

LEGAL ANALYSIS OF SEPARATING NATIONAL AND REGIONAL ELECTION

Aura Novi Ayundira¹

¹State University Of Surabaya

Email: aura.23255@mhs.unesa.ac.id

Abstract

This study examined the legal aspects related to the separation of the organization of National and Regional Elections based on the general principles of good governance. Constitutional Court Decision Number 135/PUU-XXII/2024 mandates this separation to alleviate the burden on election organizers and improve the quality of election implementation. However, this separation inevitably raises administrative and juridical challenges, such as regulatory inconsistencies and the potential extension of regional officials' terms, requiring regulatory revisions and more effective coordination among organizing institutions. The research method employed is a normative approach with analysis of legislation and a conceptual framework. The findings emphasize the importance of maintaining the application of the principles of direct, general, free, secret, honest, and fair elections to ensure the credibility of democracy and sustainable governance. Mitigation efforts against the decline in voter participation and the complexity of coordination between central and regional governments are crucial in preserving political stability and the effectiveness of government administration.

Keywords: *Constitutional Court; Democracy; Election Separation; Principles of Good Governance; Voter Participation;*

Abstrak

Penelitian ini mengkaji aspek hukum yang berkaitan dengan pemisahan penyelenggaraan Pemilu Nasional dan Daerah yang berdasarkan pada prinsip-prinsip umum pemerintahan yang baik. Putusan Mahkamah Konstitusi Nomor 135/PUU-XXII/2024 mewajibkan pemisahan tersebut untuk meringankan beban penyelenggara serta meningkatkan mutu pelaksanaan pemilu. Namun, pemisahan ini juga pastinya akan menimbulkan tantangan dalam hal administratif dan yuridis, seperti ketidaksinkronan regulasi serta kemungkinan perpanjangan masa jabatan pejabat daerah, sehingga memerlukan revisi aturan dan koordinasi yang lebih efektif antar lembaga penyelenggara. Metode penelitian yang digunakan adalah pendekatan normatif dengan analisis peraturan perundang-undangan dan kerangka konseptual. Hasil penelitian menegaskan pentingnya menjaga penerapan asas pemilihan umum yang langsung, umum, bebas, rahasia, jujur, dan adil guna memastikan kredibilitas demokrasi serta tata kelola pemerintahan yang berkelanjutan. Upaya mitigasi terhadap penurunan partisipasi pemilih dan kompleksitas koordinasi antara pusat dan daerah menjadi hal krusial dalam mempertahankan stabilitas politik dan efektivitas penyelenggaraan pemerintahan.

Kata Kunci: *Asas Pemerintahan yang Baik; Demokrasi; Mahkamah Konstitusi; Partisipasi Pemilih; Pemisahan Pemilu;*

A. INTRODUCTION

The implementation of popular sovereignty in a democratic state is realized through the General Election (Pemilu) mechanism, which provides citizens the opportunity to determine the direction of government through the election of representatives and executive leaders. The Indonesian Constitution provides a firm normative foundation for the conduct of elections, as stipulated in Article 22E paragraph (2) of the 1945 Constitution, which regulates the election of DPR, DPD, President and Vice President, as well as DPRD members. This provision is reinforced by Article 18 paragraph (4) of the 1945 Constitution, which affirms the direct election mechanism for regional heads. Thus, elections serve a fundamental function as a means of realizing popular sovereignty and the primary instrument for maintaining political legitimacy and the continuity of democratic governance.¹

The development of the Indonesian election system has undergone significant changes post-Reformasi, marked by Constitutional Court (MK) Decision No. 14/PUU-XI/2013, which changed election implementation to simultaneous elections. This decision aimed to strengthen the presidential system by synchronizing executive and legislative mandates while creating budgetary efficiency. However, empirical reality during the 2019 elections revealed excessive workloads, administrative complexity, and high rates of organizer fatigue. KPU reports recorded 894 election officials who died and 5,175 who fell ill, while the number of invalid votes in the legislative elections reached 17.5 million, or approximately 11.12% of total valid votes. These findings indicate that the implementation of simultaneous elections has

¹ Pebriana Asina Panjaitan et al., "Analisis Prinsip Demokrasi Dalam Pelaksanaan Pemilu 2024 Terhadap Perilaku Politik Identitas Untuk Mendapatkan Dukungan Suara Dari Masyarakat Di Jalan Sering, Kelurahan Sidorejo, Medan Tembung," *IJEDR: Indonesian Journal of Education and Development Research* 2, no. 1 (2024): 130–36, <https://doi.org/10.57235/ijedr.v2i1.1587>.

