# Design of General Election in Indonesia 

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#### Abstract

The 2019 general elections in Indonesia have been held differently from the previous period. The 2019 general elections held simultaneously five boxes. This article discusses how the implementation of the 2019 general election and how the rather election should be carried out in the future. The author concludes that the implementation of simultaneous general elections in 2019 caused tremendous complexity for participants, voters, and organizers. The complexity and constraints that occur make the selection process not run well and less efficient and effective time spent. Then for the coming period, the elections should be carried out using the design of simultaneous national elections and simultaneous regional elections. In the simultaneous national election, it held to elect the President and Vice President, members of the House of People's Representative, and members of the Regional Representative Board. Then in the simultaneous regional election, it held to elect the Governor, Regent/ Mayor, Provincial Legislative Council, and Regency/ City Legislative Council.


Keywords: General Election; Simultaneously; Democracy


#### Abstract

ABSTRAK Pemilihan umum tahun 2019 di Indonesia telah dilaksanakan secara berbeda dari periode sebelumnya. Pemilihan umum 2019 dilaksanakan secara serentak 5 kotak. Dengan demikian tulisan ini membahas mengenai bagaimana pelaksanaan pemilu 2019 serta bagaimana pelaksanaan pemilu yang sebaiknya dilakukan pada masa yang akan datang. Hasil penulisan ini menunjukkan bahwa pelaksanan pemilihan umum serentak tahun 2019 menimbulkan kerumitan yang luar biasa bagi peserta, pemilih, dan penyelenggara. Kerumitan dan kendala-kendala yang terjadi membuat proses pemilihan tidak berjalan dengan baik serta kurang efisien dan efektifnya waktu yang dihabiskan. Adapun pelaksanaan pemilu di periode yang akan datang sebaiknya dilaksanakan dengan menggunakan desain pemilu serentak nasional dan pemilu serentak daerah. Dalam pemilu serentak nasional, maka pelaksanaannya digelar untuk memilih Presiden dan Wakil Presiden, anggota DPR, dan anggota DPD. Sementara pada pemilu serentak daerah, digelar untuk memilih Gubernur, Bupati/Wali Kota, DPRD Provinsi, dan DPRD Kabupaten/Kota.


Kata Kunci: Pemilihan umum; Serentak; Demokrasi

## A. INTRODUCTION

Indonesia is a democratic country as stated in The 1945 Constitution of The Republic of Indonesia (UUD 1945), specifically in Article 1 section (2). This Article shows two principles, the principles of People's Sovereignty or democracy and the principle of law state (Budiardjo, 2013).

General election basically is the realization of the principles of democracy which cover the guarantee of the implementation of principles of individual freedom and equality, particularly in political right (Zuhro, 2019). Therefore, general election is one way to choose people's representatives democratically. Therefore, for countries which call themselves democratic countries, general election is one important characteristic that must be held periodically in certain time (Asshiddiqie, 2017).

General election is a fundamental part of every country which embraces the principles of democracy into their political system. In democracy, the involvement of all people in general election becomes the source of government power legitimation to transfer people's sovereignty to certain candidates in order to for them to sit in political positions (Junaidi, 2009).

General election held in 2019 is interesting to be examined because that was the first time in history that Indonesia held a general election simultaneously. This simultaneous election was held on $17^{\text {th }}$ of April 2019. In this election, people did not only vote for the President and Vice president, but
also for the members of the House of People Representatives, members of Regional Representative Council, and members of Provincial and District Representatives Council.

In the implementation, 2019 General election which held simultaneous vote of President and Vice President, and members of legislative Council has caused tremendous complexity for the voters, participants, and organizers. Voters cared more for the candidates of President and Vice President because the campaign for president election had dominated public discourse compared to legislative members election. In legislative members election, each candidate of legislative members held their own campaign independently while political parties hardly held a campaign.

Technical matter also contributes to this complexity. By conducting simultaneously vote, voters need approximately 8.5 minutes to cast their vote, from the moment they poke a hole for each vote in five ballot papers until the time when they finish their voting and leave the voting box. (Mukhtar, 2019), It means that the length of time needed to reach the election participation target is 493 minutes or approximately 8 hours 21 minutes whereas the time provided by General Elections Commission is only approximately 6 hours, from 07.00 a.m. to 01.00 p.m. This calculation has not included the time needed by elections officials (KPPS).

