A pretence of democracy for the 2004 Indonesian elections

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Indonesia's 147 million eligible voters will begin voting on April 5 in a series of polls to fill 16,000 positions in local councils, provincial legislatures and the national parliament, as well as the powerful office of president. These are the first elections since 1999 and the first in which all posts, including the presidency, will be directly elected.

In framing the new electoral laws last year, great efforts were made to distance the upcoming polls from the stage-managed, state-controlled affairs that took place under the Suharto dictatorship. The legislation was first changed after Suharto's fall in 1998 but one third of the present parliament, which was formed following the 1999 elections, still consists of military and other appointees.

The latest changes remove the most obvious anti-democratic features of the previous laws. Closer scrutiny of the detail, however, reveals that the amendments are designed to ensure that political power, particularly the all-important presidency, remains firmly in the grip of the political establishment. It is hardly surprising given that the laws were approved by the present parliament, which is dominated by political parties and figures that either directly supported Suharto or were part of his loyal opposition.

The presidency remains the most powerful office in Indonesia. The president will continue to appoint and dismiss cabinets and have a significant hand in government policy. The new laws limit the scope of presidential decrees; a power embedded in the autocratic 1945 Constitution drawn up under the tutelage of the Japanese occupying power. But the president retains the right to rule by decree in an "emergency", provided only that it is ratified at the next meeting of the parliamentary lower house—the House of Representatives (DPR).

In 1999, the president was chosen by the Peoples Consultative Assembly (MPR), which consists of the DPR and other representatives. The next president, however, will be chosen at a poll to be held on July 5. If no presidential ticket (for president and vice president) receives 50 percent of the vote, or at least 20 percent of the vote in half of the provinces, the two leading contenders will contest a second round run-off election currently scheduled for September 20.

At the national level, the DPR will no longer include 38 military and police appointees. All 500 DPR members will be elected. Another 120 regional representatives will be elected on the basis of four from each of the country's 30 provinces to form the Regional Representative Council (DPD). Together the DPR and DPD will make up the new MPR.

These new arrangements are, however, largely cosmetic. The chief beneficiaries will be the existing political parties. These include President Megawati Sukarnoputri's National Democratic Party-Struggle (PDI-P) and Golkar, Suharto's former power base now headed by Akbar Tanjung. Three parties of the right-wing Muslim establishment also played a major hand in the laws: Vice President Hamzah Haz's United Development Party (PPP); former President Abdurrahman Wahid's National Awakening Party (PKB) and MPR speaker Amien Rais's National Mandate Party (PAN).

While all political offices are now elected, the new laws make it extremely difficult to form new parties, and virtually impossible for anyone outside the existing political parties, to contest, let alone win, the presidency. There are also provisions specifically designed to exclude parties and individuals on ideological grounds.

Article 3 of the Law Concerning Political Parties sets stiff conditions for new parties. While a party is only required to have 50 citizens as members, the article stipulates that the party must have an executive board in at least half of the nation's 30 provinces, in at least 50 percent of the regions (kabupaten/kota) in each province and in at least 25 percent of the local areas (kecamatan) within each region. This provision clearly favours the existing parties with their party machines established during the Suharto period, or ruling class factions that have the funding needed to meet these conditions.

Article 5 specifies that parties must not contravene Pancasila, the conservative nationalist ideology that underpinned the 1945 Constitution and the Suharto dictatorship. Article 19 excluded any party sympathetic to separatist movements in Aceh, Papua or anywhere else, by prohibiting any activities, "which endanger the unity of the Unitary State of the Republic of Indonesia". The same article bans any party "from embracing, developing, and disseminating the teachings of Communism/Marxism-Leninism".

The General Elections Commission (KPU) has already excluded the vast majority of more than 140 parties that have

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applied for official recognition. Only 24 parties have been accredited to participate in the election—none of which offer any serious challenge to the existing political establishment.

The smaller parties face further disadvantages. While the law requires the disclosure of party funding and limits individual contributions, there is no upper limit on overall campaign funding and no effective barriers to the "money politics" of the major parties. Furthermore, election campaigning is confined to the three-week period from March 11 to April 1—a move that will again assist well-established parties.

The restrictions on presidential tickets are even tougher. For the 2004 election, a ticket must have the support of a party or group of parties that has either 3 percent of seats in the DPR or 5 percent of the vote. From 2009 the requirement will be 15 percent of the seats or 20 percent of the vote, effectively confining the "contest" to a handful of major political parties.

The move to provide a more democratic façade for the electoral process has been driven at least in part by the widespread alienation felt by broad layers of the population towards the established political parties. The hopes and aspirations of those who supported the ousting of Suharto in 1998 have been completely frustrated. Two of the leading "reformers" of 1998—Megawati and Wahid—have held the post of president and presided over economic stagnation, rampant corruption and falling living standards.

All of the major political parties have been part of the "national unity" administrations that have been responsible for the economic and social crisis. An opinion poll cited in a recent International Crisis Centre study revealed that 58 percent of those interviewed felt life was better under the Suharto dictatorship—a sharp indictment of all the post-Suharto governments.

Voters have every reason for their skepticism and hostility. All of the current presidential contenders are deeply conservative figures, who are beholden to the military and state apparatus and support the economic restructuring policies demanded by the IMF and World Bank. Whoever wins the election, the next administration will continue the policies that have deepened social polarisation and undermined basic democratic rights.

The front runner is the incumbent Megawati. During the dying days of the Suharto dictatorship she was touted as the most radical "reformer" both in Indonesia and abroad. In the 2004 election, however, Megawati is the preferred candidate of the military hierarchy, which played the key role in removing Wahid from office in July 2001 and installing her.

Wahid fell out with the military over his limited program of reforms that included concessions to the separatist movements in Aceh and Papua. Infuriated by the loss of East Timor in 1999, the generals backed Megawati who staunchly opposed any further break up of Indonesia. Increasingly dependent on the military, Megawati gave the green light last May for launching a brutal war to suppress separatist sentiment in Aceh.

While serving military officers are banned from standing in the election, many parties are seeking retired generals and admirals as their candidates. Officials from Megawati's PDI-P have hinted that a former military officer is one of those being considered as Megawati's vice-presidential running mate.

Among those vying to become Golkar's presidential candidate are chairman Akbar Tanjung and former armed forces chief General Wiranto. The very fact that Suharto's old party continues to play a major role in Indonesian politics, despite all of the crimes of his dictatorship, is the sharpest warning of the anti-democratic character of all the major parties. All of them coexist with Golkar, the military and state apparatus that remains largely intact after the fall of Suharto.

Tanjung is able to contest the election only because the Supreme Court on February 13 overturned his conviction and three-year jail sentence for diverting funds from a state welfare organisation into Golkar's coffers. The court accepted Tandjung's threadbare defence that he had been only "following orders" from then President B.J. Habibie. General Wiranto continues to entertain presidential ambitions despite being directly implicated in the military-inspired violence by pro-Indonesian militia groups in 1999 against supporters of East Timor independence.

While others are yet to announce their intentions, none of the prospective presidential candidates are capable of meeting the social needs and aspirations of the majority of the population. That is why, behind the democratic window dressing of the election, the ruling class is determined to keep firm control of the state apparatus, particularly the means of repression, to deal with any opposition to its social and economic policies.

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