

CHAPTER FOUR

FINDING AND ANALYSIS

A. The Regulation of Political Party Verification in the General Election 2014

In the 2014 election, the House of Representatives¹ and the President² had prepared rules regarding general elections for legislative members. The Law Number 10 of 2008 which previously regulated the 2009 general election, was replaced by the Law Number 8 of 2012 concerning the General Election of Members of the People's Legislative Assembly, Regional Representative Council, and Regional People's Legislative Assembly, as well as the Law Number 2 of 2011 concerning Political Parties.

The requirements for the establishment of political parties are regulated in Article 2, 3, 4 and 5 of the Law Number 2 of 2011. The requirements that are stipulated in article 2 are political party which is established and formed by at least 30 (thirty) Indonesian citizens who are 21 (twenty one) years old or married from each province. Political parties

¹ House of Representative (Indonesian: DPR) is The People Representative council alternatively translatable as the House of Representatives or as the House of People Representative is one of two elected national legislative assemblies in Indonesia.

² The President is a common title for the head of state in most republics. In politics, president is a title given to leaders of republican states.

must fulfill these provisions:

1. Political parties are registered by at least 50 (fifty) founders who represent all the founders of political parties by notarial deed.
2. Founders and administrators of political parties are prohibited from serving as members of other political parties.

The establishment and formation of political parties includes 30% (thirty percent) of female representation. The notary deed which is registered by the founders who represent the political parties must contain Articles of Association (AD/ART) as well as the management of central level political parties. The AD contains at least:

1. Principles and characteristics of political parties;
2. Vision and mission of political parties;
3. Names, Symbols, and signs of political parties;
4. Objectives and functions of political parties;
5. Organization, place of residence and decision making;
6. Management of political parties;
7. Mechanism for recruiting members of political parties and positions of political parties;
8. Regeneration system;
9. Mechanisms for resolving internal party disputes;
10. Regulations and decisions of political parties;
11. Political education;

12. Finance of political parties; and
13. Mechanisms for resolving internal political party disputes.

Besides fulfilling the requirements for the establishment of a political party in Article 2 of Act Number 2 of 2011, the political parties must fulfill the requirements contained in article 3 which regulates on how to obtain a legal entity by, first the political parties must be registered with the ministry.³ To become a legal entity a political party must have:

1. Notary deed of establishment of political parties;
2. Names, symbols, or signs that do not have the same principal or all of them with names, symbols, or markings that have been used legally by other political parties in accordance with the laws and regulations.
3. Management in each province and at least 75% (seventy five percent) of the total number of regencies/cities concerned;
4. Permanent offices at the central, provincial and district/city levels until the final stages of general elections; and
5. Account in the name of a political party.

After fulfilling the requirements which is stipulated in article 4 on the establishment of political parties, the ministry accepts registration and conducts research and/or verification⁴ of completeness and truth as referred to in article 2 and article 3 paragraph (2). Research and/or verification as

³ A ministry is a governmental organization, headed by a minister that is meant to manage a specific sector of public administration. Ministries have at numbers and names of ministries

⁴ Verification are independent procedures that are used together for checking that a product, or system meets requirements and specification and that it fulfills its intended purpose.

referred to in paragraph (1) shall be conducted no later than 45 (forty five) days from the receipt of complete requirements documents. The ratification of a political party into a legal entity is carried out by a ministerial decree no later than 15 (fifteen) days after the end of the research and/or verification process. The ministerial decree concerning the ratification of a political party as referred to in paragraph (3) shall be announced in the news of the Republic of Indonesia.

The last requirement which is stipulated in article 5 on the amendments of AD/ART on the establishment of political party is namely, first AD and ART can be changed in accordance with the dynamics and needs of political parties. Second amendments to AD and ART as referred to in paragraph (1) are carried out based on the results of the highest forum of political party decision-making. Third, amendments to AD and ART as referred to in paragraph (1) must be registered with the ministry at the latest 30 (thirty) days after the change occurs. Fourth, registration of amendments as referred to in paragraph (3) includes a notary deed concerning amendments to AD/ART.

