

Election Legal Certainty in the 2024 Simultaneous Elections Through Regulations of the RI General Election Commission (PKPU)

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Abstract. General elections, also called general elections, are one way of exercising popular sovereignty. Articles 22E (1) to 22E (6) of the 1945 Constitution of the Republic of Indonesia manage arrangements connecting with decisions. The methodology strategy utilized in this examination is a standardizing juridical methodology. Normative research methods are also called doctrinal research, namely research that analyzes laws both written in books and laws decided by judges through court processes. In view of Article 8 passages (1) and (2) of Regulation Number 12 of 2011 concerning the Development of Administrative Guidelines, KPU guidelines have been obliged in the order of legal guidelines. As with other state institutions that are formed based on statutory regulations or government acts based on law, PKPU is a regulation mandated by the commission. Since it is managed by higher regulations and guidelines and was framed utilizing the power allowed to the KPU through the Political Race Regulation, the presence of the PKPU is perceived and has restricting lawful power. The implementation process and stages of the 2024 Simultaneous Elections must not conflict with the Election Law, because PKPU is an elaboration of the technical implementation of the Election Law, this is a form of PKPU that can provide legal certainty.

Keywords: PKPU, Election Law, Legal Certainty

1 Introduction

General elections, also called general elections, are one way of exercising popular sovereignty. Articles 22E (1) to 22E(6) of the 1945 Constitution of the Republic of Indonesia direct arrangements connecting with races. This article contains the accompanying assertion: (1) General decisions are held straightforwardly, transparently, openly, clandestinely, truly, and decently once like clockwork; (2) General Decisions are held to choose the president and VP as well as individuals from the Territorial Nation's Delegate Committee; (3) The individuals who vote in the overall political race to choose individuals from Individuals' Delegate Chamber and the Provincial Nation's Agent Gathering are, (5) The overall political race is held by a public, permanent and independent general election commission, (6) Further provisions regarding general elections regulated by law.

These principles are contained in Article 22E passage (1) of the 1945 Constitution of the Republic of Indonesia. Elections are a manifestation of the implementation of democracy (the electoral system is at the very heart of democracy).[1] Several principles guide the implementation of elections. These principles are:

1. direct principle, which means a voter must vote directly, and cannot be represented by anyone.
2. general principles, which means that every citizen has the same rights, namely the right to vote and be elected.
3. the principle of freedom, the principle of freedom here means freedom to choose, without any coercion from anything or anyone.
4. The principle of secrecy, here means that every person who uses their voting rights will be guaranteed the confidentiality of what they vote for.
5. The principle of honesty, principle of honesty here means that everyone involved in the election must be honest. This principle of honesty is used from the beginning to the end of the election process.
6. The principle of fairness means that all those involved in the election must have the same rights.

The significance of the word a majority rules government comes from the words *demus* which means individuals, and *cratin* which implies government, so a majority rules system is government by individuals where the most elevated power is in the possession of individuals and is practiced straightforwardly or by implication by individuals in light of a delegate framework.[2] According to its origins, democracy means "people rule" or "government or rule by the people".[3] Democracy is a term used in a system of government in a country. Many other terms have emerged by adding the word democracy to the label, such as people's democracy, guided democracy, liberal democracy, proletarian democracy, Pancasila democracy, and so on, with the essence of democracy and the implementation of different democratic mechanisms.[4]

Elections are one example of how democracy is practiced. An important prerequisite for a country that upholds democracy is free elections. As per Article 1 Number 1 of Regulation Number 7 of 2017 concerning General Races, what is implied by political decision is a strategy for well known power to choose the President and VP, individuals from the Territorial Nation's Delegate Chamber, individuals from Individuals' Agent Committee, and different authorities in the Unitary Condition of the Republic Oman.

The improvement of decisions in Indonesia is exceptionally quick. At first, races were simply expected to choose individuals from agent organizations, to be specific the DPR, DPRD, and DPD. After the fourth amendment to the 1945 Constitution in 2002, the appointment of the President and VP (hereinafter alluded to as the Official Political race), which was initially done by the MPR, was consented to be completed straight by individuals so the Official Political decision was remembered for the political decision system. In 2004, the President and VP, of DPR, DPRD, and DPD were straightforwardly chosen by individuals at discrete times. The last political decision that was held was the 2014 political decision, with the execution first to choose individuals from the DPR, DPD, and DPRD, then, at that point, at an alternate time, the appointment of the President and VP was held. Without precedent for Indonesia, in 2019, concurrent races were held, specifically to choose the President and VP, as well as individuals from the DPR, DPD, and DPRD all the while simultaneously all through Indonesia.

