

DESIGN OF SIMULTANEOUS NATIONAL ELECTION IN LEGAL AND POLITICAL PERSPECTIVE

BY:

Septi Nur Wijayanti, S.H., M.H.

Titin Purwaningsih, S.IP., M.Sc.

Tanto Lailam, SH., LL.M.

Abstract

This research is about design of simultaneous national election in legal and political perspective for the first year. In particular, the focus of research including: first, to identify the problems that constrain the arrangement of the national election in legal and political perspective; second, to describe challenges and opportunities for structuring a national election in legal and political perspective; third, to formulate the ideal policy design in 2019 simultaneous national election in legal and political perspective. The type of research is a normative law research; therefore the research conducted thru studying literature, and for the accuracy of data is conducted by interviews with the constitutional law and the political experts. The result showed that the problem of structuring is identified since the election issues arise in the election in Indonesia. The problems that have so far evaluated including 1) lack of effective governance, 2) inefficient election administration, 3) implementation of the pseudo presidential system, 4) multiparty system in presidential system, 5) there is no synchronization on elections legislation, 5) the high number of abstentions society. Opportunities and challenges while simultaneous election in legal and political perspectives are categorized into 4 portions which are coming from the government and parliament, the public, the political parties, and the election organizer. While the ideal design of simultaneous elections regarding to the juridical and political perspective in 2019, there are some proposed design that combination of design based on the evaluation of the elections and comparisons to other countries.

Keywords: Design, simultaneous general election, law, politics.

A. Background

Doctrine of the law state has implications that the state and society should be guided by the constitution. All societies and governments are submissive and obedient to the constitution, because the constitution is the basic values of coexistence that has been agreed by all the people. Constitution containing basic values in public life that must be protected and maintained through the institutionalization of constitutional review (Act Review on 1945 Constitution), institutionalization is very important because the constitutional review has a primary duty to maintain the functioning of the democratic process (the guard of democracy) on the relationship among the legislative, executive, and judicial.

Through constitutional review authority, the Constitutional Court has made the constitution as a living document which gives the type and determines the path of democratization and elections in Indonesia. Determining this path aims to create a quality elections, because the elections are a means for people to participate in determining the path of governance. In a sense the election serves as a means of political legitimacy for the ruling government, because it is through elections idea that requires the consent of the governed , can be associated.

Election is a vital element as a benchmark to determine whether a country is democratic or not, including how the process of election is going well and smoothly. In terms of the general election goes well, smoothly, without causing potential conflict in the division and successfully elect a leader to win a majority, then the general election can be said runs with democratic, and vice versa if the elections are not qualified it reflects that the country is less democratic ,

The real evidence of the determination of the direction towards the elections which are qualified is Constitutional Court Decision No.14 / PUU-XI / 2013 regarding judicial review of Article 3 paragraph (5), Article 12 paragraph (1) and (2), Article 14 paragraph (2), and Article 112 Act 42 of 2008 on General Election of President and Vice President. Some of the articles specify the provisions of the Legislative elections and Presidential elections being held separately, but based on the decision of the Court the provisions of several articles of the declared contrary to the Constitution of 1945 and does not have binding legal force. Implication of the cancellation is the implementation of the "Simultaneous National Electoral" or elections of members of the Legislative and Presidential elections are conducted simultaneously which began in 2019 and subsequent years.

At the level of ideas perhaps many people, both experts in the field of law and political science who agree and do not mind if the National Elections Simultaneously, but its implementation requires a settled design and the implementation does not easy, especially Indonesia has never had experience in such matters. Thus, it early required a larger framework and strategic in designing the simultaneous national election in order to become a qualified election.

B. Problem Formulation

Based on the above problems, the problem formulation could be as following:

1. What are the problems that constrain the arrangement of the simultaneous national election in the legal and political perspective?
2. What are the challenges and opportunities for structuring a national election outright in the legal and political perspective?
3. How to design an ideal policy of simultaneous national elections in 2019 in legal and political perspective?

C. Discussion

1. Identification of Problem in Organizing Simultaneous Elections

General election is a routine agenda of democratization in Indonesia in electing the leader. Democracy is the conception of elections conducted directly by the people, of the people and for the people. The democratic system in Indonesia has undergone various developments in the context of freedom of a country to determine its leader. A good leader is proposed by community in moving the joints of government for the well-being of the people as a concrete consequence in a country. Through elections, people are given the freedom to elect representatives in government as aspiration and representation for people in a variety of policies and implementation of state.

In the perspective of law and politics appear several priority issues of policy, in order to prepare for the elections simultaneously which include:

a. Problem of constituting the legislation in the simultaneous national electoral system.

Legislation on the Elections in 2004, 2009 and 2014 were made separately, both of

legislative election Act and presidential election Act. For Election 2019 that will be conducted simultaneously requires the unification of the legislation in order to synchronize strategic provisions that significantly influence the quality of the elections. In addition, political legislation is urgently needed in the establishment of the National Electoral legislation towards the reinforcement of the presidential system, the Presidential threshold regulation, the regulations are uniformly issues related to the source and use of funds of political parties that participating in the election, and others.

- b. **Constitutional Court's decision has implications for the Simultaneous National Election and does not invalidate the provisions of Presidential Threshold** (threshold election of President and Vice President) as stated in Article 9 of Presidential Election Act and handed Threshold Presidential provisions on the legislators. This Article provides that the pair-vice presidential candidates proposed by political parties or coalition of political parties with at least 20% of the seats in the House of Representatives or 25% of the valid votes nationally. In the 2019 general election raises a variety of problems, whether in the national election legislation will contain provisions simultaneous presidential threshold, if not what are the implications for the Presidential system, if it continues to apply the design must necessarily make regulation of presidential threshold in accordance with the spirit of the presidential system. Although according to some legal experts this question answered by itself and threshold-vice President Nomination becomes no longer important. However, this problem becomes interesting studies related to whether or not the provisions presidential threshold applies, what are the implications in the legislation of the Simultaneous National Election which will be conducted later.

