

APPROVAL PAGE

**SIMPLIFICATION OF THE NUMBER OF POLITICAL PARTY
TOWARDS DEMOCRATIC CONSOLIDATION IN INDONESIA**

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ABSTRACT

Political party is one of the pillars of democracy that must exist in a modern state. The emergence of new political party appears based on Article 28 of The 1945 Constitution and Indonesia uses multiparty system. Besides, multiparty system has so many weaknesses and problems and it would take effect to the democratic consolidation in Indonesia. This research aims to evaluate the influence of simplification of the number of political party towards democratic consolidation in Indonesia. The type of this research is a normative legal research with conceptual and historical approach. In addition, by using a qualitative and descriptive method the research result shows the position and role of political party, the functions of political party, the problems of multiparty system, the influence of number of political party towards democratic consolidation in Indonesia and the problems on the effort of simplification of the number of political party. The result of research shows that the position of political party is important to strengthen the institutionalization degree in democratic political system. The role of political party becomes a liaison role between the process of government and citizens. The influence of number of political party towards democratic consolidation is crucial. There are two mechanisms to simplify the number of political party; (1) as the participants of election and (2) parliament way. The findings suggest to the government to improve the political party system and the coalition mechanism for simplification of the number of political party.

Keywords: *Political Party, Democracy, Multiparty, Democratic Consolidation.*

A. BACKGROUND

Indonesia is a unitary state in the form of republic, while sovereignty is in the hands of the people and implemented according to the 1945 Constitution, and Indonesia is a state based on the rule of law (article 1 of the 1945 Constitution). In carrying out their sovereignty, the people have the protection of their rights as regulated in Article 28 of the 1945 Constitution which states that “Freedom of association and assembly, issue of thought with oral and written and so on is stipulated by law.” This freedom of association becomes the basis of the birth of a political party.¹

In addition to Article 28 of the 1945 Constitution as the legal basis for the formation of political parties, there is also democratic consolidation as the basis of it. In other words, according to Scarrow, the emergence of political party is directly proportional to the growth of the democratization process, especially with regard to equality of the rights among citizens. Therefore, political parties are pillar of democracy that must exist in a modern state.²

With the existence of political party as one of the pillars of democracy, Indonesian citizen who have political capacity formed a political party with each ideology and their vision and mission. Moreover, Indonesia embraces the multiparty system. Multiparty system is a system which is a state has a dominant party more than two parties. Multiparty system has some problems and weaknesses. Of the problems and weaknesses of the multiparty system the author has an idea that simplification of the number of political party in Indonesia is possible.

¹ Kuswanto, “Penyederhanaan Partai Politik Dalam Sistem Pemerintahan Presidensiil Yang Multi Partai”, *Yuridika*, Vol. 28 No. 2 (May, 2013).

² Kacung Marijan, 2010, *Sistem Politik Indonesia Konsolidasi Demokrasi Pasca-Orde Baru*, Jakarta, Kencana p. 59.

B. RESEARCH PROBLEM

1. What is the position and role of political party in Indonesia?
2. How is the influence of numbers of political party towards democratic consolidation in Indonesia?
3. How to simplify the numbers of political party towards democratic consolidation?

C. OBJECTIVE OF PROBLEM

1. To understand further the role of political party in a democratic state
2. To understand the influence of the number of political party towards democratic consolidation in Indonesia
3. To evaluates the influence of the simplification of the number of political party towards democratic consolidation

D. LITERATURE REVIEW

a. Political Party

Political party was first born in Western-European countries. In Indonesia, the growth and development of political parties already exist in colonial times. The regulation about political party is regulated by Law No. 2 of 2011 on Amendment of Law No. 2 of 2008 on Political Party. Based on Law No. 2 of 2008 on Political Party, Political Party is an organization which is national and formed by a group of Indonesian citizens voluntarily on the basis of the same will and visions to fight for and defend the interests of political members, community, nation and state and maintain the integrity of the Unitary of Republic of Indonesia based on Pancasila and The 1945 Constitution.

b. Party System

Party system is a behavior and interaction among a number of political parties in political system.³ Maurice Duverger divides the party system into three, namely single party system, two-party system and multiparty system. Single party system is a system dominated by one party in parliament. Two-party system is a party system in which there

³ Ramlan Surbakti, 2007, *Memahami Ilmu Politik*, Jakarta, Gramedia Widiasarana Indonesia, p. 113.

