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Parliamentary threshold and the quality of democracy in Indonesia: An analysis of party system simplification within the presidential system

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ABSTRACT

The parliamentary threshold has become one of the most debated electoral mechanisms in Indonesia's post-Reform constitutional development because of its implications for party system design, democratic representation, and governmental stability. Although previous studies have examined parliamentary thresholds from legal and electoral perspectives, limited attention has been given to their broader constitutional implications within Indonesia's presidential system. This study addresses this gap by analysing the constitutional role of the parliamentary threshold and proposing a balanced constitutional framework for its future development. Employing normative legal research with statutory, conceptual, comparative, and case approaches, the study analyses constitutional provisions, electoral legislation, Constitutional Court decisions, and comparative constitutional scholarship. The findings indicate that the parliamentary threshold has reduced legislative fragmentation and strengthened governmental stability, but it also raises constitutional concerns regarding political representation, electoral equality, and democratic legitimacy. As its principal novelty, this study develops an integrated constitutional framework based on proportionality, representative democracy, and constitutional equality to evaluate parliamentary threshold regulation. Constitutionally, it argues that parliamentary thresholds should function as adaptive constitutional instruments rather than fixed electoral rules. From a policy perspective, the study recommends periodic evidence-based evaluation of threshold levels to ensure that future electoral reforms promote both effective governance and democratic inclusiveness in Indonesia.

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1. Introduction

Since Indonesia's democratic transition in 1998, parliamentary threshold has become one of the country's most consequential constitutional reforms. Designed to simplify the party system and strengthen governmental stability, the policy requires political parties to obtain a minimum share of the national vote to secure seats in the House of Representatives (DPR) (Mietzner,

2020). While the threshold has reduced legislative fragmentation, it has also triggered persistent constitutional debates over its compatibility with political equality, democratic representation, and constitutional legitimacy within Indonesia's presidential system (Carey & Micozzi, 2024).

From a constitutional perspective, electoral regulations shape the relationship between citizens, political parties, and state institutions by structuring political competition and democratic governance (Pildes, 2023.). Modern constitutional theory views electoral law not merely as a procedural instrument but as a constitutional mechanism for safeguarding political equality, representative democracy, and the rule of law. Accordingly, parliamentary threshold regulation must be evaluated not only by its institutional effectiveness but also by its consistency with constitutional principles governing democratic representation and citizens' political rights (Hirschl, 2014; Pildes, 2023). In Indonesia, higher parliamentary thresholds are intended to reduce party fragmentation, strengthen executive–legislative relations, and enhance governmental stability within the presidential system (Mietzner, 2020).

Despite its intended benefits, the parliamentary threshold remains constitutionally contested. Critics argue that higher thresholds may disadvantage smaller parties, reduce political representation, and weaken electoral competitiveness (Helms, 2023). In diverse democracies such as Indonesia, electoral reforms must balance governmental effectiveness with political inclusiveness, representative democracy, and constitutional rights to political participation (Improta, 2025). Comparative constitutional scholarship also demonstrates that parliamentary thresholds yield different democratic outcomes, depending on each country's constitutional structure, party system, and institutional design, suggesting that universal electoral models cannot be applied without constitutional contextualization (Carey & Micozzi, 2024).

Although parliamentary threshold policies have attracted considerable scholarly attention, the existing literature remains fragmented in three important respects. First, existing studies generally examine parliamentary thresholds as isolated electoral mechanisms without adequately considering their interaction with Indonesia's distinctive constitutional architecture. Most analyses focus either on electoral engineering or party system outcomes, while relatively few investigate how parliamentary thresholds operate as constitutional instruments that shape executive–legislative relations, constitutional checks and balances, and democratic legitimacy within Indonesia's presidential system. This study addresses this gap by examining parliamentary thresholds as constitutional instruments operating within a complex institutional environment rather than as stand-alone electoral regulations (Shugart et al., 2021).