- c. **Problems of effectiveness of governance**

Direct presidential elections indeed strengthen the position of the president, in the sense of bureau that President is not subject to the Parliament. But in the presidential system is usually supported by the two parties so that a presidential election based on the winner takes all, in the sense that the presidential election has the power to fully determine the

cabinet. Therefore, the presidential system is usually accompanied by a two-party system, the ruling party and opposition parties. Because usually the presidential system is supported by the two-party system, then the system of presidential not knows Coalition.¹ Study of the weakness of the combination of the presidential system and a multi-party system, among others, performed by Scott Mainwaring and Shugart ², which states that such a combination is a combination that is problematic , The problems that arise in combination presidential system with a multi-party system, among others Coalition is not solid, presidential contaminated power of political parties, and the encouragement weakening the president of the parliament. Moreover, in a presidential system, the party that has the power of minority even has a chance to win the presidential election³. Separation of power, the fragility of the coalition and minority governments could potentially disrupt the balance of the relationship between the legislative and executive, and potentially deadlock. This would result in disruption of governance, especially the effectiveness of governance. Presidential system based on separation of power that is not supported by the majority of House of Representative could also lead to a divided government (divided government) in which the president and parliament are controlled by two different parties.

d. The inefficient of election conduction

The existence of direct presidential elections as a consequence of the system of presidential government, legislative elections (legislative elections) and the diversity of the local elections makes the election should be held. By applying a presidential system with direct presidential elections and local elections directly, then there are three elections conducted that are legislative elections, presidential elections and the local elections. The practice of the elections of 2004, 2009 and 2014 preceded by legislative elections, the election of members of the DPR, DPD, and Provincial DPRD. Three months after the legislative elections and then the election of President and Vice President, while the

¹ Juan Linz, (1994) 'Democracy, Presidential or Parliamentary: Does it Make a Difference?' in Juan Linz and Arturo Valenzuela (eds) *The Failure of Presidential Government*. Baltimore, MD: Johns Hopkins University Press.

² Scott Mainwaring, and Matthew S. Shugart (1997) 'Juan Linz, *Presidentialism, and Democracy: A Critical Appraisal*', *Comparative Politics* (Jul.): 449±71.

³ Jose Antonio Cheibub, *Presidentialism, Parleментарism and Democracy*, New York: Cambridge University Press, 2007, page. 7-8.

election of Regional Head made by each region in accordance with the final position of the Chief Regional mas in areas referred. Many elections should be held this makes the election is not efficient, both for organizers, for political parties and for the community. For the organizers of the election, then the implementation of the election becomes more troublesome both in terms of time, effort and cost. In the 2009 elections, for example, the costs used to legislative election around 19 trillion, whereas in 2014 legislative election around 24.1 trillion, about 7.9 trillion election budget. Cost does not include the cost of the elections which is the responsibility of local governments. The existence of diverse election held was considered too much suck the state budget, thus reducing the development budget to the public. From the perspective of voters, diverse elections must be attended also lead to wastage of effort, cost and time. Clearly voters should allocate time to come to the polls, and may also have to leave the job. Consequently, the possibility of public participation levels will decrease, especially for legislative election, because society considers that it more important to presidential election. The existence of diverse election held also led the party spending more. Political parties should be budgeted and presidential election, legislative election campaign and even the election separately. This will affected on lowering capabilities mobilize the support of political parties in society.

e. **Weak of synchronization between the Central Government and Local Government**

Regional Head Election was directly parallel to the system of governance at the national level, namely the presidential system in which the president is elected directly by the people. With the implementation of the election which varies in each area and the multi-party system, the winners of the elections in each region are also diverse. From this condition can bear conflicting government between central and local government. In the logic of a unitary state, then even though the Regional Head directly elected by the people, but still be an element of governance that exist in areas not separated from central government control. This system can produce a local government that is out of sync with the local authorities, because it could be the Regional Head comes from an opposition party that could complicate the implementation of the policies issued by the central government.

f. The reduced level of Public Participation

Elections were conducted separately would decrease participation regularly.

g. Simultaneous Election aimed to get a congruent national election results.

Academically concept of simultaneous elections only allow valid in the presidential system of government. The core of this concept is to combine the implementation of the legislative and executive elections within the same day, so the possibility of the creation of a government congruent, meaning to say that the election of executive officers (President and Vice President), which received legislative support so that a stable government and effective. Congruence rule that is created is assumed to be correlated significantly to the stability and effectiveness of government. Government is expected to be effective in the decision because the majority of parliamentary seats held by parties nominating the presidential election. This is often assumed that the elections positively correlated to the simultaneous strengthening of presidentialism in Indonesia.

h. The simultaneous national elections encourage the creation of coalition based on policies.

The simultaneous elections encourage the creation of coalition based on policies, since the elections also need strong political parties and adequate durability in representing the interests of society and offer policy options to demonstrate that it is towards the common good (*bonum Publicum*),⁴ and at the same time minimizing the political pragmatism that often become the reference actors and political parties in the coalition. As is the case today, the election model of serial/not simultaneously very prone to political pragmatism for political parties to join in a coalition are likely to gain power (office-oriented approach), not for fighting policy (policy-oriented approach). Based on the decision of the Court on the implementation of the election does not simultaneously make supervision either checks and balances between the Parliament and the President is not going well. Therefore, the pair of presidential candidates and vice presidents often creates tactical coalition that has been temporary with political parties. What happened in the two

⁴ A.Ahsin Thohari, dalam “Deklinasi Partai Politik dalam Sistem Ketatanegaraan Indonesia”, *Jurnal Legislasi Indonesia* Vol. 9 No. 4 Desember 2012, page.580

presidential elections implementation did not give a long-term coalition to give naturally simplification of political parties. Concurrent with the election, political parties can no longer coalesce pragmatically. Political parties will be more selective in search for candidates, and not only rely on mathematical considerations. In the long term, this is expected to lead to the simplification of the party system naturally.

- i. National elections simultaneously encouraging a more democratic political party quality

The presence and role of political parties nowadays become an essential prerequisite for the practice of modern democracy, even modern democracies is a democratic party.⁵ Literature studies generally refer their democratic political party is free, autonomous, and competitive is a *conditio sine quo non* for democratic practices. The democratic political system is believed to facilitate the life of political parties is free, autonomous, and competitive, the democratization of political parties requires the democratization of the political system first. Without a democratic political system, it is difficult emerging political parties are free, autonomous, and competitive. In a non-democratic political system, political party life is generally not free, autonomous, and not competitive.⁶

- j. National elections simultaneously minimize potential conflicts between the party or the party's support. No more prolonged conflict throughout the year, so in terms of conflict management so much easier to handle. The supporters enthusiast could be directed to other positive activities that lead to the institutionalization of political parties

2. **Opportunities and Challenges of Simultaneous Election in legal and Political Perspective**

Simultaneous elections deemed to be me reduce the weaknesses of political practice that has been happening. There are some opportunities with the implementation of the presidential election simultaneously with legislative election, both for voters, political parties, government, and for the organizers of the election, among others:

⁵ Richard S. Katz, 1980, *A Theory of Parties and Electoral Systems*, The Johns Hopkins University Press, Baltimore and London, pp.1

⁶ Munafrizal Manan, danam "Partai Politik dan Demokrasi di Indonesia Menyongsong Pemilu 2014, *Jurnal Legislasi Indonesia*, Volume 9 No.4 Desember 2012, page.505

1). The Opportunity and Challenges for Voters.

Opportunity. The scientists believe that simultaneous elections would increase voter participation. According to Norris, voters in the legislative elections were lower if legislative elections and president elections held separately⁷. Declining the voice in the legislative elections because electing the presidential election is more important than the legislative elections. The decline in voter turnout in legislative election, according to Down because voters should come to the polls twice that of course will cost money, as well as usual to look for information on the issues and candidates of both elections. Their costs are preventing voters to come to the polls, particularly in legislative election are considered less important.