Various kinds of election laws have been formed in Indonesia. Elections are held based on election laws which not only contain an elaboration of the principles of democratic elections

but must also contain legal certainty. Legal certainty in election arrangements will be realized if:[5]

- 1) all aspects of elections are regulated comprehensively so that there is no legal vacuum;
- 2) all provisions governing elections must be consistent with each other so that there are no contradictions between provisions or regulations;
- 3) all provisions must contain a clear meaning and have a single meaning so that there are no provisions that give rise to multiple interpretations; And
- 4) all provisions established must be enforceable.

The National Election Commission (then referred to as the KPU), which is public, long-lasting, and free, is one of the political decision coordinators in Indonesia. The KPU has the power to make KPU guidelines at each phase of the political decision in view of Article 13 letter b of Regulation Number 7 of 2017 concerning Races, to guarantee that all stages run as expected. The KPU organization has the position to lay out KPU guidelines (alleged PKPU) which is one of the parts of regulations and guidelines in Indonesia for holding decisions.

PKPU itself is an elaboration of the execution of legal guidelines as planned in Article 75 passage (1) and section (2) of Regulation Number 7 of 2017 concerning Races, which expresses that to hold races as directed in this Regulation, the KPU structure KPU Guidelines and KPU Choices. Hence, it tends to be reasoned that the presence of the PKPU is perceived and has restricting legitimate power for however long it is requested by higher regulations and guidelines (Political decision Regulation) or is framed in view of the power allowed by regulation to the KPU.[6]

2 Method

The methodology strategy utilized in this exploration is a regulating juridical methodology. Regulating research strategies are additionally called doctrinal exploration that examines the law, whether written in the book, or the law chose by the adjudicator through the legal cycle.[7] This type of approach emphasizes obtaining information in the form of legal texts relating to the object under study.

The type of data used in this research is secondary data, namely information obtained from library sources which include 3 (three) sources of legal information, namely primary, secondary, and tertiary sources. The amounts are as follows:[8]

1. Primary Legal Materials

The legal documents that underlie the formation of a Perpu are statutory regulations, both domestic law and foreign law. Interview techniques with experts or practitioners in the field of elections are used to support this basic legal documentation. The statutory regulations in question, for example:

- a) The 1945 Constitution of the Republic of Indonesia;
- b) Law Number 2 of 2011 concerning Political Parties;
- c) Law Number 12 of 2011 concerning the Establishment of Legislative Regulations;
- d) Law Number 7 of 2017 concerning General Elections;
- e) KPU Guideline Number 20 of 2018 concerning Designation of Individuals from the DPR, Commonplace DPRD, Rule/City DPRD;

- f) KPU Guideline Number 21 of 2018 concerning Corrections to General Political decision Commission Guideline Number 14 of 2018 concerning Individual Selections of Members in the Overall Political race for Individuals from the Provincial Delegate Committee;
 - g) KPU Guideline Number 22 of 2018 concerning the Assignment of Members in the Overall Political decision for President and VP;
 - h) KPU Guideline Number 23 of 2018 concerning General Political races;
 - i) KPU Guideline Number 24 of 2018 concerning General Political race Assets;
 - j) KPU Guideline Number 31 of 2018 concerning Revisions to General Political decision Commission Guideline Number 20 of 2018 concerning Selection of Individuals from Individuals' Agent Chamber, Common Territorial Individuals' Delegate Gathering, and Regime/City Provincial Individuals' Agent Board;
 - k) KPU Guideline Number 32 of 2018 concerning the Second Alteration to General Political race Commission Guideline Number 7 of 2017 concerning Stages, Projects, and Timetables for the 2019 General Political race;
2. Secondary Legal Materials
- As all distributions about the law that are not official archives, including reading material, legitimate word references, lawful diaries, and remarks on court choices. Auxiliary lawful materials are predominantly course readings since reading material contain the essential standards of legitimate science and the traditional perspectives on exceptionally grouped researchers.[9]
3. Tertiary Legal Materials
- Through supporting lawful materials that give guidelines and clarifications to optional legitimate materials like general word references, legitimate word references, magazines, and logical diaries.[10]