Second, previous scholarship predominantly emphasizes either doctrinal constitutional analysis or quantitative assessments of party fragmentation. Few studies integrate constitutional theory with empirical evidence regarding how threshold policies influence democratic quality in practice. Although global constitutionalism provides important normative benchmarks concerning equality, representation, and constitutional rights (Medushevskii, 2020), these principles require contextual interpretation within Indonesia's constitutional tradition. Existing studies therefore provide limited theoretical synthesis explaining how constitutional values, institutional performance, and democratic inclusiveness interact in evaluating parliamentary threshold policies. Accordingly, this study extends existing scholarship by combining normative constitutional analysis with empirical assessments of democratic inclusiveness, political participation, and institutional performance.

Third, while concerns regarding democratic backsliding and institutional resilience have become increasingly prominent throughout Southeast Asia (Mietzner, 2020), relatively few studies propose a normative framework capable of evaluating parliamentary threshold reforms by integrating universal democratic principles with Indonesia's constitutional values. Moreover, no comprehensive framework has systematically linked constitutional justice, proportionality, representative democracy, and institutional effectiveness as integrated evaluative principles for parliamentary threshold reform in Indonesia. This research therefore introduces a contextual socio-constitutional analytical framework that evaluates party system simplification through

the principles of constitutional justice, democratic representation, deliberative governance, and public interest. This integrated framework constitutes the principal novelty of the present study because it synthesises constitutional theory, comparative electoral studies, and Indonesian constitutional practice into a single analytical model capable of evaluating both democratic legitimacy and governmental effectiveness (Dixon & Landau, 2021).

This study contributes both theoretically and practically to contemporary constitutional and electoral scholarship. Theoretically, it enriches constitutional law, electoral studies, and comparative politics by providing an integrated analysis of electoral regulation, institutional design, and democratic outcomes within Indonesia's presidential system. Practically, the findings provide evidence-based recommendations for legislators, constitutional scholars, election administrators, policymakers, and civil society organizations engaged in future electoral reform. More broadly, this study seeks to contribute to the ongoing development of democratic governance by identifying constitutional mechanisms capable of balancing governmental stability with political inclusiveness and democratic legitimacy (Hirschl, Comparative methodologies, 2019).

Based on the foregoing discussion, this study addresses the following research questions: RQ1. How does the parliamentary threshold influence party system simplification within Indonesia's presidential constitutional system?, RQ2. To what extent does the parliamentary threshold affect the quality of democracy, particularly regarding political representation, constitutional equality, and democratic legitimacy?, RQ3. What constitutional and institutional reforms are required to establish a parliamentary threshold that balances governmental stability with democratic inclusiveness and effective political representation?

2. Method

2.1. Research Design

This study employed a normative constitutional legal research design to examine the constitutional role and implications of the parliamentary threshold within Indonesia's presidential democratic system. Unlike empirical electoral studies that focus primarily on voting behaviour or party performance, this research analyses parliamentary threshold regulation as a constitutional instrument that shapes democratic representation, party system configuration, and governmental effectiveness (Cohen-Vogel et al., 2025). Normative legal research is appropriate for examining the relationship between legal norms, constitutional principles, and institutional arrangements through systematic interpretation of legal materials (Creswell & Plano Clark, 2023).

The study applies a qualitative legal analysis by integrating statutory, conceptual, comparative, and case approaches. These approaches enable the research to evaluate whether parliamentary threshold regulation is consistent with constitutional principles of political equality, representative democracy, proportionality, and constitutional legitimacy (Hirschl, Comparative matters: the renaissance of comparative constitutional law., 2014) (Hirschl, 2014).

2.2. Research Materials and Sources

The research materials consisted of primary and secondary legal sources. Primary sources included the 1945 Constitution of the Republic of Indonesia, electoral legislation governing parliamentary elections, and relevant decisions of the Indonesian Constitutional Court concerning parliamentary threshold regulations and electoral rights (Carey & Micozzi, 2024).