Based on the fact found in the field, on the average the process of vote counting finished at 05.00 a.m. This counting was progressing without a

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break. As a matter of fact, the polling stations TPS) had been prepared $D$ minus one of the election day. The processes which take longer time are the counting and the administrative completion of vote counting. It was at 11 p.m. that manual tabulation of votes finally finished. Then, the officials had to record the result of the counting in form C1 Plano onto 6 (six) sets of forms. Some forms were distributed to political parties and Regional Representative Council (DPD) witnesses and polling stations Supervisory agents.

This condition will cause election officials or KPPS to feel exhausted, and consequently their performance at work may become below the expected standard. This may lead to carelessness and inaccuracy that can affect the quality of the election. Because of its lengthy process, lack of supervision and exhausting work mechanism, potential cheating may arise in many forms It is not surprising that the 2019 general election in Indonesia was filled with reports of the death of election officials due to exhaustion. Until Tuesday, $7^{\text {th }}$ of May 2019, 440 election officials had died while 3,668 others fell ill (KPU, 2019). Only in Indonesia, many officials died not because of violent conflict, but because of the poor management of the election.

Complexity and constraints which occurred during the process of the election made the election less efficient and less effective particularly in the use of time spent. General election is one way to implement basic right of citizens. Therefore, in order to fulfill the basic right of the citizens, it is an
obligation of the state to guarantee that the election will run according to the schedule that has been arranged constitutionally. It is a violation to the basic rights if the government does not guarantee that the election will run well, delay administering the election without the approval of people's representatives, or does not take any actions in order to hold an election as it is supposed to be (Hayat, 2014).

The discussion regarding simultaneous election has ever been done by Sodikin. Sodikin stated that the simultaneous election may indeed strengthen presidential system which has been mentioned clearly in the constitution (Sodikin, 2014). In addition to strengthening presidential system, simultaneous general election, according to Ria Casmi Arrsa, can overcome the issue of dynasty poltics (Arrsa, 2014). However, Sri Nuryanti also mentioned that the execution of 2019 simultaneous general election was not well managed so that it was not able to strengthen the presidential system because basically 2019 general election was elections that was conducted simultaneously (Nuryanti, 2015). Further study regarding simultaneous election was done by Triono. Triono said that the effectiveness of simultaneous election can be achieved by strengthening 5 (five) aspects (Triono, 2017). Furthermore, Ratnia Solihah said that 2019 simultaneous general election had chances and challenges in political perspective for political parties, government, voters, and organizers (Solihah, 2018). Meanwhile, Wahyu Widodo also stated that 2019 simultaneous general election emphasized politics

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more than anything else. By doing so, it is expected that the legitimation of political parties over Constitutional Court will be guaranteed (Widodo, 2018).

In this study, the author focuses on the evaluation of simultaneous general election held in 2019. Thus, the problems that will be discussed in this study are how the 2019 simultaneous election was administered and how Indonesian government holds general election in the future, what sort of design that can be adopted. These issues come up from the reality happening in the implementation of 2019 simultaneous election. This discussion can be an evaluation for future election.

## B. DISCUSSION

## 1. The Implementation of 2019 Simultaneous General Election

Simultaneous general election can be simply defined as an election system which holds several elections at once. Philosophically, election is an instrument to help manifest a clean and qualified government (Pratiwi, 2017).

In terms of technical operation, experts have different ways in defining this election. One expert, Andrew Reynolds, said that election is a method which is used to convert the votes obtained in the election into seats won by the candidates and parties in the parliament. Election is an important instrument to select people representatives who genuinely will contribute in the process of formulating state policies on behalf and for the people they represent. Pratikno
supports this statement. He said that an election is a political mechanism to convert people's vote into people's representatives (Labolo, \& llham, 2017).

An election mechanism is necessary in order to guarantee the cycle of well-organized power. The election needs to be held periodically in order to manifest the spirit of democracy. In addition, election will help realize a government which genuinely works efficiently and effectively for the sake of its people. When the government is able to guarantee the realization of well-managed democracy, people welfare and justice can be well manifested (Zoelva, 2013).

