party only got 29 seats in parliament.

As for the last party that experienced a decline, namely the Democratic party, where the Democratic party experienced a decrease of 4 seats, where the democratic party in the 2014 election if using the hare quota method obtained 61 seats, then the droop quota only obtained 57 seats.

b. Comparison of Seat Earnings in the Divisor Method Family

Unlike the quota cluster, which must first find the divisor number to get one seat, in the divisor family, the divisor number already exists and has been determined. In the 2019 election, Indonesia in its legislative elections replaced the vote convention system from the previous hare quota to the divisor sainte lague method.

Therefore, in this analysis, we will describe the comparison of vote gains in the divisor method family between the divisor sainte lague compared to the divisor d'hondt and the modified sainte lague divisor.

1) Comparison of Divisor Sainte Lague and Divisor D'Hondt

The comparison between the divisor sainte lague method and the divisor d'hondt method is carried out using the 2014 legislative election data. Where the seat acquisition data in parliament has been presented above in tabular form.

The PDIP Party in the divisor sainte lague method obtained 110 seats, followed by Golkar with 95 seats, Gerindra 71 seats, Democrats with 62 seats, PAN with 62 seats, PKB 46 seats, PAN with 45 seats, PPP with 40 seats, PKS 38 seats, and Nasdem 36 seats, and finally Hanura 17 seats.

This seat acquisition will change if using the divisor d'hondt method, where there are 3 parties that have increased the number of seats in parliament, 1 party has not changed and 6 parties have decreased.

The parties that experienced an increase in the number of seats in parliament were PDIP, Golkar and Gerindra. PDIP itself gains 110 seats in parliament if it uses the Divisor Sainte Lague method and rises to 126 seats or an increase of 16 seats if it uses the modified Divisor Sainte Lague method.

The Golkar Party experienced the same increase of 16 seats if the modified divisor sainte lague method was applied. Where if in the divisor sainte lague method it gets 95 seats, then in the modified sainte lague divisor method it gets 111 seats.

The last party that experienced an increase in the change in voting convention from the sainte lague divisor to the modified sainte lague divisor was the Gerindra party. This party gets 71 seats if it uses the divisor sainte lague method and 83 seats if it uses the Modified Divisor Sainte Lague method or an increase of 12 seats in parliament.

The other 6 parties experienced a decrease in seat acquisition, this decrease in seat acquisition started from 3 seats to the largest, which was reduced by 13 seats. The impact was felt by the PPP party the most. Where the PPP party if in the 2014 election using the divisor sainte lague method got 40 seats, then in the modified sainte lague divisor method it only got 27 seats.

The further reduction in seat acquisition was felt by the PAN party, if in the divisor sainte lague method the PAN party obtained 45 seats, in the modified sainte lague divisor method the PAN party only obtained 35 seats or decreased by 10 seats.

Not much different from the PAN party, the Nasdem party also experienced a decrease of 8 seats, where in the divisor sainte lague method the Nasdem party obtained 36 seats, then in the modified sainte lague divisor method the Nasdem party only gained 28 seats.

The PKS Party experienced a decrease in the number of seats in the 6-seat parliament, where the PKS party which in the Divisor Sainte Lague method got 38 seats was reduced to 32 seats in the modified Divisor Sainte Lague method.

Meanwhile, the Hanura party which obtained 17 seats in the Divisor Sainte Lague method, was reduced to 13 seats in the modified Sainte Lague divisor method or reduced by 4 seats in the parliament.

The last party that experienced a decline was the democrat party, the decline in the democratic party tended to be smaller than other parties, where in the divisor sainte lague method the Democratic party got 62 seats, but in the modified sainte lague divisor method the Democratic party reduced 3 seats to 59 seats.

As for the PKB party, the change in the voting convention method from the sainte lague divisor to the modified sainte lague divisor did not have an impact on the change in seat acquisition, where the PKB party still won 46 seats in parliament.

From the data above, it can be concluded that the method of counting votes into seats can be divided into 2 (two) groups, first, the method that benefits small parties, namely the hare quota method and the divisor sainte lague method and the second method that benefits large parties, namely the droop quota method, divisor d'hondt and modified sainte lague divisor.

3. Analysis of Implications of Changes in Vote Counting Methods on the   Number of   Political Parties in Parliament**.**

The explanation above provides an overview of the changes in seat gains obtained by each political party by using several vote counting methods that can or can be carried out in a proportional general election system as applied in Indonesia.