are two main parties that compete in the general election. Multiparty system is a system consisting of more than two dominant political parties.⁴

c. General Election

General election is one of tools to evaluate the quality of democracy in a state, besides using various freedoms protection (freedom of expression, freedom of the press, and freedom of religion) and equality before the law. Conceptually, Ibnu Tricahyono stated that the general election is an instrument to realize the people sovereignty who intends to form a legitimate government and articulate the aspirations and interests of the people.⁵ Based on Article 2 of Law No. 7 of 2017 on General Election, general election is held based on principles of direct, public, free, confidential, honest and fair.

d. Democratic Consolidation

Democracy is derived from the words *demos* and *cratein*. *Demos* means people and *cratein* means power. Thus power is in the hands of the people, it means the power for, by and from the people.⁶ Originally, the term “democratic consolidation” is meant to describe the challenge of making new democracies secure, of extending their life expectancy beyond the short term, of making them immune against the threat of authoritarian regression, of building dams against eventual “reverse waves”.⁷

E. RESEARCH METHOD

The type of this research is normative legal research means the research includes legal principles, research on the level of legal synchronization, legal history and comparative law.⁸ It means this research focuses on reading and analysis secondary data. The data that used in this research is secondary data. Those data were collected through library research by literature learning. The method collected data from reading, writing, analyzing, and gather information related to the topic of the thesis. After having the documents such as legal

⁴ Luky Sandra Amalia, 2017, *Partai dan Sistem Kepartaian Era Reformasi*, Yogyakarta, Pustaka Pelajar, p. 14-15.

⁵ Ibnu Tricahyono, 2009, *Reformasi Pemilu Menuju Pemisahan Pemilu Nasional dan Lokal*, Malang, In Trans Publishing p. 6.

⁶ Inu Kencana Syafie, 1994, *Sistem Pemerintahan Indonesia*, Jakarta, Rineka Cipta p. 131.

⁷ Andreas Schedler, “What is Democratic Consolidation?”, *Journal of Democracy*, 9.2 (1998) p. 91.

⁸ Tim penyusun, 2012, *Buku Pedoman Penulisan Hukum*, Yogyakarta, Fakultas Hukum UMY page 34.

instrument, journal, books, and others related to the main problem as the main of this research, finally try to make a conclusion. The data were analyzed systematically through descriptive qualitative which include a qualitative research. It was done systematically through evaluation where the data was taken related to the issues to be researched.⁹

F. FINDING AND ANALYSIS

A. The Position of Political Party in Indonesia

1. The Position and Role of Political Party in Democratic State

Political party has an important role or position in every democratic system. Political party is often called as one of the democracy pillars. The existence of political party is recognition of the freedom of association and expressing opinions. The party also plays a very strategic liaison role between the process of government and citizens. Even, many argue that political party determines democracy, as stated by Schattscheider (1942), “Political parties created democracy”. Therefore, political party is an important pillar to strengthen the institutionalization degree in every democratic political system.¹⁰ According to Yves Meny and Andrew Knapp, “A democratic system without political parties or with a single party is impossible or at any rate hard to imagine”¹¹ A political system with only one political party, it’s hard to imagine to be called democratic, especially if without political party at all.

2. The Function of Political Party in Democratic State

The existence of political party is recognition of freedom of association and expressing opinions. But, the existence of political party quantitatively could not be a benchmark of the democratization success in state, but must be able to run the function and competitive and general election. Thus the function of political party that mentioned in article 11 Law No. 2 of 2008 on Political Party are:

⁹ Jhonny Ibrahim, 2006, *Teori dan Metodologi Penelitian Hukum Normatif*, Second Edition, Malang, Bayu Media, p. 302.

¹⁰ Jimly Asshiddiqie, 2014, *Pengantar Ilmu Hukum Tata Negara*, Jakarta, Rajawali Press, p. 401.

¹¹ *Ibid*, p.403.

- a. Political party has a function as political education for members and broad community in order to become an Indonesian citizen who are aware of their rights and obligations in society life, nation and state;
- b. Political party has a function as the creation of a climate conducive to the unity of the Indonesian people for the welfare of the people;
- c. Political party has a function as absorbers, collectors and suppliers of people's political aspirations in formulating and implementing state policy;
- d. Political party has a function as political participation of Indonesia citizen; and
- e. Political party has a function as political recruitment in fulfillment political positions process through democratic mechanism with regards on gender equality.