resulted in serious challenges in terms of organizer safety, technical effectiveness, and democratic process quality.²

This complexity prompted the Constitutional Court to conduct constitutional correction through Constitutional Court Decision No. 135/PUU-XXII/2024, which declared that full simultaneity of all types of elections is unconstitutional. This decision mandates the separation of National Elections (President/Vice President, DPR, DPD) and Regional Elections (Pilkada and DPRD) starting in 2029 with a gap of two to two and a half years.³ The main considerations include protecting the safety of organizers, managing workloads, strengthening the effectiveness of the presidential system, and optimizing the LUBER-JURDIL principles (direct, general, free, confidential, honest, fair). This change becomes a crucial turning point that demands regulatory adjustments and technical coordination for election implementation.⁴

Although there are numerous studies on the effectiveness of simultaneous elections, KPPS workload burdens, and the implementation of democratic election principles (e.g., Rahman, 2020; Siregar, 2021), research on the separation of elections as a new regime post-Constitutional Court Decision 135/2024 remains limited. Previous literature has not thoroughly elaborated on how the legal design of separated elections should be constructed, how LUBER-JURDIL principles should be adapted to the separation architecture, or the potential governance distortions that may arise due to disharmony between national and regional terms of office. The research gap lies in the lack of comprehensive normative analysis regarding

² Roni Sulistyanto Luhukay, "Refleksi Atas Pemisahan Pemilu Nasional Dan Pemilu Lokal," *Legalitas: Jurnal Hukum* 12, no. 2 (2020): 187, <https://doi.org/10.33087/legalitas.v12i2.205>.

³ Rahmah Meladiah Ahmad Ari Fatullah, M. Maghfur Agung, "Implikasi Konstitusional Dan Sistemik: Analisis Putusan MK Nomor 135/PUU-XXII/2024 Tentang Pemisahan Pemilu Nasional Dan Pilkada," *ELQANUN: Jurnal Hukum Ketatanegaraan* 3, no. 1 (2025): 37–45.

⁴ Prayudi Prayudi, "Agenda Pemilu Serentak: Pemisahan Pemilu Nasional Dan Pemilu Lokal [Concurrent Elections: Separating the National and Local Elections]," *Jurnal Politica Dinamika Masalah Politik Dalam Negeri Dan Hubungan Internasional* 12, no. 1 (2021): 67–84, <https://doi.org/10.22212/jp.v12i1.1768>.

the legal implications, governance aspects, and long-term structural political-administrative consequences of election separation.

In this context, the novelty of this research is: (1) offering a normative analysis of the election separation design post-Constitutional Court Decision 135/2024, which has not been discussed in previous literature; (2) identifying legal consequences for election regulations that still refer to the simultaneity regime; (3) providing a solution framework based on good governance principles to ensure effective implementation of election separation without neglecting democratic principles; (4) systematically linking the Constitutional Court decision with the need for regulatory reconstruction of elections and governance arrangements.⁵

In addition to providing theoretical justification, the election model change also raises practical challenges. Separation can impact logistical efficiency, voter participation rates, political consolidation, and relations between central and regional governments. This new model has the potential to increase voter focus but may also create additional budgetary burdens and coordination complexities for organizing institutions.⁶ The impact on voter turnout also warrants attention, as intervals between elections that are too long could reduce public interest and participation in exercising their voting rights.⁷ Therefore, coordination among organizing institutions and the impact of separation on voter participation levels become important issues that require effective solutions to ensure that the democratic process through separated elections continues to run well and credibly. Comprehensive legal

⁵ Sri Asriana, Rosmini, and Ine Ventyrina, "Pemisahan Penyelenggaraan Pemilu Serentak Tingkat Nasional Dan Daerah," *Risalah Hukum* 18, no. 1 (2022): 20–33, <https://doi.org/10.30872/risalah.v18i1.586>.

⁶ Agil Almunawar, "Implikasi Hukum Putusan Mahkamah Konstitusi Nomor 135/PUU-XXII/2024 Tentang Pemisahan Pemilu Nasional Dan Lokal," *Jurnal Hukum Berkeadaban* 1, no. 1 (2025): 18–25, <https://doi.org/10.71094/jhb.v1i1.48>.