Another reason that legislative election and a separate election will decrease the legislative election for public participation in policy choices become blurred and difficult to translate policy advice into policy action⁸. The issues at the legislative election and the presidential election could be different even the candidates are from the same party, because each of them brings a different figure.

In the case of Indonesia, there is a tendency in two elections, voter turnout in the elections both tend to fall. In Indonesia, members of the legislative elections held in advance of the presidential election. Society level of political participation in the legislative election in the 2009 election by 71%, whereas in the presidential election fell to 60%. While in the 2014 elections, the turnout in the legislative elections by 75.11%, while in the presidential election by 70%. The decline in voter turnout would have been avoided if the election conducted simultaneously.

Thus, simultaneous elections and the presidential election between legislative elections will increase participation. The arguments of conducting elections simultaneously would increase voter participation, in addition to efficiency reasons of time, effort and expense of voters issued to come to the polling station, Riker and Ordeshook stated that the elections simultaneously would provide a psychological boost, which they judged that they chose the two high officials simultaneously⁹, In US elections, presidential and governor elections are held simultaneously and it has increased voter participation.

⁷ Daniel Stockemer dan Patricia Calca, *Presidentialism and Voter Turnout in Legislative Elections*, Jurnal Parliamentary Affairs, 6 November 2012, p. 1-23.

⁸ According to Franklin dan Hircey de Mino, as stated Daniel Stokemer dan Patricia Calca, *Ibid.*

⁹ According to Riker dan Ordeshook, as stated by Daniel Stokemer dan Patricia Calca, *Ibid.*

Challenges. Although conducted simultaneously would increase voter participation and efficiency of time, effort and money to come to the polls, but the implementation of simultaneous elections requires a lot more time in the voting booth. Mostly there are five polls to be elected which is pair of candidates for president and vice president, members of Parliament, members of the DPD, Provincial DPRD members and members of Regency/City. In addition there are five ballots must be elected, the proportional representation that choose a candidate to make the ballot paper is large enough, so that there are more time required to open and folded it back.

In addition, according to Anderson¹⁰, simultaneous elections brings difficulties for voters to make their choice since they received many information, but the ability to process information is limited so that voters tend to elect national candidates with national issues. Therefore, the efforts are needed by elections organizer to socialize and educate the voters to raise the political consciousness of the electorate.

2. Opportunities and Challenges for Government (President and Parliament)

Opportunities. Simultaneous elections provide an opportunity of more robust and stable presidential system. This is because the formed coalition in nominating candidates for President and Vice President be done earlier and based on the same vision and mission, not simply to win a wide selection. As what stated by Karen Cox, that the elections conducted simultaneously benefit the parties supporting the president, and reduce fragmentation between the legislative and the executive¹¹. Thus, the coalition will be more solid. The coalition that gained the majority support in parliament and won the presidential election will likely struggle to win the election. The same power at national and local levels will allow the president in coordinating and governance tiered so that the government would also be more effective.

Challenges. Coalition to create a solid and based on the vision and mission, the necessary simplification of the party system. Simplification of the party system will be achieved if preceded by improvements electoral system. In addition, the required synchronization regulations regarding election Simultaneously, both the Law on political parties, electoral law

¹⁰ Andersen, David J. Pushing the Limits of Democracy: Concurrent Elections and Cognitive Limitations of Voters. PhD Dissertation. New Jersey: The State University of New Jersey, 2011, as stated on Pemilu Serentak 2019, position paper, Tim Peneliti ERI (electoral Research Institute), 2014.

¹¹ Karen Cox, "Japan: Adapting to a New Electoral System", in *Electoral System design: The New International IDEA Handbook*, International IDEA, 2008, page. 124.

and the Law on election of the President and Vice President.

3). Opportunities and Challenges for Political Parties

Opportunities. Concurrent with the election, political parties can carry out its functions more efficiently. Time, effort and cost are needed by political parties to make the campaign becomes more efficient because it is done simultaneously. Coalition in carrying partner candidates for President and Vice President could be done earlier. Political parties, even though the small party has an equal chance in nominating candidates for President and Vice President. Couples and vice presidential candidate who is popular and can be accepted by other parties is a way to boost the party vote and win elections.

Challenges. Political parties should be able to offer candidates for President and Vice President who are popular and can be accepted by other parties to obtain the support of a coalition of parties. Every electoral system consequences for political parties, so that simultaneous elections require political parties use different strategies in winning election. This is as stated by Sartori, that changes to the electoral system will bring changes to the way competition and affect the competitive character of political parties¹² . Moreover, the simultaneous elections are cattail effect. If the term party hopper Presidential candidate who gained the majority support of the community will benefit in the legislative elections, but on the contrary, when a presidential candidate who carried the less popularity in the community will have an impact of the less of sympathizers.

4). Opportunities and Challenges For Elections Organizer

Opportunities. Election organizer is the agency or institution who responsible for the success of the elections. In the context of Indonesia, election organizers include The General Election Commission (KPU) and Election Supervisory Agency (BAWASLU) that in the execution of their duties ethically controlled by the Honorary Election Board (DKPP). Election Supervisory Agency is responsible for organizing the elections starting from collection of voters, receive and validate the candidates, holding elections, and the counting vote recapitulation.

¹² Giovanni Sartori, "The Party Effect of Electoral Systems", in A Journal of Democracy Book, Larry Diamond and Richard Gunther (edited), *Political Parties and Democracy*, The John Hopkins University Press, Baltimore and London, 2000, page. 101.

While Election Supervisory Agency assigned to monitor the elections to comply with the principle of direct elections, public, free, confidential, honest and fair. In the implementation of these functions and role, certainly related to many technical aspects of elections and election management should be done. Different electoral system requires the setting and the preparation and management of elections are different. The biggest opportunity of the organizers of the election to the election simultaneously premises the efficiency of the electoral budget, because the election is no longer conducted in many times.

Challenges. The changes in the electoral system of simultaneous election gradually takes some technical consequences in its implementation. The implementation of simultaneous elections requires the capability and professionalism of the organizers of the election. Although the simultaneous election of the election period becomes shorter and more efficient use of the budget, but the preparation of election requires a fairly long time. The technical aspects of election administration become more complicated. Election supplies became more plentiful, so it must be carefully set so that the elections are not facing many obstacles. The capability of the organizer of this election is very important for the successfulness of the elections simultaneously. Because as stated by Cox, if there are problems in handling logistics, thus the legislative and presidential elections conducted separately is an option¹³.

Simultaneous elections also require more polls, as well as the voters have more time to elect. Therefore, the election organizer is required to be able to design simpler polls. In addition, socialization to voters should be implemented more widely in terms of both quality and quantity in order to create the qualified election anyway.