There are parameters of an ideal election system. The first parameter is that democracy in the election system can be implicitly implemented in a fair and honest way. In addition to this, the election must also be well organized. The second parameter is that the election output must be accountable and competitive. The third is that the degree of representation must be balanced between central and regional level. The fourth is that the legislation must be well completed, and finally, the last parameter is that the implementation of the election must be practical and concrete. (Solihah, 2018).

As mentioned in the introduction section, in order to strengthen the presidential system and as the realization of state with spirit of togetherness, the system of President and Vice President Election is regulated in Article 6A The 1945 Constitution of The republic of Indonesia. This article confirms that first, by giving back the people's sovereignty to the people

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themselves, the President and Vice President is no Ionger elected by People's Consultative Assembly as an institution which hold state sovereignty, but instead, they are elected directly by the people; and second, direct election of President and Vice President by the people confirms presidential system held by the Republic of Indonesia (Harianto, 2018).

This provision is then elaborated in Constitutional Court's Decision No. 3/PUU-VII/2009. Constitutional Court states that the provisions of The 1945 Constitution of Indonesia contain rules and guidelines of the implementation of general election. In addition, Constitutional Court's Decision also states that other matters such as the one regarding electoral system, electoral area, participant requirements, and so forth, are delegated to the law makers in order to determine its legal policies. The legal policies can be issued as long as it is not against the principle of people's sovereignty, equality, justice, and non-discrimination as mentioned in The 1945 Constitution of The republic of Indonesia (Gaffar, 2012).

The system of modern democracy demands general election to be held not merely as a succession ritual of leadership. More than that, general election is expected to become the actualization and manifestation of people's sovereignty. In order to uphold the people's sovereignty, the implementation of election must be based on the principle of free and fair. The principle of free and fair has been a guideline for modern
democratic countries to hold general election in the last few decades (Simamora, 2014).

There are some reasons why general election is very important for democratic countries. The first reason is to open a chance of government transition as well as to review and evaluate the quality and quantity of people's support to the achievement and the weakness of the ruling government (Bisariyadi, 2012).

In a democratic system, which literally means "people who rule", it is necessary for a government to have channeling mechanism of opinion and aspiration to determine what policy will be taken. The large territory and big population in a country may generate technical problems for the implementation of direct democracy (Cholisin, 2009). Therefore, nowadays the practice of people participation in determining state policies is conducted in two ways, direct and indirect or also known as representative democracy system (Solihah, \& Witianti, 2017).

The implementation of periodical general election demands a state to be responsible for the policies they have made for the people. A state is made to be accountable to its people. Therefore, a democratic state will establish general election institution as an instrument to guarantee the implementation of people sovereignty (Aris, 2018).

The implementation of general election in Indonesia went through a significant change in 2019. This is concerning judicial review on the $10^{\text {th }}$ of January 2013 of Law Number 42 year 2008 concerning President and Vice President Election on

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The 1945 Constitution of The Republic of Indonesia. On the 23rd of January 2014, Constitutional Court finally passed decision to grant some of the plea in the judicial review. In its ruling, Constitutional Court's Decision stated that Article 3 section (5), Article 12 section (1) and (2), Article 14 section (2) and Article 112 Law Number 42 year 2008 concerning President and Vice President Election are contradictory to The 1945 Constitution of The Republic of Indonesia. Furthermore, Article 3 section (5), Article 12 section (1) and (2), Article 14 section (2) and Article 112 Law Number 42 Year 2008 concerning President and Vice President Election does not have binding legal force.

With series of provisions losing their constitutional validity, Constitutional Court confirms that the election of President and Vice President has to be done simultaneously with the election of parliament members, Regional Representative Council members, and District Parliament members because it has legal reason. By the passing of this Decision, the provision stipulating that the election of President and Vice President is conducted after the election of legislative members becomes unconstitutional.

The Constitutional Court's Decision is good and well accepted and is supported with various arguments stating that an election which is not done simultaneously, as a matter of fact, does not strengthen presidential system, and that simultaneous election is mandated by the Constitution. Simultaneous election will result in the effectiveness and efficiency of the implementation of
general election. Furthermore, the citizens will get their right to vote smartly. In the end, indeed, simultaneous election will be efficient in term of the organizing cost (Prasetyoningsih, 2014).

