

**ADVANCING DEMOCRACY IN INDONESIA:
THE SECOND DEMOCRATIC LEGISLATIVE ELECTIONS
SINCE THE TRANSITION**

National Democratic Institute for International Affairs

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Introduction

Over 124 million Indonesians went to the polls on April 5, 2004 to choose more than 15,000 members of legislative bodies at the national, provincial and district levels. The electoral process was largely peaceful and despite the complexity of the balloting and counting process, no major administrative problems emerged. Voters signaled a desire for change, shifting their support from the largest parties to two smaller parties based on their campaigns emphasizing greater integrity and less corruption in public life. These elections kicked off a six-month process of choosing a new government that, if successful, can serve as an important step in consolidating and expanding democracy in Indonesia.

Most voters had to punch four separate ballots: one each for the national legislature (DPR), the new national upper house representing regional interests (DPD), the provincial assembly (Province DPRD) and the district assembly (Regency/Municipality DPRD).¹ Although balloting procedures were complex, voting proceeded without major problems at most of the more than 580,000 polling stations. However, voting was postponed for several days in certain locations due to the late delivery of essential election materials such as ballots, seals, indelible ink and tabulation protocols. Campaigning, although long on political theater and short on substantive debate about issues, was largely free of violence.

The national results for the DPR indicated a number of striking trends: (1) the share of votes for all five of the largest parties from the 1999 elections (PDI-P, Golkar, PKB, PPP and PAN) went down in these elections; (2) the parties of President Megawati Soekarnoputri, Vice-President Hamzah Haz and former president Abdurrahman Wahid lost the most votes; and (3) the Democrat Party (PD) and Prosperous Justice Party (PKS) were the primary beneficiaries of voter dissatisfaction with the large parties. These results were corroborated by the parallel vote tabulation (PVT) conducted by the Institute for Social and Economic Research, Education and Information (LP3ES), with technical assistance from NDI, as part of the election monitoring coalition *Jurdil Pemilu 2004*.²

As the first in a multi-phase election process that will conclude with the inauguration of a new president and vice-president on October 20, these legislative elections will be followed by one or two rounds of presidential elections on July 5 (and, if necessary, September 20). These will be the first-ever direct, popular presidential elections in Indonesia's history. In fact, success or failure in the legislative elections determined a political party's eligibility, alone or in coalition with other parties, to nominate a ticket of presidential and vice-presidential candidates: only those parties or coalitions of parties with a minimum of 3 percent of DPR seats (or 5 percent of the

¹ Voters in Jakarta had to punch only three ballots, as the capital city lacks district assemblies.

² This coalition, whose name means both "University and NGO Network for Monitoring the 2004 Elections" and "Honest and Fair 2004 Elections," consists of the Indonesian Rector's Forum (FOREK), LP3ES, the Civil Society Alliance for Democracy (YAPPIKA) and NDI. See Appendix A for the full results of the PVT.

national DPR vote) could do so. Of the 24 parties contesting the elections, only Golkar, PDI-P, PKB, PPP, PD, PKS and PAN passed the 5 percent threshold on their own. Of course, smaller parties could form coalitions to nominate tickets, although none did. The nomination process for president and vice-president was completed on May 12. Six of the seven largest parties nominated tickets, although one of these was disqualified from running.

SEVEN LARGEST PARTIES, 2004 LEGISLATIVE ELECTIONS		
Name	Leader	Notes
Golkar	DPR Speaker Akbar Tandjung, chairman	Secular nationalist party with broad national constituency; former ruling party under President Soeharto
PDI-P (Indonesian Democracy Party–Struggle)	President Megawati Soekarnoputri, chairwoman	Secular nationalist party with broad national constituency
PKB (National Awakening Party)	Former president Abdurrahman Wahid (Gus Dur), founder	Inclusive party, but mostly supported by rural Muslims on Java
PPP (Development Unity Party)	Vice-President Hamzah Haz, chairman	Conservative Islamic party, supported by both rural and urban Muslims
PD (Democrat Party)	Soesilo Bambang Yudhoyono (SBY), founder	New party
PKS (Prosperous Justice Party)	Hidayat Nurwahid, president	Ran as Justice Party (PK) in 1999; conservative Islamic party, stronger in urban areas; cadre party; campaigned on clean government platform
PAN (National Mandate Party)	MPR Speaker Amien Rais, founder and chairman	Inclusive party, but mostly supported by urban Muslims

These elections are the second democratic elections since authoritarian President Soeharto resigned in May 1998 and the democratic transition process began – the first such elections having taken place on June 7, 1999. The 2004 elections mark the first time in Indonesia’s history that the country will have held two sets of democratic national elections in a row. Following the democratic 1955 parliamentary elections, the next national elections were not held until 1971, under Soeharto’s New Order regime. Throughout the last five years, there were no serious threats from any corner (the president, the military, terrorists, etc.) that elections would not be held on schedule in 2004, and there is every reason to believe that the next elections will take place as scheduled in 2009. This in and of itself is an achievement.

The 2004 elections are also the culmination of a five-year process of constitutional reform that has significantly transformed Indonesia's political system, incorporating the democratic principles of separation of powers, checks and balances, decentralization and respect for human rights. Four amendments to the 1945 Constitution were passed between 1999 and 2002. The most important changes were: the establishment of elections as the sole basis for political power (for instance, by abolishing the security forces' appointed seats in legislatures at all levels); the inauguration of direct, popular elections for the president and vice-president; the strengthening of legislatures at all levels; the establishment of the Regional Representative Council (DPD), a new upper house to represent regional interests at the national level; the further specification of decentralization of power to subnational units of government; the inclusion of a new chapter on human rights based directly on the Universal Declaration of Human Rights; and the establishment of a Constitutional Court. Equally important was what was *not* included in these amendments: a proposal by conservative Islamic parties to reinstate the "Jakarta Charter" clause requiring Muslims to follow syari'ah law met with little support from other parties. Although some of these amendments came into force soon after their passage, the remainder will be fully implemented with the completion of the 2004 electoral process in October.

This report describes and analyzes various aspects of the April 5, 2004 legislative elections in Indonesia and follows NDI's previous reports on the 1999 elections, the constitutional reform process and the preparations for the 2004 elections.³ It is not intended to be comprehensive, focusing instead on some of the more important aspects of the electoral process. Furthermore, this report does not focus solely on election day, which is only one part of a broader pre- and post-election day process that includes the legal framework for the elections, administrative and technical preparations, campaigning, counting and tabulation of votes, complaint procedures, installment of elected candidates and the formation of a new government. Some aspects of this process have not yet been completed and thus cannot be fully examined by this report. NDI intends to produce further reports on subsequent phases of the electoral process.

Legal Framework

Following the constitutional reforms, the DPR set about the task of creating the legal framework for the 2004 elections. This consisted of replacements for three laws from the 1999 elections: Law No. 31/2002 on political parties, passed in December 2002; Law No. 12/2003 on elections, passed in March 2003; and Law No. 22/2003 on legislative bodies, passed in July 2003. It also consisted of two new laws: Law No. 23/2003 on presidential and vice presidential elections, passed in July 2003; and Law No. 24/2003 on the Constitutional Court, passed in August 2003. Thus the KPU had more than twelve months following the passage of the first two laws to prepare for the legislative elections. This compares favorably to the 1999 elections, when the KPU had only four months between the passage of the electoral laws and election day.

³ These previous reports can be found in NDI's on-line library Access Democracy at www.ndi.org.