This change in the method of counting votes cannot change the composition of the presence of political parties in parliament if we look at political parties from the number of political parties that have passed or entered parliament. However, if we look at the relevant or effective parties in parliament, there will be a change in the number of relevant or effective parties in parliament. This is due to the increase or decrease in the number of seats for each political party.

In finding the number of relevant or effective parties in parliament, experts then use the term Effective Number of Parliamentary Parties (ENPP) as a way to determine how many effective parties are in parliament. The concept of an effective party is mathematically proposed by Laakso and Taagepera so that it is known as the ENPP index with the formula: ENPP = 1 / ($\sum$ Si) 2 = 1 / (S1 + S2 + S3 +S4+........Sn) .

In more detail, the author has made a simulation of the effective party or relevant party using the ENPP formula in the 2014 legislative general election, while the results of the simulation will be presented in the form of the table below.

Table 3: Simulation of the Implementation of the Hare Quota ENPP method in the 2014 Election.

No.	POLITICAL PARTIES	Hare Quota		
		Seats	Percent	SI 2
1	NASDEM	36	6,4 %	0,004096
2	PKB	47	8,4 %	0,007056
3	PKS	40	7,1 %	0,005041
4	PDIP	109	19,5 %	0,038025
5	GOLKAR	91	16,3 %	0,026569
6	GERINDRA	73	13 %	0,0169
7	DEMOKRAT	61	10,9 %	0,011881
8	PAN	48	8,6 %	0,007396
9	PPP	39	7 %	0,0049
10	HANURA	16	2,8 %	0,000784
Jumlah		560	100 %	$\sum$ si 2 = 0,122648
ENPP		1/ $\sum$ si 2 = 8,10		

Source: processed from Perludem, 2016

Table 4: Simulation of Application of ENPP Quota Droop method in 2014 Election.

No.	POLITICAL PARTIES	Kuota Droop		
		Seats	Percent	SI 2
1	NASDEM	22	3,9 %	0,001521
2	PKB	56	10 %	0,01
3	PKS	29	5,2 %	0,002704
4	PDIP	141	25,2 %	0,063504
5	GOLKAR	93	16,6 %	0,027556
6	GERINDRA	92	16,4 %	0,026896
7	DEMOKRAT	57	10,2 %	0,010404
8	PAN	33	5,9 %	0,003481
9	PPP	23	4,1 %	0,001681
10	HANURA	14	2,5 %	0,000625
Jumlah		560	100 %	$\sum$ si 2= 0,148372
ENPP		1/ $\sum$ si 2 = 6.73		

Source: processed from Perludem, 2016

Table 5: Simulation of the Implementation of ENPP with the Divisor D'hondt method in the 2014 Election.

No.	Political Party	Divisor D'Hondt		
		Chair	Percent	SI 2
1	NASDEM	25	4,5 %	0,002025
2	PKB	46	8,2 %	0,006724
3	PKS	30	5,3 %	0,002809
4	PDIP	137	24,5 %	0,060025
5	GOLKAR	118	21,1 %	0,044521
6	GERINDRA	78	13,9 %	0,019321
7	DEMOKRAT	59	10,5 %	0,011025
8	PAN	33	5,9 %	0,003481
9	PPP	25	4,4 %	0,001936
10	HANURA	9	1,6 %	0,000256
Jumlah		560	100 %	$\sum$ si 2= 0,152123

ENPP	$1/\sum$si 2 = 6.57		

Source: processed from Perludem, 2016

Table 6: Simulation of the Implementation of ENPP with the Divisor Sainte Lague method in the 2014 Election.

No.	Political Party	Divisor Sainte Lague		
		Chair	Percent	SI 2
1	NASDEM	36	6,4 %	0,004096
2	PKB	46	8,4 %	0,006724
3	PKS	38	7,1 %	0,004624
4	PDIP	110	19,5 %	0,038416
5	GOLKAR	95	16,3 %	0,0289
6	GERINDRA	71	13 %	0,016129
7	DEMOKRAT	62	10,9 %	0,0121
8	PAN	45	8,6 %	0,0064
9	PPP	40	7 %	0,005041
10	HANURA	17	2,8 %	0,0009
Jumlah		560	99,8 %	6,4 %
ENPP		$1/\sum$si 2 = 8,10		

Source: processed from Perludem, 2016

Table 7: Simulation of the Application of ENPP with the Modified Sainte Lague Divisor method in the 2014 Election.