Different from the previous elections, in 2019 Indonesia held a simultaneous general election. Indonesian people elected not only President and Vice President (grey ballot paper), but also members of Parliament (yellow ballot paper), Regional Representative Council (red ballot paper), Provincial Parliament (blue ballot paper), and District/City Parliament (green ballot paper). This is the first time in history that Indonesia held simultaneous general election. The legal framework of the election is also different from that of the previous elections which was separated in three laws. The current election framework is integrated into one in Law Number 7 Year 2017 concerning General Election.

The participants of the election of Parliament, District Parliament, and Regional Representative Council members in 2019 was held on $17^{\text {th }}$ of April 2019 in order to elect 575 members of Parliament, 136 member of Regional Representative Council, and members of Provincial and District Parliament all over Indonesia for 2019-2024 period. In Presidential election, there were 2 (two) pairs of candidates (KPU, 2019).

In terms of the stages of 2019 simultaneous election, Law Number 7 Year 2017 concerning General Election applies the following procedures: program and budgeting planning as well as drafting of regulations of the election; the update of voters

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data and enlisting voters; registration and verification of election participants; determining election participants; determining the number of seats and voting areas; President and Vice President candidacy and also the candidacy of Parliament members, Regional Representative Council members, provincial and district Parliament; period of election campaign; election silence; voting and votes counting; announcing the result of the election; and reciting the oath of office/ Vow by President and Vice President, Parliament members, Regional Representative Council members, Provincial and District Parliament members (KPU, 2019).
2. Implementation of General Election

Simultaneous Election system in global perspective has actually been applied in many democratic countries. In simultaneous election system, the common practice is to combine the election of executive and legislative members (Arrsa, 2014).

Conceptually, at least there are six models of simultaneous general election. The first model is total simultaneous general election. This type of simultaneous election is conducted once in five year period for all positions from national to district/ city level. This kind of election covers legislative, President, and Head of local government election. This election is often called 7-box election. (Huda, \& Nasef, 2017).

The second model is simultaneous general election only for all legislative positions in central and local level and then followed by simultaneous election
for executive position in central and local level. In this model, the election for members of Parliament, Regional Representative Council, and Provincial and District Parliament is conducted all at the same time, and then followed by the election of President, Governor, and Mayor/Regent few months later (Huda, \& Nasef, 2017).

The third model is simultaneous election with gap according to the level of government. In this type of election, the schedule for national and local election is different. In this model, the election of Parliament and Regional Representative Council members is conducted simultaneously with President Election. Meanwhile, Provincial and District Parliament members election is conducted two or three years after national election (Huda, \& Nasef, 2017).

The fourth model is simultaneous election in national and local level with different interval of time period. In this model, President and Vice President election along with legislative election for Parliament and Regional Representative Council members is conducted at the same time.

Then in the second year, simultaneous election for local level to elect Provincial and District Parliament members along with the election of Governor and Regent/mayor based on the area grouping in a particular island. As for example, the second year is special election for area of Sumatra Island. Then followed in the third year for Java Island,

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and in the fourth year for Bali and Kalimantan, and the fifth year is for the rest. (Huda, \& Nasef, 2017).

The fifth is national simultaneous election followed by simultaneous election in each province based on the time agreed and cycle of local election in each of the province. With this model, the election of President is conducted simultaneously with the election of legislative for parliament and Regional Representative Council. Then, after that, it depends on the cycle or schedule of local elections that have been mutually agreed. A local simultaneous election for electing Governor, Regent, and Mayor as well as members of Provincial and District Parliament is held followed by the same local simultaneous election in other provinces. Thus, in a year, there will be several local simultaneous elections in a number of provinces. (Huda, \& Nasef, 2017).

The sixth model is simultaneous election to vote for members of Parliament, Regional Representative Council, and District Parliament as well as for President and Vice President then after certain interval of time, simultaneous election for executive members in a province level is held. In this model of election, simultaneous election in local level is only for choosing Governor, Regent, and Mayor at once in a province, and the schedule depends on the cycle of local elections in each province based on the agreement (Huda, \& Nasef, 2017).

Actually, there are many advantages of having simultaneous election. Mostly it is believed that simultaneous election can make election cost significantly efficient. In addition, it is also believed
that simultaneous election will help build a strong and effective government, make voters more rational in using their vote, and reduce the workload of election organizers. Another advantage is that the people will not always have to deal with frequent democratic party (Husein, 2014). So far, people in Indonesia can go to polling stations (TPS) six times within a period of five years to participate in legislative election, the first round of presidential election, the second round of presidential election, the first round of Governor Election, the second round of Governor Election, and finally Regent/ Mayor election.