⁷ * Yusuf et al., ""Analisis Putusan MK No 85/PUU-XX/2022 Tentang," *Sosial Dan Administrasi Negara* 1, no. 1 (2024): 51–68.

studies are needed to formulate recommendations aligned with democratic principles and good governance.⁸

This research employs normative legal research methodology, which is legal research grounded in library studies, utilizing secondary data as the primary material. This research is conducted through the exploration and analysis of various statutory regulations and relevant literature pertaining to the issues or problems being studied.⁹ This research also examines court decisions and legal policies related to national and regional election regulations, particularly Constitutional Court Decision No. 135/PUU-XXII/2024, which regulates the separation between National Elections and Regional Elections. The research is based on norms contained in statutory regulations and various legal sources obtained from related literature studies.

This research employs two main approaches: the statutory approach and the conceptual approach. The statutory approach is used to examine legal norms contained in various regulations related to the research topic, to identify relevant juridical foundations. This approach focuses on analyzing the content and interrelationships between regulations within the national legal system. Meanwhile, the conceptual approach is used to explore and examine theoretical ideas and legal doctrines developed among experts. Through this approach, the research seeks to explain legal concepts and terms more deeply, both theoretically and in their application within state practices

B. FINDING AND DISCUSSION

1. Legal provisions contained in the Law on General Elections and Constitutional Court Decision No. 135/PUU-XXII/2024, which

⁸ Kelvin Putra Zai, "Peran Hukum Dalam Penyelenggaraan Pemerintahan Yang Baik Di Indonesia," *Tugas Mahasiswa Hukum 1* (2024): 1–12.

⁹ Soerjono Soekanto & Sri Mamudji, *Penelitian Hukum Normatif: Suatu Tinjauan Singkat* (Jakarta: Radja Grafindo Persada, 2010).

regulates the separation of National Level Elections and Regional Level Elections.

Legal provisions and Constitutional Court decisions regarding the division of general elections at the national and regional levels are contained in Law Number 7 of 2017 on General Elections, as well as Constitutional Court Decision No. 135/PUU-XXII/2024, which serve as important foundations in regulating the separation between National Level Elections and Regional Level Elections. This decision reflects a new direction in the Indonesian election system, which was previously conducted simultaneously. The Constitutional Court, as a judicial institution with the authority to review laws against the 1945 Constitution of the Republic of Indonesia, plays a role in ensuring that every legal provision aligns with constitutional principles.¹⁰ This is regulated in Article 24C paragraph (1) of the 1945 Constitution of the Republic of Indonesia, which affirms the Constitutional Court's function in conducting judicial review of laws against the 1945 Constitution of the Republic of Indonesia.

Through Decision No. 135/PUU-XXII/2024, the Constitutional Court not only declared that simultaneous elections contradict the constitution but also affirmed the need for temporal separation between National Elections and Regional Elections. This separation is established with a time gap of approximately two to two and a half years between the implementation of both types of elections.¹¹ This decision marks a fundamental change in Indonesia's state administration system, particularly in regulating the stages and implementation of general elections to be more efficient and aligned with constitutional principles.

¹⁰ Novia Mungawanah et al., "Analisis Hukum Tentang Peran Mahkamah Konstitusi Dalam Pengujian Perundang-Undangan:," *Jurnal Kolaboratif Sains* 8, no. 2 (2025): 1257–63, <https://doi.org/10.56338/jks.v8i2.7141>.

¹¹ Gugun Gunawan, Deny Guntara, and Muhamad Abas, "Implikasi Konstitusional Putusan Mk Nomor 135/PUU-XXII/2024 Tentang Pemisahan Pemilu Nasional Dan Pemilu Daerah," *Jurnal Ilmu Hukum, Humaniora Dan Politik* 6, no. 1 (2025): 629–38, <https://doi.org/10.38035/jihhp.v6i1.6351>.

The establishment of gap emerges as a response to various problems that occurred in previous simultaneous elections. These problems included technical difficulties, heavy workloads for committees, and negative impacts on election quality and the health of officials. By separating national elections from regional elections, the Constitutional Court aims to provide better space for each election to run more focused and efficiently, as well as to facilitate committees in preparing and conducting elections.¹² The establishment of this time gap emerges as a response to various problems that occurred in previous simultaneous elections. These problems included technical difficulties, heavy workloads for committees, and negative impacts on election quality and the health of officials. By separating national elections from regional elections, the Constitutional Court aims to provide better space for each election to run more focused and efficiently, as well as to facilitate committees in preparing and conducting elections.

