

THE SHIFT IN THE CONSTITUTIONAL COURT'S LEGAL POLICY REGARDING THE DESIGN OF SIMULTANEOUS ELECTIONS: AN ANALYSIS OF CONSTITUTIONAL COURT DECISION NUMBER 135/PUU-XXII/2024

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Received:05/09/2026 | Revised : 12/09/2026 | Accepted: 30/09/2026 | Published 28/10/2026

Abstract

Constitutional Court Decision Number 135/PUU-XXII/2024 alters the design of simultaneous elections in Indonesia by separating National Elections and Regional Elections. Utilizing a normative legal research method with case and conceptual approaches, this article examines the ratio decidendi of the separation and its constitutional implications. The determination of a two to two-and-a-half-year interval is based on considerations regarding the workload of election administrators, the cognitive protection of local voters, and the restoration of political party regeneration functions. The Court's application of the positive legislator function raises discussions concerning the boundaries of judicial authority and the principle of checks and balances, the interpretation of which is maintained in Decision Number 124/PUU-XXIII/2025. During the transitional period, this separation results in a misalignment in the tenure periodization of regional heads and members of the Regional House of Representatives (DPRD) elected in the 2024 Elections. The restructuring of these regulations requires an open legal policy from lawmakers and the establishment of a specialized judicial body under the Supreme Court to ensure constitutional legal certainty.

Keywords: Simultaneous Elections; Constitutional Court; Legal Policy; Transitional Period.

INTRODUCTION

The design of electoral administration within a constitutional democracy relates to the structuring of constitutional arrangements aimed at achieving a balance between efficiency, the stability of the governmental system, and popular sovereignty. In Indonesia, the implementation of Article 22E of the 1945 Constitution of the Republic of Indonesia (UUD NRI 1945) concerning elections held on a direct, universal, free, secret, honest, and fair basis every five years has undergone several format changes (Sukma, 2025). These changes stem not only from legislative enactments by lawmakers but are also influenced by constitutional interpretation through the decisions of the Constitutional Court.

The development of the simultaneous election model in Indonesia is based on Constitutional Court Decision Number 14/PUU-XI/2013, which mandated that the Election of the President and Vice President be held concurrently with the Election of Legislative Members (Walangitan et al., 2025). The legal reasoning (ratio decidendi) of the decision rests upon the strengthening of the presidential system, state budget efficiency, and the generation of a coattail effect to preempt the phenomenon of divided government (Hayat, 2014). The constitutional boundaries of this simultaneity were subsequently formulated in Constitutional Court Decision Number 55/PUU-XVII/2019, which established six variant models of simultaneous elections, including the "five-ballot-box" simultaneous election model (comprising the President, DPR, DPD, Provincial DPRD, and Regency/Municipal DPRD) for the 2019 and 2024 Elections (Hidayat, 2022).

The implementation of the five-ballot-box simultaneous election model has generated technical and sociological implications. Consolidating the executive and legislative electoral stages from the central to regional levels overburdened the managerial capacity of electoral institutions. Constitutional Court Decision Number 135/PUU-XXII/2024 noted the occurrence of physical exhaustion among lower-level (ad hoc) election administrators during the 2019 Elections, as well as a high rate of invalid votes due to the technical complexities of voting. This five-ballot-box model also altered political dynamics, wherein local political issues tended to be overshadowed by the presidential election, as confirmed by data evaluating the effectiveness of the previous simultaneous election model (Afandi et al., 2025). The recruitment and regeneration patterns of political parties also underwent transformations, demonstrating a tendency to prioritize the popularity of national figures over strengthening local representative capacity. This aligns with the thesis that the previous concurrent system tended to marginalize local legislative issues due to the dominance of national campaign narratives (Rijal & Akbar, 2026).