Innovations in the Legislative Electoral System

In revising the election law, the DPR addressed one of the main complaints of citizens and political observers alike over the past five years: elected representatives at all levels seemed disconnected from their constituents. This was a product of two factors related to the proportional representation (PR) electoral system. First, with the province as the electoral district for the DPR, the provinces with large populations had many tens of representatives, rendering it difficult for citizens in a particular city or village to determine who represented them at the national level. A similar districting system prevailed for the provincial and district assemblies, although greater geographic proximity between citizens and provincial and district capitals somewhat ameliorated its impact. Second, the closed-list system for determining elected candidates meant that legislators owed their positions more to party leaders who determined candidates' ranking on the closed lists than to voters themselves. This latter factor had a similar impact at all levels of the system.

The DPR responded by addressing both of these factors. First, it mandated in Article 46(2) of the election law that electoral districts for the DPR and both levels of DPRD's would consist of between three and 12 members. This contrasts sharply with the range evident in the 1999 DPR elections: four (East Timor) to 82 (West Java). To meet this restriction, the most populous provinces would have to be divided into multiple electoral districts following regency and municipality boundaries. Although certainly not guaranteed, this change should tend to encourage closer connections between elected representatives and citizens, in both directions: most legislators will have a smaller geographic constituency to represent and most citizens will have fewer legislators to choose from to hold accountable.⁴

Second, in Article 107(2) of the election law the DPR introduced the partial open-list system for determining elected candidates. Under this system, parties still produced ranked lists of candidates, but voters on April 5 were allowed to choose not only a party symbol as in past elections but also up to one candidate from the same party. The voter attitude survey conducted by the research institute LP3ES indicates that approximately 71 percent of voters took advantage of this opportunity to vote for both a party and a candidate. This system would potentially allow voters to modify the party's ranking of candidates, changing the balance of loyalties for some elected candidates from party leaders to voters. Unfortunately, the DPR also significantly eroded the actual impact of this innovation by adding a clause that requires a candidate to achieve a quota of votes in order to be elected under the partial open-list system. A party's seats which are not filled by candidates achieving a quota of votes will be filled according to candidates' ranking on the lists. Since the quota ranges from 8.33 percent of valid votes for electoral districts with 12 seats to 33.33 percent for districts with three seats, it was hard enough for many of Indonesia's 24 *parties* to win a quota of votes, much less individual *candidates*. Only two candidates for the DPR managed to win a quota of votes, and both were already

⁴ The exceptions are the 11 least-populous of Indonesia's 32 provinces, for which the entire province remains the electoral district for the DPR.

listed first in their districts and thus would have been elected anyway.⁵ In other words, no DPR and very few DPRD members were elected under the partial open-list system, rendering this innovation unable to bring legislators and citizens closer together.

One aspect of the political party and election laws that was carried over from 1999 is various requirements regarding geographic spread of party structures and members that in effect rule out regional parties. Given Indonesia's geographic and demographic complexity, as well as its current and past history of regional rebellions, requiring parties to be national in scope does enhance their ability to aggregate interests. Nonetheless, as referred to above, one consequence of reducing district magnitude is to make it harder for smaller parties to gain seats, except in certain districts where they have a sufficient concentration of support. This serves to provide the larger parties with a "seat bonus," thereby reducing somewhat the proportionality of the PR system and reducing the representativeness of the Indonesian party system. This is because no electoral system can simultaneously maximize the democratic values of representativeness and accountability. In general, proportional representation systems tend to maximize representativeness while first-past-the-post systems tend to maximize accountability. In response to public demands for legislators' greater accountability, Indonesian political elites created an electoral system whose general tendency is to reduce the level of political pluralism. This makes the electoral gains by PD and PKS even more significant: Indonesia has gone from five large parties in 1999 to seven in 2004.

Constitutional Challenges to the Election Laws

The new Constitutional Court did not wait long to demonstrate its willingness to make independent and potentially unpopular decisions. On February 24, 2004, the Court struck down Article 60g of the election law that stated that legislative candidates "must not be former members of the banned Indonesian Communist Party, including its mass organizations, nor individuals directly or indirectly involved in the September 30, 1965 coup, nor members of other banned organizations." The majority ruling by eight of the nine justices declared that these restrictions were discriminative and inconsistent with the new constitutional chapter on human rights.⁶ The sole dissenting voice on the Court came from the justice who is a retired military officer. Nonetheless, his dissenting argument was also based on the human rights chapter in the constitution, particularly Article 28J(2) that allows for certain restrictions or suspensions of rights based on such considerations as moral or religious values, security and public order.

Although the military announced that it disagreed with the ruling, it also stated that it would abide by it. This decision came too late to have an impact on candidate nomination for the April 5 elections, but it was appropriately hailed by Indonesian human rights activists as an important precedent. Preparations are now being made for a similar

⁵ The two candidates were Saleh Djasit from Golkar representing Riau and Hidayat Nurwahid from PKS representing the Jakarta II district.

⁶ The majority ruling cited in particular Articles 27(1), 28D(1) and 28I(2) of the amended 1945 Constitution.

legal challenge to the equivalent clause in the presidential election law (Article 6s), although this challenge will also come too late to have an impact on this year's presidential election process. Apart from the substance of these and potential future rulings, these challenges are setting important precedents for strengthening the rule of law in Indonesia.

Technical and Administrative Preparations

Voter Registration

Following the passage of the election law, one of the first duties of the Election Commission (KPU) was to register voters. The commission proposed to conduct voter registration as part of a broader effort, run by the Central Bureau of Statistics (BPS), to update the 2000 census. This was done in April 2003, apparently by deploying a small army of university students to go door-to-door, without involving village chiefs and neighborhood (*Rukun Tetangga* and *Rukun Warga*) leaders. This effort has been widely criticized by local officials, political parties and domestic election monitors for failing to register many eligible voters, mainly because these students were assigned to unfamiliar neighborhoods and villages. Nonetheless, a two-way voter registration audit conducted in 12 of Indonesia's 32 provinces in February 2004 by LP3ES as part of the Jurdil Pemilu 2004 coalition showed that this combined census and voter registration drive succeeded in registering 91 percent of eligible voters.⁷ In addition to the 9 percent of citizens who were eligible to vote who remained unregistered, 4 percent of those on the list were classified as "ghost voters": either people who passed away between the voter registration drive and the audit or people who had never lived at the address given on the register. The KPU has decided to conduct a follow-on registration effort in April and May for the first round of the presidential election in order both to register those eligible but still unregistered and to purge "ghost voters" from the rolls. The KPU has pledged to involve village chiefs and neighborhood leaders in this follow-on effort.

Electoral Districting

Upon completion of the census and voter registration drive, the KPU turned to the task of drawing up more than 2,000 new electoral districts for the DPR and both levels of DPRD. As described above, those provinces and districts with large populations had to be subdivided based on the administrative boundaries of districts and subdistricts, respectively, so that each electoral district would have between three and 12 seats. The official elucidation (*penjelasan*) for Article 48(1) of the election law provides three main criteria for establishing electoral districts for the DPR: each seat should represent between 325,000 and 425,000 residents; no province should have fewer seats in the new

⁷ In a two-way voter registration audit, the register is checked against actual voters and vice versa. In the "list-to-voters" half of the audit, a statistical sample of voters is taken from the register and then attempts are made to track down and interview each of those voters at the address given in the register. In the "voters-to-list" half, a statistical sample is taken of citizens eligible to vote and then the register is checked to see if those citizens are actually (and accurately) registered. The press release with the audit results can be found in Appendix B. The full audit report is available in Access Democracy, the on-line library on NDI's website: www.ndi.org.

DPR than it has had in the current DPR; and new provinces⁸ should have at least three seats.

