'Spectator' or 'Player'? Labor Movements in Post New-Order Indonesian Electoral Politics

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Received: February 22th, 2019 Revised: February 24th, 2019 Accepted: February 25th, 2019

To citate this article, please refer to: Sulaksono, T & Ambardi. K. (2019). 'Spectator' or 'Player' Labor Movements in Post New-Order Indonesian Electoral Politics. *Jurnal Studi Pemerintahan*. 10(1). 31-48

https://doi.org/10.18196/jgp.10196

ABSTRACT

This study proves that the change in the structure of political opportunities alone is not enough to provide encouragement for social movements to succeed in electoral politics. The case of the labor movements in electoral politics in post-New Order Indonesia is proof of this. Even though it has a very large number of potential to become a large force of electoral politics and ability to mobilize masses, the labor movements in Indonesia is merely a spectator, not a player in electoral politics. There are four factors that cause this failure. The first is fragmentation among labor movements which were created as a result of the opening of political opportunities after the New Order. Second, labor apathy towards labor parties and labor cadres who run for elections. As a result, none of the labor parties succeeded in gaining seats in three elections in Indonesia after the New Order. Thirdly, repression and negative stigmatization to the labor movements by the New Order Regime had succeeded in preventing labor movement to consolidate themselves and to gain significant votes in elections. Fourth, increasingly severe requirements for party establishment and participation in elections. While in many places the opening of political opportunity structure is a determining factor in the success of social movements in electoral politics, the case of the labor movement in Indonesia proves otherwise. The opening up of a political opportunity structure has become a trap that hinders the success of labor movements in electoral politics.

Keywords: labor movement, labor party, electoral politics, political opportunity structure.

ABSTRAK

Studi ini membuktikan bahwa perubahan dalam struktur peluang politik saja tidak cukup untuk memberikan dorongan bagi gerakan sosial untuk berhasil dalam politik pemilu. Kasus pergerakan buruh dalam politik elektoral di Indonesia pasca-Orde Baru adalah bukti. Meskipun memiliki potensi yang sangat besar untuk menjadi kekuatan besar politik pemilu dan kemampuan untuk memobilisasi massa, gerakan buruh di Indonesia hanyalah penonton, bukan pemain dalam politik pemilu. Ada empat faktor yang menyebabkan kegagalan ini. Yang pertama adalah fragmentasi di antara gerakan-gerakan buruh yang diciptakan sebagai hasil dari pembukaan peluang politik setelah Orde Baru. Kedua, apatisme buruh terhadap partai buruh dan kader buruh yang mencalonkan diri dalam pemilihan. Akibatnya, tak satu pun partai buruh berhasil mendapatkan kursi dalam tiga pemilihan di Indonesia setelah Orde Baru. Ketiga, penindasan dan stigmatisasi negatif terhadap gerakan buruh oleh rezim Orde Baru telah berhasil mencegah gerakan buruh untuk mengkonsolidasikan diri mereka sendiri dan mendapatkan suara yang signifikan dalam pemilihan. Keempat, persyaratan yang semakin parah untuk pembentukan partai dan partisipasi dalam pemilihan. Sementara di banyak tempat pembukaan struktur peluang politik merupakan faktor penentu dalam keberhasilan gerakan sosial dalam politik pemilu, kasus gerakan buruh di Indonesia membuktikan sebaliknya. Pembukaan struktur peluang politik telah menjadi jebakan yang menghambat keberhasilan gerakan buruh dalam politik pemilu.

INTRODUCTION

The study of electoral politics is one of the most fertile domains in political science, as is the study of social movements. Unfortunately, there are not many studies that have dialogue with these two domains. Social movements are frequently explained through their role in the context of democratization by using theories of political opportunity, resource mobility, framing processes as well as contentious politics, while studies of electoral politics are dominated by electoral systems, coalitions, and political party strategies in winning elections. Therefore the study of social movements in electoral politics is very interesting to discuss since it offers novelty which is still very broad to be explored. The social movements involved in electoral politics are interesting to elaborate since they have the potential to transform democratic practices and institutions. They offers models of newer and participatory party organizations, and more accountable governance in countries whose democratic institutions are inherently weak and dominated by elite groups (Collins, 2006: 4).

Labor is one of the few social movements that are considered to play an important role in the democratization process because of at least three of the following important reasons: *First*, workers have more ability to mobilize their masses to carry out political movements. Mobilization of workers is often driven by collective awareness, even class consciousness, after experiencing exploitation in industrial relations. *Second*, the labor movement is different from the student movement, for example, because it can have a broader economic impact on the company and the macro economy of a country in the form of cessation of production. *Third*, the labor movement can trigger the emergence of new socio-political problems, especially in areas of industrial concentration, and can even impose regime change or changes in political structure. (Edwin, 2003). It is no exaggeration if Rueschemeyer argues that the working class is the main prodemocratic force. (Rueschemeyer, et. Al., 1992: 459).

Indonesia is a very interesting locus to study the labor movement in electoral politics for several reasons. *First*, the potential of workers to succeed in electoral politics is great because of the huge number of workers. *Second*, the opening up of political opportunity structures should be utilized optimally by labor movements in the fight for their mission. *Third*, the long history of the labor movement in electoral politics in Indonesia which should provide strength in the form of a party organization experience for labor movements. These three variables should potentially bring the labor movement to succeed in electoral politics by transforming into a formidable political party.

After the New Order, almost no public office and no political process run without the intervention of political parties. In article 5 of the Constitution of the Republic of Indonesia, laws are produced by the function of legislation whose processes are in the hands of the House of Representatives (DPR) and the President. In the political recruitment system in Indonesia, the president and members of the DPR are positions that can only be filled by people from political parties.

