

Juridical Normative Implications of Constitutional Court Decision 135/PUU XXII 2024 on Elections

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Article History:

Received 22 August 2025

1st Revision 27 August 2025

2nd Revision 14 September 2025

3rd Revision 11 October 2025

Accepted on 22 November 2025

Abstract

Purpose: This study aims to analyze the normative legal implications of Constitutional Court Decision Number 135/PUU-XXII/2024 on the legal framework governing general elections and regional head elections in Indonesia, particularly in relation to the regulation of simultaneous elections and broader electoral reform.

Research Methodology: This research employs a normative legal research method with a qualitative approach. The analysis is conducted through an examination of statutory regulations, Constitutional Court decisions, and relevant legal doctrines and scholarly literature in the fields of constitutional and election law.

Results: The findings indicate that Constitutional Court Decision Number 135/PUU-XXII/2024 has significant implications for the structure of electoral regulation in Indonesia. The decision redefines the legal relationship between general elections and regional head elections by emphasizing their institutional separation to ensure constitutional consistency and strengthen legal certainty within the electoral system.

Conclusions: The study concludes that the Constitutional Court reaffirmed its constitutional role as the guardian of the Constitution by providing clear normative direction regarding the design and implementation of elections within the framework of constitutional democracy.

Limitations: This study is limited to normative legal analysis and does not incorporate empirical or socio-political data concerning the practical implementation of the decision.

Contributions: This research contributes to the development of constitutional and election law scholarship by clarifying the normative legal implications of a recent Constitutional Court decision and offering a conceptual foundation for future electoral reform and electoral law policy formulation in Indonesia.

Keywords: *Constitutional Court, Constitutional Law, Electoral Reform, General Elections, Legal Certainty, Regional Head Elections*

How to Cite: Walangitan, S., Lubis, I., Oktama, Y. (2025). Juridical Normative Implications of Constitutional Court Decision 135/PUU XXII 2024 on Elections. *Kajian Ilmiah Hukum dan Kenegaraan (KIHAN)*. 4(2) 145-156

1. Introduction

Indonesia adopts a democratic system, with the *Undang-Undang Dasar 1945* serving as the supreme constitutional foundation for state governance and the protection of public interests. Within this framework of constitutional democracy, general elections and regional head elections function as the primary instruments for realizing popular sovereignty. General elections represent a concrete mechanism of public participation in government, as guaranteed by *Pasal 22E Undang-Undang Dasar 1945*. Regional head elections were initially positioned within the regional government regime. However, since the reform era, they have evolved into a significant instrument of local democracy

([Marhamah, Wijayanti, Ristyawati, Bardana, & Sari, 2024](#)). This transformation reflects the strengthening of decentralization and democratic accountability at the local level.

The design and organization of general elections and regional head elections have consistently been central issues in Indonesia's constitutional practice. Electoral arrangements are directly connected to the stability of the governmental system and the quality of democracy. One of the most debated aspects concerns the implementation of simultaneous elections. In Decision Number 14/PUU-XI/2013, the Constitutional Court affirmed that simultaneous elections were necessary to strengthen the presidential system and reduce political costs.

This ruling substantially restructured Indonesia's electoral architecture by mandating the simultaneous conduct of legislative and presidential elections ([Ariviani, Asy'ari, & Hardjanto, 2016](#)). The decision was subsequently codified in Law Number 7 of 2017 on General Elections, which regulates nationwide simultaneous elections. Similarly, Law Number 8 of 2015 on Regional Head Elections provided for simultaneous local elections for governors, regents, and mayors. These statutory frameworks demonstrate that electoral simultaneity was institutionally accepted as a mechanism to enhance efficiency and democratic consolidation.

However, Constitutional Court Decision Number 135/PUU-XXII/2024 marks a fundamental doctrinal shift. Unlike Decision Number 14/PUU-XI/2013, which emphasized synchronization to consolidate executive and legislative legitimacy, the recent decision introduces a different constitutional interpretation. It asserts that general elections and regional head elections cannot be conducted simultaneously. Consequently, regional head elections initially scheduled for 2029 are postponed until 2032.