Beyond managerial burdens and the overshadowing of political issues, alterations to electoral legal norms close to polling day risk generating legal uncertainty for organizers. Consequently, the application of a temporal restriction via the Purcell Principle is required to prevent the Constitutional Court from changing the electoral rules of the game once the implementation stages are already underway (Wicaksono & Ruhpinesthi, 2025). This concurrency policy creates a legal antinomy, wherein a conflict arises between the principle of utility in the form of budget efficiency and the principle of legal certainty regarding the guaranteed tenure of elected officials, which ultimately may impede regional government stability (Ramadani et al., 2025).

Based on these technical challenges and regulatory fragmentation, the Association for Elections and Democracy (Perludem) filed a petition for judicial review against Law Number 7 of 2017 concerning General Elections and Law Number 8 of 2015 concerning the Amendment to Law Number 1 of 2015 concerning the Enactment of Government Regulation in Lieu of Law Number 1 of 2014 concerning the Election of Governors, Regents, and Mayors into Law (hereinafter referred to as the Regional Head Elections Law). This petition was adjudicated through Constitutional Court Decision Number 135/PUU-XXII/2024, which declared the five-ballot-box simultaneous election format conditionally unconstitutional under the 1945 Constitution. The Court established a new administrative design separating National Elections (comprising the President, DPR, and DPD) from Regional Elections (comprising Governors, Regents/Mayors, Provincial DPRD, and Regency/Municipal DPRD) with an electoral interval of no less than 2 (two) years and no more than 2 (two) years and 6 (six) months from the inauguration of the members of the House of Representatives and the Regional Representative Council, or from the inauguration of the President and Vice President.

METHOD

The shift in the design of simultaneous elections within the Indonesian constitutional system is examined through a normative legal method, focusing the analysis on library research of positive legal norms, legal principles, and related doctrines. The approaches employed are the case approach and the conceptual approach. The case approach is conducted through a review of a series of Constitutional Court decisions, particularly Decision Number 135/PUU-XXII/2024, as well as related decisions such as Decision Number 124/PUU-XXIII/2025, Number 85/PUU-XX/2022, and Number 55/PUU-XVII/2019. Primary legal materials in this study include the 1945 Constitution of the Republic of Indonesia, the General Elections Law, and the Regional Head Elections Law. Meanwhile, scholarly literature, legal journal articles, and official judicial releases are utilized as secondary legal materials relating to electoral engineering.

The analysis of legal materials is conducted qualitatively employing a descriptive-analytical method to explain the paradigm shift in the Constitutional Court's legal policy. Legal reasoning focuses on examining the ratio decidendi to discern the transition of the Court's role from a negative legislator to a positive legislator in determining the interval between National Elections and Regional Elections. Furthermore, legal doctrines such as the boundaries of judicial authority, open legal policy, the Purcell principle, and the principle of checks and balances are applied to unravel legal antinomies and constitutional implications during the transitional period. Through this normative reconstruction, the analysis generates scenarios for restructuring tenure regulations and determines the urgency of establishing a specialized judicial body to ensure constitutional legal certainty.

RESULTS AND DISCUSSION

A. The Legal Policy of Simultaneous General Elections in Indonesia

The determination of electoral timing constitutes an instrument of constitutional engineering that influences the pattern of the circulation of power (Rijal & Akbar, 2026). Doctrinally, the engineering design of general elections is divided into two primary approaches: schedule integration, which aims to generate a coattail effect to reinforce the executive mandate, and schedule segmentation, which is oriented toward strengthening the mechanism of checks and balances by localizing political issues (Rijal & Akbar, 2026). Concurrently scheduling executive and legislative elections on the same day is predicated on the assumption of voters' propensity for straight-ticket voting. This engineering is doctrinally intended to produce aligned political mandates in order to form a government backed by a parliamentary majority (Rijal & Akbar, 2026).