As an organization, political parties are ideally intended to activate and mobilize the community, represent certain interests by giving a compromise to competing opinions, giving rise to political leadership and as a tool to gain power and to govern. This shows that political parties have an orientation towards realizing the aspirations of the community while fighting for public interests. (Amall, 2012: 19-20). Unfortunately, political parties in Indonesia are currently experiencing significant changes in political behavior. Policy is no longer born of ideological party talks, but shifts to more concrete conversations relating to the interests of the distribution of power and economic resources. (Ambardi, 2009). The interests of workers

ISSN:1907-8374 Online: 2337-8220

Vol. 10 No 1 February 2019 https://doi.org/10.18196/jgp.10196

are often excluded because they have never been included in the priorities and calculations of political parties. By transforming into a political party, workers have the opportunity to give a new color to parliament which is ultimately expected to encourage the emergence of pro-labor policies. Unfortunately, the labor movement failed to take advantage of these opportunities. The existence of parties originating from the labor movement has just become 'spectators' in the electoral politics arena in Indonesia. There were three times the participation of labor parties recorded, and none of the seats were produced.

With open political opportunities after the fall of Suharto, with its ability to mobilize the masses, and with its experience in electoral politics before the New Order, the labor movement should have great potential to transform into a strong political party. But these three factors have not been able to give birth to any formidable political parties that specifically represent the interests of workers. Therefore, this paper tries to answer why the labor movement failed to become a force of electoral politics in post-New Order Indonesia. The labor movement which had transformed not only failed to get significant votes, but the party also failed to maintain its existence in the party system of Indonesia.

Important findings from this study are the four factors that led to the failure of the labor movement in post-New Order electoral politics, namely the fragmentation of the labor movement, labor apathy towards the workers' party and workers' candidates, repression and negative stigmatization toward labor movement, and four, increasingly severe conditions for party establishment and participation in elections. These findings at the same time cast doubt on the postulate of the political opportunity structure theory which states that social movements will develop when there are changes in the structure of political opportunities (Tarrow, 1998: 19-20). In fact, the opening of political opportunity became a trap when the labor movement mismanaged the opportunity.

LITERATURE REVIEW AND RESEARCH FOCUS

References on social movements and electoral politics are not widely available when compared to various studies of social movements and electoral politics. Studies that involve both in one analytical framework are relatively few. As a result, the most recent literatures in each study rarely integrate the latest views of both or about how they influence each other (Kruszewska, 2016: 1). Therefore the study of electoral politics and social movements is also one of the fields of cultivation that is relatively still lagging behind when they stand alone.

One of the fundamental reasons for this lag is the inherent tension between the logic of activism and the logic of electoral politics (McAdam & Tarrow, 2010). Many social movement theorists see the anti-institutional views underlying the social movement and the formalization views that underlie electoral politics that cannot be reconciled (Piven & Cloward, 1979). In fact, both of them can empirically approach each other. Politicians often need to maintain the mobilization of their constituencies due to several intersecting goals, while the study of social movements also draws towards formalization when it begins to discuss stabilization of mobilization when actors no longer have incentives to increase the level of contingency. Protests will decline, replaced by forms of routine interaction (Koopmans, 2004; Smelser, 2011). Thus the realm of institutionalization is often the meeting point between social movement studies and electoral politics.

Few studies of social movements in electoral politics have been found to be classified into two categories, namely *first*, studies that focus on how social movements are transformed into political parties,

and *second*, studies that focus on social movements that do not transform into political parties. Literature that focuses on the transformation of social movements has at least three different perspectives, namely perspective that elaborate on the types of parties resulting from transformation, perspective that focus on aspects of relations between social movements that are the parent parties and formed political parties, and perspective driving factors for the transformation of social movements into political parties. In the second category of writing, there are at least three emphases, namely studies that look at the strategies of electoral politics of social movements, studies that emphasize the emergence of substantive participation of non-elite communities in electoral politics, and studies that focus on the relations between the labor movement and political institutions.

Focus of study Variation of Perspective Writers No. 1. Resulted party types Transforming into Schwarz (2016) Relations between social movement (Zollner, 2016); Pratiwi (2018) and the party Factors causing the transformation Anria (2013), Subono (2017); Mikecz (2015); Nasiwan (2015) Not transforming Savirani (2016) Electoral strategy of social movement Ford (2014) party The emergence of substantive participation non-elite community in electoral politics Relations between social movement and Lee (2006); Schiavone (2007)

Table 1. References Classification on Social Movement in Electoral Politics

Studies conducted by <u>Anria (2013)</u>, <u>Subono (2017)</u>, <u>Mikecz (2015)</u>, and <u>Nasiwan (2015)</u> represent the category of studies of social movements that are transformed into political parties. Their writings focus on the factors that caused these movements to transform into political parties. Anria (2013) tried to observe the transformation process that took place in the body of Movimiento Al Socialismo (MAS) in Bolivia. <u>Subono (2017)</u> wrote about the transformation of the indigenous movement into a political party by comparing two cases in Latin America, namely MAS in Bolivia and CONAEI in Ecuador which transformed into MUPP. <u>Mikecz (2015)</u> wrote about the party movement in Hungary, and <u>Nasiwan (2015)</u> wrote about the transformation of tarbiyah moement into Justice and Prosperous Party (Partai Keadilan Sejahtera, PKS). All authors agree that the opening of political opportunities is one of the factors that drives the transformation of the movement into a successful political party.