Then, for the requirements of political parties in participating in the general election in 2014 is regulated in article 8, 9 and 10 of the Law Number 8 of 2012 which states that first, the political party which participated in the last election that meets the threshold of vote acquisition from the number of legitimate votes nationally is determined as a political party participating in the next election. Second, political parties that do not

meet the threshold of vote acquisition in previous elections or new political parties can become election participants after fulfilling the requirements below:

1. Having Legal status in accordance with the Law on political parties;
2. Having management in all provinces;
3. Having management in 75% (seventy five percent) of the number of districts/cities in the province concerned.
4. Having management in 50% (fifty percent) of the number of sub-districts in the relevant regency/city;
5. Including at least 30% (thirty percent) women's representation in the management of central level political parties;
6. Having a member of at least 1,000 (one thousand) people or 1/1000 (one thousandth) of the total population in the management of a political party as referred to in letter c as evidenced by the ownership of a member card;
7. Having a permanent office for management at the central, provincial and district/city levels until the final stages of the election;
8. Submitting names, symbols and signs of political parties to the KPU
9. Submitting the election campaign fund account numbers on behalf of political parties to KPU.⁵

⁵ Law No. 2 of 2011 on political party

Meanwhile, the requirements of political parties which are stipulated in article 9 are as follows. First, KPU carries out administrative research and determines the validity of the requirements as referred to in Article 8. Second, provisions concerning the procedures for administrative research and determination of the validity of the requirements as referred to in paragraph (1) shall be regulated by KPU regulations.

Besides that, political parties must also fulfill the requirements of a political party participating in article 10 of the Law No. 8 of 2012 on general election. the name, symbol, and / or image of the political party as referred to in Article 8 paragraph (2) letter h is prohibited the same as:

1. Flag or emblem of the Republic of Indonesia;
2. Symbol of state institutions or government symbols;
3. Names, flags or symbols of other countries or international institutions / agencies;
4. Names, flags, or symbols of separatist movement organizations or banned organizations;
5. Name or picture of someone; or
6. Something that has similarities in principle or in its entirety with names, symbols, and / or signs of other political parties.

The registration of political parties as candidates for election participants was regulated in article 14 and 15 of the Law No. 8 of 2012 on general election. First, political parties can become Election Participants by

submitting registration to become candidates for Election Participants to the KPU. Second, registration as referred to the paragraph (1) shall be submitted with a letter signed by the general chairman and secretary general or other names in the central management of political parties. Third, registration as referred to paragraph (2) is completed with complete requirements documents. Fourth, the schedule for registration of Election Contesting Political Parties is determined by the KPU no later than 20 (twenty) months before the polling day. Meanwhile, the required documents as referred to in Article 14 paragraph (3) which is stipulated in Article 15 are:

1. State Gazette of the Republic of Indonesia stating that the political party is registered as a legal entity;
2. Decision of the central political party's management about provincial level administrators and district / city level administrators;
3. A statement from the central committee of a political party concerning the office and permanent address of the central level management, the provincial level management, and the district / city level management;
4. A statement from the central committee of a political party concerning the inclusion of women's representation at least 30% (thirty percent) in accordance with the provisions of the legislation;
5. Certificate of registration of names, symbols, and / or signs of political parties from ministries that carry out government affairs in the field of law and human rights;

6. Proof of membership of a political party at least 1,000 (one thousand) people or 1 / 1,000 (one thousandth) of the total population in each district / city;
7. Proof of ownership of an account number in the name of a political party; and
8. A copy of the articles of association and bylaws of political parties in accordance with the provisions of the legislation.

Besides fulfilling the requirements which are stipulated in Article 15 of Law No. 8 of 2012, political parties must follow a stage of registration and verification of the general election.⁶ The verification is a process of examination to fulfill the requirements of political parties in participating in the elections. The process is intended to encourage political parties to prove their ability to become participants in the election. First, KPU verifies the completeness and correctness of the requirements as referred to in Article 15 on political parties as referred to in Article 8 paragraph (2). Second, verification as referred to in paragraph (1) must be completed no later than 15 (fifteen) months before polling day. Third, further provisions regarding the implementation and time of verification as referred to in paragraph (1) and paragraph (2) are regulated by KPU regulations.