The conduct of simultaneous general elections impacts the application of the principles of decentralization and regional autonomy. Regional elections possess distinct accountability characteristics, serving as a platform for articulating local public policy and as an evaluation mechanism for the performance of regional governments (Afandi et al., 2025). Simultaneously scheduling general elections potentially creates conditions of bounded rationality, wherein voters face a high cognitive overload in objectively assessing the track records of candidates at the regional

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level (Sani et al., 2025). Consequently, the separation of national and regional general elections becomes an institutional alternative to realize a more structured, efficient, and professional electoral governance (Faridhi & Indra, 2025). This new format is expected to optimize meaningful participation and minimize the impact of political polarization.

Such a design modification correlates with the evolution of constitutional interpretation regarding the legal status of Regional Head Elections (Pemilihan Kepala Daerah or Pilkada) and the Regional House of Representatives (Dewan Perwakilan Rakyat Daerah or DPRD). The legal status of Pilkada was previously categorized between the regional government regime under Article 18 of the 1945 Constitution of the Republic of Indonesia (UUD NRI 1945) and the general election regime under Article 22E of the UUD NRI 1945. This interpretation underwent a shift through Constitutional Court Decision Number 85/PUU-XX/2022, which incorporated Pilkada into the conceptual framework of general elections, thereby establishing regional head elections and the Regional House of Representatives as an integrated general election system falling under the jurisdiction of the Constitutional Court (Noor, 2023). The integration of these regimes underpins the authority of the Constitutional Court in Decision Number 135/PUU-XXII/2024 to restructure the periodization between national and regional general elections. The chronological evolution of the Constitutional Court's role and interpretation in organizing the general election system can be mapped through the decisions of the Constitutional Court as outlined in Table 1.

Table 1: The Evolution of Constitutional Court Decisions Concerning the Concurrent General Election Design

Decision Citation	Object of Regulatory Review	Holding / Order	Legal Policy Implications
Decision Number 14/PUU-XI/2013	Judicial review of Law Number 42 of 2008 concerning the General Election of the President and Vice President against the 1945 Constitution of the Republic of Indonesia.	The provisions of Article 3 paragraph (5), Article 12 paragraph (1) and paragraph (2), Article 14 paragraph (2), and Article 112 of Law Number 42 of 2008 concerning the General Election of the President and Vice President (State Gazette of the Republic of Indonesia of 2008 Number 176, Supplement to the State Gazette of the Republic of Indonesia Number 4924) are declared to be in conflict with the 1945 Constitution of the Republic of Indonesia. Therefore, the articles in the a quo law are declared to have no binding legal force.	Designing a coattail effect to strengthen the presidential system and minimize divided government.
Decision Number 55/PUU-XVII/2019	Judicial review of Law Number 7 of 2017 concerning General Elections, Law Number 8 of 2015 concerning the Amendment to Law Number 1 of 2015 concerning the Enactment of Government Regulation in Lieu of Law Number 1 of 2014 concerning the Election of Governors, Regents, and Mayors into Law, and Law Number 10 of 2016 concerning the Second Amendment to	Dismissed the Petitioner's petition in its entirety. The Constitutional Court considered that restructuring the simultaneous election model remains permissible to strengthen the presidential system of government, provided it does not alter the fundamental principle of concurrency in electing members of central representative bodies (DPR and DPD) along with the President and Vice President. Based on an examination of original intent and legal precedent, the Court established six variations of	Establishing simultaneous election requirements focused on concurrency at the national level (DPR, DPD, and President/Vice President), and affirming the authority of an open legal policy for lawmakers to choose the electoral model. In determining this model choice, the legislative authority is bounded by five parameters: the necessity to involve public participation, provide sufficient simulation time, calculate technical implications for voter accessibility, and maintain model