By having simultaneous election, the people no longer need to go to polling stations six times within five years period. They only need to come once to four times to polling stations within five years period, depending on what kind of the simultaneous election scenario is applied. Also psychologically, simultaneous election makes the voters vote for the candidates of president and legislative member from the same party (Efriza, 2019).

Another view states that the simultaneity of holding election is an alternative formula for a change in political system and government. Based on experiences and effort to solve many different existing problems, here are some goals of having simultaneous election: (1) as the foundation of the realization of a strong and stable presidential government system ; (2) to facilitate the simplification of party system by granting incentive for political parties in order to build culture and a sustainable democratic political institution (Alliance, Coalition,

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Combination, and or Merger); (3) to help create a more effective parliament; (4) to create a simpler, brief, and low cost election system either for legislative or presidential election; (5) to create a room for issue focus in election, separating between national and local issues; (5) to open a room for participation in order to strengthen people's (voters') preference and strategy in election based on local or national issues; (6) in order for the goals to be realized, the first choice is conditional majority presidential election system (Solihah, 2018).

From the six models of simultaneous general election aforementioned, the first and second models are not quite relevant to be implemented in Indonesia. The first model which is total simultaneous general election is not relevant to be applied in Indonesia because : first, technically this model is difficult to be applied because election organizers must deal with high volume of workload; second, psychologically this model makes it difficult for voters to have rational attitude toward the election because they have to face and vote by choosing from so many candidates; third, politically, this model will loosen the relationship between political parties and their constituent because both of them rarely involve in direct relation through election ; and fourth, this model will harm local autonomy because it will be dominated by national issues so that local issues will overlooked.

The second model is also not suitable to be implemented in Indonesia because it is not far different from the election held in Indonesia before
2019. The only different is that the Presidential election is combined with Governor, Regent, and Mayor election. This kind of design will make it hard to achieve a strong presidential system because the election of legislative and executive is conducted separately (Surbakti, 2011).

Meanwhile, the other models can be alternative options to design simultaneous general election in Indonesia. The four models aforementioned essentially have the same principle, which is separating between national and local simultaneous general election. The only different is in technical matter. These types of models are more relevant to be applied in Indonesia because, as a matter of fact, there is an essential difference between national and local simultaneous general election.

It is inevitable that election 2019, which simultaneously conducts president and legislative election, has caused so many problems for voters, participants, and organizers. It is true that in national scale, simultaneous election, as in 2019 design, may bring positive impacts because 2019 simultaneous election in national level has brought two effects at once: first is early coalition because political parties are forced to form a coalition earlier in order to win to competition; second, coattail effect, which means that the votes which determine the winner the President candidate will influence the votes for national parliament.

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On the other words, 2019 simultaneous general election will create post-election political blocks because the chosen President will acquire the majority of the parliament so that parties or parties coalition which lost have to be the opposition. The support from the majority of parliament will make ease the process of decision making because The President does no longer need to deal with lengthy debate and transactional politics with parliament. In reversed, the opposition will insist on criticizing the government because if their performance is poor, they will fail again to compete in the coming election (Pahlevi, 2015).

The case is different in local level. Political constellation generated by 2019 simultaneous election in national level does not always align with the result of Head or Regional area election which was held a few years after. Political block was not formed because pragmatism of local politics tends to be out of the power of national politics control. Consequently, transactional politics still becomes the easy way out in local government. At this point, corruption is still nourished whereas at the same time, Governors and Regents/ Mayors who are not from the same party or coalition with the President may raise potential problem in the implementation of national policy in local level, or vice versa, local policy will not get support from national government (Pahlevi, 2015).

The complexity of general election in Indonesia is inevitable. Our country uses presidential government system so that it needs not only national
parliament election but also presidential election. This is different from countries implementing parliamentary government system. These countries only need to conduct election once, which is parliament election. Then, the representatives who win the votes in the election will appoint a prime minister and cabinet members.