Generally, political experts described four functions of political party. According to Miriam Budiardjo, those four function, are: (i) political communication; (ii) political socialization; (iii) political recruitment; and (iv) conflict management. The four functions are related to one another, which are:

1. Political Communication

As political communication, political party has important roles in interest articulation effort or political interests that are contained or sometimes hidden in community. Some interests are well absorbed by the party into ideas, vision, and policies of related party. Then, those ideas and policy or policy aspiration are advocated so that it can be expected to influence or even become official state policy material.

The mass media plays a role as political communication tool and forms political culture. Beside for peoples, ideas, policies, and concepts communicated through mass media in order to the party members knowing the political party's principle, program or concept to create moral bond in their parties. This political communication uses mass media or mass media that support them.¹²

¹² Fadillah Putra, 2003, *Partai Politik dan Kebijakan Publik*, Malang, Pustaka Pelajar, p. 20.

2. Political Socialization

Related to political communication, political party also has important role in political socialization. Idea, vision, and strategic policy that become political party's choice are socialized to the constituent to get reciprocity from the society. Related to political socialization, party also has important role in political education.

3. Political Recruitment

The third function is political recruitment. Political recruitment is selection process or recruitment for the members group to represent their group in administrative and political office. Political party formed was intended to be a legitimate vehicle to select cadres of state leaders in certain stages and positions. Every political system has different recruitment procedures and systems. There are some cadres chosen directly, some are indirectly selected by House of Representative, or through other indirect methods.

4. Conflict Management

The fourth function is the regulator and conflict manager that happens in society (conflict management). As regulator or conflict manager, political party has function as aggregation of interests that distribute various different interests through channel of institution of political party. Therefore, according to Yves Meny and Andrew Knapp, conflict management function can be related to the function of political party integration. The party illustrates and integrates various interests with how to distribute it as well as possible to influence state political policies.

3. The Problems of Multiparty system in Indonesia

There are some weaknesses of multiparty system, such follows:

a. Expensive to operate

One of the weaknesses of multiparty system is that it is very expensive to run. All competing parties get political power to convince the peoples/voters to

vote for them. One of them is campaigning, advertising in the media such as billboards on the street and posters in public areas, buying broadcast time on radio and television. All of this requires a lot of money so the multiparty system is expensive to operate.

b. It creates divided society

Every political party has ideology to run in their organization and every party has different ideology to one another. Ideology is a set of goals and ideas that lead to one goal, hope, and action. So, ideology in political party can be interpreted as a set of goals and ideas that explain how people work and how to regulate power. As mentioned before that every political party has different ideology and goals, this condition can cause conflict in the society and state life. We know that multiparty system has more than two dominant parties and that can happen in Indonesia instead our country have so many political party. With different in their ideology, difference in vision and mission and goals of each political party has resulted discordance within Indonesian state.

c. Spend the State Budget Funds

Remembering the establishment of political party is the realization of society sovereignty, it is not the realization of economic power, it is necessary to have financial resources for political parties that can prevent misuse of money politics. In this case, the state must guarantee that every political party has equal opportunities in the framework of carrying out democracy and its functions.

Article 5 paragraph (1) of Government Regulation No. 1 of 2018 on Second Amendments on Government Regulation No. 5 of 2009 on Financial Assistance for Political Party states “The amount of the value of financial assistance to central level political party that get seats in the House of Representative as referred to article 2 paragraph (3) is IDR 1,000 per valid vote”.

This is the table of financial assistance obtained by political parties that participating in 2014 Election if one vote is valued IDR 1,000:

Table No. 1

**The Amount of Financial Assistance from State Budget on Central Level Political Parties
in 2014 Election**

No.	The Political Party	Number of Votes	Financial Assistance form State Budget
1.	PDIP	23,681,471	23.68 billions
2.	Golkar	18,432,312	18.43 billions
3.	Gerindra	14,760,371	14.76 billions
4.	Demokrat Party	12,728,913	12.2 billions
5.	PKB	11,298,957	11.29 billions
6.	PAN	9,481,621	9.48 billions
7.	PKS	8,480,204	8.48 billions
8.	NasDem Party	8,402,812	8.40 billions
9.	PPP	8,157,488	8.15 billions
10.	Hanura	6,579,498	6.57 billions
11.	PBB	1,825,750	1.82 billions
12.	PKPI	1,143,094	1.14 billions

Source: <https://news.detik.com/berita/3547312/naik-dari-rp-13-m-negara-bakal-habiskan-rp-124-m-untuk-parpol> and <http://news.metrotvnews.com/read/2014/05/14/241830/ini-daftar-perolehan-kursi-dpr-ri-tiap-parpol>

For those twelve parties the government should spend Rp 124.92 billion per year of the State Budget. In other words, if the numbers of political party increases or the multiparty system is still applied the state will spend the State Budget Funds that much or maybe more than that.

d. Weakening Executive Body's Role

This is because there is no single party which is strong enough to form a self-government, thus force to form a coalition with other parties. In multiparty system and presidential system, coalition of political party to win the election is natural and common things. Political party coalition happens because to get majority support from parliament is difficult.