3 Results and Discussion

3.1 1. Position of KPU Regulations in the Hierarchy of Legislative Regulations

Based on legal theory, a norm cannot conflict with the norm above it. This is what is meant by a hierarchical system of legal norms or legislation. Hierarchy in this case can be interpreted as a level system of legal rules or the structure of written legal norms in statutory regulations. Therefore, ideally, a regulatory establishment should not conflict with existing regulations above it. Because the regulations at the top level underlie the formation of regulations at the bottom. The principle of legal regulations is known as *lex superiori derogat legi inferiori*, which states that laws issued by authorities who are in a higher position, who also have a higher position, must be taken into consideration in forming regulations.

Hans Kelsen proposed Stufentheorie, once in a while known as the level hypothesis of lawful standards, which expresses that legitimate standards are organized in stages and layers in an ordered progression. This shows that better expectations apply, emerge from, and depend on considerably higher standards, etc until a standard known as the Fundamental Norm or Grundnorm can't be concentrated further and is speculative, fanciful, and conceptual.

The types and hierarchy of Legislative Regulations in Indonesia are regulated in the provisions of Article 7 paragraph (1) of Law Number 12 of 2011 concerning the Formation of Legislative Regulations, as follows:

- a. The 1945 Constitution of the Republic of Indonesia;
- b. Decree of Individuals' Consultative Get together;
- c. Law/Unofficial law instead of Regulation;
- d. Government guidelines;
- e. Presidential order;
- f. Provincial Local Guidelines; What's more,
- g. Regency/City Provincial Guidelines.

There are no requirements regarding the hierarchy of statutory regulations above for KPU regulations or what is called PKPU. The phrase "KPU Regulations" will not be found in Law Number 12 of 2011 if we only examine the requirements in Article 7 paragraph 1. The next article, Article 8 paragraphs (1) and (2) of Law Number 12 of 2011, which reads as follows, viewed PKPU as part of the hierarchy of statutory regulations:

- a. Types of Authoritative Guidelines other than those alluded to in Article 7 section (1) incorporate guidelines specified by Individuals' Consultative Gathering, Individuals' Delegate Board, the Territorial Agent Chamber, the High Court, the Protected Court, the Preeminent Review Office, the Legal Commission, Bank Indonesia, Priests, bodies, foundations or commissions of a similar level laid out by Regulation or the Public authority by request of Regulation, Common Local Individuals' Delegate Committee, Lead representative, Regime/City Provincial Individuals' Agent Committee, Official/Chairman, Town Head or comparable level.
- b. The presence of the Authoritative Guidelines as planned in section (1) is perceived and has restricting legitimate power for however long they are requested by higher Administrative Guidelines or are shaped in view of power.

PKPU is sorted as guidelines specified by a commission at similar level as other state foundations which are laid out by regulation or by the public authority on the sets of legal guidelines, under the arrangements of the article above. Moreover, on the grounds that it was framed utilizing the power conceded by regulation to the KPU and requested by higher legal guidelines, the presence of the PKPU is perceived and has restricting legitimate force.

The KPU should carry out the prerequisites of legal guidelines as expected in Regulation Number 7 of 2017 concerning General Races, which orders that to hold races as planned in this Regulation, the KPU will decide KPU necessities and KPU Choices.

Law Number 12 of 2011 offers a solution by applying a testing method (material test) if a legal standard or regulation at a lower level is deemed to conflict with regulations at a higher level. If in this situation PKPU is proven to have violated the Election Law, the Supreme Court will test it according to the guidelines of Article 9 paragraph (2) of Law Number 12 of 2011.