As the KPU began drawing up electoral districts based on the new census data, it quickly realized that the strict application of these three criteria was technically impossible, as the seat allocations produced by one of the three criteria were inconsistent with allocations produced by the others. For instance, for the least populous of the new provinces, allocating three seats meant that each seat represented much fewer than 325,000 residents – requiring the KPU to short-change more populous provinces in order to meet the legal requirement that the DPR would have a total of 550 seats. In another example, at the provincial DPRD level, the KPU found that the seven largest regencies and municipalities by population would be allocated more than the maximum of 12 seats. Rather than split these regencies and municipalities, a solution prohibited by the election law in districting for the provincial DPRD, the KPU assigned them seats based solely on the population criterion.⁹

The KPU's task was further complicated by the frequent creation of new provinces, districts and subdistricts even as the electoral districting process was underway. To address this problem, the KPU, the Ministry of Home Affairs and the DPR forged an agreement that no new subnational units would be created between September 2003 and the completion of the 2004 elections, an agreement subsequently violated by the government and the DPR.

The most politically charged aspect of this process was the question of how to draw up electoral districts in the restive province of Papua, formerly called Irian Jaya. In 1999, the Habibie administration decided to subdivide Irian Jaya into three provinces: West, Central and East Irian Jaya. This decision was met with a storm of protest in the province and was not immediately implemented. Two years later the DPR approved a special autonomy law for the entire province, now renamed Papua, that established a Papuan People's Council (MRP) as a sort of upper house for the entire province. Without prior warning, in January 2003 President Megawati suddenly issued Presidential Decision (*Keppres*) No. 1/2003 to implement the earlier decision to subdivide Papua into three provinces. Despite renewed protest, this time the central government pushed ahead with its plans, but was only successful in establishing the new province of West Irian Jaya (the remainder of the original province continues to be called Papua). The KPU followed the government's lead and drew up electoral districts for both provinces.

The KPU attempted to address the conflicting districting requirements by requesting that the DPR revise the election law, but the DPR refused, leaving the KPU to

⁸ Since the 1999 elections, a number of Indonesia's provinces have been subdivided into two or more new provinces. Within all of the provinces, many new districts and subdistricts have also been created.

⁹ The seven districts are as follows: Banten III (Tangerang Regency), 27 seats; Jakarta II (East Jakarta Municipality), 21 seats; Jakarta IV (West Jakarta Municipality), 18 seats; Jakarta III (South Jakarta Municipality) and Yogyakarta IV (Sleman Regency), 16 seats each; Banten I (Serang Regency), 15 seats; and Yogyakarta II (Bantul Regency), 14 seats.

its own devices. In the end, the KPU did an admirable job of balancing the legal cap on the size of the DPR, the electoral districting requirements and the new census data. In doing so, it respected the spirit, if not the strict letter, of the election law.

Voter Education

The many novel aspects of the 2004 electoral process created challenges for both official efforts by the KPU and the government, and unofficial efforts by civil society and political parties, to educate voters. The most important new aspects were the multi-phase electoral process and the direct election of the president and vice-president. In addition, voters across the country for the first time were choosing individual, non-party candidates as their regional representatives in the new national upper house, the DPD.

Finally, the partial open-list electoral system for the DPR and DPRD's meant that voters would not only be selecting a party as they had done in the past, but also selecting up to one candidate from the same party for each assembly. The main problem was that there were only two valid ways to mark a ballot but many ways to unknowingly invalidate one's vote. For a valid vote, a voter could either punch a hole for a party only, or for both a party and one candidate from that same party. Selecting a candidate but no party, selecting more than one party or candidate, or selecting a candidate from a different party were all ways to render a ballot invalid – generating significant concerns prior to the elections that a high rate of invalid votes (approximately 20-30 percent) would throw the legitimacy of the results into question. The LP3ES voter registration audit found that as many as 44 percent of voters did not know how to cast a ballot correctly, even in the months and weeks immediately prior to the elections, reinforcing the results of other surveys and simulations conducted by various groups. Nonetheless, it appears that last-minute voter education efforts by the KPU, the government, NGOs and political parties were successful, as the LP3ES voter attitude survey on election day indicated that 88 percent of voters voted correctly and official KPU results indicated that only 9 percent of ballots were spoiled.¹⁰

Logistical Problems

According to many election monitors and the media, the main problem on election day in certain locations was a lack of critical election materials, such as ballots, ballot boxes, indelible ink or tabulation protocols. In some instances, this was caused by the poor performance of private firms contracted to produce these materials. In other cases, there was poor planning by the KPU regarding transportation needs and distribution schedules – particularly to very remote parts of the archipelago. In some places, the lack of materials forced the delay of voting by as much as five to seven days. Nonetheless, the scale of these problems on a national level was limited and does not appear to have significantly affected the overall outcome of the elections. The KPU has pledged to address these problems for the first round of the presidential election on July 5.

¹⁰ The press release with the results of the voter attitude survey can be found in Appendix C.

Political Parties and Candidates

DPR and DPRD Candidate Selection

The new elements of the electoral system noted above created incentives for political parties to nominate candidates who were more well known in and had greater ties to their districts, although room still needed to be made on DPR candidate lists for national party leaders. A number of parties, including PDI-P, made substantial revisions to their candidate lists to address the perception that DPR members were ineffective and out of touch. It appears that approximately 70 percent of DPR members-elect are new to the national legislature.

Another addition for the 2004 elections is Article 65(1) of the election law, which encourages (but does not require) parties to nominate women as at least 30 percent of their candidates. This clause is silent, however, on the equally important issue of how highly these women are ranked on the candidate lists. Most of the 24 parties came close to meeting or exceeded the 30 percent soft quota, according to a study by the well-respected publication *Jurnal Perempuan (Women's Journal)*. However, the women candidates were often ranked toward the middle or the bottom of the lists, rendering it unlikely they would be elected. In fact, only 11.1 percent (61 of 550 members) of the DPR for 2004-2009 are women, a slight increase from the 9.5 percent (44 of 462 elected members) of the 1999-2004 DPR. Of the seven largest parties, PPP and PKS have the fewest women DPR members-elect: 5 percent and 9 percent, respectively.¹¹

DPD Candidates

Candidates for the new upper house of the national legislature, the Regional Representatives Council (*Dewan Perwakilan Daerah* or DPD), were required to be nonpartisan individuals who recently resided in the province they planned to represent. A member of the military, police or civil service who intended to be nominated as a DPD candidate first had to receive permission from his or her employer and then resign from his or her position before becoming eligible to run for office. Nominations were required to be supported by signatures from 1,000 to 5,000 registered voters, depending on the size of the province.

Successful DPD candidates include those already well known on the national political stage, such as: cosmetics maven Mooryati Soedibyo, who won the most votes in Jakarta; former minister of the environment and former Golkar leader Sarwono Kusumaatmadja, who followed close behind Ms. Mooryati in the Jakarta balloting; MPR deputy speaker, former minister of mining and energy and former Golkar leader Ginandjar Kartasasmita representing West Java; the wife of Sultan Hamengku Buwono X representing Yogyakarta; and the former governor of North Sumatra, Raja Inal Siregar, representing that province. The tendency for former local government officials to run successfully for the DPD may mean that that body has a significant portion of ex-Golkar

¹¹ US-Indonesia Society (USINDO) Elections Update, May 17, 2004.

leaders among its members, perhaps facilitating the development of smooth relations with the Golkar-dominated DPR in the DPD's first months and years of existence.