This decision does not merely alter the electoral schedule. It redefines the constitutional relationship between national and local electoral regimes. Whereas earlier jurisprudence promoted simultaneity as a tool of systemic strengthening, Decision Number 135/PUU-XXII/2024 underscores institutional differentiation and constitutional separation. This reinterpretation generates new legal insights concerning the limits of electoral engineering, the structure of constitutional design, and the balance between efficiency and constitutional coherence. In this sense, the decision represents a significant development in Indonesia's electoral reform trajectory.

The juridical-normative implications of this ruling are extensive. It affects provisions within both the General Election Law and the Regional Head Election Law. It also raises critical concerns regarding legal certainty, organizational effectiveness, and democratic quality. Beyond the legal sphere, the decision may trigger political turbulence and institutional adjustments. Some political actors may experience disadvantages, particularly those required to extend their waiting period to contest legislative or regional head elections.

The ruling further reaffirms the position of the Constitutional Court as "the guardian of the constitution" and "the sole interpreter of the constitution." Through its authority to review statutes against the *Undang-Undang Dasar 1945*, the Court plays a strategic role in maintaining constitutional supremacy. Nevertheless, such authority frequently generates debate regarding its constitutional limits. Questions arise as to whether the Court's interpretative expansion strengthens constitutionalism or risks entering the legislative domain.

Pasal 10 ayat (1) stipulates that Constitutional Court decisions are final and binding. All state institutions must comply with them, and no legal remedies are available once a decision is pronounced. Consequently, Decision Number 135/PUU-XXII/2024 immediately obtained binding legal force. From an implementation perspective, several fundamental questions emerge. What is the legal status of statutory provisions that previously mandated simultaneous elections? Does the decision create space for multiple interpretations that may undermine legal certainty? What are the practical implications for election organizers, political parties, candidates, and voters?

In a broader constitutional context, it is essential to assess the Court's role in upholding constitutionalism. The principle of constitutionalism aims to limit power, prevent abuse, and guarantee the protection of constitutional rights. Ideally, the Constitutional Court ensures that every statute and public policy conforms to the *Undang-Undang Dasar 1945*. However, debates have arisen concerning whether certain decisions extend beyond judicial review into quasi-legislative territory. *Pasal 24C Undang-Undang Dasar 1945* clearly confines the Court's authority to reviewing statutes against the Constitution ([Yudiansyah, Rika, Sari, Hidayat, & Yana, 2024](#)). This tension highlights the importance of examining the Court's interpretative boundaries.

Academically, this research addresses two interconnected dimensions. First, it examines the juridical-normative validity of provisions within the General Election Law and the Regional Head Election Law following Decision Number 135/PUU-XXII/2024, particularly in relation to legal certainty and constitutional coherence. Second, it analyzes the institutional position and authority of the Constitutional Court within Indonesia's constitutional system. Without a comprehensive understanding of these dimensions, it would be difficult to evaluate whether the decision remains consistent with constitutionalism and reform principles that prioritize national interests above partisan considerations.

This research therefore contributes to constitutional and election law scholarship in two principal ways. It provides a systematic analysis of the normative implications of Decision Number 135/PUU-XXII/2024 within Indonesia's electoral framework. In addition, it offers a critical examination of the Constitutional Court's evolving role in shaping electoral reform and constitutional interpretation. The findings are expected to serve as a reference for policymakers, legal practitioners, academics, and observers seeking a more objective understanding of the dynamics of Indonesia's constitutional development.

2. Literature Review

2.1 Normative Framework of General Elections and Regional Head Elections

The legal framework governing elections in Indonesia is primarily regulated by *Undang-Undang Nomor 7 Tahun 2017* on General Elections and *Undang-Undang Nomor 8 Tahun 2015* on Regional Head Elections, both of which institutionalised the model of simultaneous elections as a continuation of constitutional interpretation following Constitutional Court Decision Number 14/PUU-IX/2013. This electoral design was intended to enhance electoral efficiency, streamline governance, and reinforce the presidential system. However, normative legal scholarship has highlighted inherent tensions within this framework, particularly regarding the compatibility between simultaneous elections and other electoral mechanisms such as the presidential threshold. [Prasetio and Sianipar \(2021\)](#) argue that while simultaneity aims to simplify electoral administration and political competition, its implementation has revealed structural inconsistencies that challenge the coherence of Indonesia's electoral legal regime.