The determination of political parties as election participants was stipulated in article 17 of the Law No. 8 of 2012 on General Election. First,

⁶ Article 16 of Law No. 8 of 2012

a political party as referred to in Article 8 paragraph (1) shall be determined as an election contestant by attaching the required documents as referred to in Article 15 letter a, letter b, letter c, letter d, letter e, letter g, and letter h and a letter of statement from KPU that the party has met the threshold of vote acquisition for the DPR RI out of the total number of legal votes of the national scale in the previous election and seat acquisition in the DPR, Provincial DPRD, and Regency/ Municipal DPRD.

Second, political parties for election contestants who pass the verification as referred to in article 16 are registered as election contestants by the KPU. Third, the determination of political parties as election contestants is carried out in the KPU plenary session.

Fourth, determination of serial numbers of political parties as election contestants is carried out by lot in an open plenary session of KPU and attended by representatives of all Election Contesting Political Parties. Fifth, the results of the stipulation as referred to in paragraph (3) and paragraph (4) shall be announced by the KPU.

The supervision of the implementation of verification of political parties for prospective election participants is stipulated in article 18 of the Law No 8 of 2012 on general election. First, Bawaslu, provincial Bawaslu, and regency/city Panwaslu shall supervise the implementation of verification of political parties for election contestants which are carried out by KPU, provincial KPU, and regency/city KPU. Second, in the case of

Bawaslu, Provincial Bawaslu, and Regency/City Panwaslu find intentions or errors either intentionally or unintentionally by KPU, Provincial KPU, and Regency/Municipal KPU. In conducting verification of the candidates for election contesting political parties which are detrimental or in favor of the candidates for election contesting political parties then Bawaslu, Provincial Bawaslu, and Regency/Municipal Panwaslu shall forward the findings to the KPU, Provincial KPU, and Regency/Municipal KPU. Third, the findings of Bawaslu, Provincial Bawaslu, and Regency/City Panwaslu as referred to in paragraph (2) must be followed up by KPU, Provincial KPU, and Regency/City KPU.

Legally, there is a contradiction between the Law No. 10 of 2008 and Law No. 8 of 2012. That is, as seen in article 8 paragraph (2) of Law No. 10 of 2008, it states that political parties participating in the previous election can be an election participant in the next election. By reviewing this formula, all political parties that participated in the 2009 general election automatically become participants in the 2014 elections. While political parties that have participated in the 2009 elections but did not meet the threshold, they cannot be determined as participants in the 2014 general elections⁷.

The threshold as referred in Article 8 paragraph (1) of Law No. 8 of 2012 is not legally clear. What is meant is that in terms of electoral

⁷ Gandha Widyo Prabowo, 2017, *Integritas Pemilu: Proses Verifikasi Peserta Pemilu Pada Pemilu Legislatif 2014*, *Jurnal Politik Indonesia*, Vol. 2.

threshold, the parliamentary entry threshold, or the threshold for proposing a presidential candidate, the Law No. 10 of 2008 does not regulate the electoral threshold. There is only a threshold for the DPR (House of Representatives) entry into force that is stipulated in article 202.

Political parties that have obtained legal entity status from the Ministry of Law and Human Right cannot directly participate in the 2014 general election⁸. Before the judicial review of article 8 paragraph (1) and (2) of Law No. 8 of 2012, there were differences due to the legal presence of Article 8 is against the political parties. The first legal consequences is that political parties that have met the threshold in the 2009 elections are automatically designated as participants in the 2014 elections, without going through other requirements.

The second legal consequence is that, political parties that do not meet the threshold, and new political parties, can participate in the general election after following the requirements contained in article 8 paragraph (2) of the legislative election law. Political parties want article 8 paragraph (1) and (2) to be abolished by the Constitutional Court because it is very detrimental to parties that do not meet the threshold, and for new political parties that must fulfill the requirements of article 8 paragraph (2) of Law No. 8 of 2012 throughout the phrase that does not meet the threshold of vote

⁸ Asrul Ibrahim Nur, 2012, Verifikasi dan Masa Depan Partai Politik, (online) <http://www.theindonesianinstitute.com/index.php/pendidikan-publik/wacana/587-verifikasi-dan-masa-depan-partai-politik>, accessed on 20 September, 2018.