The Constitutional Court decision also affirms that National Elections encompass the simultaneous election of the head of state and their deputy, central legislative members, and regional representative members. Meanwhile, regional-level elections, such as provincial and regency/city heads as well as regional legislative members, are conducted separately with a minimum time gap of two to two and a half years after the inauguration of national election results. Thus, regional elections will be held first in 2027, while national elections will take place in 2029.¹³

The Speaker of the People's Representative Council explicitly stated that the decision to separate simultaneous national and regional elections violates the constitution because it makes election implementation occur more than once every 5 years and considers the decision excessive because it

¹² Ahmad Sadzali, *Hukum Progresif Sebagai Sarana Menuju Demokrasi Substantif, Prosiding Seminar Nasional Hukum Tata Negara Tema: "Menyongsong Pemilu Serentak 2024,"* 2023.

¹³ Ika Kurniawati and Lusy Liany, "Kewenangan Mahkamah Konstitusi Sebagai Negative Legislator Dalam Pengujian Undang-Undang Terhadap Undang-Undang Dasar 1945," *ADIL: Jurnal Hukum* 10, no. 1 (2019), <https://doi.org/10.33476/ajl.v10i1.1068>.

interferes with the technical scheduling of general elections. In line with the DPR's stance, the Government, through the Coordinating Minister for Law, Human Rights, Immigration, and Corrections, expressed regret over the emergence of the Constitutional Court decision and stated readiness to implement it. Yusril Ihza Mahendra also stated that this decision has the potential to violate the provisions of the 1945 Constitution of the Republic of Indonesia because the term of office of DPRD members exceeds 5 years as stipulated in the constitution. Furthermore, Yusril stated that the emergence of such Constitutional Court decisions leaves the government with no policy choices because everything has been determined by the Constitutional Court. Statements by Yusril and Puan imply dissatisfaction from other branches of power with the Constitutional Court decision. This dissatisfaction has the potential to make the Constitutional Court decision not implemented consistently, or even attempts to deviate from or ignore it.¹⁴

Practice in Indonesia, simultaneous elections were actually never part of the election framework formulated in legislation. The concept of simultaneous elections first emerged through a judicial review filed by Effendi Ghazali to the Constitutional Court regarding the presidential election law, Constitutional Court Decision No. 14/PUU-XI/2013. At that time, Effendi Ghazali argued that conducting elections separately between electing legislative members and electing the president was a wasteful way of using state funds derived from public taxes.¹⁵ This indicates that although simultaneous general elections were once proposed, the regulatory framework and practice were never implemented, thus creating significant controversy through the Constitutional Court decision.

2. Implementation of Principles in the Separation between National and Regional Elections

¹⁴ Weldy Agiwinata and Universitas Palangkaraya, "364-616-1-Sm," n.d., 149–67.

¹⁵ R Ariviani, Hasyim Asy'ari, and Untung Sri Hardjanto, "Analisis Putusan Mahkamah Konstitusi Nomor 14/PUU-11/2013 Berkaitan Dengan Pemilihan Umum Serentak Di Indonesia," *Diponegoro Law Journal* 5, no. 4 (2016): hlm 6.

The principles of general election implementation, comprising direct, general, free, confidential, honest, and fair (LUBER JURDIL), have been affirmed in Law Number 7 of 2017 on General Elections (as most recently amended by Law Number 7 of 2023). These six principles serve as fundamental foundations that not only function as normative guidelines but also constitute the core determinants of election quality and legitimacy. The integrity of elections is fundamentally measured by the consistency of applying these principles at every stage.¹⁶

Although there is separation between National Elections and Regional Elections, Constitutional Court Decision No. 135/PUU-XXII/2024 affirms that the application of LUBER JURDIL principles must still be fully mandated. The Court emphasizes that fulfilling these principles must not be compromised as they concern citizens' constitutional rights. In that decision, the separation of timing and election objects is regulated as follows:

National Elections: Conducted simultaneously to elect members of the People's Representative Council (DPR), Regional Representative Council (DPD), as well as the President and Vice President. Regional Elections: Conducted separately within a period of at least two years and at most two years and six months after the inauguration of National Election results. These elections include the election of Regional People's Representative Council members (DPRD), Governors, Regents, and Mayors.