About 73 women's groups, including KPPI, and individual activists participated in the Indonesian Political Women's Movement (GPPI) to conduct a campaign for voters who did not have a particular preference for nor recognize any DPD candidates to vote for a woman candidate. According to an analysis by the International Foundation for Election Systems (IFES), 27 (21 percent) of the 128 members-elect are women, approximately double the percentage for the DPR. Twenty-two of the 32 provinces elected at least one woman among their four representatives.

Campaign Issues and Techniques

Pre-election public opinion polling and focus group research, including that conducted by NDI, indicated that the most important issues for voters were economic, including the difficulty in finding a job and the high prices of basic staple goods. Following close behind these issues were the low quality and high cost of education, and corruption. Party platforms responded to these issues in only very broad ways and generally lacked the concrete strategies necessary to solve these endemic problems that impact every level of Indonesian society.

The most public form of campaigning remained mass rallies in sports stadiums and on open fields. These rallies generally focused more on entertainers than on political speeches, which themselves were long on exhortations and short on policy issues. Rallies were also susceptible to the rent-a-crowd phenomenon common in Indonesia, leading some political party leaders to complain after the elections that good turnout at the rallies was not later reflected in vote totals. Particularly the rallies held in Jakarta also had the negative effect of turning public opinion against the parties, due to the resulting traffic jams and litter (although voters took note of the fact that PKS members picked up their trash following their rallies, further increasing that party's favorable opinion ratings).

These rallies were the only type of campaigning covered by the television news programs, leading some observers to believe that the campaign completely lacked in substance. However, many parties did undertake other, less visible but often more effective, forms of campaigning. The partial open-list system increased the salience of individual candidates in these elections, and some responded by attempting to connect with voters in new and creative ways. Village or neighborhood dialogues (a sort of small-scale town hall meeting) and door-to-door canvassing – virtually nonexistent in Indonesia before this election – were used by many of the parties and their candidates and allowed for greater face-to-face contact with voters and some discussion of policy issues. Other parties and candidates, however, resorted to more traditional methods by demonstrating their patronage power, either on an individual level (for example, by handing out cash, t-shirts, rice, ramen noodles and other staple items) or a collective level (for example, by building roads or providing street lighting).

One lesson for parties from these elections is that hard work and a focused message can pay off. Parties that consistently used direct voter contact techniques reaped rewards. For instance, PKS more than quintupled its vote between 1999 and 2004 by going door-to-door with a simple, clear message of fostering clean government and fighting corruption. As another example, PDS (a small Christian-based party) conducted a village-to-village direct contact campaign in targeted areas and did better than expected despite a lack of campaign funds.

Election-Related Violence

Following a clash between PDI-P and Golkar supporters in northern Bali in December 2003 that left two Golkar supporters dead, concern heightened regarding the potential for election-related violence, particularly during the three-week official campaign period in March. The focus of these concerns was the party-affiliated paramilitary organizations, known in Indonesia as “duty units” (*satuan tugas* or *satgas*). These organizations are the primary way in which parties organize youth (mostly young men) and are purportedly tasked with providing internal security for party functions. Nonetheless, these organizations often adopt military-style garb such as camouflage and have been involved in numerous clashes over the years. These organizations are also sometimes involved in local protection and extortion rackets.

In response to these deepening concerns, the KPU initiated provincial codes of conduct, or agreements among political party leaders committing themselves to peaceful forms of campaigning. NDI held meetings with party leaders in five provinces to organize the signing of the code of conduct by all parties. These meetings encouraged parties to participate that would not otherwise have done so, and generated media attention and thus public pressure on the parties to fulfill their commitments.

Fortunately, there was little violence during the campaign period and especially on election day itself. This was similar to the 1999 elections, in which pre-election concerns about violence were also not borne out. Political party leaders attributed the lack of violence primarily to the strict regulation of campaigning, particularly the mass rallies mentioned above, by the KPU. For each district, the KPU established a campaign schedule that generally ruled out campaign activities by more than one large party on any particular day, to avoid clashes. Instead, several smaller parties were scheduled on the same day as one of the larger parties.

While strict regulation undoubtedly contributed to the absence of violence during the campaign, the parties and their members also exhibited significant restraint. In North Sulawesi, for example, following a code of conduct discussion sponsored by the provincial election commission (KPUD) and NDI, Golkar and PDI-P dismantled party security posts in order to prevent violent clashes between their supporters. In many places, party members greeted each other with smiles and sometimes even exchanged t-shirts. For instance, on PDI-P campaign day in North Sulawesi, a lone motorcyclist in a PKS t-shirt was observed weaving his way through a sea of crimson-clad PDI-P

supporters, who greeted him not with jeers or fists but rather handshakes and slaps on the back.

Although the legislative elections were largely free of violence, the stakes increase significantly in the presidential election, particularly if a second round is necessary. Extraordinary measures, particularly by the political parties and the campaign teams, should be taken to ensure that the remainder of the electoral process remains untouched by violence, as Indonesians have no prior experience with direct presidential elections.

Transparency and Fairness

Political Finance

The political party law establishes a clear set of rules for party finance. For instance, party funds can come from member dues, legal private donations or state support. State support is to be provided from the national, provincial or district budget on a proportional basis to parties with seats in the relevant assembly. Donations from private individuals are restricted to a maximum of Rp200 million (approximately US\$23,000) per year; corporate donations are similarly restricted to a maximum of Rp800 million (approximately US\$92,000) per year. Parties are prohibited from receiving anonymous donations, from soliciting or receiving funds from state-owned enterprises, and from receiving donations from foreign sources. Parties are required to report their use of state support to the Ministry of Home Affairs for an audit by the state Financial Audit Agency (BPK) and are required to submit an audited annual financial report to the KPU.

In a similar fashion, the election law establishes a clear set of rules for campaign finance. Parties are required to establish a separate account for campaign expenditures and are required to submit an audited financial statement of this account within six months after election day. Campaign donations from private individuals cannot exceed a maximum of Rp100 million (approximately US\$11,500) and from corporations the maximum campaign donation is Rp750 million (approximately US\$86,000). Donations of more than Rp5 million (approximately US\$575) must be reported to the KPU, which must then announce these reports in the mass media. The same restrictions as described above on the source of donations also apply in the case of campaign financing. An audited financial report of activity in the party's campaign account must be submitted to the KPU at the latest three months after election day.

These political finance regulations are generally similar to those in other countries. The main problem in Indonesia has been lax enforcement of these regulations. Not all of the political parties have submitted the required audited financial reports and to date there have been no reports of sanctions against those parties. Similar regulations existed for the 1999 elections, but with similar results. The KPU has had no independent sources of information against which to compare these reports and no recourse against political finance violations. Until these regulations have greater teeth, political finance in Indonesia will continue to be highly opaque.

Media Access

The election law also required the electronic and print media to provide contesting political parties with equal opportunities to present their campaign materials, including the purchase of advertisements. Each party's ability to take advantage of this opportunity, however, was highly dependent on the success of its fundraising efforts. Most of the large parties, and those smaller parties that had access to funds, bought television advertising time. These ads generally featured the party leader exhorting supporters to vote for his or her party, but with little presentation of policy proposals or a vision for the country.

In an effort to provide a modicum of redress of this imbalance in media access based on financial strength, the KPU organized a series of six hour-long televised debates in the final week of the campaign period. Each debate involved a representative from each of four parties and a panel of questioners from the media and civil society, as well as questions from the live audience. The debate was thus more between each party representative and the panel of questioners/audience members than it was a debate among the parties themselves, but these debates did provide an opportunity for more in-depth presentation of party platforms and discussion of issues facing the country.