Other challenges in the implementation of simultaneous elections to be relevant to the simplification in the administration of elections is a change in the electoral system that is based on the choice of the party (closed list proportional system) and the simplification of the party system, as well as the realignment of the study area. A synchronic aspects of the Act, that is Presidential Election Act, the Election Act and the Political Parties Act, also be very important for the organizers of the election. All policies that support the implementation of simultaneous elections will be realized if the election organizers establish a good cooperation with the Parliament and the Government.

According to SWOT theory, it can be described that the situation in Indonesia as it is

¹³ Karen Cox, Japan:...*Op.Cit.*

mentioned on Table 3 below:

table 3

Strengths, Weaknesses, Opportunities and Challenges of Election Unison

STRENGTHS	OPPORTUNITIES
<ul style="list-style-type: none"> • Democracy experience • Independent Institutions (KPU and BAWASLU) • There is a conflict management institutions (DKPP, MK) • A commitment to hold better elections • Commitment to create stronger governance 	<ul style="list-style-type: none"> • Stronger Presidential System of Government • President and Parliament to keep bound, the President is supported the majority power in Parliament • Solid Coalition • Minimize political horse-trading between the legislative and executive • Society participation will increase • Efficiency of time, effort and cost for voters • The efficiency of the elections
WEAKNESSES	CHALLENGES
<ul style="list-style-type: none"> • Elite conflict • The existence of a conflict between the political parties / candidates • Conflicts in society • Multi-party system / tendency of the appearance of many party • Open proportional electoral system yet complicated • Elections Act is not in sync each other 	<ul style="list-style-type: none"> • The public is difficult to determine because his choice of the selection of candidates • Time used in polls is longer because Ballots become more complicated • The longer time required in the calculation of the elections.

Based on the SWOT analysis above, it can be analyzed the strategies for designing simultaneous elections that will be held in Indonesia in 2019 as follows:

table 4

Strategies Design of Simultaneous Elections

	Strengths	Weakness
<p>Opportunities</p> <ul style="list-style-type: none"> • Stronger Presidential System of Government • President and Parliament to keep bound, the President is supported the majority power in Parliament • Solid Coalition • Minimize political • 	<ul style="list-style-type: none"> • Democracy experience • Independent Institutions (KPU and BAWASLU) • There is a conflict management institutions (DKPP, MK) • A commitment to hold better elections • Commitment to create stronger governance 	<ul style="list-style-type: none"> • Multi-party system / tendency of the appearance of many party • Open proportional electoral system yet complicated • Elections Act is not in sync each other

<ul style="list-style-type: none"> • horse-trading between the legislative and executive • Society participation will increase • Efficiency of time, effort and cost for voters. • The efficiency of the elections 	<ul style="list-style-type: none"> • Increasing socialization simultaneous elections to the community • Preparing and synchronizing the elections Act. 	
<p>Challenges</p> <ul style="list-style-type: none"> • The public is difficult to determine because his choice of the selection of candidates • Time used in polls is longer because Ballots become more complicated • The longer time required in the calculation of the elections. • Elite Conflict • Conflict among candidates 	<ul style="list-style-type: none"> • Preparation of related devices to minimize and resolve conflicts • Simplifying ballot • Simplifying electoral system • Increasing political awareness of political actors and society 	<ul style="list-style-type: none"> • Simplifying electoral system • Simplifying ballot • Preparation and synchronization of elections Act.

Political observers of Indonesian Institute of Sciences (LIPI) ¹⁴ Siti Zuhro supported the realization of the discourse of the implementation of General Elections 2014 Presidential and legislative elections simultaneously. Siti considers that it can make a positive impact. The main benefit of elections conducted simultaneously is efficiency and effectiveness in terms of time and funds. Simultaneous elections also can reduce the high number of abstentions possibilities in the

¹⁴ <http://www.republika.co.id/berita/nasional/politik/12/08/11/m8lnvn-ini-keuntungan-pilpres-dan-pemilu-legislatif-digelar-serentak>, accessed on 26 April 2015

community because of boredom on the electoral process time. In addition, the method is considered to minimize transactional politics and money politics that often happens during elections. Election conducted simultaneously has opportunities that can suppress the tendency of politicians to achieve opportunities to move from one party to another party.

This is similar as what mentioned about some advantages of simultaneous election between the executive and the legislature, if the two elections held simultaneously will change the political constellation, which would certainly giving more benefits to the community, government officials and political parties. Those advantages include: ¹⁵

1. Voters do not have to go back to the polls
2. Minimalize conflict
3. Election administration costs can be saved
4. The function of the executive and legislative can be more easily evaluated
5. The voters can design their own checks and balances between the executive and the legislature
6. if the elections conducted simultaneously it will only produce the acts of executive elections, legislative elections and local elections
7. Simultaneous election will reduce the waste of time and reduce the horizontal friction in society
8. KPU has the opportunity to do consolidation
9. KPU can finish such problems like this problematic issues of DPT to candidates
10. The strong executive and legislative institutions strong based on society's participation.
11. Political parties should not wait for the legislative election results for transferring presidential candidates

¹⁵ <https://diyahpradita.wordpress.com/ppkn/keuntungan-dan-kelemahan-jika-pemilu-legislatif-eksekutif-dilaksanakan-secara-serentak/>, accessed on 25 April 2015

12. Make it easier for people to know the candidates and the mechanism is expected to increase work productivity.

13. Reduce the number of non-voters for the elections that held simultaneously

The weakness if the elections held simultaneously among legislative and executive changes will affect the political constellation that would harm the public, political parties and government officials are:

1. Takes a long time and a lot of energy to do the counting of votes.
2. Too many ballots have to be elected will be feared confusion mainly the elders.
3. The election cards are feared going to be confused with another area of elections
4. creating respiratory passages lots apparatus for minimalizing conflict

3. **Design of Simultaneous Election 2019 In legal and politics perspective**

At the level of ideas perhaps many people, both experts in the field of legal and political science who agree and not giving objection with the Simultaneous National Election, but the implementation of the Simultaneous National Election requires a mature design and it was not an easy thing to be organized, especially Indonesia yet had experience in such matters. So it becomes a necessary to have a larger and strategic frame work in designing a qualified simultaneous national election.