The direct principle affirms that voters must cast their votes directly without intermediaries, as stipulated in Article 1 number 1 of Law Number 7 of 2017 as amended by Law Number 7 of 2023 on the Establishment of Government Regulation in Lieu of Law Number 1 of 2022 on Amendments to Law Number 7 of 2017 on General Elections into Law.[Felicia Patricia and Yapin Chindy, *"Penguatan Mekanisme Penyelenggaraan Pemilihan Umum Melalui Rekonstruksi Kesadaran Penyelenggara Pemilihan Umum,"* Binamulia

¹⁶ Andi Muhammad Safwan et al., "Analisis Hukum Asas Langsung, Umum, Bebas, Rahasia, Jujur, Adil Dalam Pemilihan Umum Serentak Tahun 2019," *Bhirawa Law Journal* 2, no. 2 (2021): 136–44, <https://doi.org/10.26905/blj.v2i2.6825>.

Hukum Vol. 8, no. 2 (2019): 155–72.) Constitutional Court Decision No. 135/PUU-XXII/2024 emphasizes that election separation must not hinder the implementation of this principle to preserve the authenticity of the people's voice. (Gunawan, Guntara, and Abas, "*Implikasi Konstitusional Putusan MK Nomor 135/PUU-XXII/2024 Tentang Pemisahan Pemilu Nasional Dan Pemilu Daerah.*") The general principle guarantees the rights of all citizens without discrimination, including factors of age, gender, and social status. This principle must be upheld to ensure elections are inclusive and representative, particularly in the context of separated elections to avoid disparities in voting access between regions.¹⁷

Implementation of the Free and Secret Principles

The implementation of the free and secret principles plays a crucial role in maintaining democratic quality during elections, particularly when national and regional elections are conducted separately. In this context, freedom of choice must be guaranteed without pressure, coercion, or intimidation from any party, either before or during voting.¹⁸ The protection of voter secrecy must be strictly maintained. The interval period between national and regional elections may pose new challenges in maintaining the consistency of this principle, particularly regarding mechanisms for safeguarding voting rights and voter data confidentiality that must be managed twice within a close timeframe. The implementation of the secret principle requires secure technical mechanisms to ensure voters' voices are not revealed, which becomes even more critical in two separate election implementations to prevent data leaks.¹⁹ Therefore, election organizers must establish clear standard operating procedures and utilize election

¹⁷ Dede Al Mustaqim Mustaqim, "Prinsip Non-Diskriminasi Terhadap KPU Dalam Pemenuhan Hak Pilih Disabilitas Pada Pilkada 2024," *Siyasah* 5, no. 1 (2025): 109–33, <https://doi.org/10.32332/9wf77495>.

¹⁸ Safwan et al., "Analisis Hukum Asas Langsung, Umum, Bebas, Rahasia, Jujur, Adil Dalam Pemilihan Umum Serentak Tahun 2019."

¹⁹ Masnia Ahmad, "Tantangan Pemantau Pemilu Dalam Menjaga Hak Pilih Tahun 2024," *The Indonesian Journal of Public Administration (IJPA)* 10, no. 1 (2025): 37–44, <https://doi.org/10.52447/ijpa.v10i1.7576>.

information systems technology that guarantees data security and vote secrecy for both elections. This is important to ensure that temporal separation does not weaken the protection of citizens' constitutional rights, so that the free and secret principles can be optimally upheld at every stage of national and regional elections.

Implementation of Honest and Fair Principles

The honest and fair principles constitute essential substantive foundations for realizing democratic and credible general elections. Within the framework of separating national and regional elections, there is potential risk of oversight disparities and differential treatment. This condition not only indicates fragmentation of organizational tasks and increased administrative complexity but also has the potential to trigger unconstitutional and unethical practices, such as voter data manipulation, irregularities in logistics distribution, or inconsistencies in vote recapitulation procedures.²⁰

Therefore, enforcement of these principles must be strengthened through the implementation of the General Principles of Good Governance (AUPB), particularly transparency, effectiveness, and accountability. Transparency ensures public accessibility to every election stage, serving as a mechanism to prevent abuse of authority. Accountability binds every organizer to be institutionally responsible for their actions. Meanwhile, effectiveness demands that all processes achieve the intended objectives appropriately.