Secondary sources included constitutional law literature, comparative electoral studies, academic journal articles, and scholarly analyses concerning party systems, electoral engineering, presidentialism, and democratic representation (Mietzner, 2020). The selection of legal materials was conducted purposively based on their relevance to three analytical dimensions: (1) the constitutional justification of parliamentary thresholds, (2) their implications

for democratic representation and political equality, and (3) their relationship with governmental stability within Indonesia's presidential system.

2.3. Data Collection and Legal Analysis Procedures

The research data were collected through systematic document analysis. Relevant constitutional provisions, electoral laws, Constitutional Court decisions, and scholarly publications were identified, reviewed, and classified according to the research objectives. The analysis was conducted through several stages (Pildes, 2023.). First, relevant constitutional and legal provisions concerning parliamentary thresholds and electoral representation were examined. Second, Constitutional Court decisions were analysed to identify judicial reasoning regarding electoral equality, political participation, and democratic legitimacy. Third, comparative constitutional literature was reviewed to understand how other democratic systems regulate electoral thresholds and balance institutional effectiveness with political inclusion (Clarke, 2022). This process enabled the study to construct a comprehensive interpretation of parliamentary threshold regulation as a constitutional mechanism rather than merely an electoral policy instrument.

2.4. Analytical Approaches

Four analytical approaches were employed. First, the statutory approach was used to examine constitutional provisions and electoral regulations governing parliamentary thresholds in Indonesia. This approach identifies the legal basis, normative objectives, and institutional consequences of threshold regulation. Second, the conceptual approach was applied to analyse key constitutional concepts, including representative democracy, political equality, proportionality, and constitutional justice. These concepts provide the theoretical foundation for evaluating whether parliamentary threshold policies achieve an appropriate balance between stability and inclusiveness (Pildes, 2023).

Third, the case approach was employed through examination of Constitutional Court decisions related to parliamentary thresholds and electoral rights. Judicial interpretations provide important insights into how constitutional principles are applied in resolving tensions between democratic representation and institutional effectiveness. Fourth, the comparative approach was used to examine parliamentary threshold practices in selected democratic systems. Comparative analysis helps identify alternative institutional arrangements and contextual lessons for Indonesia's electoral reform (Shugart et al., 2021).

2.5. Theoretical and Interpretative Framework

The analysis was guided by constitutional democracy theory, particularly the principles of representative democracy, constitutional equality, proportionality, and institutional balance. These principles are used as analytical criteria to evaluate whether parliamentary threshold regulation supports democratic legitimacy while maintaining effective governance. The study does not assume that lower or higher thresholds are inherently superior. Instead, it examines whether threshold policies are constitutionally justified, proportionate to their objectives, and compatible with democratic inclusion within Indonesia's specific political and institutional context (Braun & Clarke, Qualitative psychology).

2.6. Validity and Reliability of Legal Analysis

The validity of the research was ensured through triangulation of multiple legal and scholarly sources, including constitutional documents, legislation, judicial decisions, and comparative academic literature. The consistency of interpretation was maintained through systematic legal reasoning and comparison between normative principles and institutional practices. Following established principles of qualitative legal research, the analysis emphasised transparency, coherence, and contextual interpretation to ensure that conclusions were grounded in authoritative legal materials rather than individual assumptions (Bhaghamma, 2023).

2.7. Ethical Considerations

As a normative legal study based on publicly available legal documents and scholarly sources, this research did not involve human participants or confidential personal data. All legal materials and academic references were analysed objectively and cited according to academic standards. The study followed principles of research integrity by ensuring accurate representation of legal sources, transparent analytical procedures, and responsible interpretation of constitutional issues.

3. Analysis and Results

3.1. Does the Parliamentary Threshold Simplify Indonesia's Party System? Between Institutional Efficiency and Democratic Representation

RQ1: To what extent has the parliamentary threshold contributed to the simplification of Indonesia's party system within the framework of Indonesia's presidential constitutional system?