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	Law Number 1 of 2015 concerning the Enactment of Government Regulation in Lieu of Law Number 1 of 2014 concerning the Election of Governors, Regents, and Mayors into Law against the 1945 Constitution of the Republic of Indonesia.	concurrent election models deemed constitutional, ranging from combining national and regional elections to separation based on administrative regions (national, provincial, and regency/municipal), as well as other options that maintain the concurrency of central legislative and presidential elections. The choice of the model to be implemented is delegated to the lawmakers, with an obligation to consider public participation, sufficient simulation time, rational technical implications for electoral quality, voter accessibility, and model consistency to create established legal certainty.	consistency to ensure long-term legal certainty.
Decision Number 85/PUU-XX/2022	Judicial review of Law Number 10 of 2016 concerning the Second Amendment to Law Number 1 of 2015 concerning the Enactment of Government Regulation in Lieu of Law Number 1 of 2014 concerning the Election of Governors, Regents, and Mayors into Law against the 1945 Constitution of the Republic of Indonesia.	Granted the Petitioner's petition in its entirety, with a ruling declaring that the phrase "until the establishment of a specialized judicial body" in Article 157 paragraph (3) as well as the provisions of Article 157 paragraph (1) and paragraph (2) of Law of the Republic of Indonesia Number 10 of 2016 concerning the Second Amendment to Law Number 1 of 2015 concerning the Enactment of Government Regulation in Lieu of Law Number 1 of 2014 concerning the Election of Governors, Regents, and Mayors into Law (State Gazette of the Republic of Indonesia of 2016 Number 130, Supplement to the State Gazette of the Republic of Indonesia Number 5898) are in conflict with the 1945 Constitution of the Republic of Indonesia and lack binding legal force.	This decision directs legal policy toward the unification of the electoral legal regime. By placing the resolution of Pilkada disputes under the jurisdiction of the Constitutional Court, similar to Presidential and Legislative General Elections, Pilkada is legally positioned as part of the general election regime subject to the principles of procedural law at the Constitutional Court.
Decision Number 135/PUU-XXII/2024	Judicial review of Law Number 7 of 2017 concerning General Elections and Law Number 8 of 2015 concerning the Amendment to Law Number 1 of 2015	The provisions of Article 167 paragraph (3) and Article 347 paragraph (1) of Law Number 7 of 2017 concerning General Elections (State Gazette of the Republic of Indonesia of 2017 Number 182, Supplement to the State Gazette of the Republic of	This decision alters the design of simultaneous elections from a five-ballot-box model conducted on the same day to a two-stage election model, namely National Simultaneous Elections and Local Simultaneous Elections. This new legal policy separates

concerning the Enactment of Government Regulation in Lieu of Law Number 1 of 2014 concerning the Election of Governors, Regents, and Mayors into Law against the 1945 Constitution of the Republic of Indonesia.	Indonesia Number 6109), and Article 3 paragraph (1) of Law Number 8 of 2015 concerning the Amendment to Law Number 1 of 2015 concerning the Enactment of Government Regulation in Lieu of Law Number 1 of 2014 concerning the Election of Governors, Regents, and Mayors into Law (State Gazette of the Republic of Indonesia of 2015 Number 57, Supplement to the State Gazette of the Republic of Indonesia Number 5678) are in conflict with the 1945 Constitution of the Republic of Indonesia and are conditionally lacking binding legal force insofar as they are not interpreted as meaning that voting is conducted simultaneously to elect members of the DPR, DPD, and the President/Vice President, which is subsequently followed by simultaneous voting to elect members of provincial DPRD, regency/municipal DPRD, and regional heads (governors, regents, and mayors along with their deputies) within a period of no less than 2 (two) years or no more than 2 (two) years and 6 (six) months from the inauguration of the members of the DPR and DPD or from the inauguration of the President/Vice President on a holiday or a day designated as a national holiday.	the timing of electing central-level officials from regional-level officials.
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The dynamics of judicial review in the field of general elections by the Constitutional Court, as illustrated in the table above, correlate with the application of the doctrines of judicial restraint and judicial activism. The Constitutional Court was initially positioned as a negative legislator, namely an institution whose authority is confined to the invalidation of statutory norms that conflict with the constitution (Silalahi & Wijaya, 2025). However, the annulment of an electoral norm may give rise to a legal vacuum.