Campaign Regulation and the Election Oversight (Panwaslu) System

As mentioned above, the official campaign period was highly regulated by the KPU, with parties assigned on a rotating basis to specific days in each district. Party leaders generally praised this system as the primary reason for the lack of clashes between party supporters during campaign rallies. However, these regulations were also used occasionally against individual campaigners in ways that would seem to discourage contact between party activists and voters. For instance, Golkar party leader Slamet Effendy Yusuf was detained and questioned for several hours by the police after he was found handing out campaign brochures and speaking to voters in a market on a day not set aside for Golkar.

The election oversight committees (*panitia pengawas pemilu* or *panwaslu*) were particularly eager to uncover parties or party activists campaigning outside one of their official days. Campaign regulations and enforcement institutions that help avoid violence are laudable and necessary, but they should not be used to discourage individual party activists from interacting with voters. Instead, the overall electoral environment (including the regulatory and enforcement environment) should be such that such direct contact with voters is encouraged.

Party Agents and Nonpartisan Election Monitors

Party agents and nonpartisan domestic election monitors played a crucial role in ensuring the transparency and fairness of these elections. As a whole, the 24 parties mobilized and trained members to cover a majority of the more than 580,000 polling

stations across the country. Most of these stations were monitored by agents from several parties.

Domestic election monitoring organizations also mobilized and trained a total of approximately 400,000 volunteers to observe and monitor the voting process. The leading domestic monitoring groups or coalitions were: (1) the University and NGO Network for Monitoring the 2004 Elections (*Jaringan Universitas dan LSM untuk Pemantauan Pemilu 2004* or *Jurdil Pemilu 2004*), a coalition of NDI, Indonesian Rector's Forum, the Institute for Social and Economic Research, Education and Information (LP3ES), and the Civil Society Alliance for Democracy (YAPPIKA), which mobilized approximately 24,000 volunteers on election day; (2) the People's Voter Education Network (*Jaringan Pendidikan Pemilih untuk Rakyat* or JPPR), a coalition of numerous civil society organizations affiliated with Nahdlatul Ulama and Muhammadiyah, the two largest Muslim organizations in Indonesia, as well as interfaith and secular groups, which mobilized approximately 108,000 volunteers on election day; (3) the Centre for Electoral Reform (CETRO), which mobilized approximately 6,000 volunteers on election day; and (4) the Indonesian People's Network for Election Monitoring (*Jaringan Masyarakat Pemantauan Pemilu Indonesia* or JAMPPI), which mobilized approximately 13,000 volunteers on election day.

The election law guarantees the right of party agents, accredited election monitors and ordinary citizens to observe balloting, counting and tabulation procedures. The KPU allowed party agents to sit inside the polling stations, but election monitors were required to remain outside to avoid overcrowding. For polling stations that were set up outdoors without walls – by far the vast majority – this restriction did not impose an undue burden on the ability of monitors to conduct their activities. However, for those polling stations set up inside buildings, this restriction did hamper monitors' ability to oversee the entire process. The KPU's fears of overcrowding and disorder caused by observers did not materialize and the rules for the presidential election have been amended to allow non-partisan domestic and international monitors to observe the process from inside polling stations.

Party agents and domestic monitors also played a critical role in ensuring the integrity of the vote tabulation process as it proceeded from villages to subdistricts to districts to provinces and finally to the national level. In most instances, their role helped reassure the public that the tabulations accurately reflected voter intentions on election day. In a few cases, however, agents and monitors reported alleged manipulation and fraud. Some of these cases were settled satisfactorily by the election administration, others were handled by the election oversight (panwaslu) system and still others were referred to the police for investigation.

Security Forces

An important factor contributing to the fairness of the elections as well as the lack of election-related violence was the overall professional behavior of the security forces. While there were reports of intimidation by uniformed forces in areas such as Poso in

Central Sulawesi and in Papua, they were the exception rather than the rule. There have been few publicized reports of the police or the military at any level campaigning on behalf of a particular party or candidate or otherwise unduly influencing the electoral process. The police took the primary role in providing election security, with the military playing only a backup role in emergency situations (and there are no reports of this being necessary in any location).¹² Furthermore, on election day each police patrol was assigned to a group of polling stations, requiring the officers to make the rounds among those stations rather than stay at any one station for the entire day. The direct security of each polling station was provided by two civil servants in civil defense uniforms, whose primary task (except in unusual situations) was regulating the flow of voters in and out of the polling station. As with the other polling station officials, these security officers appear to have conducted themselves appropriately, according to the LP3ES voter attitude survey.

Election Day and Results

Despite some relatively minor problems, the April 5 legislative elections were broadly considered to have gone well. As noted above, logistical problems were not widespread but rather were concentrated in several particular locations. The LP3ES voter attitude survey indicates that polling station officials acted in a nonpartisan and transparent manner. Voter turnout was approximately 83 percent, somewhat lower than the 91 percent who turned out to vote in 1999, but still high by international standards. As mentioned earlier, election day was largely peaceful.

The final results certified by the KPU on May 5 are a very close match to the results projected the day following the elections by a parallel vote tabulation (PVT) conducted by LP3ES with technical assistance from NDI – for nearly every party, the difference was only tenths of 1 percent.¹³ For weeks following election day, the PVT projections were the only credible results available to election officials, party leaders and the public at large. Official results took a month to tabulate and certify, and unofficial results available through a national tabulation center organized by the KPU were slow and sometimes misleading. Many party leaders expressed appreciation for the rapidity and accuracy with which PVT results were available to them, as these results helped them communicate with their supporters and avoid post-election conflict.

A Vote for Change

The results for the DPR show that Indonesian voters in 2004 have further fragmented the Indonesian party system, from five large parties in 1999 to seven in 2004.¹⁴ The share of votes for all five of the largest parties from the 1999 elections (PDI-

¹² The primary exception to this relationship was in Aceh, in which under martial law the military played a much more prominent role in election security. Even so, the elections in that province appear to have proceeded relatively smoothly.

¹³ See Appendix D for a comparison of the KPU results from May 5 with the PVT results from April 6.

¹⁴ For complete DPR election results, see Appendix E.

P, Golkar, PKB, PPP and PAN) went down in these elections. The parties of President Megawati Soekarnoputri, Vice-President Hamzah Haz and former president Abdurrahman Wahid lost the most votes: PDI-P was slashed from 33.7 percent to 18.5 percent, PPP dropped from 10.7 percent to 8.2 percent and PKB fell from 12.6 percent to 10.6 percent. These results perhaps reflect increased voter sophistication as well as dissatisfaction with government performance over the past five years. Golkar's share of votes was reduced from 22.4 percent to 21.6 percent while PAN dropped from 7.1 percent to 6.4 percent (although this is now spread more broadly across the country, which explains PAN's significant increase in DPR seats despite the reduction in its vote total).

NDI's focus group research in December 2003 indicated that the three most important issues for voters were economic growth and stability, education, and corruption.¹⁵ The primary beneficiaries of this dissatisfaction with the performance of the largest parties were the Prosperous Justice Party (PKS), an Islamist party that campaigned on themes of clean government and fighting corruption, and the Democrat Party (PD), the political vehicle of President Megawati's popular former Coordinating Minister for Politics and Security Gen. (ret.) Susilo Bambang Yudhoyono, now a presidential candidate. PKS, which had run as the Justice Party (PK) in the 1999 elections, jumped from 1.4 percent to 7.3 percent. PD is an entirely new party and came from nowhere in the last months before the elections to garner 7.5 percent of the vote.