Nevertheless, it does not mean that Indonesia has to go back to the old design where President and Vice President Election is separated with legislative election. The effect of the separation is obvious. So far, President and Vice President Election held after legislative election results in weak political parties' coalition. History has recorded that the government resulted from 4 elections post reformation frequently experienced divided government. This is marked by some situations such as the fact that the mechanism of mutual supervising and balancing between Parliament and President did not really go well. Another fact is that pair candidates of President and Vice President often created tactical partnership which was temporary with political parties so that long sustainable cooperation among political parties was not formed. This may cause the simplification of the number of political parties naturally. In practice, model of endorsing candidates of President and Vice President from the coalition of political parties does not always form permanent partnership so that simplification of party system is ever realized. As a matter of fact, the party system is fragmented instead (Mellaz, \& Agustyati, 2013).

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Based on the reasons aforementioned, reseparating President and Vice President election from legislative election is not the right decision. In this case, the author suggests creating election format or election design which does not complicate the election process for the voters, participants, and organizers. In addition, the design must also be able to prevent the possibility of divided government. Therefore, a rather ideal option is by using national and local simultaneous general election design.

National simultaneous election is held in order to vote for President and Vice President, Parliament members, and Regional Representative members. Thus, when in voting box, voters will only vote from three types of ballot papers. Meanwhile, local simultaneous election is held in order to vote for Head of district and regional Parliament members in either provincial or district level. In local simultaneous election, voters get four types of ballot papers consisting of Governor election, Regent/Mayor election, provincial Parliament members, and District/ municipal Parliament. This is very far different from 2019 General election where voters had to deal with more than 400 candidates to vote for Parliament members, Regional Representative Members, Provincial Parliament members and District Parliament members as well as President and Vice President. This condition has made voters fail to act rational when voting. The confusion of the voters has become a heavy burden for election officials or organizers because they had to bear such a heavy and complicated task.

The separation between national and district simultaneous general election will bring positive outcome. The separation of national and district simultaneous general election will facilitate not only the synergy between national and local policies, but also the synergy between parties' coalition in national level and parties' coalition in local level. National simultaneous general election will focus only on national issues while local simultaneous general election will focus only on local issues. In addition, voters will be able to vote smartly. Meanwhile, for election organizers, they will be able to prepare, conduct, and manage the election more effectively and efficiently. On the other words, the management of the election can be performed in a better way (Isra, 2014). The separation of national and local issues can make political parties, candidates of executive officials, and candidates of legislative members in local level focus more on tackling the local issues in an effort to win the voters' attention. Thus, the format of this election will be in accordance with the concept of local autonomy. Besides the reasons aforementioned, in the design of simultaneous general election separating national and local general election, political parties endorsing the candidate of the elected President tend to maintain their coalition ready to fight in local election. Consequently, if the performance of the government in national level is considered good, local government will be led by the candidate pair endorsed by the same political parties coalition. Thus, policies, hierarchy line, and

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coordination from national government can run smoothly until local level.

Moreover, in terms of constitutional concept, if the separation of President and Vice President Election from legislative election is considered unconstitutional according to Constitutional Court's Decision Number 14/PUU-XI/2013, while its integration as what was done in 2019 causes complexity as well as tremendous problem for voters, participants, and organizers thus the author considers that the design is no longer proper to be used in the next period, the design of national simultaneous election and simultaneous election according to constitution does not violate the constitution because there is no single Article in The 1945 Constitution of The Republic of Indonesia that prohibits such format of election.

Therefore, the setting of election design fully depends on the law makers, in this case the President and Parliament. In order to realize the implementation of national and local simultaneous general election, the author suggest that the President and Parliament elected for 2019-2024 period pass a new election legislation. The drafting of this Election Law will begin with the revision of several provisions associated with the actors, system, schedule, management, and law enforcement so that it will be aligned with the format of national and local simultaneous election. Moreover, this can be done by integrating Law number 10 year 2016 concerning Second Amendment of Law Number 1 Year 2015 concerning
the stipulation of Government Regulation in lieu of law Number 1 Year 2014 concerning The Election of Governor, Regent, and Mayor into the new General Election law.

Finally, in the study of Constitutional Law, there is a concept known as living constitution. Living constitution means that constitution can be interpreted based on the development and the need of the people. This concept requires stakeholders to not only examine written norms in the constitution text and understand the process of the making of constitution, but also to dive deep the life of the people so that they know their legal need. Furthermore, stakeholders must be able to envision how the structure of the society order is in the future.