acquisition in the previous election. Meanwhile, the requirements that burden new political parties are not deleted by the Constitutional Court. All political parties that meet the threshold in the 2009 elections, or political parties that do not meet the threshold in the 2009 elections, must follow the requirements in points 8 of Article 8 paragraph 2 of the Law No. 8 of 2012 in order to participate in the 2014 elections. The constitutional court ruling is final and binding.⁹

Inevitably, new political parties have to meet the requirements set out in the legislative election law despite feeling heavy to fulfill these requirements. The first reason is because every political party has to fulfill the requirements until it is stipulated as a legal entity by the Ministry of Law and Human Rights.¹⁰ From the latest results of the KPU ruling, it is stated that only 12 political parties were able to participate in the 2014 elections; certainly in other than the 12 political parties, they were not able to become 2014 election participants. The Law No. 8 of 2012 also did not provide opportunities for political parties that did not meet the requirements as election participants, to be given another choice to be able to participate in the 2014 general election.

In the 2009 elections, political parties that did not meet the requirements of the general election participants, were still given the

⁹ Abdi, Mualimin, "Kewajiban Verifikasi Partai Politik Pasca Putusan Mahkamah Konstitusi Nomor 52/PUU-X/2012, *Jurnal Legislasi Indonesia Vol. 9 No. 4*.

¹⁰ Asrinaldi, Partai Politik dan Keharusan Verifikasi: Membangun Tata Kelola Pemilu Serentak Yang Berintegritas, Padang, *FISIP Universitas Andalas*.

opportunity by Law Number 10 of 2008, in the provisions of article 315 which states that:

Political parties participating in the elections in 2004, which obtained at least 3% (three percent) of the number of seats in the DPR or obtained at least 4% (four percent) of the number of seats in the provincial DPRD that were spread at least in half (half) of the number of provinces throughout Indonesia, or obtain at least 4% (four percent) of the number of seats in the regency/city DPRD that are spread in at least 1/2 (half) the total number of regencies/cities throughout Indonesia, designated as political parties participating in the election after the 2004 elections.

Article 316 contains provisions for political parties that do not meet the requirements of article 315, in that they can become general election participants, by:

1. Joining the political parties participating in the election that fulfill the provisions referred to in article 315; or
2. Joining a political party that does not meet the provisions referred to in article 315 and then use the name and logo of one of the political parties that join, so that it meets the minimum of the number of seats; or
3. Joining a political party that does not fulfill the provisions referred to in Article 315 by forming a new political party with a new name and sign so that it meets the acquisition of the number of seats; or
4. Having seats in the Indonesian House of Representatives 2004 election results; or

5. Fulfilling the verification requirements by the KPU to become a political party participating in the election as stipulated in this law.

This is very different from the 2014 elections, which did not give space to political parties when they did not meet the requirements to become 2014 election participants: there was absolutely no chance to participate in the 2014 elections participants¹¹, if they did not meet the requirements specified in article 8 paragraph (2) Law Number 8 of 2012 before and after the decision of the Constitutional Court. This certainly impedes the constitutional rights of political parties that want to participate in the 2014 elections, especially article 28 C paragraph (2) of the 1945 Constitution which states that: every person shall have the right to improve him/herself through collective struggle for his/her rights to develop his/her society nation and state.

The sovereignty of the people must be limited by law, but the limitation does not mean that it is discriminatory. Some others may participate in the election; some others cannot participate in the election. Because the law which limits the sovereignty of the people is made by the people themselves, the law must be the incarnation of the will of all people, not some people.¹² Besides that, the state is a collection of various groups

¹¹ Munafrizal Manan, 2012. Political Party and Indonesian Democracy towards the 2014 General Election, *Jurnal Politik Indonesia*, Vol. 9 No. 4.

¹² Soehino, *Ilmu Negara*, 7 edition, (Yogyakarta: Liberty,2005), P.161.

that agree to live together, and then for collective purposes, not the interests of some groups.

B. The Regulation of Political Party Verification in the General Election 2019

In facing the general elections in 2019, the House of Representatives and the President have prepared rules regarding general elections for legislative members. The Law Number 8 of 2012 which previously regulated the 2014 general election, was replaced by the Law Number 7 of 2017 concerning General Elections of Members of the People's Legislative Assembly, Regional Representative Council, and Regional People's Legislative Assembly, as well as the Law Number 2 Year 2011 concerning Political Parties.