Despite these changes in the shares of votes for most of the large parties, there are also elements of continuity in the results. The four largest parties are still the same as in 1999: Golkar, PDI-P, PKB and PPP. With the exception of PD, no other new party gained a significant share of the votes. Golkar continues to be stronger outside of Java and Bali than on those two islands, while PDI-P's support continues to demonstrate the opposite pattern. PKB's support continues to be concentrated in East and Central Java. Golkar, PDI-P, PKB and PPP remain stronger in rural areas and with poorer and less educated voters, whereas support for PD, PKS and PAN is more concentrated in urban areas and among middle-class and more educated voters. Of the latter three parties, PD draws the most support from non-Muslims.

The share of DPR seats won by each party roughly matches its share of the popular vote, as expected in a proportional representation electoral system. However, many of the large parties received a slight seat bonus at the expense of the smaller parties due to the smaller electoral districts in these elections. For instance, Golkar won 21.6 percent of the vote but 23.3 percent of the seats, PDI-P won 18.5 percent of the vote but 19.8 percent of the seats, and PKS won 7.3 percent of the vote but 8.2 percent of the seats. Some of the large parties even won substantial seat bonuses. For instance, PPP won 8.2 percent of the vote but 10.5 percent of the seats, PD won 7.5 percent of the vote but 10.4 percent of the seats and PAN won 6.4 percent of the vote but 9.5 percent of the seats. Due to the concentration of PKB's support in East and Central Java, as in 1999 that

¹⁵ The full focus group research report can be found in the on-line library Access Democracy on NDI's website: www.ndi.org.

party's share of seats (9.5 percent in 2004) was lower than its share of votes (10.6 percent).

Women Make Some Gains

This report noted previously the slight gain in the representation of women in the DPR and the significant portion of the DPD's members-elect that are women. More impressive than the numbers, however, has been the quality of debate surrounding the participation of women in politics. The push to elect more women has resulted in the issue coming to the forefront of elite, academic discussions as well as in the mainstream of Indonesian society. One male street vendor, questioned by a Jakarta newspaper, was able to outline cogently a number of reasons that women should be elected, including the fact that women compose half of the population and the perception that women are less corrupt. Women have put themselves on the political agenda but will have to continue to press for further changes in order to continue to make progress.

The Presidential Election

Following the Golkar national convention and national meetings of the leaderships of most of the other large parties, as well as intricate negotiations among the parties, the nomination process for president and vice-president was completed on May 12. Six of the seven largest parties nominated tickets, although one of these was disqualified from running. Golkar's surprise presidential candidate, Gen. (ret.) Wiranto (who is under indictment by a UN-supported court in East Timor for crimes against humanity that took place following that country's independence referendum in 1999), is paired with Nahdlatul Ulama (NU) and National Commission on Human Rights leader Solahuddin Wahid, younger brother of former president Abdurrahman Wahid (Gus Dur). The incumbent president, Megawati, and NU general chairman Hasyim Muzadi are PDI-P's nominees. PKB nominated Gus Dur and long-time Golkar activist Marwah Daud Ibrahim as its ticket, although Gus Dur was disqualified for health reasons. PPP's nominees are the incumbent vice-president, Hamzah, and Gen. (ret.) Agum Gumelar, former minister of transportation and communications in Megawati's cabinet. The Democrat Party nominated two former coordinating ministers in Megawati's cabinet: Gen. (ret.) Soesilo Bambang Yudhoyono, who handled political and security affairs, and Jusuf Kalla, a businessman who managed social welfare policies. PKS is the largest party not to nominate a ticket; instead, it has debated whether to support one of the other tickets or go into opposition. Finally, PAN nominated MPR Speaker Amien Rais and long-time Golkar leader and former minister Siswono Yudokusodo as its ticket. If no ticket wins at least 50 percent of the popular vote and at least 20 percent of the vote in at least half of the 32 provinces in the first round of the presidential elections on July 5, then the top two vote-getting tickets advance to the second round on September 20.

NDI Programs in Indonesia

NDI has worked in Indonesia since 1996, when it supported domestic efforts to monitor the May 1997 parliamentary elections. After the fall of President Soeharto in 1998, NDI engaged with political parties and domestic election monitoring organizations in preparation for the June 1999 elections. Since then, NDI has conducted extensive programs involving political parties, legislators and civil society organizations to assist in the country's democratic consolidation.

For the 2004 legislative and presidential elections, NDI is conducting programs involving political parties, national and regional legislatures, and civil society groups to support the development of transparent, accountable and inclusive electoral and political processes.

Establishing an Impartial Electoral Framework

NDI worked with election officials, legislators, and executive branch officials to refine the political laws to establish an effective electoral framework and to regulate the conduct of political parties and institutions. NDI provided technical assistance and advice on a number of draft laws, including those pertinent to the composition, structure and functions of the legislatures, and the direct presidential election law.

Political Party Development

NDI continues to work with political parties, at the national and regional levels, to help build the capacity of party training and policy units, to orient parties to new election laws, and to promote a peaceful electoral environment. The Institute also conducted trainings to help build the capacity of those participating as candidates in the 2004 elections. In addition, in collaboration with political party leaders, the Institute designed and commissioned focus group research to help inform party reforms, aid in the development of issue-based election campaigns, and address the issue of public confidence in the party system.

NDI's programs also seek to increase women's political participation in the 2004 elections and support women at the decision-making level of political organizations and parties. This assistance is channeled through the women's wings of the main political parties and through multi-party organizations dedicated to increasing the number of women elected to national, provincial and local legislatures.

Unofficial Results Reporting: Parallel Vote Tabulation

For the 2004 legislative elections, NDI collaborated with domestic monitoring and civil society organizations on efforts to independently verify election results, check voter registration lists, and validate election-day processes as well as the impact of voter education. Under the coalition 'The University and NGO Network for Election Monitoring in 2004' (Jurdil Pemilu 2004), NDI worked with Rectors' Forum and the Institute for Social and Economic Research, Education and Information (LP3ES) to run a voter registration audit, to conduct an election-day voter attitude survey, and to execute a parallel vote tabulation (PVT) for a statistically significant sampling of electoral districts for the legislative elections. NDI plans to work with domestic civil society organizations to conduct parallel activities for the presidential poll.

Strengthening Local Legislatures

NDI is continuing to support the capacity building of the national associations of district-level councils to enable them to respond to requests from member authorities and ultimately play a more sustainable role in supporting the development of member authorities after the 2004 elections. NDI is working with the associations to establish and build the capacity of specific training sections within the secretariats, as well as to allocate resources and design support strategies for training programs.

Strengthening the National Legislature

NDI is continuing to work with committees and the Secretariat of the national legislature to strengthen the institutional framework essential to orienting and supporting current and newly elected members. NDI is providing technical assistance to committee members and the DPR Secretariat, through expert advice and international comparative information, on tools and programs to help orient and support newly elected members of the DPR in the post-election period.

**PDI-P SUPPORT DROPS SHARPLY;
DEMOCRAT PARTY AND PROSPEROUS JUSTICE PARTY MAKE SIGNIFICANT
GAINS**

**Jakarta; April 6, 2004
Embargoed until 14:15 West Indonesia Time**

President Megawati Soekarnoputri's ruling Indonesian Democracy Party-Struggle (PDI-P) has seen a sharp drop in support from Indonesian voters in yesterday's legislative elections. Nonetheless, this has not resulted in a comeback for the former ruling party Golkar. Though Golkar has secured the single largest block of votes, this is the same level of support it received in 1999. Instead, two small parties – the Democrat Party and the Prosperous Justice Party (PKS) – have made significant gains. In addition, support for former President Abdurrahman Wahid's National Awakening Party (PKB) has not drastically decreased.