## C. CONCLUSION

Different from the previous election, in 2019 Indonesia held a five-box simultaneous election for president and Vice President, parliament members, regional council members, provincial parliament members, and district parliament members. The implementation of this simultaneous election is the first time in Indonesia. Unfortunately, the implementation of the election caused tremendous complexity for the organizers, the voters, and the participants. This election even has caused death toll among its officials. Thus, the implementation of this simultaneous general election needs to be evaluated in order to have a better election in the future.

Future general election can be administered by applying national simultaneous general election and

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district simultaneous general election. National simultaneous general election is held to elect President and Vice President, Parliament members, and Regional Representative Council members. Meanwhile, district simultaneous general election is held to elect Governor, Mayor, Provincial Parliament members, and District/ City Parliament members. In order to manifest the implementation of national and district simultaneous general election, the current elected President and Parliament period 2019-2024 must formulate new general election legislation. In addition, the government also needs to integrate Law Number 10 Year 2016 concerning The Election of Governor, Regent, and Mayor into the new general election legislation.

## REFERENCES <br> BOOKS

Asshiddiqie, J. (2017). Pengantar Ilmu Hukum Tata Negara. Jakarta: Raja Grafindo Persada.
Budiardjo, M. (2013). Dasar-Dasar Ilmu Politik. Jakarta: Gramedia Pustka Utama.

Gaffar, Janedjri M. (2012). Politik Hukum Pemilu. Jakarta: Konpress.

Huda, Ni'matul., \& Nasef, M. Imam. (2017). Penataan Demokrasi \& Pemilu Di Indonesia Pasca Reformasi. Jakarta: Kencana.

Husein, H. (2014). Pemilu Indonesia Fakta, Angka, Analisis, Dan Studi Banding. Jakarta: Perludem.

Labolo, Muhadam., \& Ilham, Teguh. (2017). Partai Politik Dan Sistem Pemilihan Umum Di

Indonesia Teori, Konsep dan Isu Strategis. Jakarta: Raja Grafindo Persada.

Pahlevi, I. (2015). Sistem Pemilu Di Indonesia Antara Proposional Dan Mayoritarian. Jakarta: P3dl Setjen DPR Republik Indonesia dan Azza Grafika.

Surbakti, R. (2011). Menyederhanakan Waktu Penyelenggaraan Pemilu: Pemilu Nasional dan Pemilu Lokal. Jakarta: Partnership.

## JOURNALS

Aris, Mohammad S. (2018). Penataan Sistem Pemilihan Umum Yang Berkeadilan Untuk Penguatan Sistem Presidensiil Di Indonesia. J urnal Yuridika, Vol.3, (No.2), pp.290-315.

Arrsa, Ria C. (2014). Pemilu Serentak Dan Masa Depan Konsolidasi Demokrasi. Junal Konstitusi , Vol.11, (No. 3), pp.515-537.

Bisariyadi. (2012). Komparasi Mekanisme Penyelesaian Sengketa Pemilu di Beberapa Negara Penganut Paham Demokrasi Konstitusional. Jurnal Konstitusi, Vol.9, (No.3), pp.531-562.

Cholisin. (2009). Mengembngkan Partisipsi Warga Negara dalam Memelihara dan Mengembangkan Sistem Politik Indonesia. $J$ Jurnal Civics, Vol.6, (No. 1), pp.29-44.

Efriza. (2019). Penguatan Sistem Presidensial Dalam Pemilu Seretak 2019. J urnal Penelitian Politik, Vol. 16, (No. 1), pp.1-15.

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Harianto, S. (2018). Pemilihan Presiden Menurut UUD NRI Tahun 1945. Jurnal Ketatanegaraan, Vol.10, (No.10), pp.61-84.

Hayat, H. (2014). Korelasi Pemilu Serentak dengan Multi Partai Sederhana Sebagai Penguatan Sistem Presidensial. Jurnal Konstitusi, Vol.11, (No.3), pp.469-491.

Junaidi, V. (2009). Menata Sisitem Penegakan Hukum Pemilu Demokratis Tinjauan Kewenangan MK Atas Penyelesaian Perselisiha Hasil Pemilu (PHPU). Jurnal Konstitusi, Vol.6, (No.3), pp.103-143.

Mellaz, A., \& Agustyati, K. (2013). Keserentakkan Pemilu: Pelaksanaan Pemilukada Menuju Pemilu Nasional. Jurnal Pemilu \& Demokrasi, Vol. 5, pp.187-222.