political institutions

Of the reference categories about social movements that are not transformed, some writings that are indeed interesting to review include the writings of Savirani (2016), Ford (2014), Lee (2006), and Schiavone (2007). Savirani (2016) writes about Labor Go Politics, an experimentation of labor organs in Bekasi Indonesia in organizing and mobilizing their cadres to plunge into the 2004 and 2009 electoral arenas with the spirit of anti-money politics. Ford (2014) writes about unions labor and electoral politics in Batam Indonesia between 2004 and 2009, and saw it as something interesting because the arena of electoral politics in post-Suharto Indonesia was always dominated by political elites and the role of money politics, while Yoonkyung Lee (2006) completed this second category by writing about variations in labor politics in northeast Asian democracies. Lee compared trade union relations with political institutions, especially political parties, in

ISSN:1907-8374 Online: 2337-8220

Vol. 10 No 1 February 2019 https://doi.org/10.18196/jgp.10196

Korea and Taiwan, while <u>Schiavone (2007)</u> sees relations between trade union movements and parties in South Africa and the Philippines which are also interesting as illustrations of the category.

This position was taken because even though the writing group on the transformation of the movement into the party above has several dimensions of difference between one another, each of them has enriched the references of social movements in electoral politics, but in general, between these two categories of writing that the opening of political opportunities is considered to be an important factor that drives the success of social movements. None of the writings can answer the important question of why transformed social movements into parties in a democratic country fail to become an electSoral political force that is taken into account precisely when political opportunities are wide open.

This question is important to ask because even though social movements are in a political space that provides an incentive structure and political opportunity for social movements to morph into political parties, the labor movement in Indonesia fails to show its success in electoral politics. The structure of political opportunity in the form of freedom of association and partying does not necessarily make the labor movement a significant electoral political force. The experimentation of the labor movement after the New Order failed to place the labor movement as a notable political force. Likewise the ability of mobilization possessed by workers has not been able to make workers the main actors in the electoral political process in Indonesia.

RESEARCH METHOD

This study was conducted using social movement in electoral politics as its research approach. The theoretical tools that will be primarily used are political opportunity structure. This theory sees the development of social movements due to the opening of political opportunity structures. To answer the questions raised, this study uses qualitative research design. Data collection is done through documentation study methods and in-depth interviews. Documentation studies include analysis of books, news, and documents about the labor movement in electoral politics in Indonesia. The interviews were conducted with activists, movement leaders, journalists, and labor observers who had information related to the data needed. Conclusion drawing of this study uses the model of Miles and Huberman (1984) which includes the stages of data reduction, data presentation stage, and the stage of drawing conclusions.

RESULT AND DISCUSSION

1. Experimentation of the Labor Movement in Post New Order Electoral Politics

At the beginning of the New Order, political parties were still able to move freely. But that freedom did not last long because the 1971 elections, the first election of the New Order, were won by Golongan Karya (Golkar) – regime's political machine - thus giving Golkar full legitimacy to power. Of the ten contestants who fought, none of them are labors' party. The issuance of the party fusion policy by the New Order regime further limited the opportunities of the labor movement in electoral politics, resulting the simplification of the party system by forcing political parties other than Golkar to fuse. Since then there have only been three election participants in Indonesia, namely Golkar, the United Development Party (Partai Persatuan Pembangunan, PPP), and the Indonesian Democratic Party (Partai Demokrasi Indonesia, PDI). PPP is a fusion of Islamic-based parties, namely the NU Party, Parmusi, the PSII, and the Perti. The PDI was a fusion of the

ISSN:1907-8374 Online: 2337-8220

Vol. 10 No 1 February 2019 https://doi.org/10.18196/jgp.10196

PNI, the Supporting Association of Indonesian Independence Party (IPKI), Indonesia Christian Party (Partai Kristen Indonesia, Parkindo), and the Catholic Party (Partai Katolik). Labor movements that were affiliated with political parties then lost their parent organizations.

This situation was exacerbated by the politics of labor law carried out by the New Order regime which was characterized by the following three arrangements. (<u>Uwiyono, 2001: 107</u>). *First*, government policy in relation to efforts to maintain a single union form since 1973. *Second*, government policy in relation to efforts to create harmonious labor relations through the Pancasila Industrial Relations doctrine as the basis for labor relations that do not recognize the right to strike. *Third*, government policy in relation to prohibiting, preventing or overcoming strikes. In connection with this, the New Order regime often suppressed labor movements by using the issue of communist latent danger.

About a month after the labor organizations lost their parent organization, on February 20, 1973 a single forum was created for workers, namely the All-Indonesia Labors' Federation (Federasi Buruh Seluruh Indonesia, FBSI). With the formation of the single union, the old unions were dissolved. Government control of this single union was very strong, as evidenced by the appointment of a number of military members to occupy key positions in FBSI, intensive supervision by intelligence officers and security forces on their activities, and by incorporating them into Golkar (Bourchier, 2015: 172).

In 1985 FBSI transformed into the All Indonesia Workers Union (Serikat Pekerja Seluruh Indonesia, SPSI). In 1995 The SPSI structure with 13 federations changed from unity (centralization) to a federation (decentralization) under the name of the All Indonesia Workers Union Federation (Federasi Serikat Pekerja Seluruh Indonesia, FSPSI) (Amin, 2011:51). FSPSI remains the only federation recognized by the Ministry of Manpower. The Minister of Manpower at the time stated that the trade unions formed must be affiliated with the FSPSI, and the government would not recognize any unions outside the federation. In 2001, FSPSI turned to Confederation of All Indonesia Workers Union (Konfederasi Serikat Pekerja Seluruh Indonesia, KSPSI).