The findings demonstrate that Indonesia's parliamentary threshold has contributed to a measurable reduction in legislative fragmentation; however, its effectiveness as a constitutional instrument must be evaluated within the broader context of Indonesia's presidential system and democratic representation. Since its introduction after the Reform era, the parliamentary threshold has been designed to limit excessive party fragmentation in the House of Representatives (DPR) by requiring political parties to obtain a minimum percentage of national votes before gaining parliamentary representation. The constitutional rationale behind this mechanism is closely related to the need to create an effective legislature capable of supporting stable executive–legislative relations within a presidential system (Mietzner, 2020).

Electoral data indicate a gradual transformation of Indonesia's party system following the implementation of parliamentary threshold regulations. In the 1999 election, conducted without a parliamentary threshold, 21 political parties obtained seats in the DPR, creating a highly fragmented legislature. Following the introduction of a 2.5% parliamentary threshold in the 2009 election, the number of parties represented in parliament declined to nine. The threshold was increased to 3.5% in the 2014 election and subsequently to 4% for the 2019 and 2024 elections, with the number of parliamentary parties remaining relatively limited compared with the early Reform period. These developments suggest that the threshold has functioned as an electoral engineering mechanism that encourages party consolidation and reduces excessive legislative fragmentation.

From a constitutional perspective, however, numerical reduction of parliamentary parties cannot be considered the sole indicator of institutional success. The Indonesian Constitutional Court has consistently recognised that electoral regulation falls within the legislative authority of the state as long as it remains consistent with constitutional principles, particularly democratic representation, political equality, and citizens' political rights. In reviewing parliamentary threshold provisions, the Court has generally accepted the constitutional legitimacy of thresholds because they pursue a legitimate objective: strengthening governmental effectiveness and creating a more functional representative institution. Nevertheless, such regulations must remain proportionate and should not eliminate the constitutional right of citizens to participate in political processes (Pildes, 2023).

This judicial reasoning reflects a broader constitutional dilemma between governability and inclusiveness. Electoral engineering literature suggests that highly fragmented party systems may create difficulties in coalition formation and policy implementation, particularly within presidential systems where executive stability depends significantly on legislative support (Carey & Micozzi, 2024). However, constitutional democracy requires that institutional efficiency does not override political pluralism and equal representation. As Norris (2022)

argues, electoral arrangements influence not only government effectiveness but also the extent to which citizens perceive political institutions as legitimate and representative.

Comparative constitutional experiences further demonstrate that parliamentary thresholds produce different consequences depending on institutional context. Germany, for example, applies a 5% electoral threshold to prevent excessive fragmentation in the Bundestag while maintaining representational safeguards through constituency-based representation. This model demonstrates that party system simplification can be combined with mechanisms protecting political inclusion. In contrast, Turkey's historically high electoral threshold illustrates the risk that excessive barriers may restrict political pluralism and create concerns regarding democratic fairness. Meanwhile, the Netherlands represents an alternative model with a very low effective threshold, prioritising broad representation despite greater coalition complexity (Carey & Micozzi, 2024).

Therefore, the Indonesian experience indicates that parliamentary threshold regulation should not be understood merely as a mechanism for reducing the number of political parties. Rather, it operates as a constitutional balancing instrument that must reconcile two competing objectives: institutional effectiveness and democratic inclusiveness. While the threshold has contributed to party system simplification, its constitutional legitimacy depends on whether the regulation continues to satisfy the principles of proportionality, political equality, and representative democracy. This finding extends previous scholarship by demonstrating that parliamentary thresholds in presidential democracies should be evaluated not only through their capacity to produce stable governments but also through their ability to preserve constitutional legitimacy and democratic representation (Dixon & Landau, 2021).