Nuryanti, S. (2015). Menyiapkan Tata Kelola Pemilu Serentak 2019. Jurnal Penelitian Politik, Vol.12, (No.1), pp.1-14

Prasetyoningsih, N. (2014). Dampak Pemilihan Umum Serentak Bagi Pembangunan Demokrasi Indonesia. Jurnal Media Hukum, Vol.21, (No.2), pp.241-263.

Pratiwi, Oktafiani C. (2017). Menjaga Kualitas Pemilu Yang Demokratis. Jurnal Bawaslu, Vol.3, (No. 3), pp. 323-333

Simamora, J. (2014). Menyongsong Rezim Pemilu Serentak. Jurnal Rechtsvinding, Vol.3, (No. 1), pp.1-18.

Solihah, R. (2018). Peluang Dan Tantangan Pemilu Serentak 2019 Dalam Perspektif Politik. Jurnal

Ilmiah Ilmu Pemerintahan,Vol.3, (No.1), pp.7388.

Solihah, R., \& Witianti, S. (2017). Permasalahan Dan Upaya Mewujudkan Pemilu Demokatis Di Indonesia Pasca Reformasi. Jurnal Bawaslu, Vol. 3 (No.1), pp.13-33.

Sodikin. (2014). Pemilu Serentak (Pemilu Legislatif Dengan Pemilu Presiden Dan Wakil Presiden) Dan Penguatan Sistem Pesidensial. Jurnal RechtsVinding, Vol.3, (No.1), pp.19-31.

Triono (2017). Menakar Efektivitas Pemilu Serentak 2019. Jurnal Wacana Politik, Vol.2, (No.2), pp.156-164.

Widodo, W. (2018). Pelaksanaan Pemilu Serentak Tahun 2019 Ditinjau Dari Perspektif Politik Dan Hukum. Jurnal Meta-Yuridis, Vol.1, (No.1), pp.22-36

Zoelva, H. (2013). Memberantas Electoral Corruption. Jurnal Pemilu \& Demokrasi, Vol. 5, (No.5), pp.1-28.
Zuhro, R. Siti. (2019). Demokrasi Dan Pemilu Presiden 2019. Jurnal Penelitian Politik, Vol.16, (No.1), pp.69-81.

## ONLINE SOURCES

Isra, S. (2014). Jalan Panjang Menuju Pemilu Serentak. Retrieved from https://www.saldiisra.web.id/index.php/tulisan/ artikel-koran/26-mediaindonesia/148-jalan-panjang-menuju-pemilu-serentak.html

KPU. (2019). Faktor Risiko Dibalik Sakit dan Meninggalnya KPPS Pemilu 2019. Retrieved
fromhttps://kpu.go.id/index.php/post/read/
hFosrMjo_8KMYabSzVD_RS6Z2acThR7THS
bfxX8v7gyAW8azrDPNxEyl_i3eqin3z-kN-
xkxGmS8Ggkq1rRMcw~~/88Q8CXsCf-
mh4wK WMiWw-
y0jKJxU1624LESBJeMCR7Q-
wxrWmuDeZRQJsJpBCFpYloqghlxbLd9cJAo8
UJ28g~~
KPU. (2019). Peseta Pemilu 2019. Retrieved from https://www.kpu.go.id/index.php/pages/detail/N

2XTwbi2J-
IpQEBYAlae6KML8OUfr13wUzTLU42qxqtfjHR
DB2HND_PSRIbRdwOWzfkSZmbuD-
JLUYrKilkqhA~~/DIUp2cRKBQFLdupS6vQh-
VKhjJJnhY5d3iHIdfmkumlxiBbABjPIKIzyVq-
G9tomQvbcv0JN9PQTbut91hNBwg~~
KPU. (2019). Tahapan Program dan Jadwal
Penyelenggaraan Pemilihan Umum Tahun
2019. Retrieved from
https://infopemilu.kpu.go.id/pileg2019
Mukhtar, F. (2019). Pemilu Serentak, Ini Waktu yang
Dibutuhkan Pemilih untuk Mencoblos.
Retrieved from https://regional.kompas.com
/read/2019/04/03/20145431/pemilu-serentak-
ini-waktu-yang-dibutuhkan-pemilih-untuk-
mencoblos