No.	Political Party	Divisor Sainte Lague Modifikasi		
		Chair	Percent	SI 2
1	NASDEM	28	5 %	0,002025
2	PKB	46	8,2 %	0,006724
3	PKS	32	5,7 %	0,002809
4	PDIP	126	22,5 %	0,060025
5	GOLKAR	111	19,8 %	0,044521
6	GERINDRA	83	14,8 %	0,019321
7	DEMOKRAT	59	10,5 %	0,011025
8	PAN	35	6,3 %	0,003481
9	PPP	27	4,9 %	0,001936
10	HANURA	13	2,3 %	0,000256
Jumlah		560	100 %	$\sum$ si 2= 0,14213
ENPP		$1/\sum$si 2 = 7.03		

Source: processed from Perludem, 2016

From the simulation results above, it can be concluded that changes in the vote counting method can change the number of relevant parties or effective parties in parliament, where effective parties in parliament if using the hare quota method vote counting will get an ENPP index of 8.15 or in other words, 8 effective parties in parliament. This is not much

different when we use the divisor siante lague vote counting method where the ENPP index is 8.10 or decreased by 0.05 from the use of the hare quota.

In contrast to the hare quota and the sainte lague divisor, the modified sainte lague divisor method obtained an ENPP index of 7.03 or reduced by 1 relevant political party in parliament to 7 relevant political parties. Furthermore, the kroop quota and d'hondt divisor methods are able to change the ENPP index to a smaller extent where the droop quota gets the ENPP index to 6.73 and the d'hondt divisor gets an ENPP index of 6.57. This means that the last two methods mentioned are able to reduce the number of relevant parties or effective parties in parliament from the previous 8 political parties to 6 political parties.

4. Renewal of the Vote Counting Method in Realizing the Effectiveness of Presidentialism in Indonesia

The implementation of a presidentialism system in Indonesia which is coupled with a multi-party system in state administration practices has a negative impact related to the effectiveness of presidentialism, where the fragmentation of political parties in parliament makes it difficult for the president or presidential party to obtain majority votes in parliament.

The majority power in parliament is important to be obtained by the president to ensure the stability of the elected government and support from the parliament is needed to launch or smooth out every agenda and policy made and planned by the president.

The inability of the president or the party proposing the president to obtain a majority vote in parliament has resulted in the president or his proposing party building and forming party coalitions in parliament. This has resulted in a tug of war that cannot be separated from every policy taken by the president. Because the president is tied to the coalition party that supports him in parliament and must provide good returns for the party supporting the coalition.

Another impact besides the emergence of tug-of-war between the president and his coalition parties in parliament is the ineffectiveness of the supervisory and balancing functions carried out by the parliament on the executive. This causes cartel politics to occur in parliament.

It is in the complexity of the combination of presidentialism and multi-party party systems in Indonesia that legal politics is needed that encourages the realization of increasing effectiveness or strengthening the presidential system by simplifying political parties.

The simplification of the party system itself cannot be done by disbanding or rigidly determining the number of parties allowed by the state, because it will reduce the values of freedom and democracy that have been implemented and want to be improved in Indonesia.

In this case, legal politics in the field of elections needs to be carried out. There are 4 (four) ways to manipulate the electoral system to simplify the party system, namely the implementation of the Political Parties Threshold, the Parliamentary Threshold, reducing the District Magnitude, and changing the method of counting voters.

The writing of this thesis focuses on the role of the vote-to-seat conversion method in the process of simplifying the party system in Indonesia, in the discussion of the analysis above it is found that changes in the vote conversion method have an impact on the party system in Indonesia if we look at the relevant parties that influence policy making in parliament.

Changes in the method of converting votes in legislative elections were first carried out in Indonesia with the issuance of the latest Law on Elections, namely Law no. 7 of 2017 concerning General Elections in Article 415 paragraph (2), where the vote conversion method changed for the first time since 1955 which always used the Hare Quota method to switch to the Divisor Sainte Lague method.

The change in the vote conversion method, the author feels, is not appropriate if the goal is to increase the effectiveness of the presidential system of government through simplification of the party system, because the change in the method from the hare quota to the divisor sainte lague method does not have a significant impact on the party system in Indonesia. This is based on the analysis of the authors who conducted research by comparing the seat gains of political parties in parliament in 2014 using 5 vote conversion methods that are possible to use in the legislative election system in Indonesia.

The results of the analysis of the 2014 election using the hare quota method and the divisor sainte lague method did not experience significant changes, both in terms of the number of parties present in parliament, namely 10 political parties or in terms of the relevant parties in parliament, namely 8 political parties

The change in the vote conversion method will actually succeed in simplifying the relevant political parties if the change in the vote conversion method is made from the hare quota to a method other than the sainte lague divisor method, namely the droop quota method, d'hondt divisor, and modified Ssainte lague divisor method.