To anticipate such a legal vacuum, the Constitutional Court exercises the function of a positive legislator or quasi-legislator, wherein its holding does not merely invalidate a norm but also formulates criteria or establishes specific timeframes that bind lawmakers (Parapat & Khalid, 2025). In Decision Number 135/PUU-XXII/2024, the Constitutional Court not only declared the unconstitutionality of the five-ballot-box election model but also mandated a new arrangement in the form of separating national and regional elections with a two-year interval. The application of this positive legislator function is based on a living constitution approach to safeguard popular sovereignty, notwithstanding that such a measure prompts discussions regarding the boundaries of judicial authority within the classical separation of powers (Gunawan et al., 2025).

The Court's approach in establishing technical regulations by specifying a number of years or months within its ruling is deemed to intersect with the functional boundaries of the constitutional court's authority. This framework in adjudicating the judicial review of election laws invites discussions concerning *ultra petita*, as the Court is perceived to have formulated technical norms by determining a specific interval, which conventionally remains within the domain of the open legal policy of lawmakers. This constitutional adjudication entering the policy arena aligns with the discourse on the institutional boundaries of judicial authority. Should judicial rulings encroach upon the realm of open legal policy, the principle of separation of powers and the mechanism of checks and balances may undergo a shift, thereby impacting the functional relationships between state institutions (Hantoro, 2024).

In an effort to bound the expansion of judicial activism and safeguard legal certainty, the application of a temporal threshold via the Purcell Principle has become a subject of constitutional analysis. This legal doctrine establishes that the judiciary should refrain from altering electoral regulations or stages when the date of voting is imminent. The implementation of temporal restrictions on judicial decisions is essential to prevent operational impediments for election administrators. Consequently, time limitations on the judicial review of electoral laws, such as a minimum threshold of six months prior to the commencement of electoral stages, are required so that normative shifts do not generate regulatory uncertainty and technical obstacles that could jeopardize the seamless conduct of the electoral process (Prasetya, 2026).

B. Legal Reasoning and Paradigm Shift in Constitutional Court Decision Number 135/PUU-XXII/2024

The petition for judicial review filed by the Association for Elections and Democracy (Perludem) forms the basis for the issuance of Constitutional Court Decision Number 135/PUU-XXII/2024. The object of review in this case encompasses several technical provisions on simultaneity within the General Elections Law and the Regional Head Elections Law. In its holding, the Court declared to grant the petition in part with respect to Article 347 paragraph (1) of Law Number 7 of 2017 and Article 3 paragraph (1) of Law Number 8 of 2015, while the petition regarding provisions other than the alternating articles was declared dismissed (Constitutional Court Decision Number 135/PUU-XXII/2024).

The Petitioner argued that the five-ballot-box simultaneity, which requires concurrent executive and legislative elections from the central to regional levels at the same time, conflicts with the principles of general elections that are direct, universal, free, confidential, honest, and fair as regulated under Article 22E paragraph (1), and impacts the right to just legal certainty under Article 28D paragraph (1) of the 1945 Constitution of the Republic of Indonesia (UUD NRI 1945) (Constitutional Court Decision Number 135/PUU-XXII/2024).

The Constitutional Court employed sociological and legal approaches in assessing the arguments of the petition. The legal reasoning (*ratio decidendi*) of the Court in granting the petition in part rests upon the restructuring of the workload of election administrators, the protection of local voters, and the restoration of the internal regeneration function of political parties.

First, the Court highlighted the aspect of workload and managerial capacity of election administrators. Concurrently scheduling the stages of national general elections alongside regional head and Regional House of Representatives (DPRD) elections within the same year creates a concentration of workload for administrators (Faridhi & Indra, 2025). The simultaneous implementation of these stages strains the managerial and physical capacity of lower-level (*ad hoc*) administrators and increases the risk of technical errors during the vote tabulation process (Faridhi & Indra, 2025). This arrangement also concerns the institutional efficiency of the General Elections Commission (KPU) and the General Election Supervisory Agency (Bawaslu), which are permanent institutions with a five-year tenure (Faridhi & Indra, 2025). If the workload is concentrated within the first two years, the performance efficiency of these institutions during the remainder of their tenure becomes suboptimal, thereby affecting the continuity of permanent institutional functions.