3.2 Election Legal Certainty in the Upcoming 2024 Simultaneous Elections through the Republic of Indonesia General Election Commission (PKPU) Regulations

Simultaneous elections in 2024 will take place soon. The government has issued several regulations to mark the launch of the People's Democratic Party. The KPU issued PKPU as implementing regulations for the stages of holding the 2024 Election as a party authorized by law to make election laws and implement elections (the election process). The following are just a few of the PKPUs that have been published to date:

- a. PKPU Number 7 of 2017 concerning Stages, Projects, and Timetable for the 2019 General Political decision.
- b. PKPU Number 5 of 2018 concerning Changes to General Political decision Commission Guideline Number 7 of 2017 concerning Stages, Projects, and Timetables for the 2019 General Political race.
- c. PKPU Number 14 of 2018 concerning Individual Assignments of Members in the Overall Political race for Individuals from the Territorial Delegate Board.
- d. PKPU Number 15 of 2018 concerning Norms, Standards, Procedures, and Requirements for Procurement and Distribution of General Election Organizing Equipment.
- e. PKPU Number 20 of 2018 concerning Designations of Individuals from Individuals' Agent Chamber, Common Territorial Individuals' Delegate Board, and Rule/City Provincial Individuals' Agent Gathering.
- f. PKPU Number 21 of 2018 concerning Corrections to General Political decision Commission Guideline Number 14 of 2018 concerning Individual Selections of Members in the Overall Political race for Individuals from the Local Agent Gathering.
- g. PKPU Number 22 of 2018 concerning the Assignment of Members in the Overall Political race for President and VP.
- h. PKPU Number 23 of 2018 concerning General Political races.
- i. PKPU Number 24 of 2018 concerning General Political race Assets.
- j. PKPU Number 26 of 2018 concerning the Second Alteration to the Overall Political decision Commission Guideline Number 14 of 2018 concerning the Singular Assignment of Members in the Overall Political race for Individuals from the Local Delegate Committee.
- k. PKPU Number 28 of 2018 concerning Revisions to General Political race Commission Guideline Number 23 of 2018 concerning General Political races.
- l. PKPU Number 29 of 2018 concerning Revisions to General Political race Commission Guideline Number 24 of 2018 concerning General Political race Assets.
- m. PKPU Number 30 of 2018 concerning the Third Alteration to the Overall Political decision Commission Guideline Number 14 of 2018 concerning the Singular Assignment of Members in the Overall Political race for Individuals from the Local Delegate Committee.
- n. PKPU Number 31 of 2018 concerning Corrections to General Political decision Commission Guideline Number 20 of 2018 concerning Selection of Individuals from Individuals' Delegate Committee, Common Provincial Individuals' Agent Board, and Rule/City Local Individuals' Agent Gathering.

- o. PKPU Number 32 of 2018 concerning the Second Alteration to General Political race Commission Guideline Number 7 of 2017 concerning Stages, Projects, and Timetables for the 2019 General Political race.
- p. PKPU Number 33 of 2018 concerning the Second Alteration to General Political race Commission Guideline Number 23 of 2018 concerning General Political races.
- q. PKPU Number 34 of 2018 concerning the Second Alteration to General Political race Commission Guideline Number 24 of 2018 concerning General Political race Assets.

Election organizers are free to exercise their authority without interference from other institutions or parties. The KPU's delegation of authority plays a role in organizing election stages and processes that maintain the values of fairness and justice and provide legal certainty. The KPU is free to intervene in determining election implementation regulations because it is an independent institution and self-regulatory body.[11] Independence does not just mean "independence, freedom, impartiality, or impartiality" with any individual, group, or organization of interest, or not being dependent on or influenced. Independence also means strength, paradigm, ethics, and spirit to guarantee that the process and results of elections reflect the interests of the people, nation, and state, now and in the future..[12]

The KPU gave a guideline called PKPU. PKPU is a legal guideline that has a reasonable situation in the ordered progression of legal guidelines. PKPU is perceived and has restricting legitimate power, so it has outcomes or ramifications for each local area or establishment connected with PKPU.

The enlistment prerequisites for parliamentary or regulative competitors in 2019 are one of the disputable PKPU issues and certainly stand out. Designations for individuals from Individuals' Agent Chamber, Common Local Individuals' Delegate Board, and Rule/City Provincial Individuals' Agent Gathering are managed in KPU Guideline Number 20 of 2018. PKPU Number 20 of 2018 contains significant data to comprehend and investigate, particularly with respect to the prerequisites for possibility for individuals from the DPR, DPRD common, and region/city DPRD. Article 7 section (1) Letter h PKPU Number 20 of 2018 controls that one of the necessities as a forthcoming individual from the DPR, Commonplace DPRD, and Rule/City DPRD isn't to be a previous sentenced street pharmacist, sexual wrongdoing against youngsters or debasement.