These are the conclusions drawn from a national Quick Count conducted by the Jakarta-based Institute for Social and Economic Research, Education and Information (LP3ES) as part of the *Jurdil Pemilu 2004* election monitoring coalition. Based on a statistically-based national sample of polling stations from all 32 provinces, the projections of popular vote results for the April 5 elections for the national legislature (DPR) are as follows: Golkar 22.7%, PDI-P 18.8%, PKB 10.7%, PPP 8.1%, Democrat Party 7.3%, PKS 7.2%, PAN 6.4% and PBB 2.6%. The other 16 parties each received less than 2.5% of the national vote.

These projections are based on an actual observation of the vote count in a statistically significant sample of 1,416 polling stations – representing the votes of 289,052 voters – distributed throughout Indonesia's 32 provinces. The Quick Count conducted by LP3ES uses a globally-accepted methodology that has proven successful in scores of elections around the world over the past two decades. The expected margin of error for these projections is no greater than plus or minus one percentage point at a 95% confidence level.

It is important to note that these Quick Count projections cannot be used to predict the DPR seats won by each party in Indonesia's 69 electoral districts. The electoral system used for these elections may produce a somewhat different breakdown of seats compared to the national vote totals.

Jurdil Pemilu 2004 is a coalition of Indonesian Rector's Forum, a national network of university rectors; LP3ES, a Jakarta-based research institute; Civil Society Alliance for Democracy (YAPPIKA), an NGO that monitored the elections in Aceh; and the National Democratic Institute for International Affairs (NDI), a Washington, DC-based international organization that supports democracy around the world.

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Table: National Estimate of Party Vote

Party	National Vote Prediction*
Golkar	22,7%
PDIP	18,8%
PKB	10,7%
PPP	8,1%
Partai Demokrat	7,3%
PKS	7,2%
PAN	6,4%
PBB	2,6%
PKPB	2,1%
PBR	1,9%
PDS	1,8%
PKPI	1,2%
PPDK	1,2%
PNBK	1,0%
PPNUI	0,8%
Partai Merdeka	0,8%
PNI Marhaenisme	0,8%
Partai PP	0,8%
Partai Pelopor	0,7%
PPD	0,7%
Partai PDI	0,7%
PSI	0,6%
Partai PIB	0,5%
PBSD	0,5%

* Data as of 12:37 West Indonesia Time, 6 April 2004

PRESS RELEASE
(for immediate release)

RESULTS OF VOTERS REGISTRATION AUDIT

March 10, 2004

The Voters Registration Audit (VRA) was carried out by LP3ES as a member of *JURDIL Pemilu 2004* coalition. The audit is aimed at verifying the accuracy of the voter list and evaluating the quality of the voter registration process. The audit took place from 16 to 19 February 2004 and involved 5.592 respondents in the following 12 provinces: North Sumatera, Bengkulu, Jakarta, Banten, East Java, NTB, NTT, South Kalimantan, Central Kalimantan, South Sulawesi, Gorontalo, and Papua. The audit is a two way audit, i.e. (1) selecting a number of names from the voters list to be interviewed and verifying the data in an interview (*list-to-people test*), and (2) selecting and interviewing a number of people and verify their data on the voter list (*people-to-list test*). The methods allow us to know whether there are people who do not exist but are registered and whether there are eligible voters who are not registered.

Percentage of Registered Voters is Relatively High

The audit results illustrate that the percentage of registered voters is relatively high, i.e. reaching 91 percent, while those who are not registered account for 9 percent. The figure demonstrates that the percentage of voters who are registered in the 12 provinces are relatively high, even though there is an indication that there is one out of ten voters who are not registered. The lowest rate of registered voters is found in Jakarta (81%) and the highest in Papua and NTT (96%).

The audit results also shows that voters who are categorised as marginalized such as first-time voters, the the elderly, the recently married, the physically-challenged, those who have recently moved, domestic workers, and illegal dwellers (squatters)

constitute the highest percentage of unregistered voters (11%) compared to other voters' category (7%). Apart from the voters' category, the audit also illustrate that the percentage of unregistered voters staying in the 'vulnerable areas' are higher (14%) compared to other areas (8%). Vulnerable areas mentioned include the domicile areas of the minority groups, the displaced persons, conflic and remote areas.

Ghost Voters exists, but the number is minor

The term "*ghost voters*" in the survey is used to describe those who are present on the voters list but are not found during the on-ground verification due to a number of reasons: some have passed away, some are imprisoned, the address does not exist, or the persons mentioned never existed at the address. The audit shows that *ghost voters* only account for 4 percent. The highest percentage of *ghost voters* is found in Jakarta which reaches 10 percent. There is no difference found with regards to the percentage of *ghost voters* both in "vulnerable areas" or "vulnerable groups".

The Accuracy of Data in the Voters' List Varies

By comparing between data gathered from the interview and data on the voters list, we can measure the accuracy of the list. The audit found that the rate of accuracy in the voters list is relatively high, however there are a number of inaccurate data, such as wrong names (not including wrong spellings), wrong addresses, wrong marital status, or even wrong gender. The highest inaccuracy is for date of birth, whereby the error rate is 30 percent. Apart from the fault of the remunerators, the error may be caused by the fact that many Indonesians tend to forget their own date of birth.

Significant Number of Voters are not Aware that Their Names are Registered

The audit shows that at least one quarter (27%) of respondents claimed that they are not aware that they are registered as voters. In other words only 73 percent of registered voters are aware that they are registered. If we compare the proportion to the fact that 91 percent of voters are registered, it can be concluded that there are

people who are officially registered but do not know if they are on the voter registration list. This shows that more intensive communication should be carried out to encourage people to check whether their names are registered as voters.

Those who are aware that they are registered were asked how they were registered. The audit found that even though a majority of them admitted that the remunerators visited their houses for registration, a number of respondents (4%) stated that the enumerator filled in the registration list without visiting their houses.

Low Awareness of Correct Voting Procedures

Even though the Election Commission (KPU) and civil society organizations have carried out efforts to organize voters education, the fact in the field reveals that the majority of voters do not have an awareness of the correct voting procedures. The audit indicates that only 39 percent of the respondents are that aware about the proper voting procedure, i.e. marking the party symbol and one of the candidates of that party. Forty two (42) percent do not know the procedures to cast their vote on the 5th April, 17 percent know only to mark the party symbol, and 2 percent know only to mark the candidate name. This demonstrates that the dissemination of the voting procedures for 5th April 2004 has not reached its targets.

The number of Election has not been Communicated at an Optimum Level

The audit also investigates respondents' knowledge on the number of elections in 2004. The result of the audit is surprising since 37 percent of respondents are not aware how many times elections will be held in 2004. Moreover, 13 percent stated that there will only be one election, similar to the past elections. The rest answered twice (7%) and more than three times (1%). Once again, the audit indicates that the ongoing communication efforts have not reached optimum results.

Recommendation

Based on the findings of the audit, we recommend the following:

In relation to voters registration, the Election Commission (KPU) needs to provide an opportunity for those who have not been registered to vote, for instance by opening a special counter for 'late' voters. Apart from that, voterclassified as part of a 'vulnerable group' or those living in 'vulnerable areas' need more attention to minimise the number of voters who are not registered.

The Election Commission (KPU) needs to intensify its communication efforts on the election system and on voting procedures.

The Election Commission (KPU) needs to improve its communication efforts to encourage voters to actively check their names on the voters list to ensure that they are registered.

In the future, to ensure that everyone feels certain that they are registered, enumerators should meet every eligible voter.