Regarding to theoretical matter, concept of simultaneous elections is a political policy for conducting merger implementation of the legislative and executive elections in one day election. In the context of comparative political system, the concept of simultaneous elections only known in countries adherent presidential government system. Because, in this system, both legislative and executive officials are elected through elections. Unlike the parliamentary system of government, in which the legislative elections by itself produces executive officers. Therefore, political parties or coalition political party that won in the realm of the theoretical concept of simultaneous elections is a political policy that merge the implementation of the legislative and executive elections in one day H ballot. Unlike the system of government parliamentary, where

legislative elections by itself produces executive officers. Therefore, the political party or coalition of political parties that won the election holds a majority of seats in parliament so that it can form a government.¹⁶

As the main network in filing candidates for president and vice president, internal democratization of political parties becomes a necessity. That is, candidates must be derived from the results of a process that is open and participatory. In this way, the central position (as chairman, chairman of the board of supervisors and others) in a political party does not automatically become a tool into candidate of president and / or vice president. Seeing the empirical reality during this time, expect all political parties to be more democratic. Therefore, there is no other choice, except the Law on Political Parties provides coercion that is impossible to be avoided. In this matter, the law determines the basic framework of the openness of the process of filing the candidates. If need be, if it were not conducted in open and participatory process, political parties concerned disenfranchised to file the candidates.

Even the national simultaneous election is more efficient, low cost and effective. Efficiency in the context of simultaneous elections can be seen from several aspects, among others, the election time and cost. Trillions of state money can be diverted to fulfill other constitutional rights which are no less important, since many things that can be summed up in one work package. Moreover, approximately 65% of the election expenses allocated to salaries of election officers, so the more the elections, the greater the cost is.

Furthermore, in the political aspects of cost efficiency, since the cost of the campaign of the presidential candidates and legislative candidates conducted simultaneously so the cost can be minimized. The further positive impact, it will potentially reduce *money politics* and corruption, because s Strategy of winning candidates by using money politics gave rise to a press unhealthy competition in the elections due to bring up the playing field is not the same (*un equity of playing field*), inequality of access to top management positions public that degrade the quality of democracy, and were in concert with the public interest.¹⁷ in addition, national elections

¹⁶ Ria Casmi ArrsaPemilu Serentak dan Masa Depan Konsolidasi DemokrasiJurnal Konstitusi, Volume 11, Nomor 3, September 2014, page.532-533

¹⁷ Devi Darmawan, dalam “Tinjauan terhadap Pengaturan Politik Uang dalam Peraturan Kepemiluan, *Jurnal Pemilu Demokrasi* Volume 4 Desember 2012, page.104

conducted simultaneously will be a drastic change about *presidential threshold* , because all the political parties that passed into participating in the election will be able to nominate candidates for president and vice presidential candidate. In fact, they can be a president candidateI through independent presidential candidate.¹⁸

According to Didik Supriyanto as quoted by Ria Casmi Arrsa¹⁹that the idea of simultaneous Election able to overcome the political dynasty of the basic arguments *First*, when the legislative and executive elections held simultaneously, everyone (including the incumbent and its relatives) have a limited opportunity to nominate themselves. They should choose one of the positions to be achieved; legislative or executive positions. Both were elected and who are not in the same position within the next five years. Compare it to the current situation. At the time of the legislative elections, everyone pursue seat of DPR, DPD and DPRD. Lapse of one or two years later, those who have got the parliamentary seats and that failing to move into the arena of regional chief executives competed for seats in the elections. For owners of parliamentary seats that failed to re-occupy the chair; while successful will leave his seat to another person, who may be the relatives.

Secondly, the incorporation of the legislative and executive elections forced the political parties to build a coalition. They are aware, the election of the executive candidate will affect the election of candidates to parliament. This encourages the parties to build a grand coalition so that after the elections resulted in *blocking politics* on the one hand, there is a grand coalition of winning executive positions at once master of parliamentary seats; on the other hand there is the coalition failed to gain executive positions who are a minority parliament so inevitably be opposition. Thus the simultaneous Election is expected in to develop their quality of consolidated democracy that strengthens the presidential system in Indonesia.

According to Asshiddiqie, the simultaneous National Election mechanism gives many benefits that can be gained in strengthening the governance system, including: (a) the system of government is strengthened through the '*political separation*' (*decoupled*) between the legislative and executive functions which are already supposed to be mutually offset draw.

¹⁸ Sudarto Danusubroto, *Loc. Cit.*

¹⁹ Ria Casmi Arrsa", dalam "Pemilu Serentak dan Masa Depan Konsolidasi Demokrasi", Jurnal Konstitusi, Volume 11, Nomor 3, September 2014, page.532-533

Officials in both branches of power is formed individually at the same time, so there is no conflict of interest potential hostages seized that fosters transactional politics; (b) One of the weaknesses of the system ' *decoupling* ' is the potential for the occurrence of symptoms ' *divided government* ' or ' *split-government* ' as a result of head of government did not control the support of a majority in parliament. However, this should be accepted as a reality that must be balanced by the application of the principle cannot overthrow each other between the parliament and the government; (c) Systems ' *impeachment* ' can only be applied with strict requirements, namely the reasons of crime and not political reasons; (D) to maintain the climate and the dynamics of " *public policy debate* " in parliament. It must be possible members of political parties disagreed with his party to defend the interests of the people, and " *party recall* ' should be abolished and replaced with a policy of " *constituent recall* " . In this way, the decision for the implementation of the electoral system conducted simultaneously in 2019 can be a momentum to strengthen the system of government. This should be a major agenda of government formation after election results of 2014, so the period from 2014 to 2019 actually utilized for the consolidation of democracy more productive and efficient.

According to Lili Romli as cited by Hayat, it said that problem at constitutional design is ambiguity, thus presidential democracy was not effective. Moreover, the constitutional amendment did purification presidential democracy, but in practice the government constructed parliamentary. Attached with the multi-party system is still not compatible with a presidential system. To produce an effective presidential system, the necessary of correlation between the electoral system and political party system that is the electoral system, between the election and the election legislative, executive at the same time, then the election was also conducted simultaneously with the technical provisions should be further regulated. Correlation of both systems is able to improve the system gain presidential and generate political leaders of quality and integrity, accountability and capability. ²⁰

In the discussion, the Chairman of the Constitutional Law Studies of Universitas Indonesias, Fitra Arsil explained conducting simultaneous elections if the presidential election first round or the only round in the presidential elections held on the same day as the election of members legislative. Simultaneous elections could potentially be a problem if the presidential

²⁰ Ibid, page. 471

election held two rounds. According to Fitra, two rounds of the presidential election will bring many consequences-vice presidential candidates. As the impact, more parliament will fragmented because this configuration provides an opportunity for many candidates the party to sit in parliament. If a lot of parties in parliament, then the possibility of the emergence of the dominant party becomes small and appears the high fragmentation (multipartite). Furthermore Fitra said that the consensus in the decision making process in parliament would be difficult.²¹

To search for models or designs simultaneous elections is not easy. Because it must be conducted a series of analyzes as the table above and should also do a comparative study on the implementation of the simultaneous election in various countries that have successfully conducted. Here are some alternative designs of simultaneous elections prepared from a variety of sources;