Constitutional Court Decision No. 14/PUU-XI/2013 explicitly states that election integrity must be maintained intact. Elections that are dishonest, unfair, and unaccountable will undermine the legitimacy of the resulting government, in accordance with the substance of Article 28D paragraph (1) of the 1945 Constitution of the Republic of Indonesia, which guarantees the right to legal certainty and fair treatment for every citizen. To

²⁰ Frenki, "Asas-Asas Dalam Pelaksanaan Pemilihan Umum Di Indonesia Menurut Fiqh Siyasah," *ASAS: Jurnal Hukum Ekonomi Syariah* 8, no. 1 (2016): 57.

anticipate risks of fragmentation and inconsistency, strengthening oversight through independent institutions and enhancing the capacity and integrity of election organizers must be established as top priorities. Comprehensive regulations governing transparency and accountability mechanisms in election implementation constitute an absolute prerequisite for creating a clean and just electoral climate.²¹

3. Legal Challenges and Solutions in Implementing the Separation between National and Regional General Elections

The implementation of Constitutional Court (MK) Decision No. 135/PUU-XXII/2024 regarding the separation of schedules between National Elections and Regional Elections raises substantive juridical challenges that demand rapid regulatory solutions. The main issue is the normative disparity between the provisions in Law Number 7 of 2017 on Elections and the technical implementation requirements for separate elections. This inconsistency has the potential to trigger operational conflicts and confusion at the implementation level.

Additionally, there is a constitutional issue regarding the potential extension of the term of office of Regional People's Representative Council (DPRD) members beyond five years, as a result of schedule adjustments. This condition fundamentally has the potential to conflict with the constitutional principle of a five-year term guaranteed by Article 22E paragraph (2) of the 1945 Constitution of the Republic of Indonesia. Therefore, regulatory intervention is needed to ensure the continuity of this principle without hindering the implementation of the established election schedule.²²

The proposed urgent solution involves comprehensive regulatory amendments supported by two main pillars: regulatory adjustments and strengthened institutional design.

²¹ Anita Nabila Haniifaa and Tajul Arifin, "Keadilan Hukum Dalam Pasal 28D Ayat (1) UUD 1945 Menurut Hadits Shahih Muslim No . 1688," *Jurnal Pendidikan Tambusai* 9, no. 2 (2025): 18237–44.

²² Frenki, "Asas-Asas Dalam Pelaksanaan Pemilihan Umum Di Indonesia Menurut Fiqh Siyasah."

- **Regulatory Revision (Legal Aspects):** Substantial revisions to Law No. 7 of 2017 on Elections and related Regional Government Laws governing terms of regional heads and DPRD members are required. These revisions must include specific clauses for:
- **Addressing Potential Conflicts with the Five-Year Term Principle:** Revisions must resolve conflicts with the constitutional five-year term principle by establishing temporary term periods or acting officials (Pj) to ensure definitively elected officials serve a maximum of five years.
- **Formalization of Coordination (Institutional Design):** Coordination among election organizing institutions namely the Central General Elections Commission (KPU), Regional KPU, and the General Elections Supervisory Agency (Bawaslu) must be elevated to a formal and legally binding level. This formalization should ideally be implemented through:
- **Tripartite MoU and Joint SOPs:** Drafting a Tripartite Memorandum of Understanding (MoU) that clearly defines operational authority divisions, alongside detailed joint Standard Operating Procedures (SOP) for critical stages.²³

According to Herman Suparman, Executive Director of the Regional Autonomy Implementation Monitoring Committee, this separation allows the public to focus more deeply on national and regional candidates separately. The policy also supports better alignment of regional heads' visions and missions with structured national development planning.

The separation of national and regional election schedules fundamentally impacts Indonesia's democratic dynamics and government governance effectiveness. The significant time gap between the two elections risks declining voter participation, as public momentum and attention to democratic processes tend to wane.

²³ Asriana, Rosmini, and Ventyrina, "Pemisahan Penyelenggaraan Pemilu Serentak Tingkat Nasional Dan Daerah."

Low voter participation in separated regional elections risks undermining the legitimacy of results and political representation quality. Policy alignment between central and regional governments grows more complex as executive and legislative terms desynchronize, heightening coordination friction in public policy formulation and implementation.

The government needed to design effective mitigation strategies, including intensified continuous political education for the public and regular coordination mechanisms between central and regional executives post-elections to maintain political stability and governance effectiveness.²⁴

C. CONCLUSION

The separation of National and Regional Elections as affirmed in Constitutional Court Decision No. 135/PUU-XXII/2024 serves as a strategic effort to enhance election quality, effectiveness, and sustainability in Indonesia. This policy aims to reduce organizers' workload, minimize health risks for officials, and create momentum for more planned, proportional, and humane election governance.