The requirements of political parties are regulated in Article 172, 173, 174, and 175 of Law Number 7 of 2017. Article 172 states that general election participants for general election of DPR member, provincial DPRD members, and regional DPRD are political parties. Meanwhile, Article 173 states that political parties as the general election participant are the political parties that have been determined/passed the verification by the KPU and also fulfill these requirements:

1. Haves legal status in accordance with the Law on political parties;
2. Haves management in all provinces;

3. Have management in 75% (seventy five percent) of the number of districts/cities in the province concerned;
4. Have management in 50% (fifty percent) of the number of sub-district in the district province concerned;
5. Include at least 30% (thirty percent) representation of women in the management of central level political parties;
6. Have a members of at least 1,000 (one thousand) people or 1/1000 (one thousandth) of the total population in the management of political parties as referred to letter c which is proven ownership of a member sign card;
7. Have a permanent office for the management of the central, provincial and district/city levels until the final stages of the election;
8. Submitting names, symbols and signs of political parties to the KPU;
and
9. Submit the election funds account number on behalf of political parties to the KPU.

Political parties that have passed verification with the conditions will not be re-verified and will be determined as the participant of general election. Meanwhile, in article 174 it is stipulated that KPU conducts research on the validity of administration and stipulation of requirements as referred to in article 173. The administrative research and determination of

the validity of the requirements by the KPU are published through the mass media. The provisions concerning the procedures for administrative research and the determination of the validity of the requirements shall be regulated by the KPU regulation.

Based on Article 175 the name, symbol and/or logo of the political party is prohibited to have the similarity with:

1. Flag or emblem of the Republic of Indonesia;
2. Symbol of state institutions or government symbols;
3. Names, flags or symbols of other countries or international institutions/agencies;
4. Names, flags, or symbols of separatist movement organizations or banned organizations;
5. Name or picture of a person; or
6. Something that has similarities in principle or in its entirety with names, symbols, and/or signs of other political parties.

The registration of political parties as general election participants is governed in the articles 176 and 177 of Law Number 7 of 2017 on General Election. The Article 176 stated that political parties can become the general election participants by submitting registration to be the candidates for general election participants to the KPU. The registration is submitted with a signed letter by the general chairman and secretary general or other names

in the management of the political party central board, and attaching the complete requirements document. The schedule of registration for political parties as the general election participant is determined by the KPU to be no more than 18 (eighteen) months before the polling day.

Based on Article 177 the required documents consist of:

1. State gazette of the Republic of Indonesia stating that the political party is registered as a legal entity
2. Decision of the central political party management about the provincial level management and district/city level management.
3. Statement from the central board of political parties regarding the office and permanent address of the central level management, provincial level administrators, and district/city level administrators;
4. Statement from the central board of political parties concerning the inclusion of women representation at least 30% (thirty percent) in accordance with the provisions of the legislation;
5. Certificate of registration of names, symbols and/or images of political parties from ministries that carry out government affairs in the field of law and human rights;
6. Proof of membership of a political party at least 1,000 (one thousand) people or 1/1000 (one thousandth) of the total population in each district/city;

7. Proof of ownership of an account number in the name of a political party, and
8. A copy of the articles of association and bylaws of political parties in accordance with the provisions of the legislation.

The verification of political party candidates for election participants is governed in the Article 178 of the Law No. 7 of 2017 of general election.¹³ The Article 178 states that the KPU carries out administrative research and determines the validity of the requirements as referred to in Article 173 paragraph (2) to the political party that follows verification with the requirements document as referred to in Article 177. Verification as referred to in paragraph (1) must be completed no later than 14 (fourteen) months before polling day. Further provisions regarding the implementation and time of verification as referred to in paragraph (1) and paragraph (2) are regulated by KPU regulations. Provisions regarding the procedures for administrative research and the determination of the validity of the requirements referred to in paragraph (1) shall be regulated by KPU regulations.