In addition to restructuring the workload of administrators, the Court's legal reasoning is also directed toward protecting the rights of regional voters. From the aspect of voter sovereignty, simultaneity potentially diverts public focus from regional issues (Afandi et al., 2025). Electoral agendas executed concurrently with or proximate to the presidential election cause discussions regarding regional development and performance evaluations of local leaders to be dominated by national political narratives (National and Local Elections to Not Be Simultaneous Starting 2029 – MKRI.ID). Yet, regional head and Regional House of Representatives elections function as mechanisms to evaluate public services and the implementation of regional autonomy. The separation of electoral schedules is aimed at providing space for voters to objectively assess the capacity of regional head and Regional House of Representatives candidates without the influence of national political polarization, thereby realizing meaningful participation (meaningful participation) (Sani et al., 2025).

The realization of such meaningful participation also encompasses the establishment of an inclusive electoral justice framework (electoral justice) for vulnerable groups, such as persons with disabilities and indigenous communities (*masyarakat adat*) (Perbawa et al., 2025). The technical complexities and high information burden in previous simultaneous elections are deemed to have created barriers that restricted the accessibility and comprehension of vulnerable groups in exercising their voting rights (Perbawa et al., 2025). Through the separation of electoral cycles, the simplification of voting procedures is expected to provide more effective and accommodative protection of constitutional rights regarding the political rights of indigenous communities and persons with disabilities (Nurjaya et al., 2025).

Based on the entirety of these legal considerations, the Constitutional Court established a conditional interpretation requiring national voting to be held first. Subsequently, within a timeframe of between two years and two years and six months following the inauguration of the members of the House of Representatives and the Regional Representative Council or from the inauguration of the President and Vice President, simultaneous voting shall be conducted to elect regional heads as well as provincial and regency/municipal DPRD members (National and Local Elections to Not Be Simultaneous Starting 2029-MKRI.ID). The Court also declared that legal products and state institutions formed on the basis of the 2019 and 2024 Simultaneous Elections remain constitutionally valid to safeguard constitutional legal certainty (National and Local Elections to Not Be Simultaneous Starting 2029-MKRI.ID).

C. The Post-Decision Dynamics of Constitutional Court Case Number 124/PUU-XXIII/2025

The Constitutional Court's reasoning in establishing an interval of two to two-and-a-half years through Decision Number 135/PUU-XXII/2024 has become an object of analysis within constitutional law studies. The holding of the decision is examined as it is deemed to encroach upon the legislative domain of lawmakers. This evolution in legal interpretation underpinned the submission of a subsequent petition for judicial review, which was adjudicated in Constitutional Court Decision Number 124/PUU-XXIII/2025 (Amalia et al., 2025).

The petition in Case Number 124/PUU-XXIII/2025 challenged the constitutional basis of Decision Number 135/PUU-XXII/2024. The arguments presented concerned the interpretation of Article 22E paragraph (1) of the 1945 Constitution of the Republic of Indonesia (UD NRI 1945), which mandates that general elections be held periodically every five years (Amalia et al., 2025). The petitioner argued that separating the electoral schedule with a two-and-a-half-year interval could impact the five-year cycle, the periodization of public officials' terms of office, and the legal certainty of citizens' political rights (Rijal & Akbar, 2026).

The petitioner also elaborated on the distinction between constitutional engineering and law engineering. It was argued that the Constitutional Court should confine its authority to determining the boundaries of basic norms, whereas formulating technical timing is a component of law engineering that falls within the authority of the House of Representatives (DPR) and the President. The petitioner deemed the technical determination of the political calendar as an *ultra petita* act that affects the principle of checks and balances among state institutions (Amalia et al., 2025).