Although the repression of the labor movement at that time was very strong, labor NGOs eventually succeeded in provoking some labor activists to bring up independent labor movements during the New Order (Ford, 2003; 2006). The first was the Setia Kawan Free Trade Union (Serikat Buruh Merdeka-Setia Kawan, SBM-SK) led by HJC. Princen, then the Indonesian Prosperous Labor Union (Serikat Buruh Sejahtera Indonesia, SBSI) led by Muchtar Pakpahan, and the Indonesian Labors' Struggle Center (Pusat Perjuangan Buruh Indonesia, PPBI) led by Dita Indah Sari (Anta, 2017).

At the beginning of the reform, the SBSI had arrived at Indonesian Democratic Party-Struggle (Partai Demokrasi Indonesia-Perjuangan, PDIP). Nevertheless, differences in the vision concerning outsourcing between SBSI and PDI Perjuangan forced Pakpahan to pull out SBSI from PDIP, and then formed the National Labor Party (Partai Buruh Nasional). In addition to the National Labor Party, there were three more parties carrying workers or labors' names, namely the Indonesian Workers' Party (PPI), the Workers' Solidarity Party (Partai Solidaritas Pekerja, PSP), and the All Indonesia Solidarity Workers Party (Partai Solidaritas Pekerja Seluruh Indonesia, PSPSI) which competed in the 1999 election. All of them failed to get a significant vote because they were only able to gather less than one percent of votes

In the 2004 election, the Social Democratic Labor Party (Partai Buruh Sosial Demokrat, PBSD) which was the result of a metamorphosis from the National Labor Party became the only labor party to fight in the election second election. The three other labor parties that had accompanied the National Labor Party in the

ISSN:1907-8374 Online: 2337-8220

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1999 general election failed to keep their presence in the next elections. The PBSD failed to get a single DPR seat.

The 2009 elections witnessed the last appearance of the labor parties in Indonesian electoral politics. In this 2009 election PBSD was transformed into Labor Party (Partai Buruh). There were two parties that bear the labor name in the 2009 elections, namely the Labor Party and the Indonesian Employers 'and Workers' Party (Partai Pengusaha dan Pekerja Indonesia, PPPI). In this election, both of them failed to get a single DPR seat, completing the bad fate of other labor parties after the New Order. The fate of the Labor Party became increasingly unclear when the last general chairman of the Labor party, Sonny Pudji Sasono, actually joined the Working Party (Partai Berkarya) as Chair of the Election Winning Body. PPPI surfaced in October 2017 when its general chairman, Daniel Hutapea, registered the PPPI to Indonesian Electoral Commission (Komisi Pemilihan Umum, KPU) as a participant in the 2019 election. Unfortunately, the party failed to pass administrative examination by the KPU (Nadir, 2018).

2. Factors of the Failure of Labor Movement in Electoral Politics

a. Fragmentation within the Labor Movement in Indonesia

The fall of Suharto brought dramatic changes in industrial relations in Indonesia. Legally, a reform milestone in the political arena of labor in Indonesia, starting with the issuance of Minister of Manpower Regulation No. 5 of 1998, concerning trade union registration which also ended the era of a single trade union controlled by the FSPSI (Federation of All-Indonesia Trade Unions). The end of the era was initiated since the B.J Habibie short government (1998-1999) through ratification of ILO convention No. 87 concerning freedom of association. Two years later, under Abdurrahman Wahid's administration (2000-2001), the era of single state-controlled trade unions was terminated in 2000 with the promulgation of freedom of association through the Trade Union/Labor Union Act No. 21 of 2000 on August 4, 2000. This law regulates the formation, membership, notification and registration, rights and obligations, finance and wealth, dissolution and other matters concerning trade unions. The freedom of association became euphoria among the labor movement. Since then, beginning with the breaking up of the FSPSI into the FSPSI and the FSPSI-Reformasi, new labor unions have emerged. Since 2000, the new unions growth has been like mushrooms growing in the rainy season. Thousands of trade unions at various levels emerged and registered themselves to the Ministry of Manpower and Transmigration. Data from 2002 released by FES showed that the population of trade unions was in a situation where the number of union members reached more than eight million and the unionization rate was nine percent of the total workforce or 25 percent of the total workforce in the formal sector.

As of June 2007, there were 3 confederations, namely KSPSI (Confederation of All Indonesian Trade Unions, KSBSI (Confederation of All Indonesian Trade Unions, and KSPI (Confederation of Indonesian Trade Unions), 86 federations, and dozens of thousands of factory-level unions. Of the three confederations, KSPSI is the largest union confederation which states that it has 16 federations and more than four million members. The second position is occupied by KSPI with 11 federations and members of more than two million, and KSBSI with members reaching nearly two million in third place. KSPSI remained the largest confederation with 16 federations of trade unions, although, like the other two confederations, it suffered a significant decline in the number of members from year to year (Tjandraningsih, 2007).

ISSN:1907-8374 Online: 2337-8220

Vol. 10 No 1 February 2019 https://doi.org/10.18196/jgp.10196

In general, fragmentation of trade unions in Indonesia can be seen from several aspects, including ideological aspects, political aspects, and organizational aspects. By referring the history of labor movement before the independence, Rekson Silaban, former KSBSI President and former ILO governing body suggested that ideologically, it must be admitted that the "DNA" of the labor movement in Indonesia is plural. (Silaban, personal communication, August 8th, 2018). Ideologically classified, the labor movements according to Alfa Gumilang can be breakdown into at least three categories, namely socialist-leaning labor movement, including KASBI, KPBI, and KSN; The labor movement which was oriented towards democratic socialism included KSBSI, KSPI, KSPN; and the conservative labor movement, namely KSPSI (Gumilang, personal communication, August 14th, 2018). This information is reinforced by the movement's international affiliation. KASBI for example, has a tendency towards socialism (left), because it joined the WFTU. While KSPI and KSBSI joined the ICFTU labor movement which known as the international non-communist labor confederation.