In implementation, the principles of direct, general, free, secret, honest, and fair elections remain mandatory constitutional standards for both National and Regional Elections. Primary challenges to anticipate include regulatory asynchrony, differing regional official terms, and vacancy risks that could cause legal uncertainty, overlapping authorities, and reduced effectiveness. The long gap between the two election types risks lowering voter participation without consistent public communication strategies and political education, while adding complexity to central-regional coordination in maintaining policy stability, development planning synchronization (RPJMN-RPJMD), and government program continuity. Therefore, election

²⁴ Helni Sadid Parassa, Sirnan Sirnan, and Aswar Annas, "Peran Pemerintah Dalam Pengembangan Regulasi Dan Budaya Sadar Bencana Di Masyarakat Perkotaan: Studi Kasus Di Kota Makassar," *Journal of Governance and Local Politics (JGLP)* 6, no. 2 (2024): 141–50, <https://doi.org/10.47650/jglp.v6i2.1521>.

separation will only run effectively if accompanied by a comprehensive policy package. Acceleration of regulatory harmonization through law revisions and technical rule adjustments; strengthening organizer capacity via sustainable HR planning, proportional task division, and health/safety protections; and voter participation strategies using digital political education, local government collaboration, and expanded access for vulnerable groups. Simultaneously, structured data-based central-regional coordination mechanisms prevent policy disharmony from political cycle differences, while enhancing transparency and accountability through technology, integrated digital recapitulation, and information openness.

REFERENCES

- Agiwinata, Weldy, and Universitas Palangkaraya. "364-616-1-Sm," n.d., 149–67.
- Ahmad Ari Fatullah, M. Maghfur Agung, Rahmah Meladiah. "Implikasi Konstitusional Dan Sistemik: Analisis Putusan MK Nomor 135/PUU-XXII/2024 Tentang Pemisahan Pemilu Nasional Dan Pilkada." *ELQANUN: Jurnal Hukum Ketatanegaraan* 3, no. 1 (2025): 37–45.
- Ahmad, Masnia. "Tantangan Pemantau Pemilu Dalam Menjaga Hak Pilih Tahun 2024." *The Indonesian Journal of Public Administration (IJPA)* 10, no. 1 (2025): 37–44. <https://doi.org/10.52447/ijpa.v10i1.7576>.
- Almunawar, Agil. "Implikasi Hukum Putusan Mahkamah Konstitusi Nomor 135/PUU-XXII/2024 Tentang Pemisahan Pemilu Nasional Dan Lokal." *Jurnal Hukum Berkeadaban* 1, no. 1 (2025): 18–25.

<https://doi.org/10.71094/jhb.v1i1.48>.

Ariviani, R, Hasyim Asy'ari, and Untung Sri Hardjanto. "Analisis Putusan Mahkamah Konstitusi Nomor 14/PUU-11/2013 Berkaitan Dengan Pemilihan Umum Serentak Di Indonesia." *Diponegoro Law Journal* 5, no. 4 (2016): hlm 6.

Asriana, Sri, Rosmini, and Ine Ventyrina. "Pemisahan Penyelenggaraan Pemilu Serentak Tingkat Nasional Dan Daerah." *Risalah Hukum* 18, no. 1 (2022): 20–33. <https://doi.org/10.30872/risalah.v18i1.586>.

Felicia Patricia, and Yapin Chindy. "Penguatan Mekanisme Penyelenggaraan Pemilihan Umum Melalui Rekonstruksi Kesadaran Penyelenggara Pemilihan Umum." *Binamulia Hukum* Vol. 8 N, no. 2 (2019): 155–72.

Frenki. "Asas-Asas Dalam Pelaksanaan Pemilihan Umum Di Indonesia Menurut Fiqh Siyasah." *ASAS: Jurnal Hukum Ekonomi Syariah* 8, no. 1 (2016): 57.

Gunawan, Gugun, Deny Guntara, and Muhamad Abas. "Implikasi Konstitusional Putusan Mk Nomor 135/PUU-XXII/2024 Tentang Pemisahan Pemilu Nasional Dan Pemilu Daerah." *Jurnal Ilmu Hukum, Humaniora Dan Politik* 6, no. 1 (2025): 629–38. <https://doi.org/10.38035/jihhp.v6i1.6351>.

Haniifaa, Anita Nabila, and Tajul Arifin. "Keadilan Hukum Dalam Pasal 28D Ayat (1) UUD 1945 Menurut Hadits Shahih Muslim No . 1688." *Jurnal Pendidikan Tambusai* 9, no. 2 (2025): 18237–44.