1. If we conduct more research, the original meaning intended by the framers of the changes of 1945 Constitution, it can be concluded that holding the presidential election is held simultaneously with Legislative election. It is clearly presented by Slamet Effendy Yusuf as a member of the Committee of *the Ad Hoc* of Working Committee of the People's Consultative Assembly which prepared *a draft of* the Constitution 1945 amendment which suggested that the members of the Assembly who served to discuss the 1945 amendment when talking about these problems have reached an agreement that "... which meant that the election is the election to the House of representatives, elections for the DPD, the election for president and vice president, and Parliament. Thus, placed in the electoral regime. " It was explained further technical way that the image of the election there will be five (5) boxes, namely" ... *Box 1 is a box DPR, DPD box 2 is box, box 3 is president and vice president, and four boxes are provincial assembly, box 5 is DPRD regency/city.*" (vide manuscript *Comprehensive Amendment of the Constitution of the Republic of Indonesia Year 1945, Background, process and Results Discussion 1999-2002, Book V Election* (2010), page 602 quoting Minutes of Commission A of the 2nd Session of the Assembly at 2001 Annual Assembly, November 5, 2001). Thus, from the standpoint of *the original intent* of the drafters of the amendment of the

²¹ <http://www.hukumonline.com/berita/baca/lt53024d7539efa/akademisi-ungkap-kelemahan-pemilu-serentak>, accessed on 5 May2014

1945 Constitution has contained a visionary picture of the mechanisms of implementation of the presidential election, that the Presidential election organized jointly an election-Member Representative Institutions. It is in line with Article 22E paragraph (2) of the 1945 Constitution which determines that the reference to the elections are in one breath, that, "*The general election was held to elect the members of Dew's Representatives, the Council of Regional Representatives, the President and Vice President and Board representatives of Regions* ." ²² Based on such understanding, the 1945 does not separate the implementation Legislative election and presidential elections. Related to the above, the general election is the phrase "*before the general elections* " in Article 6A paragraph (2) of the 1945 Constitution that more states, "*Couples candidates for President and Vice-President nominated by political parties or coalition of political parties participating in the election before the general election*" is the general election as referred to in Article 22E paragraph (2) of the 1945 Constitution aim compilers of the 1945 changes in the formulation of Article 6A paragraph (2) of the 1945 Constitution in fact is that general elections be held simultaneously between the election to elect members of the House of Representatives e, Regional Representatives Council, and Representatives (Member Election Institution Representative) and election to elect the President and Vice-President (Election). In addition, by using the interpretation of systematically the provisions of Article 6A paragraph (2) of the 1945 Constitution which states, "*Candidates of the President and Vice President should be nominated by a political party or coalition of political parties participating in the election before the election* " , in relation to Article 22E paragraph (2) UUD 1945 which states, "*the general election was held for me before to elect members of the House of Representatives, Regional Representatives Council, the President and the Vice President and the Regional Representatives Council*" , it is unlikely that referred to " pre-election" in Article 6A paragraph (2) of the 1945 Constitution before the presidential election , because if the phrase "*pre-election* " meant before general election

²² *Ibid.*, page.82

2 . The concept offered by Ramlan Surbakti²³ of the simultaneous electoral system with the system of pluralism model (simple multiparty) can be used as a source in creating effectiveness and the efficiency of elections, the separation of election administration between local elections and national elections. It can cope with the problems arising out of the race, among others: (1) creating full concentration for the management of political parties in conducting recruitment of candidates; (2) minimize the internal conflict; and (3) the duration of the election can be reduced to 2-3 years. The concept will create efficiencies election administration. If the elections carried out in the period of 2-3 years will be given positive effects for political parties in the seriousness of regeneration. Political parties are required to provide insight to the cadres of the substance of political parties and noble purpose in the election battle. The availability of candidates also being forced since the quality and competence can be addressed to those who want to move forward as a candidate. It is as a form of improving the quality of the candidate in a political world that is more meaningful and quality. In addition, simultaneous elections will minimize are conducive political internal party conflict. The elections simultaneously, with estimation of time 2-3 years, can improve the quality of the institution of political parties in generating the best candidates and the maximization of political education and training for politicians. Even so, political parties are not occupied with the elections, but also develop me in building the nation through democratic values are polite, wise and prudent. It also affects the cost of elections with simplified wherever possible realistically, means

3. Generally for Indonesia based on the context of empirical and hypothetical variants, there are at least six models of elections simultaneously. First, simultaneous elections one in five years, to all public positions at the national level down to the district/city. This election includes the election of the legislature (The House of Representative and The Regional Representative Council of Provincial and District / City), the presidential election, and the election. It is often called by the selection of seven boxes or bulk elections. Second , simultaneous elections only to the entire legislative positions (central and local) and then followed by the simultaneous elections for executive positions (central and local). In the model of clustered concurrent

²³ Ramlan Surbakti, Didik Supriyanto, Hasyim Asy'ari, Menyederhanakan Waktu Penyelenggaraan Pemilu: Pemilu Nasional dan pemilu Daerah, Seri Elektoral Demokrasi, Buku 2, Jakarta: Kemitraan bagi pembaharuan Tata Pemerintahan, 2011, page. 27-28

election this, the elections for The House of Representative and The Regional Representative Council of Provincial and District / City Provincial and district / city carried out as long as it is done. It is different with Indonesia, the general context of Indonesia based on a variant of empirical and hypothetical, there is at least a six models elections simultaneously. *First*, elections conducted simultaneously at once, one in five years, to all public positions at the national level down to the district/city. This election includes the election of the legislature (DPR, DPD, and province , and then followed by the presidential election, the governor and regent/mayor a few months later. *Third*, elections simultaneously with the by-election by level of government, in which distinguished his time to national elections and electoral regional / local (*concurrent election with a mid-term election*) . In this model, the elections for members of The House of Representative and The Regional Representative Council are simultaneously conducted with the presidential elections. While the election of Provincial Councils, district / city simultaneously conducted with elections for governors and regents / mayors of the city, two or three years after the national elections. *Fourth*, the simultaneous national election and local level that distinguished their time interval (*concurrent election with regionally-based concurrent elections*) . In this model, the presidential election and legislature election to The House of Representative and The Regional Representative Council conducted at the same time. Then in the second year the local level simultaneously held elections to choose provincial DPRD and Regency / City as well as the election of Governor and Regent / Mayor based grouping *region* or particular islands region. For example the second year in Sumatra. Then followed the third year for the area of the island of Java, and the fourth year for the Bali and Kalimantan, and the fifth year for the remaining areas. With this model, each year each party will always work to gain the support of voters, and government and political parties can be evaluated on an annual basis by the voters. *Fifth*, the election outright national level which is then counterbalanced elections simultaneously in each the province based on the agreement or the cycle time of local elections in each province. With the model of *concurrent election with flexible concurrent local elections*, the election of the President is simultaneously conducted with the legislative elections for The House of Representative and The Regional Representative Council. Then after that depends on the cycle and schedule local elections that have been agreed jointly held elections simultaneously in local levels to elect governors, regents, and mayors as well as electing members of The House of Representative

of province and regency / city in a province, and then followed by elections simultaneously the same local in other provinces so that it could be in a year there are several elections simultaneously locally in some provinces. *Sixth*, is the simultaneous election not to elect members of The House of Representative and The Regional Representative Council and The House of Representative as well as the President and Vice-President and then followed after a certain time interval with executive elections simultaneously for one province. In this election, the election simultaneously local level are for selecting governors, regents and mayors simultaneously in a province, and the time depending on the cycle of local elections in each province that has been agreed.²⁴