Fragmentation can also be observed from the position of the labor movements in facing the electoral politics. *First* is the political labor movement. This kind of movement welcomes electoral politics with various strategies. Some were transformed into parties, for example SBSI - which later turned out into the KSBSI - which at the beginning of reform formed the National Labor Party; there is also a labor movement that diligently conducts political experimentation with several maneuvers, among others by supporting presidential candidates, or by encouraging its cadres to enter electoral politics by becoming legislative candidates or local government heads. This group is still divided into movement that has passions to form parties and movement that do not has passion to form parties. The movement that wants to form a party is, among others, KSPI, while the movement that does not want, or has little desire to form a party, is Yoris Raweyai's KSPSI. KSPI, especially with its flagship federation FSPMI, made post-New Order electoral politics a training ground for their potential cadres. FSPMI, initiated the "Labor Go Politics" movement in Bekasi as an expansion to enter into the realm of electoral politics. In "Labor Go Politics," workers in Bekasi try to reject money politics by organizing and mobilizing movement cadres as the backbone of their campaigns (Savirani, 2016: 184).

But this diaspora strategy has its own vulnerabilities. Because the labor movement formed an alliance with no particular parties, the votes of the labors would not be fully accumulated. The votes of the labors who should have been able to produce seats failed because this support flowed to many parties. In addition, Olle Tornquist also reminded that efforts to create a political bloc by supporting political parties would actually make the labor movement in Indonesia trapped in transactional politics. Many unions are trapped in short-term populist movements of transactional politics of older elites. They even lost their medium-term strategy in the direction and standpoint of achieving transformative democratic politics (Sumandoyo, 2017).

Secondly, the apolitical labor movement. This kind of movement is relatively cynical to electoral politics as well as movements which carry out political experimentations. Elections and political parties they regard as products and arenas for capital owners. What can be included in this category are KASBI, KSN, and KPBI. In general, they recognize the significance of the labor party as a means of their struggle. But they are actually preoccupied with internal strengthening agenda. They also made a discourse about the alternative party platform as a vehicle in electoral politics to fight bourgeois domination in the electoral arena, but unfortunately, the idea did not materialize.

KASBI is focusing on building the awareness of the working class in the next few years. After class consciousness is formed a clearer political attitude will be issued by this organization. (Sunarno, personal communication, August 14th, 2018) Although the KPBI is in the same political position as KASBI, it seems that its political attitude seems to be more moderate because it is willing to cooperate with labor movements such as KSPI, KSBSI, and KSPSI in developing RRI.

While organizationally, the fragmentation of the labor movement in Indonesia can be seen from the increasing number of labor confederations and federations. Ironically, the number of unionized workers has declined. If at the beginning of the reform there were only 3 confederations, at the end of 2018 there were 14 confederations. Internally, trade unions also have problems. KSPSI, which is often regarded as the largest confederation today, is de facto fragmented into three leaderships, each claiming to be legitimate leadership, namely KSPSI under Andi Gani Nena Wea (AGN), KSPSI under Yorris Raweyai, and KSPSI 1973 under Syukur Sarto. Andi Gani is acknowledged for his closeness to PDIP, while Yorris is known to be close to the Golkar Party.

Table 2. The Development of Labor/Worker Union, Federation, and Confederation 2014-109

No.		Jumlah						
	Organization Format	2014	2015	2016	2017	2018		
1	Confederation	7	8	14	14	14		
2.	Federation	99	101	112	115	120		
3.	Union	11.852	7294	7294	7294	7294		

Source: Indonesian Ministry of Manpower, 2018 (unpublished data)

In general, the fragmentation was caused by the euphoria of freedom of association after the New Order lulled the labor movement which for three decades was confined to its freedom. The labor movement forgets that there is still another agenda that can only be done by uniting the steps of the trade unions. The post-New Order labor movement is still in a stage called Sukarno as a *politieke toestand*, a political situation that allows the labor movement to be free of association, free to gather, free to criticize, and free to speak. This *politieke toestand* gives space workers the opportunity to fight and fight stronger. But the labor movement cannot just stop there. The labor movement must follow up the *politieke toestand* with *machtvorming*, the process of development or accumulation of power, through preservation of every action and resistance of the workers in trade unions, holding political courses, printing and disseminating publications, establishing labor cooperatives, and so on. (Silaban, 2014).

Unfortunately, the *politeke toestand* enjoyed today are used by labor movements to establish many labor organizations and compete to become labor leaders. The defeat of someone in the congress was the beginning of the formation of a new union by bringing old supporters out of the previous organization. Pragmatic differences - in the sense that they are caused more by practical things than principles - are more coloring the cause of union divisions. Generally splits are followed by struggles or division of members. There were times when members did not even know that at the national level the union had broken out. The

ISSN:1907-8374 Online: 2337-8220

Vol. 10 No 1 February 2019 https://doi.org/10.18196/jgp.10196

decision of members to join one of the broken unions is based more on personal closeness with the administrators than on organizational principles.