Through Decision Number 124/PUU-XXIII/2025, the Constitutional Court declared the petition inadmissible (*niet ontvankelijke verklaard*) (Summary of Case Decision Number 124/PUU-XXIII/2025). The Court's reasoning was based on the fulfillment of formal requirements, wherein the petitioner was deemed to lack legal standing due to an inability to prove specific and actual injury to constitutional rights (Summary of Case Decision Number 124/PUU-XXIII/2025).

Decision Number 124/PUU-XXIII/2025 maintains the previously established design of the electoral schedule. This ruling reinforces Decision Number 135/PUU-XXII/2024, confirming that the Court's structuring of the general election schedule was undertaken to provide legal certainty and ensure the seamless progression of electoral stages.

The dynamics of this decision carry implications for constitutional institutional arrangements, political relationship patterns, and public administration. These impacts are observable, *inter alia*, in the restructuring of central-local relations, where the separation of schedules is projected to alter the influence of national politics on the regional political constellation (Rijal & Akbar, 2026). Conducting separate elections causes the linear correlation in vote shares between national and regional elections to undergo adjustment (Rijal & Akbar, 2026).

Although its primary objective is to localize regional issues, the two-and-a-half-year interval theoretically has the potential to generate dynamics similar to midterm elections within a presidential system. This separation of the electoral cycle will foster the emergence of local political preferences that are more independent of party competition at the national level (Rijal & Akbar, 2026). Although its primary objective is to localize regional issues, the two-and-a-half-year interval theoretically forms dynamics similar to midterm elections within a presidential system. This

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schedule separation can indirectly serve as a mechanism for the public to evaluate the performance of the central government, whereby political choices at the regional level are expressed through support for political parties. This periodic format also aligns with efforts to build democratic consolidation through constructive relationships between the executive and legislative branches in the regions (Faridhi & Indra, 2025).

Within the context of regional head elections, the realization of popular sovereignty frequently encounters structural challenges in the form of widespread money politics. The phenomena of clientelism and vote-buying are empirically proven to consistently disregard voter orientation toward performance-based evaluations of candidates, thereby rendering the assessment of regional public service track records unobjective due to the dominance of transactional financial incentives (Komarudin et al., 2025).

From an administrative perspective, the periodic scheduling of two electoral groups influences the distribution of managerial and operational burdens of the KPU, Bawaslu, and DKPP (Faridhi & Indra, 2025). Election administrators can organize operational cycles incrementally. Following the resolution of national election results disputes, the stages of budget/logistical planning and capacity building for personnel regarding the general election of DPRD members and regional head elections can be optimally executed (Faridhi & Indra, 2025). This regulation of the work rhythm is aimed at minimizing potential human error in vote tabulation and maintaining the performance efficiency of field officers (National and Local Elections to Not Be Simultaneous Starting 2029 – MKRI.ID).

Restructuring the institutional work rhythm in the future can be optimized through legal reforms that accommodate technological modernization within the electoral legislative process. The application of decentralized technologies, such as parliamentary digital identity management and blockchain-based bill tracking, is examined as a strategic step to enhance governance transparency in formulating electoral norms (Palmirani et al., 2025). The integration of these technologies into future regulations constitutes a component of legal engineering that reduces institutional administrative burdens, while simultaneously guaranteeing data integrity and the authenticity of legal documents from the initial drafting stage (Palmirani et al., 2025).

The implementation of Decision Number 135/PUU-XXII/2024 also entails legal consequences during the transitional period, particularly regarding the status of the terms of office of regional heads and DPRD members elected in the 2024 Simultaneous Elections (Rijal & Akbar, 2026). Pursuant to statutory provisions, the tenure of regional officials is five years; thus, the term of service resulting from the 2024 Elections ends in 2029 (Zainurahman et al., 2025). However, if the national election is held in 2029, based on the Court's ruling, the regional election can only be conducted in 2031 or 2032 (Walangitan et al., 2025). This condition necessitates a temporal interval before the subsequent election is administered.