4. In the constitutional practice of Brazil, that its presidential system is regarded as a natural political system, because of the presidential election was considered to the most important matter, where the selection of president will have no effect on the legislative elections, and then the party system. The closeness of the link between these three variables (presidential and legislative / parliamentary-party system), by an electoral expert (Dieter Nohlen) is the effect of an insurmountable nor measured more precisely through two degrees of simultaneity; implementation time, and the same ballot paper voting. The simultaneous election, the higher the issue of the presidential election in influencing the legislative elections, and the concentration level of the party system. The experiences of Brazil gives a *lesson*, so that a stable government can be realized, then the implementation national elections are simultaneous (national legislative elections and the presidential election) become an effective alternative. Characterized by the application of a presidential system of government and a multi-party system similar to Indonesia, the simultaneity elections can be seed a in the answers to the problems facing Indonesia today. Simultaneity election, the Brazilian experience shows that the elected president can not only gain a strong legitimacy from the electorate, but also significant support at the level of parliaments. The combination of voters and the parliament's legitimacy in turn encourage the effectiveness of presidential administration, while contributing positively in the simplification and institutionalization of the party system.

²⁴ Syamsuddin Haris, 2014, *Position Paper: Pemilu Nasional Serentak 2019*, Electoral Research Institute – Lembaga Ilmu Pengetahuan Indonesia, Jakarta,

5. The other view says that simultaneous of the election is an alternative formula for the change of political system and government, it is based on experience and efforts to overcome the various problems that exist; (1) the basis for the realization of the government system which hold strong and stable presidentialism; (2) facilitate the emergence of simplification of the party system, through the provision of incentives for political parties to build a democratic political culture and sustainable institutionalization (Alliance, Coalition, Combined, and or merger); (3) encourage the establishment of more effective parliament; (4) Creating a simpler voting system, a short time, as well as low cost both in the legislative elections and the presidential election; (5) focus on issues in the election, which is a national issue and local issues; (5) Public participation for strengthening the preferences and strategies of the people (voters) in the election based on local and national issues; (6) For the purposes above, it can be realized effectively, the system of election of the President *run off with a reduced threshold* (conditional majority) is the main option. The applicable requirements are; spouse of President-Vice President elected in the first round, if getting 45 percent of the vote with a distance of 5 percent from the second candidate, or 40 percent of the vote with a distance of 10 percent of the votes of the second candidate.

D. Conclusions and recommendations

Based on the explanation in the discussion, it can be concluded as follows:

A. Conclusion

Based on data presentation and data process, it can be concluded as follows:

1. Identification of the problem in organizing simultaneous elections actually begins with the problems that arise in the organization of elections in Indonesia. Problems that had been evaluated include 1) lack of effective governance, 2) inefficient election administration, 3) implementation of the pseudo presidential system, 4) a multiparty system in a presidential system, 5) there is no synchronization on legislation of elections, 5) the high rate of abstention community
2. Opportunities and challenges of simultaneous elections from legal and political perspective.

Opportunities from the perspective of the juridical and political can be categorized into 4 sections that coming from:

- a. Government and Parliament. Both of these institutions have the authority to determine the political system and to determine the elected candidates by the people through elections
 - b. Community , Community participation will increase since psychologically they vote for some political officials
 - c. Political party , is one of the political infrastructure that mostly dominating political system
 - d. The organizers of the election, as an independent institution organizing the elections.
3. Design of the ideal simultaneous elections based on legal and political perspective in 2019 are:
- a. *First, the* elections conducted simultaneously at once, one in five years, to all public positions at the national and local level. This election includes the election of the legislature (DPR, DPD, Provincial and District / City), the presidential election, and the local election (7 boxes election)
 - b. *second, the* elections conducted simultaneously at once, one in five years, to all public positions at the national and local level. This election includes the election of the legislature (DPR, DPD, Province conducted simultaneously, and then followed by the presidential election, Governor and regent / mayor in a few months later.
 - c. *Third ,* the elections conducted simultaneously by level of government, in which distinguished time for national elections and local elections (*concurrent election with a mid-term election*). On this model DPR and DPD election simultaneously conducted with the presidential election. While the election of Provincial Councils, district / city simultaneously conducted with elections for governors and regents / mayors, in two or three years after the national elections.
 - d. *Fourth,* the simultaneous national election and local levels that are distinguished by intervals of time (*concurrent election with regionally-based concurrent elections*) . In this model, the presidential election and the legislative elections for the DPR and DPD conducted at the same time. Then in the second year the local level simultaneously held elections to choose provincial DPRD and Regency / City as well as the election of

Governor and Regent / Mayor based on the grouping of *the region* or regions of certain islands.

- e. *Fifth*, the simultaneous national election, followed by the election simultaneously in each province based on the agreement or the cycle time of local elections in each province. With the model of concurrent election with flexible concurrent local elections, the election of the President is simultaneously with the legislative elections for the DPR and DPD. Then after that depends on the cycle and schedule local elections that have been agreed jointly held elections simultaneously in local levels to elect governors, regents, and mayors as well as select members of the Provincial DPRD and Regency/City, and then followed by local elections conducted simultaneously at the same time in other provinces so that it could be in a year there are several simultaneous local elections in some provinces.
- f. *Sixth*, the simultaneous elections to elect members of the DPR, DPD and DPRD as well as the President and Vice-President and then followed after a certain interval time coincide with elections to the provincial executive. In this election, the election simultaneously in local level are for selecting governors, regents and mayors on a simultaneous in a province, and the time is depending on the cycle of local elections in each province agreed
- g. Concurrent electoral system with a system of pluralism model (simple multiparty) can be used as a source of effectiveness in creating a cavity and efficiency of elections, the separation of election administration between local election and national elections held every 2-3 years.

B. Suggestion

1. To reorganize the simultaneous election based on the perspective of legislation by synchronizing the regulation of the executive and legislative elections.
2. To prepare the electoral institutions.
3. To simplify the electoral system.
4. To simplify the party system.
5. To prepare the devices in order to minimize and resolve conflicts or disputes on the elections.

6. To increase political awareness of political actors and society
7. To socialize towards stakeholders related to the election conduction since the election system is different with the previous election.

Bibliography

Books

Cheibub, Jose Antonio, *Presidentialism, Parleментарism and Democracy*, New York: Cambridge University Press, 2007

Diamond, Larry dan Richard Gunther (edited), *Political Parties and Democracy*, The John Hopkins University Press, Baltimore and London, 2000.