Kurniawati, Ika, and Lusy Liany. "Kewenangan Mahkamah Konstitusi Sebagai Negative Legislator Dalam Pengujian Undang-Undang Terhadap Undang-Undang Dasar 1945." *ADIL: Jurnal Hukum* 10, no. 1 (2019). <https://doi.org/10.33476/ajl.v10i1.1068>.

Luhukay, Roni Sulistyanto. "Refleksi Atas Pemisahan Pemilu Nasional Dan Pemilu Local." *Legalitas: Jurnal Hukum* 12, no. 2 (2020): 187. <https://doi.org/10.33087/legalitas.v12i2.205>.

Mungawanah, Novia, Muchamad Taufiq, Arief Fahmi Lubis, Karman Jaya, Stit

- Al Ibrohimy Bangkalan, and Artikel Penelitian. "Analisis Hukum Tentang Peran Mahkamah Konstitusi Dalam Pengujian Perundang-Undangan." *Jurnal Kolaboratif Sains* 8, no. 2 (2025): 1257–63. <https://doi.org/10.56338/jks.v8i2.7141>.
- Mustaqim, Dede Al Mustaqim. "Prinsip Non-Diskriminasi Terhadap KPU Dalam Pemenuhan Hak Pilih Disabilitas Pada Pilkada 2024." *Siyasah* 5, no. 1 (2025): 109–33. <https://doi.org/10.32332/9wf77495>.
- Panjaitan, Pebriana Asina, Parlaungan Gabriel Siahaan, Novridah Reanti Purba, Ruth Geraldine Manurung, and Ameliya Harahap. "Analisis Prinsip Demokrasi Dalam Pelaksanaan Pemilu 2024 Terhadap Perilaku Politik Identitas Untuk Mendapatkan Dukungan Suara Dari Masyarakat Di Jalan Sering, Kelurahan Sidorejo, Medan Tembung." *IJEDR: Indonesian Journal of Education and Development Research* 2, no. 1 (2024): 130–36. <https://doi.org/10.57235/ijedr.v2i1.1587>.
- Parassa, Helni Sadid, Sirnan Sirnan, and Aswar Annas. "Peran Pemerintah Dalam Pengembangan Regulasi Dan Budaya Sadar Bencana Di Masyarakat Perkotaan: Studi Kasus Di Kota Makassar." *Journal of Governance and Local Politics (JGLP)* 6, no. 2 (2024): 141–50. <https://doi.org/10.47650/jglp.v6i2.1521>.
- Prayudi, Prayudi. "Agenda Pemilu Serentak: Pemisahan Pemilu Nasional Dan Pemilu Lokal [Concurrent Elections: Separating the National and Local Elections]." *Jurnal Politica Dinamika Masalah Politik Dalam Negeri Dan Hubungan Internasional* 12, no. 1 (2021): 67–84. <https://doi.org/10.22212/jp.v12i1.1768>.
- Sadzali, Ahmad. *Hukum Progresif Sebagai Sarana Menuju Demokrasi Substantif. Prosiding Seminar Nasional Hukum Tata Negara Tema: "Menyongsong Pemilu Serentak 2024,"* 2023.
- Safwan, Andi Muhammad, Samsul Wahidin, Riski Febria Nurita, and Raditya Feda Rifandhana. "Analisis Hukum Asas Langsung, Umum, Bebas, Rahasia, Jujur, Adil Dalam Pemilihan Umum Serentak Tahun 2019."

Bhirawa Law Journal 2, no. 2 (2021): 136–44.
<https://doi.org/10.26905/blj.v2i2.6825>.

Soerjono Soekanto & Sri Mamudji. *Penelitian Hukum Normatif: Suatu Tinjauan Singkat*. Jakarta: Radja Grafindo Persada, 2010.

Yusuf, *, Apriyanto Bantu, Pembentukan Badan, Peradilan Khusus, Pemilu Ditinjau, Dari Teori, Kedaulatan Hukum, " Yusuf, and Abdul Hamid Tome. ""Analisis Putusan MK No 85/PUU-XX/2022 Tentang." *Sosial Dan Administrasi Negara* 1, no. 1 (2024): 51–68.

Zai, Kelvin Putra. "Peran Hukum Dalam Penyelenggaraan Pemerintahan Yang Baik Di Indonesia." *Tugas Mahasiswa Hukum* 1 (2024): 1–12.