The determination of political parties as election participants is governed in Article 179 of the Law No. 7 of 2017 on General Election. The

¹³ Indra Madan Putra, 2019, Tata Kelola Verifikasi Partai Politik Peserta Pemilu 2019, <http://www.journal.uinsgd.ac.id/index.php/jispo/article/view/4144/2426>

Article 179 states that political parties for election contestants that pass verification as referred to in Article 173 paragraph (1) and Article 178 shall be determined as election contestants by the KPU. Determination of a political party as an election board is conducted in KPU plenary session no later than 14 (fourteen) months before the polling day. Determination of the political party number as participant in the election shall be made by lottery in an open KPU plenary session attended by representatives of contesting political parties. The results of the determination as referred to in paragraph (2) and paragraph (3) shall be announced by the KPU.

The supervision of political party verification of candidates for election participants is governed in Article 180 of the Law No. 7 of 2017 on General Election. The Article 180 states that Bawaslu (The election supervisory body), provincial and regency election supervisory body shall supervise the implementation of verification of the political parties of the candidates for the election which are carried out by KPU, provincial KPU, and Regency/city KPU. In the case of Bawaslu, provincial and regency/city, Bawaslu find intentions or omissions carried out by members of KPU, provincial and regency /city KPU in carrying out verification of political parties of election contestants candidates that harm or benefit political parties candidates for election participants, The Bawaslu, provincial, and regency/city Bawaslu convey the findings to KPU, provincial KPU, and regency/city KPU. The findings of Bawaslu, provincial Bawaslu, and

regency/city Bawaslu as referred to in paragraph (2) must be followed up by KPU, provincial KPU, and regency/city KPU¹⁴.

The Bill on the DPR RI election which states that old political parties (2014 election participants) do not need to be verified as a condition to become political parties participating in the 2019 election get strong protests, especially from the new political parties¹⁵. One of the new political parties that oppose this provision is the Indonesian unity party (Perindo Party).

Perindo Central Executive Board (DPP) Ahmad Rofiq¹⁶ said that budget efficiency cannot be used as an excuse so that political parties participating in the 2014 Election no need to be verified. According to him, there is no correlation between democracy in electoral participation and costs. The purpose of verification is to see directly whether a political party still exists or not, which is a democratic substance.¹⁷

Furthermore, the Perindo Party stated that the government and the House of Representatives made rules that did not fulfill the principle of justice, even though the election act should have been made equal for all

¹⁴ Law No. 7 of 2017 on General Election

¹⁵ Aryojati Ardipandanto, 2017. *Polemik Verifikasi Partai Politik Peserta Pemilu 2019*, Majalah Singkat Pemerintahan Dalam Negeri Vol. IX. No. 17.

¹⁶ Achmad Rofiq is the General Secretary of Perindo Party. he also served as an independent commissioner of PT. MNC Sky vision, besides that, he also serves as commissioner of PT. Varaz Utama Cargo Tour. Ahmad Rofiq received a Bachelor's degree from the Faculty of Electrical Engineering at the University of Muhammadiyah Malang in 2001.

¹⁷ Achmad Rofiq, "RUU Pemilu, Perindo: Semua Parpol Harus Ikut Verifikasi", 15 October 2018, <http://rilis.id/RUU-Pemilu-Perindo-Semua-Parpol-Harus-Ikut-Verifikasi>, accessed on October 15, 2017 at 17.59 pm.

political parties that have no privileges. As it is known, Article 173 paragraph (1) of the Law Number 7 of 2017 concerning General Elections regulates that political parties participating in the election are stipulated or declared to have passed verification by the KPU. However, in Article 173 paragraph (3) it is stated that political parties that have passed verification with the prescribed conditions do not need to be re-verified and immediately determined as political parties participating in the election. With this provision, the new political parties that have been incorporated are required to participate in verification to become participants in the 2019 election, while political parties participating in the 2014 election are not required¹⁸.

C. The Differences and Similarities of Political Party Verification between The Law No. 8 of 2012 and Law No. 7 of 2017

For the election of members of the DPR, DPD and DPRD in 2014 and 2019, there are differences and similarities between the two electoral verification processes in terms of the system or implementation mechanism both from the initial stage of verification of political parties to the process of organizing the election, which is based on Law No.8 of 2012 regarding elections and Law No. 7 of 2017 on the same subject.