Meanwhile the weakness of the coalition is the ineffectiveness of the government because the coalition parties must hold deliberations and compromises with their partners and if there is a mismatch then the coalition is threatened to disband. Political parties that are members of a coalition supporting the government can withdraw their support. There is no guarantee that the coalition is bound to support the government until the end of the president's term of office. Political party that joined coalition tends to take advantage from government. If the policy or program which taken by government is not popular the party tend to be opposition.

e. The Poor Performance of Political Party

As the result of a research by the Indonesian Center for Political Research-Knowledge Institute (P2P-LIPI) in 2010, arise because the orientation of political parties towards the interests of the people tends to be defeated by personal and group interests. Even, political parties often forget to fulfill his campaign promises to the constituents after obtaining power. The distrust of this society is not only for the old political parties, but also to the new one.

Such an opaque assessment was confirmed from various polls conducted by various institutions. The survey conducted by Kompas from 2009 to 2013, for example, noted that public dissatisfaction with the performance of political parties reached 70 percent more. Similarly, the negative image of political parties in the public eye shows figures above 50 percent. Likewise in 2015, a Poltracking survey released in May 2015 showed that 63.5 percent of respondents expressed dissatisfaction with the performance of political party. The worsening of political party in the public eyes is mainly related to corrupt practices and the work of cadres in the legislative and executive institutions.

Finally, the combination of multiparty system and presidentialism is complicated by the difficulties of interparty coalition-building in presidential democracies. Multiparty coalitions in parliamentary systems differ in three regards from multiparty coalitions in presidential systems; all of them make coalitions less stable with presidentialism. First, in many presidential systems legislators of parties with cabinet portfolios do not support the government. Second, in parliamentary systems, the parties choose the cabinet and prime ministers, and they remain responsible for providing support for the government. The last, incentives for parties to break the coalitions are generally stronger in presidential systems.¹³

B. The Influence of Number of Political Party to Democratic Consolidation in Indonesia

Democratic consolidation can be interpreted as (process) of merging some democratic elements to jointly facilitate the democratization of politics. The elements that involved in democratic consolidation are politic institution, political parties, elites, interest groups and political communities.¹⁴ The purpose of democratic consolidation is to make the communities going closer to more democratization. What we needed to be more democratization is political party. Huntington evaluate, in some things, political party become important as tool of organizing and arrange the expansion of participation. While Diamond explained, political party is institutional framework which is important for representative and government in a democracy.

The increasing number of political party is increasingly difficult in the growth of democratic consolidation. The increasing number of political parties makes coalition is difficult to hold because political parties would be difficult in making consensus that consists of several political parties. The coalition also weakened the prerogative rights of the president in drafting the cabinet.

¹³ Scott Mainwaring, "Presidentialism, Multipartyism, and Democracy The Difficult Combination", University of Notre Dame, (July, 1993), p. 200.

¹⁴ Kris Nugroho, "Konsolidasi Demokrasi", *Masyarakat, Kebudayaan dan Politik*, Th XIV No. 2 (April, 2001), p. 26.

In multiparty system, the formation of new political party is a lot. The requirements that are not difficult make new political parties appear. New political parties become small political parties which are not widely known by the public. This small political party is usually political parties that are not the election participant, and these political parties are misused to carry out illegal tasks. From the previous explanation, the author concludes that the influence of the number of political party to democratic consolidation is crucial. The increasing of the number of political party makes democratic consolidation in Indonesia difficult.

C. The Mechanism to Simplify the Numbers of Political Party

To simplify the numbers of political party, it needs some mechanism for structuring the design of political institutions as follows:¹⁵

1. Simplify the numbers of political party as participants of election

To simplify the numbers of political party as election participant can be done through several ways, they are:

a. Fulfilling the requirements of political party as election participant based on Law of General Election consistently

As legal entity of Ministry of Law and Human Rights, a political party shall fulfill some more competitive requirements to be determined as an election participant as required in Law of General Election.

b. Implementing the Election Participant Political Party System which is categorized into three scopes:

1) The Election Participant Political Party System of District/City can be only as participant in general election of member of Regional of House of Representative of District or City.