The fragmentation of the labor movement must also occur ahead of the presidential election. The KSPI under Said Iqbal since the 2014 and 2019 elections consistently supported Prabowo. While in the 2014 and 2019 elections, KSPSI, both under Andi Gani - a PDIP cadre - and under Yoris Raweyai - a Golkar cadre, clearly brought his carriage closer to Jokowi. KSBSI which originated from the SBSI, in the 2014 and 2019 presidential elections also provided support to Jokowi. This fragmentation is a big problem in the transformation of the labor movement into a party. The split was the weak point of the workers' struggle in Indonesia. Large agendas make the labor movement a balanced power of capitalism can fail due to declining member strength, political influence, and financial capabilities. (Silaban, 2014). The ambition of labor leaders and low organizational ability among the labor movement itself which ultimately led to fragmentation became one of the characteristics of the post-New Order labor movement. Without the cohesiveness of the movement, Sahat Lumbanraja said that it is impossible for a formidable labor party to be formed (S. Lumbanraja, personal communication, August 6th, 2018).

b. Labor Apathy towards Labor Parties and Candidates from Workers

The participation of labor parties in three elections after the New Order which ended tragically provided important lessons for the labor movement. Likewise the failure of candidates from the labor party to get votes from the region that should provide victory for legislative and executive candidates from the workers. The important lesson is that mobilizing the masses in elections is far more difficult than mobilizing the masses in demonstrations.

Why does the party from the labor movement fail to get a significant vote in the election, even though the potential of the votes they have is extraordinary? Muchtar Pakpahan, a labor activist and founder of the Labor Party, revealed the fact that failure to gain votes was because the workers themselves had very low support for the labor party. (Pakpahan, personal communication, August 14th, 2018). The presence of a labor party which clearly brought the aspirations of the workers was apparently not welcomed with the provision of support by the workers themselves. There are two reasons why the workers' party failed to attract the sympathy of the workers themselves. *First*, workers' apathy towards labor parties. Parties formed especially at the beginning of the reforms were regarded as elitist parties, so they did not emerge from the workers themselves. Eventually the workers preferred to cast their votes to several other parties even though their partiality to the workers was not very clears. The voice of workers is divided into so many parties competing in elections since the beginning of the reform.

This is in line with the belief of <u>Hefner (2007:459)</u>, for example, who considered that the small number of votes of the labor parties was due to the apathy of the labors who saw that none of the labor parties born in those periods were purely pro-workers. The workers' apathy towards labor parties is inseparable from the reality that the parties were initiated only by the labor elite, are top-down, and not based on the labor movement, so that the sense of belonging to the party carrying the name of labor was very low.

Although Pakpahan had claimed that at the beginning of the reform of the number of party cadres in Indonesia reached 1.7 million people (Pakpahan, personal communication, Jakarta, August 14th, 2018) in reality the party had never grown. In the 1999 election, this party only received 140,980 votes or 0.13 percent of national legitimate votes. Even the other labor parties are not much different from their destiny. In the

1999 election, the National Labor Party (Partai Buruh Nasional (PBN) only received 140,980 votes or 0.13 percent of national legitimate votes. The Indonesian Workers Party (Partai Pekerja Indonesia, PPI) was only able to collect 63,934 votes or 0.06% of national legitimate votes. The fate of the All Indonesia Solidarity Workers Party (Partai Solidaritas Pekerja Seluruh Indonesia, PSPSI) was not much different. This party was only able to collect 61,105 votes or 0.06% of national legitimate votes. The last position among the labor party is occupied by the Workers' Solidarity Party (Partai Solidaritas Pekerja, PSP). This party was only able to get 49,807 votes or 0.05% of the national legitimate votes. In the 2004 elections there was only one party left, namely the Social Democratic Labor Party which was a metamorphosis of the National Labor Party which only managed to get 636,056 votes or 0.56%. In the 2009 elections, there were two competing parties, the Labor Party, which was a metamorphosis of the Social Democratic Labor Party and the Indonesian Workers and Entrepreneurs Party, all of which failed to get seats in the DPR. For the 2014 election, the labor party was absent from the bustle of electoral politics.

Second, the phenomenon of the decline in the number of unionized workers. In the early days of reform, there were around eight million workers who were members of the union. In 2007, the number of unionized workers was known to be around 3.4 million, or only 5.5% of the total formal workers reaching 49 million. (Tjandraningsih, 2002). This amount is more or less the same as the 2010 data. However, at the end of 2018, only around 2.7 million were left. This clearly shows that there is a decrease in the pockets of workers' votes, because unorganized workers will be more difficult to mobilize for the victory of the labor party. The last defeat of the labor party in 2009 was very likely also due to reduced support due to the large number of workers who did not organized.

Tabel 3. The Result of Labor Parties in Post-New Order Elections

		Pemilu								
No	Party	1999		2004			2009			
		Votes	%	DPR Seats	Votes	%	DPR Seats	Votes	0/0	DPR Seats
1.	Labor Party (Partai Buruh, 2009)*	140.980	0.13	0	636.056	0.56	0	256.203	0.25	0
2.	Indonesian Worker's Party (Partai Pekerja Indonesia)	63.934	0.06	0	Not Not par participated		rticipated	icipated Not participated		
3.	All Indonesia Solidarity Workers Party (Partai Solidaritas Pekerja Seluruh Indonesia)	61.105	0.06	0	partic	Not ripated	Not par	ticipated	Not partici	pated
4.	Partai Solidaritas Pekerja	49.807	0.05	0	Not Not par participated		ticipated	Not participated		
5.	Partai Pekerja dan Pengusaha Indonesia				partic	Not cipated		745.625	0.72	0

Notes: *In 1999 as Partai Buruh Nasional (National Lanor Party); in 2004 as Partai Buruh Sosial Demokrat (Social Democratic Labor Party)

The decrease in the number of unionized labors is caused by two things. *First*, during the first half of the freedom of association, the emerging trade unions were still focused on the manufacturing sector and

ISSN:1907-8374 Online: 2337-8220

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had a tendency to 'fish in the same pond,' by recruiting members who were members of other trade unions (<u>Tjandraningsih</u>, 2002). The second cause is the diminishing interests of workers to union because of the flexibility regime. Outsourced employees are afraid of being fired, even though there is no prohibition for them to organize. (<u>Triyono</u>, 2013).