Despite establishing a specific interval limitation, the Constitutional Court delegates the technical regulation of the transitional mechanism—such as the adjustment of the end of tenure and the filling of vacant seats—entirely to lawmakers through the instrument of open legal policy. There are primary legal restructuring options examined within academic discourse to regulate this transitional period, each carrying distinct legal risks as outlined in Table 2.

Table 2: Scenario Analysis of Legal Restructuring for the Electoral Transitional Period

Transitional Mechanism Options	Technical Basis of Implementation	Legal and Institutional Implications
Appointment of Acting Officials (Penjabat or Pj)	Filling vacancies post-2029 by appointing Civil Servants (Aparatur Sipil Negara or ASN) as Acting Officials until the conduct of the 2031/2032 Regional Elections.	Affects the application of the principle of regional autonomy due to the absence of direct democratic legitimacy from voters, and restricts the execution of the DPRD's legislative and oversight functions.
Extension of Tenure or Interim Elections	Extending the tenure of regional heads and DPRD members elected in the 2024 Elections until 2031, or holding transitional regional head elections in 2029 with a term adjusted based on a timeframe of no less than 2 (two) years or no more than 2 (two) years and 6 (six) months, as bounded by Constitutional Court Decision Number 135/PUU-XXII/2024.	The extension of tenure does not align with the principle of periodic general elections, whereas the interim election option entails a state budget burden disproportionate to the term of office.

Beyond the restructuring of the filling of regional head offices and DPRD memberships, the legal consequences of the transitional period also necessitate institutional reform of the electoral judiciary. Separating the national and regional general election schedules implies the establishment of a specialized judicial body under the Supreme Court vested with the authority to resolve regional head election results disputes (Arifin et al., 2025). This restructuring is aimed at decentralizing dispute resolution to the regional level to prevent a backlog of cases at the Constitutional Court, while maintaining the effectiveness and specialization of regional electoral law enforcement (Suparto et al., 2023). The establishment of such a specialized judiciary forms part of the transitional regulatory restructuring that requires clarity regarding institutional mandates and absolute competence within the Indonesian judicial system to avoid overlapping jurisdictions (Arifin et al., 2025).

The restructuring of regulations during this transitional period requires legislative action from the House of Representatives and the President. Adjustments to Law Number 7 of 2017 and the Regional Head Elections Law (Undang-Undang Pilkada) are necessary to provide legal certainty and maintain the legitimacy of regional governance leading up to the execution of the subsequent general election cycle.

CONCLUSION

The shift in legal policy through Constitutional Court Decision Number 135/PUU-XXII/2024, the interpretation of which was maintained in Decision Number 124/PUU-XXIII/2025, terminates the five-ballot-box simultaneous model within the Indonesian electoral system. The separation of cycles between National Elections and Regional Elections with an interval of two to two-and-a-half years constitutes a form of electoral timing. The selection of this model is predicated upon considerations regarding the technical workload of election administrators, as well as the protection of voters' cognitive sovereignty so as not to be influenced by national political narratives when assessing local public services. The Court's measure in exercising this positive legislator function forms part of a dynamic constitutional interpretation (living constitution) toward the evolving needs of general election administration.

Although this arrangement provides an incremental scheduling structure, its implementation gives rise to legal consequences during the post-2029 constitutional transitional period. The existing interval triggers a misalignment in the tenure periodization of regional heads and DPRD members elected in the 2024 Elections. In order to respond to these regulatory conditions, lawmakers must take legislative action through the instrument of an open legal policy to formulate transitional regulations. Beyond restructuring the expiration of tenures, the establishment of a specialized judicial body under the Supreme Court to resolve regional election result disputes constitutes an institutional necessity during the transitional period. Adjustments to this regulatory framework are required to provide legal certainty, prevent jurisdictional conflicts, and safeguard the validity of regional government administration.

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