David Bentham dan Kevin Boyle, 2000, *Demokrasi*, Kanisius, Yogyakarta

Electoral System design: The New International IDEA Handbook, International IDEA, 2008

Giovanni Sartori, "The Party Effect of Electoral Systems", A Journal of Democracy Book, Larry Diamond dan Richard Gunther (edited), *Political Parties and Democracy*, The John Hopkins University Press, Baltimore and London, 2000

International IDEA, *Electoral System design: The New International IDEA Handbook*, 2008.

International IDEA, *Electoral Management Design: The International IDEA Handbook*, 2009.

Jose Antonio Cheibub, *Presidentialism, Parliamentarism, and Democracy*, Cambridge: Cambridge University Press, 2007

Journal of Parliamentary Affairs, 6 November 2012

Lijphart, Arend, *Sistem pemerintahan Parleментар dan Presidensial*, Radja Grafindo Persada, Jakarta, 1995.

Linz, Juan and Arturo Valenzuela (eds) *The Failure of Presidential Government*. Baltimore, MD: Johns Hopkins University Press, 1996. Pemilu Serentak 2019, position paper, Tim Peneliti ERI (electoral Research Institute), 2014.

Mainwaring, Scott *Presidentialism, Multipartism, and Democracy: the Difficult Combination'*, *Comparative Political Studies* 26: 198±228

Mainwaring, Scott, and Matthew S. Shugart (1997) `Juan Linz, *Presidentialism, and Democracy: A Critical Appraisal*', *Comparative Politics* (Jul.): 449±71

Ramlan Surbakti, Didik Supriyanto, Hasyim Asy'ari, *Menyederhanakan Waktu Penyelenggaraan Pemilu: Pemilu Nasional dan pemilu Daerah, Seri Elektoral Demokrasi, Buku 2*, Jakarta: Kemitraan bagi pembaharuan Tata Pemerintahan, 2011

Sorensen, Georg, *Demokrasi dan Demokratisasi, Proses dan Prospek dalam Sebuah Dunia yang Sedang Berubah*, Pustaka Pelajar, Yogyakarta, 2003.

Tim Peneliti ERI (Electoral Research Institute), *Pemilu Serentak 2019, Position Paper*, 2015.

Journal of Parliamentary Affairs, 6 November 2012

Lijphart, Arend, *Sistem pemerintahan Parlemeter dan Presidensial*, Radja Grafindo Persada, Jakarta, 1995.

Linz, Juan and Arturo Valenzuela (eds) *The Failure of Presidential Government*. Baltimore, MD: Johns Hopkins University Press, 1996. *Pemilu Serentak 2019, position paper*, Tim Peneliti ERI (electoral Research Institute), 2014.

Mainwaring, Scott *Presidentialism, Multipartism, and Democracy: the Difficult Combination*', *Comparative Political Studies* 26: 198±228

Mainwaring, Scott, and Matthew S. Shugart (1997) `Juan Linz, *Presidentialism, and Democracy: A Critical Appraisal*', *Comparative Politics* (Jul.): 449±71

Sorensen, Georg, *Demokrasi dan Demokratisasi, Proses dan Prospek dalam Sebuah Dunia yang Sedang Berubah*, Pustaka Pelajar, Yogyakarta, 2003.

Tim Peneliti ERI (Electoral Research Institute), *Pemilu Serentak 2019, Position Paper*, 2015.

Moh.Mahfud, MD., 1999, *Pergulatan Politik dan Hukum*, Gama Media, Yogyakarta

Moh. Kusnardi dan Harmaily Ibrahim,1983, *Hukum Tata Negara Indonesia*, Pusat Studi Hukum Tata Negara, Fakultas Hukum Universitas Indonesia, Jakarta,

Tim ICCE UIN Jakarta,2003, *Demokrasi, Hak Asasi Manusia, dan Masyarakat Madani*, ICCE UIN Syarif Hidayatullah dan Kencana, Jakarta

Journal

Andi Subri, dalam "Pemilihan Umum Tahun 2014: Pemilih Rasional dan Pemilih Irrasional", *Jurnal Legislasi Indonesia*, Volume 9 No.4 Desember 2013, hlm.521

Mukthie Fadjar, dalam “Pemilu yang Demokratis dan Berkualitas: Penyelesaian Hukum Pelanggaran Pemilu dan PHPU, *Jurnal Konstitusi*, Volume 6, Nomor 1, April 2009

Bisariyadi, dkk., dalam “Komparasi Mekanisme Penyelesaian Sengketa Pemilu di Beberapa Negara Penganut Paham Demokrasi Konstitusional, *Jurnal Konstitusi* Volume 9, Nomor 3, September 2012

Devi Darmawan, “Tinjauan terhadap Pengaturan Politik Uang dalam Peraturan Kepemiluan, *Jurnal Pemilu Demokrasi* Volume 4 Desember, 2012

Fitra Arsil, dalam “Mencegah Pemilihan Umum Menjadi Alat Penguasa”, *Jurnal Legislasi Indonesia* Vol. 9 No. 4 Desember 2012,

Munafrizal Manan, “Partai Politik dan Demokrasi di Indonesia Menyongsong Pemilu 2014, *Jurnal Legislasi Indonesia*, Volume 9 No.4 Desember 2012

Ria Casmi Arrsa”, “Pemilu Serentak dan Masa Depan Konsolidasi Demokrasi”, *Jurnal Konstitusi*, Volume 11, Nomor 3, September 2014

Veri Junaidi, dalam “Menata Sistem Penegakan Hukum Pemilu Demokratis Tinjauan Kewenangan MK atas Penyelesaian Perselisihan Hasil Pemilu (PHPU), *Jurnal Konstitusi* Volume 6, Nomor 3, September 2009

Paper

Syamsuddin Haris, dkk, 2014, *Position Paper: Pemilu Nasional Serentak 2019*, *Electoral Research Institute – Lembaga Ilmu Pengetahuan Indonesia*, Jakarta

Legislation

UUD 1945

UU Nomor 42 Tahun 2008 tentang Pemilihan Umum Presiden dan Wakil Presiden

UU Nomor 12 Tahun 2008 tentang Pemilihan Umum Legislatif

Putusan MK No 14/PUU/2013

Internet

<http://www.republika.co.id/berita/nasional/politik/12/08/11/m8lnvn-keuntungan-pilpres-dan-pemilu-legislatif-digelar-serentak>, accessed on 26 April 2015

<https://diyahpradita.wordpress.com/ppkn/keuntungan-dan-kelemahan-jika-pemilu-legislatif-eksekutif-dilaksanakan-secara-serentak/>, accessed on 25 April 2015

http://beritahukum.com/detail_berita.php?judul=Akhirnya+Pemilu+Dilaksanakan+Secara+Serentak&subjudul=Pemilu%20Serentak, accessed on 20 April 2015