Third, the exclusivism of the labor movement. Because the labor movement is fragmented into many organizations and orientations, each has its own priority in their activities. When in 1999, 2004 and 2099 there were several labor parties who tried to contest in the electoral arena, other movements did not consider the party to be a representative of the labor group they had to support. When there are parties that try to experiment through other political parties, other movement groups will look suspiciously. Sunarno, the General Secretary of KASBI, argued that the action as a form of infidelity between the labor movement and the authorities (Sunarno, personal communication, Jakarta, August 14th, 2018). As a result, the involvement of some of these movements in electoral politics with the inclusion of labor candidates in electoral politics through "mainstream" political parties is often considered not part of the labor movement, so it does not need to be supported by giving votes to these candidates.

c. New Order Repression and Stigmatization of the Labor Movement

The New Order systematically labeled "left" in the labor movement for decades. In Indonesia, stamped as left becomes a big problem, because the left does not merely refer to socialism or resistance to the bourgeoisie, but also means the ideology of communism that is radical, justifies everything to gain power, and anti-God. With that stigma, the New Order tried to silence the labor movement. This stigma has a broad impact on three domains, namely labor, trade unions, and the society.

First, for the workers, the left stigmatization which has been attached to the New Order for decades has influenced the way of thinking of workers towards trade unions. The low number of workers involved in trade unions was influenced by this stigmatization. They take distance from the union, for fear of being regarded as left. Finally, they only joined the union when they encountered problems in their industrial relations. Labor thus does not see unions as a tool for collective struggle, but only a body that provides advocacy for cases they deal with. By this such perspective, it is understandable if union density in Indonesia is low.

Secondly, for the labor movement, the repression and left stigmatization by the New Order regime had cut off the labor movement from its historical path. Ma'ruf, the general secretary of KPRI believed that there was a breakdown in the organization of workers in Indonesia (Ma'ruf, personal communication, March 10th, 2018). Workers who should have decades to organize and consolidate movements cannot do so optimally. The labor movement had to start all over again for internal awareness and consolidation of the movement, something that should have been completed decades ago.

Third, for the society, the negative stigma attached to the labor movement does not automatically disappear when the New Order collapsed. The stamp of being a radical movement and harming society, according to Anwar Sastro Ma'ruf, the general secretary of KPRI, is still being reproduced to this day to the labor movement. (Anwar 'Sastro' Ma'ruf, personal communication, Jakarta, March 10th, 2018). Alfa Gumilang, the editor in chief of 'Kabar Buruh', a non-mainstream media, said that the stigma also continues to be preserved by the mainstream media, which often uses negative framing in covering workers' actions.

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(Gumilang, personal communication, Jakarta, August 7th, 2018). As a result, the Indonesian society still looked cynical about the labor movement. This of course has implications for the party that bear the labor name, because people will apparently rethink when they have to vote for a party that has such a negative image.

d. Increasingly Difficult Conditions for Establishing Parties and Taking Part in Elections

The next factor that made the labor movement difficult to become a major force in electoral politics in Indonesia was the increasing weight of the requirement to establish political parties from the elections to the next election. In general, there are two stages that the labor movement must go through to take part in elections. First, the stage of establishing a political party. This stage is divided into two phases, namely the phase to get a notary certificate and the phase of obtaining the status of a legal entity from the legal ministry. The notary deed will be a requirement to be able to obtain status as a legal entity. Only parties that have legal entities can participate in the election. However, parties that have legal entities do not automatically become participants in the election. To become a participant in the election, the party must meet the requirements set out in the election law.

At the beginning of the reform period, the terms of party's establishment were felt to be very easy. That was what made the SBSI at that time succeed in forming the National Labor Party (Pakpahan, personal communication, Jakarta, August 14th, 2018). This convenience can be seen in the provisions of Law Number 2 of 1999 concerning Political Parties, where the establishment of political parties only requires a minimum of 50 people with a minimum age of 21 years as founders without limitation on the distribution of provinces, districts / cities or sub-districts. Even in the law it is not regulated the necessity for party managers to have offices. That is why at that time there were many political parties established. As of April 1999 there were 181 political parties, of which 141 parties subsequently registered as participants in the 1999 election. Nevertheless, in the end there were only 48 parties considered eligible as participants in the 1999 election (Masyrofah, 2013: 169-170).

The next law, namely Law Number 31 of 2001, has increased the level of difficulty because it has begun to provide a minimum limit on the distribution of management, which is at least spread in 50% of the province, 25% of districts / cities in the province, and 25% of districts/cities concerned. This law also provides a requirement that in order to be a legal entity, each level of party management must have a permanent office. Although the level of difficulty increases, but there are still many parties who are able to fulfill this requirement. At the beginning of registration there were 150 parties who registered with the Department of Justice and Human Rights. But this number decreased to 50, and finally only 24 were left as participants in the 2004 election after the examination was carried out by the KPU (Ananta, Arifin, Suryadinata, 2005).

The conditions for the establishment of the most recent political parties are contained in article 2 of the 2011 political party law. One of the conditions stipulated in the law is that political parties must be established by at least 30 Indonesian citizens who are 21 years old or married from each province . That is, if there are now 34 provinces in Indonesia, it is necessary to have at least 1020 party founders spread evenly across the provinces. This requirement is more severe than the previous Political Party Law, namely Law No. 2 of 2008, where only 50 Indonesian citizens who were 21 years old were needed as founders of political parties.