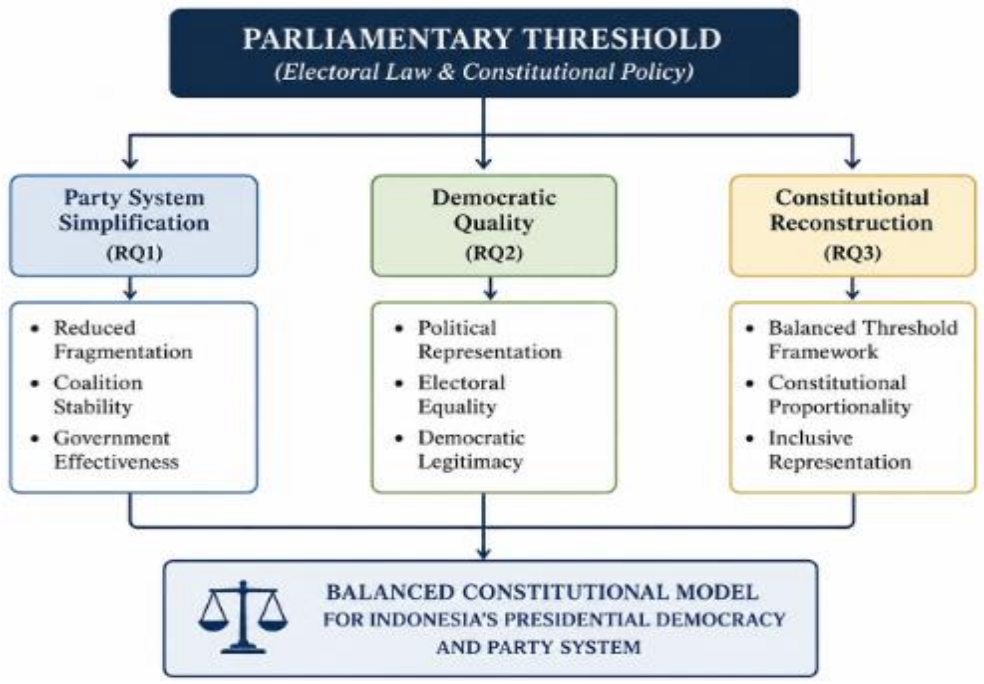


Figure 1. Conceptual framework of parliamentary threshold reform for party system simplification, democratic quality, and constitutional reconstruction
Source: Authors' own elaboration, 2026

Figure 1 illustrates the analytical framework used to evaluate the constitutional implications of Indonesia's parliamentary threshold policy. It links the parliamentary threshold to three key dimensions party system simplification, democratic quality, and constitutional reconstruction—which correspond to the study's three research questions. Together, these dimensions provide

the basis for assessing whether the current policy balances governmental stability with democratic inclusiveness within Indonesia's presidential constitutional system.

4. Conclusion

This study demonstrates that the parliamentary threshold functions as an important constitutional instrument shaping Indonesia's party system within its presidential democratic framework. While the threshold has contributed to reducing party fragmentation and supporting governmental stability, it also creates constitutional challenges concerning political representation, electoral equality, and democratic legitimacy. The findings suggest that institutional effectiveness should be balanced with the constitutional principles of inclusiveness, proportionality, and equal political participation.

The novelty of this study lies in proposing a constitutional balancing perspective that evaluates the parliamentary threshold not merely as an electoral mechanism but as a constitutional instrument requiring a continuous balance between governance effectiveness and representative democracy. The study contributes theoretically by integrating constitutional theory, electoral system analysis, and comparative perspectives to explain how threshold regulation should be assessed within multiparty presidential democracies.

From a policy perspective, this study recommends that parliamentary threshold regulations should be periodically reviewed through evidence-based evaluation to ensure that electoral reforms strengthen governmental stability without restricting meaningful political representation.

This study has limitations because it primarily employs normative constitutional analysis based on legal documents and scholarly literature, without examining voter perceptions, party strategies, or electoral behaviour empirically. Future research may extend this study through empirical and comparative analyses of parliamentary thresholds in other presidential democracies to identify institutional models that better reconcile democratic inclusiveness with governmental effectiveness.

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