Based on the results obtained from literature and field studies, the KPU has several strong foundations regarding the formation of PKPU Number 20 of 2018, namely:

- a. Philosophical foundations

There are demands from the people who want state administrators who are free from corruption, and who can carry out their functions and duties seriously and responsibly so that development reforms can be effective and effective. This is also supported by the existence of TAP MPR Number and nepotism, which involves state officials and businessmen, thereby damaging the foundations of state administration in various aspects of national life. There needs to be a state administrator who can be trusted to investigate the assets of current and former state officials, as well as their families, who may have links to corruption, collusion, or nepotism and be able to rid themselves

of these practices. This is necessary for the rehabilitation of all aspects of national life in an equitable manner. both are nepotism.

b. Juridical basis

Filling state positions through an election process is carried out by the KPU and regulated in the PKPU. As a rule in Regulation Number 28 of 1999 concerning the Organization of an Express that is Spotless and Liberated from Debasement, Plot, and Nepotism, it is expected that state chairmen be individuals who are liberated from defilement. As a guideline, all regulation that manages state overseers or filling state positions should allude to Regulation Number 28 of 1999, including the Political decision Regulation and the Provincial Political race Regulation. The President, DPD, and DPR have the same status as state institutions. Institutionally, the relationship between the President and the DPR is what forms the political system. He must not have committed serious crimes, be a former corrupt official, or be involved in acts of treason against the state. These are the conditions for holding the office of president. Therefore, the KPU considers that filling DPR member seats must have the same qualifications as the President, namely never having been a perpetrator of a criminal act of corruption. Because the KPU is an institution that has an equal position in the government system.

c. Sociological foundations

The perpetrators of corruption cases are people who have power. because according to one definition, corruption is an abuse of power. The legislative and executive branches of government are responsible. Political parties asked for the right to replace their candidates in yesterday's regional elections after many regional head candidates were revealed to be corrupt. This shows that political parties are aware that they do not want their candidates to come into contact with current or previous corruptors or corruption cases. As required by PKPU, political parties should have the opportunity to nominate honorable candidates, rather than corrupt former officials.

Many parties believe that PKPU violates the human rights of legislative candidates, especially the right to nominate themselves. This is proven by the Constitutional Court Decision Number 4/PUU-VII/2009. The Constitutional Court in its analysis concluded that such restrictions on rights violate Article 35 paragraph (1) number 3 of the Criminal Code and are equated with the crime of revoking certain rights. Court decisions have the authority to revoke the right to vote and hold office. According to Article 28J of the 1945 Constitution, laws and regulations can only provide restrictions and cannot cancel a person's political rights, including the right to vote. Therefore, PKPU Number 20 of 2018 which prohibits former convicts from running as legislative candidates, means that PKPU has given additional punishment to revoke their political rights. Deprivation of a person's political rights can only be carried out by a judge's decision as an additional punishment.

The significant place of the PKPU is that it directs the forbiddance of previous defilement convicts from enrolling themselves as regulative up-and-comers in the 2024 races. To acknowledge great administration, it should be overseen through a spotless government that is liberated from debasement, conspiracy, and nepotism by Regulation Number 28 of the Year 1999 concerning the Execution of an Express that is Perfect and

Liberated from Defilement, Plot, and Nepotism. So the PKPU guidelines can't be said to abuse the arrangements of Article 28 letter D of the 1945 Constitution of the Republic of Indonesia which expresses that "everybody has the privilege to approach amazing open doors in government".[13] The main conditions for the implementation of a democratic rule-of-law state are the rule of law, democracy, and good governance. These three conditions have become fundamental concepts and basic principles accepted by some modern legal countries. Good governance itself includes appropriateness, transparency, participation, effectiveness, and human rights.[14] Thus, injuring citizens' human rights to obtain legislative candidates who are free from corruption, collusion, and nepotism, is tantamount to eliminating the principle of usefulness of the PKPU.

There is a very strong basis for rationalization in PKPU Number 20 of 2018. From two points of view, namely from the point of authority or institutional authority and the point of view of the content of the regulatory material, this can be understood. If viewed from the perspective of institutional authority, PKPU was formed by a body that has full control over the implementation of all election activities. It was explained that the KPU has several authorities, including the authority to establish regulations at each stage of the election, in Law Number 7 of 2017 concerning Elections, Article 13 concerning the KPU's jurisdiction. The process of nominating legislative candidates is part of the election stages which must be regulated by the KPU as the organizer of elections that are direct, general, free, secret, honest, and fair (*luberjurdil*). Therefore, it is very appropriate and rational for a regulation regarding the election stages to be made or issued by an institution whose main task is to organize the election.