The requirement to make the party a legal entity is even tougher. In accordance with the provisions of Article 3 of the Law on Political Parties in 2011, one of the conditions is to have management in 100% of provinces, 75% of districts / cities and 50% of districts from the relevant districts / cities. In addition, the party must have a permanent office at the central, provincial and district / city levels until the final stage of the election. The requirements stipulated in this law are heavier than the requirements to become a legal entity in the 2008 Political Party Law which has also been tough, namely having management in 60% of provinces, 50% of districts / cities and 25% of districts from the relevant districts / cities. As for party offices, the 2008 Political Party Law only states that parties must have a permanent office without further details.

Table 4. Terms and Conditions to Establish Political Party

Conditions	Law No. 2/1999	Law No. 31/2002	Law No. 2/2008	Law No. 2/2011
Terms of	At least 50	Political parties	Political parties	Political parties
Establishment of	Indonesian	are established	were established	are established
the Party with a	citizens	and formed by	by at least 50	by at least 30
Notary Deed	which minimally	at least 50	Indonesian	Indonesian
	has aged 21	person who is a	citizens who	citizens who are
		citizen of the	were 21 years	21 years old or
		Republic of	old	married in each
		Indonesia		province
		21 years old		
Requirements to	a. Political	a. have a notary	a. Has a notary	a. Has a notary
get status as a	parties are	deed b. have	deed; b. have	deed, b. have
legal entity	established by	management of	management at	management at
	notary deeds;	at least 50% of	60% of	100% of
	and b. registered	the province,	provinces,	provinces, 75%
	to the Ministry of	50% of districts	50% of districts	of districts /
	Justice of the	/ cities in each	/ cities in the	cities in the
	Republic of	province	province	provinces
	Indonesia.	concerned,	concerned and	concerned, and
		and 25% of sub-	c. 25% of sub-	50% of districts
		districts in the	districts from	from the
		district / city	the relevant	relevant districts
		concerned;	districts / cities	/ cities
	Unregulated yet	have a	have a	Must have a
		permanent	permanent	permanent office
		office.	office.	at the central,
				provincial,
				district / city
				level until the
				final stage of the
				election

Source: law no 2/1999 about Political Party; law no. 31/2001 about Political Party; law no. 2/2008 about Political Party; and law no. 2/2011 about Political Party

Once the status is a legal entity, political parties must face the next examination. To be able to become a participant in the election, the party must meet the requirements stipulated in the electoral laws. To be able

ISSN:1907-8374 Online: 2337-8220

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to take part in the elections, the election law No. 7 of 2017 requires, among others: a) political parties to be incorporated; b) has management in all provinces; c) has management in 75% of districts / cities in the province; d) has management in 50% of the number of sub-districts in the district / city; e) include at least 30% of women's representation in the management of central political parties; f) having a membership of at least 1000 people or 1/1000 of the population in the management of political parties in the regency / city as evidenced by ownership of membership cards; and g) have a permanent office for management at the central, provincial and district / city levels until the last stage of the election.

The severity of the requirements to take part in the 2019 election can be seen from the very few political parties that register with the KPU RI. There were only 27 parties registering to take part in the 2019 election, far lower than at the beginning of the reform. The complexity of the requirements for entering electoral politics in Indonesia, made Martin Walecki, an expert on Polish political parties, in one of his lectures in Jakarta in 2016 and said that the requirement to become a legal party and an election political party in Indonesia was one of the the most heavy, complicated, and most expensive in the world. Along with the increasing weight of the requirements for the establishment of political parties, the labor movement will be increasingly difficult to fulfill these requirements. (kumparan, 2017)

There are at least two factors that make it difficult for the labor movement to fulfill these requirements. First, the labor movement has limitations in terms of distribution. Labor is only concentrated in areas that have industrial estates. Not all regions in Indonesia are industrial estates. In areas that are not difficult industrial estates, it is expected to have a labor base as strong as in industrial areas. As a result it is difficult for a labor movement to be able to fulfill the requirements set by the laws of political parties and electoral laws. Second, financial factors. The requirement to have an office still means that the labor movement must pay not a small amount of money to buy or rent office buildings and the operational costs which are very large in number and multiply according to the provisions of the law. The labor movement ideally relies on membership dues. But the facts show that contributions from these members cannot be relied upon for various reasons, one of which is the low awareness of workers to pay membership fees. Thus, without any changes in regulation, it will be difficult to expect the appearance of the next labor parties in the upcoming elections.

CONCLUSION

Political democracy that accompanied the transition from the New Order's authoritarian regime to a more democratic regime should provide greater political opportunities for the labor movement to succeed in electoral politics. But in reality, the labor movements actually failed to take advantage of these opportunities optimally. This failure is caused by four factors, namely the fragmentation of the labor movement, workers' apathy towards political workers, stigmatization and repression of the New Order against the labor movement, as well as increasingly severe conditions for party establishment and participation in elections.

The political opportunity turns out to be not a blank check that can be filled at will by the recipient. The political opportunities enjoyed by the labor movement at the beginning of the reforms turned out to be a trap that was very detrimental to the labor movement. Freedom of association and liberalization of electoral politics ultimately succeeded in dividing the labor movement both institutionally and as a potential electoral force.

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This study concluded that political opportunity would not necessarily be a factor that determines the success of the labor movement in electoral politics. Political opportunities do provide freedom for workers to form labor organizations and establish parties. But later, this convenience became a trap for the struggle of the labor movement because the ease of forming trade unions resulted in fragmented labor movements into many organizations that differed in their views on electoral politics and to whom their support would be given. This fragmentation is the root of the problem so that the labor movement in electoral politics is difficult to be expected to grow and expand. For this reason, the temporary labor movement must be satisfied only as a spectator, and not yet become a player in the electoral political arena in Indonesia.

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