The three methods, namely the droop quota, the divisor d'hondt, and the modified Ssainte lague divisor, indeed cannot change the number of parties that have succeeded in entering and occupying seats in parliament, but these three methods can reduce the number of relevant parties that have influence in parliament.

The method of converting votes into the first seats that can reduce relevant parties in parliament is the droop quota method, divisor d'hondt, and modified modified Ssainte lague divisor, where this method can eliminate 1 relevant party in parliament from the previous 8 parties to 7 political parties.

The next vote conversion method is the droop quota method and the divisor d'hondt method, both of these methods can reduce 2 relevant parties in parliament from the previous 8 effective parties, to 6 effective parties.

Of the three methods above, the author is more inclined towards the divisor d'hondt vote counting method, where this method is considered the best with several considerations, namely:

a. When compared with the Modified Divisor Sainte Lague method, the Divisor D'hondt method will bring up smaller relevant political parties. This is in accordance with the objective of reforming the vote conversion method to create an effective presidentialism system by simplifying the party system;

b. The Divisor D'hondt method will also produce a smaller percentage when compared to the Droop quota method. Where through the simulation described above, the Droop Quota will result in a 6.73 ENPP index, which is higher than the Sainte Lague Divisor which gets 6.57 ENPP index.

c. The division of seats is fairer because the party that gets the most votes gets the most seats.

d. The Divisor method is easier to use than the Quota method, where the Quota method, the divisor number must be found first through the formula for the number of valid votes in an election in an area divided by the seats contested in that area for the Hare Quota and plus 1 seat for the Droop Quota. This is different when compared to the Divisor method where the divisor number has been determined;

e. The divisor method leaves no residual votes. The last reason why the author chooses the divisor d'hondt method is because the divisor method leaves no votes. the division of seats in the divisor method is determined by the average of the highest numbers, this makes the acquisition of seats only in order of the highest gain of political parties. Unlike

the divisor method, the quota system usually leaves seats remaining because the seats contested in elections are still available and a party's vote count is not sufficient to get one seat. To overcome this, usually the quota system sorts the remaining highest votes and divides the remaining seats based on the order of the remaining votes of political parties.

From the analysis above, it can be concluded that the important role of the vote counting method in shaping the effectiveness of the presidential system is in the context of simplifying the party system. Where in the previous section of this paper, the author has explained about the party system, where the party system can be seen from various kinds, it can be from the number of political parties, ideological distance or the number of relevant or effective parties in parliament. Where in this paper the author looks at the latest party system or relevant parties to see the impact of changes in vote counting methods.

E. Conclusion.

The implication of the method of counting votes into seats in a presidential system is a reduction in the number of political parties in parliament. This reduction in the number of political parties will have an impact on the pattern of relations between the executive and the legislature that will run according to the corridor, where the president or the presidential party if they need a coalition in parliament, do not need many political parties. So that the president can focus on carrying out his vision and mission without being burdened with a sense of return to his coalition party participants in parliament. This reduction in political parties can be seen by using the party system in terms of the effectiveness of political parties in parliament, where the vote counting method will have an impact on the results of the seat acquisition of each political party in parliament. parliament using the ENPP formula that has been formulated by Laakso and Taagepera. The results of the analysis explain that the suitable vote counting method in order to create party simplification for the effectiveness of the presidentialism system in Indonesia is the divisor d'hondt vote counting method. This is because the level of effective party formation in parliament tends to be smaller and the application of the method is easier because the divisor for each seat has been determined with the highest average for each seat.

F. Recommendation

As for the simplification of the multi-party system in the presidential system in Indonesia through the electoral system, the authors provide several suggestions, namely:

1. The government, in this case the President and the DPR, should change the method of converting votes in the general election from the hare quota to a method other than the

divisor sainte lague method, because the change in the method from the hare quota to the divisor sainte lague method does not have a significant impact on the party system in Indonesia. According to the author, a suitable vote conversion method for simplifying the party system in proportional elections in Indonesia is the divisor d'hondt method. Therefore, it is necessary to change or replace the Election Law, in this case Law no. 7 of 2017 concerning General Elections, especially in Articles relating to the method of counting votes into seats.

2. Other engineering was carried out besides changing the vote conversion in simplifying the party system through elections, namely:

   a. Tightening of requirements for political parties to participate in elections;

   b. Increased parliamentary threshold; and

   c. Minimize the number of seats up for grabs in an area.

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