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5 April Polling Day Transparent and Fair despite technical problems

Jakarta, 12 April 2004

The 5 April Election Day was transparent and fair according to 4000 LP3ES election observers. Despite a number of technical problems, a statistical sample of polling stations show that election day administration, was on the whole, consistent and competent.

The overwhelming majority of polling stations (98 %) conducted vote counting in a transparent manner. The majority of polling stations officials (97%) publicly inspected and displayed ballot boxes and ballots. Levels of voter intimidation were low (7%). Overall, LP3ES observers considered 98% of voting and counting process at polling stations as run smoothly and according to established rules. This figure is obtained from 51% of observers who considered the observed polling station extremely transparent and fair plus 47% of observers who observed irregularities but still believed the administration at the observed polling station was transparent and fair.

As part of the *JURDIL Pemilu 2004* coalition, LP3ES deployed 4,000 observers in 2000 villages in 32 provinces in Indonesia. The villages were selected using *stratified random sampling method*. To date, the LP3ES data center has received observation reports from 1,887 polling stations. As a result, these results represent the national results with a margin of error of +/- 1 % with 95 % of confidence level. The total number of voters observed casting their vote was 424,233.

Nevertheless, there were problems which detracted from the election process. The largest problem was the lack of secrecy of the polling booth (20%). LP3ES reported 7% invalid ballots. Voter participation also seems to have decreased since the 1999 election to 87% of registered voters but remains high. LP3ES also recorded 332 people from the observed polling stations were unable to vote due to the lack of ballots. This rate is equivalent to 7 per 10,000 voters.

LP3ES observers recorded the DPR vote results as a part of a national quick count and directly observed the voting and counting process at the polling station level. Observation was only conducted on Election Day from the opening of the polling stations at 7 AM until the closing. As a result, the results of this quick count cannot be generalized to the entire electoral process but rather represents the voting and counting process at polling stations.

Detail of LP3ES observation results can be seen from the table below:

Questions	Yes	No
Does the voting booth guarantee that voters can secretly cast their ballots?	80 %	20 %
Was there any intimidation against voters?	7.6 %	92.4 %
Is the ballot counting process conducted transparently?	98.0 %	2.0 %
Were the ballot boxes and ballot papers inspected before the public?	96.8 %	3.2 %
Were there any invalid ballot papers counted?	7.0 %	93.0 %

Final Projection: Golkar Still ahead of PDIP

The figures produced by the vote tabulation at the KPU National Election Tabulation (TNP) have begun to converge on the figures announced by LP3ES on 6 April 2004. This is occurring perhaps due to a sufficient number of votes that have now been received by the TNP (more than 50% at 2 pm on 12 April 2004) and originates evenly from a distribution of areas around the country.

These LP3ES projection figures are obtained based on a quick count methodology as described above.

After the data from the sampled polling stations was received, the composition and numbers of votes obtained by each party have remained relatively stable. Golkar remains ahead of PDIP. Golkar is in first place with 22.9%, followed by PDIP with 18.4%, PKB in third place with 10.6% and PPP, Democrat Party, PKS and PAN following with 8.1%, 7%, 6.9% and 6.4% respectively.

It almost certain that the three top parties will remain in their current order of Golkar, PDIP and PKB. This is because the margin of error established in the LP3ES projection is +/- 1%. For the fourth to seventh placed parties, there is still a possibility of re-ordering of the current line up of PPP, Democrat Party, PKS, and PAN. Meanwhile, PBB is almost sure to remain in 8th place.

Jurdil Pemilu 2004 is a coalition of Indonesian Rector's Forum, a national network of university rectors; the Institute for Social and Economic Research, Education and Information (LP3ES), a Jakarta-based research institute; the Civil Society Alliance for Democracy (YAPPIKA), an NGO that monitored the elections in Aceh; and the National Democratic Institute for International Affairs (NDI), a Washington, DC-based international organization that supports democracy around the world.

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**A Comparison of the Official Indonesia 2004 National Legislative Election Results
with the LP3ES Parallel Vote Tabulation (PVT)**

Party (in order on the ballot)	Election Commission		
	Final Results	LP3ES PVT	Difference
1 – Marhaenisme Indonesian National Party (PNIM)	0.8%	0.8%	-
2 – Democratic Socialist Labor Party (PBSD)	0.6%	0.5%	0.1%
3 – Star and Crescent Moon Party (PBB)	2.6%	2.6%	-
4 – Freedom Party	0.7%	0.8%	0.1%
5 – Development Unity Party (PPP)	8.2%	8.1%	0.1%
6 – Nationhood Democracy Unity Party (PPDK)	1.2%	1.2%	-
7 – New Indonesia Alliance Party (PPIB)	0.6%	0.5%	0.1%
8 – Freedom Bull National Party (PNBK)	1.1%	1.0%	0.1%
9 – Democrat Party (PD)	7.5%	7.3%	0.2%
10 – Indonesian Unity and Justice Party (PKPI)	1.3%	1.2%	0.1%
11 – Indonesian Democratic Upholder Party (PPDI)	0.8%	0.7%	0.1%
12 – Indonesian NU Unity Party (PPNUUI)	0.8%	0.8%	-
13 – National Mandate Party (PAN)	6.4%	6.4%	-
14 – Concern for the Nation Functional Party (PKPB)	2.1%	2.1%	-
15 – National Awakening Party (PKB)	10.6%	10.7%	0.1%
16 – Prosperous Justice Party (PKS)	7.3%	7.2%	0.1%
17 – Reform Star Party (PBR)	2.4%	1.9%	0.5%
18 – Indonesian Democracy Party-Struggle (PDI-P)	18.5%	18.8%	0.3%
19 – Prosperous Peace Party (PDS)	2.1%	1.8%	0.3%
20 – Golkar	21.6%	22.7%	1.1%
21 – Pancasila Patriot Party	0.9%	0.8%	0.1%
22 – United Indonesia Party (PSI)	0.6%	0.6%	-
23 – Regional Unity Party (PPD)	0.6%	0.7%	0.1%
24 – Pioneer Party	0.8%	0.7%	0.1%

Indonesia 2004 National Legislative Election Results

Party (in order of seats won)	Share of the National Vote	DPR Seats
Golkar	21.6%	128
Indonesian Democracy Party-Struggle (PDI-P)	18.5%	109
Development Unity Party (PPP)	8.2%	58
Democrat Party (PD)	7.5%	57
National Awakening Party (PKB)	10.6%	52
National Mandate Party (PAN)	6.4%	52
Prosperous Justice Party (PKS)	7.3%	45
Reform Star Party (PBR)	2.4%	13
Prosperous Peace Party (PDS)	2.1%	12
Star and Crescent Moon Party (PBB)	2.6%	11
Nationhood Democracy Unity Party (PPDK)	1.2%	5
Concern for the Nation Functional Party (PKPB)	2.1%	2
Pioneer Party	0.8%	2
Indonesian Unity and Justice Party (PKPI)	1.3%	1
Freedom Bull National Party (PNBK)	1.1%	1
Marhaenisme Indonesian National Party (PNIM)	0.8%	1
Indonesian Democratic Upholder Party (PPDI)	0.8%	1
Pancasila Patriot Party	0.9%	0
Indonesian NU Unity Party (PPNUI)	0.8%	0
Freedom Party	0.7%	0
United Indonesia Party (PSI)	0.6%	0
New Indonesia Alliance Party (PPIB)	0.6%	0
Regional Unity Party (PPD)	0.6%	0
Democratic Socialist Labor Party (PBSD)	0.6%	0