2) The Election Participant Political Party System of Province can be only as participant in general election of member of Regional of House of Representation of District and Province.

¹⁵ Aprista Ristyawati and Fifiana Wisnaeni and Hasyim Asy'ar, Penyederhanaan Partai Politik dalam Sistem Kepartaian di Indonesia sejak Perubahan Undang-Undang 1945, *Diponegoro Law Review*, Vol. 5 No. 2 (1996) p. 8.

- 3) The National Election Participant Political Party System can be as participant in general election of member of Regional of House of Representation of District/City, member of Regional of House of Representative of Province, and member of House of Representative.
2. Simplify the Numbers in Parliament, that are:
 - a. Apply District System in General Election;
 - b. Minimize the Electoral District;
 - c. Apply the Parliamentary Threshold Constituently;
 - d. Combining the Implementation of Legislative and Presidential Elections (Concurrent Elections);
 - e. Fractional Threshold;
 - f. Regulation for Permanent Coalition.

D. The Problems on the Effort of Simplification the Numbers of Political Party

After reformation, four times of general election from 1999 until 2014, the simplification of the numbers of political party cannot be realized until now. There are some problems or obstacles of reaching these goals that appears from the expert opinion, as follows:

1. According to Masykuruddin Hafidz, a National Coordinator of the People's Voter Education Network, Law of General Election in 2016 is not appropriate in using electoral system instruments. According to Masykuruddin, simplifying the numbers of political party is not enough with only implementing parliamentary threshold. Even the implementation of higher parliamentary threshold can threaten the proportionality of election results.

The amount of the parliamentary threshold does not have a significant impact on the simplification of the party system. At least that was proven in the 2009 to the 2014 election with the application of 2.5% to 3.5%. The number of political parties actually increased. Therefore, he further argue, by putting forward the aspect of high proportionally, low votes wasted and restrictions on the participation of the next

- election, the parliamentary threshold should be reduced to 1 percent. That applies from national to regional.¹⁶
2. The electoral system still uses the old system. To get a simple party system, there must be a change in the electoral system into a district system. Thus, a process of unification of political power (centrifuges) will occur, making it easier for people to make choices, and reducing or eliminating various forms of political buying and selling.¹⁷ According to Iwan Satriawan and Dhenok Panuntun Tri Suci Asmawati, there needs to be an idea to make rules about multiparty systems explicitly by paying attention to several alternative points including:
 - a. Strict party system settings, in the sense of regulation that explains the party system adopted by the number of certain political parties.
 - b. Although the number of political party is not restricted, it should pay attention to the conditions for establishing stricter political party so they can bring up strong and accountable political party.
 - c. If there is a coalition, clear regulations must be made regarding the coalition mechanism, because all this time the coalition of political parties has been inconsistent and inclined not paying attention to political ethics.

G. CONCLUSION AND RECOMMENDATION

1. Conclusion

1. The position of political party is important to strengthen the institutionalization degree in every democratic political system. The role of political party is a liaison role between the process of government and citizens.
2. The influence of number of political party towards democratic consolidation is crucial. The increasing number of political party makes democratic consolidation in Indonesia difficult.
3. The multiparty system makes the state has so many problems. To simplify them there are two mechanisms that are as the participants of election and parliament way. Some

¹⁶ Anonymous, Penyederhanaan Partai Belum Tercapai, 9 Desember 2016, <http://www.koran-jakarta.com/penyederhanaan-partai-belum-tercapai/> accessed on January 7th 2019 at 8:00 pm 8.00 p.m

¹⁷ Mexsasai Andra, “Gagasan Penyederhanaan JUmlah Partai Politik Dihubungkan Dengan Sistem Pemerintahan Republik Indonesia”, *Jurnal Ilmu Hukum*, Vol. II (August, 2011), p. 82.

ways should fulfill the strict requirements, change the electoral system and there should be permanent coalition.

2. Recommendation

Based on the problem that has been discussed, it can be proposed some suggestion for the government, as follows:

1. Simplify the number of political parties with permanent coalition. Nowadays, Indonesia only applies temporary coalition that causes democratic mess.
2. Change the system of political party from multiparty system to two-party system. The combination between two-party system with presidential system is more effective than multiparty system.
3. There is a regulation regarding the coalition mechanism, because all this time the coalition of political parties has been inconsistent and inclined not paying attention to political ethics.
4. Change the electoral system with district system or the clear regulation of the amount of parliamentary threshold.

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