To make it easier to find and see the differences and similarities between the verification systems of political parties in elections in two

¹⁸ Prayudi, "Perbedaan Perlakuan Dalam Verifikasi Partai Politik Peserta Pemilu", *Jurnal Ilmu Hukum Vol. IX, No. 071 Tahun 2017 (ISSN 2088-2351)*.

different era in the two systems are shown in the following Comparison

Table 1:

Table 1
Comparison of Political Party Verification Systems
(from a different perspective)

No	Main Issue	Law No. 8 of 2012	Law No. 7 of 2017
1.	The Registration of Political Party	Schedule and deadline specified in Article 14 paragraph (4) stipulates that the schedule for registration of Election Contesting Political Parties is determined by the KPU no later than 20 months before polling day.	Regarding the registration time schedule, Article 176 paragraph (4), states that the schedule for registration of political parties participating in the election is determined by the KPU no later than 18 months before polling day.
2.	Verification of Political Parties Candidates for Election participants	Article 16 paragraph (1) must be completed before polling day at the	Article 178 paragraph (2) must be completed no later than 14 (fourteen) months before polling

		latest 15 (fifteen) months.	day. In Addition, Provisions regarding the procedures for administration determination of the validity of the requirements referred to in paragraph (1) is regulated by KPU insurance.
3.	The Requirements of Political Parties	Article 8 paragraph (1) states that the political parties that are the participant of general election in the last election and that meet the threshold of vote acquisition from the number of valid votes nationally are designated as political	Article 173 paragraph (3) states that have passed verification with the conditions will not be re-verified and will be determined as the participant of general election.

		parties participating in the next election.	
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Source: Law No. 8 of 2012 and Law No. 7 of 2017

Therefore, it can be seen that there are some differences from the verification mechanism used in the stages and process of an election. First, in terms of the registration of political party is already mentioned in Article 14 paragraph 4 Law No. 8 of 2012 stipulated that the schedule of registration political party on general election determined by KPU no later than 20 months before polling day. While, Article 176 Paragraph 4 Law No. 7 of 2017 regarding the registration schedule of political parties no later than 18 months. This is due to the consideration of effectiveness and efficiency in the administration of elections.

Second, in terms of verification of political party candidates for election there are differences in the previous laws with new ones. Article 16 (1) Law No. 8 of 2012 states that the verification process of political parties is no later than 15 months before the voting day. While, in Article 178 (2) Law No. 7 of 2017 states that the verification process for political parties is no more than 14 months.

Third, The Requirement as political party participants on 2014 general election that regulated in Law 8 of 2012. In Article 8 paragraph 1 states that the political parties which participated in the previous election that meets the threshold of vote acquisition from the national legitimate vote is determined as the political parties participant for the next election. On that regulation, it emphasize that the political party participant doesn't need for following the verification is the political parties participant that meets the threshold of vote acquisition. Besides that, on General Election of 2019 that regulated by Law No. 7 of 2017, in article 173 paragraph 3 states that political parties as the General election participant are the political parties that have been determined/passed the verification by the General Election Commission. This provision is very different with the previous provision. In the latest General Election Law, it does not give privileges to the political party participant of the previous General Election on the basis of threshold of vote acquisition. Nevertheless, these both provision are already reviewed by the Constitutional Court and decided that these provision are contradictory with Indonesian 1945 Constitution and stated doesn't have legal binding force. So, this provision does not have impact to the General election implementation either on 2014 or 2019 general election considering that those provision is not applicable and all the political parties will be verified by the General Election Commission to be stated as political party participants for the next election.

Table 2

**Comparison of Political Party Verification Systems
(from a similar perspective)**

No	Main Issue	Law No. 8 of 2012	Law No. 7 of 2017
1.	The Registration of Political Party	Article 14 paragraph (1) and (2) (3) about the registration	Article 176 paragraph (1) and (2) (3) about the registration
2.	Verification of Political Party Candidates for Elections Participants	Article 16 paragraph (2) and (3) about the verification	Article 178 paragraph (1) ,(3). And also there is additional paragraph (4) Provision

3.	Determination of Political Parties as election participants	Article 17 paragraph (1) and (2) (3) (4). And also there is additional paragraph (5)	Article 179 paragraph (1) and (2) (3) (4) about political parties as election participants
4.	Supervision in the implementation of Verification of Political Parties Candidates for Election Participants	Article 18 paragraph (1) and (2) (3) about its supervision	Article 180 paragraph (1) and (2) (3) about its supervision

Source: Law No. 8 of 2012 and Law No. 7 of 2017