PKPU Number 20 of 2018 should be visible according to the viewpoint of the substance of the guideline. A few gatherings expressed that the PKPU was in opposition to the above regulation, in particular Regulation Number 7 of 2017 concerning Decisions. Regulation Number 7 of 2017 concerning Races recently managed the legitimate status of a resident's capabilities to have the option to select as a contender for parliament. Imminent possibility for individuals from the DPR, common DPRD, and locale/city DPRD should be Indonesian residents and satisfy the necessities of never having been condemned to jail in view of a court choice that has super durable lawful power for perpetrating a lawbreaker act, by Article 240 passage (1) letter g. compromised with detainment for quite a long time or more except if he straightforwardly and honestly unveils that the subject is an indicted criminal.

The KPU demonstrated this by issuing a regulation prohibiting former convicts who fall into the category of extraordinary crimes from participating in elections as legislative candidates, which will later become an example for the Indonesian nation. It can be concluded that this is very normal and should happen; an extraordinary crime must be followed by an extraordinary attitude or commitment to handle it with preventive efforts.

The good thing that can be learned from PKPU is that all stakeholders, including Supreme Court judges (MA), must have the same enthusiasm and dedication as KPU commissioners to prevent convicts of extraordinary crimes (drug dealers, sexual abuse, and sexual harassment). crimes against children, and corruption) from running for office and ensuring that the election process produces legislators who truly represent the interests of the people.

Further arrangements with respect to specialized rules for choosing individuals from the DPR, common DPRD, and locale/city DPRD are controlled in KPU Guidelines, as expressed in Article 257 of Regulation Number 7 of 2017 concerning Decisions.

Subsequently, PKPU guidelines which are more specialized and control in nature should not "surpass the cutoff points" set by legal guidelines, not to mention struggle with them.

The political rights of former corruption convicts to register as legislative candidates are generally still limited by PKPU Number 20 of 2018. However, the Election Law does not limit the ability of former offenders to register as legislative candidates "as long as they are open and honest. declare to the public that the person concerned is a former prisoner," according to the law. Legal standards in PKPU must not conflict with higher regulations, for example, the Election Law because the legal norm hierarchy is lower. Regarding the making of statutory regulations, this is the legal basis.

Legal certainty is a fundamental principle of elections that is closely related to one of the objectives to be achieved by a statutory regulation. The three objectives of law—certainty, justice, and expediency—are interconnected in a series and are part of each other. Legal certainty is a manifestation of the obligation of election organizers to implement the provisions of the law. All parties interested in the election will get guarantees based on legal norms, giving voters and election participants confidence that election organizers will uphold democracy's continuation.[15]

All provisions governing elections must be consistent with each other so that there are no contradictions between provisions or regulations. Because PKPU is an extension of the technical implementation of the Election Law, this is a form of PKPU that can provide legal certainty. The PKPU prepared by the KPU must not conflict with the Election Law. Apart from that, the KPU in the process of preparing the PKPU must be responsive. A legal product must be oriented towards legal goals, especially justice, to be responsive. According to Rawls, utilitarianism functions as a basis for justice,[16] namely maximum benefit to as many people as possible. Likewise, the KPU is given the authority to prepare a PKPU that provides justice and benefits to the community.

4 Closing

In light of Article 8 passages (1) and (2) of Regulation Number 12 of 2011 concerning the Arrangement of Authoritative Guidelines, KPU guidelines have been obliged in the progressive system of legal guidelines. Similarly as with other state establishments that are shaped in light of legal guidelines or government acts in view of regulation, PKPU is a guideline commanded by the commission. Since it is controlled by higher regulations and guidelines and was framed utilizing the power conceded to the KPU through the Political race Regulation, the presence of the PKPU is perceived and has restricting legitimate power. The execution cycle and phases of the 2024 Synchronous Decisions should not struggle with the Political race Regulation, on the grounds that PKPU is an elaboration of the specialized execution of the Political race Regulation, this is a type of PKPU that can give legitimate conviction.

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