Within this normative context, the adoption of simultaneous elections as a legal design was intended to strengthen the presidential system and enhance electoral efficiency. However, normative juridical research demonstrates that the implementation of national and local simultaneous elections has generated significant administrative complexity, excessive workload for election organisers, and limited effectiveness in improving democratic quality. Based on an evaluation of the 2019 general election, [Anas, Herawati, and Wisnaeni \(2023\)](#) argue that separating national elections from local elections is necessary to improve electoral governance and ensure the sustainability of democracy.

This conclusion is reinforced by [Mahesuari, I Ketut Putra, and Ni Wayan Radita Novi \(2023\)](#), who demonstrate that the simultaneous conduct of the 2019 General Election generated significant challenges, particularly in terms of logistical complexity, duplication of voter data, information overload affecting voters' rational decision-making, and the excessive workload borne by election administrators, which in some cases resulted in loss of life, thereby underscoring the urgent need for a comprehensive evaluation of future simultaneous elections.

2.2 Juridical Reasoning and Constitutional Impact of Constitutional Court Decision Number 135/PUU-XXII/2024

Constitutional Court Decision Number 135/PUU-XXII/2024 signifies a major recalibration of Indonesia's electoral constitutional framework by redefining the doctrine of electoral simultaneity and necessitating institutional realignment. Normative constitutional law scholarship demonstrates that the implementation of simultaneous local elections has produced substantial legal and democratic implications, particularly concerning the reduction of regional heads' terms of office, the appointment of interim officials, and the continuity of democratic accountability. [Haryani \(2023\)](#) emphasises that such electoral restructuring must be grounded in constitutional principles, transparency, and democratic integrity to prevent governance disruption and preserve public trust.

Recent constitutional law scholarship demonstrates that Constitutional Court rulings on electoral governance generate substantial juridical implications for institutional authority and legal certainty. [Rezah and Sapada \(2024\)](#) argue that the Court has reaffirmed its permanent constitutional mandate to adjudicate disputes concerning Regional Head Election results, thereby reinforcing normative consistency between the general election and local election frameworks. A comparable argument is advanced by [Harahap \(2023\)](#), who emphasises that fragmented and institutionally separated mechanisms for resolving electoral disputes risk generating legal uncertainty and institutional dualism, thereby necessitating a more integrative approach through the establishment of a special electoral court to ensure clarity of authority and legal certainty in electoral dispute resolution.

2.3 Juridical-Normative Implications for Electoral Legislation

A juridical-normative perspective on the redesign of simultaneous general elections following Constitutional Court intervention highlights the obligation of legislators to align electoral regulations with the mandates of Pancasila and the *Undang-Undang Dasar 1945* as the highest sources of law. Normative legal scholarship stresses that the determination of electoral models constitutes a constitutional responsibility rather than a purely technical policy decision, requiring consistency with democratic principles and constitutional values. [Silalahi \(2022\)](#) contends that legislators must determine the design of simultaneous elections in a manner that ensures constitutional coherence, legal certainty, and democratic accountability, thereby reinforcing the integrity and sustainability of Indonesia's electoral system.

Contemporary constitutional law scholarship further demonstrates that the constitutional responsibility of legislators in designing electoral models must be accompanied by clear institutional arrangements for resolving electoral disputes. Normative legal analysis indicates that the sustainability of democratic electoral governance depends on formal legal mechanisms, either through statutory revision or constitutional amendment, to explicitly assign adjudicatory authority to the Constitutional Court. [Amancik, Ahmad Saifulloh, Ayub, Barus, and Ramadhani \(2024\)](#) emphasise that such juridical choices are essential to strengthen constitutional compliance, enhance democratic legitimacy, and ensure effective judicial oversight of regional head election disputes, thereby preventing institutional ambiguity and reinforcing the integrity of Indonesia's electoral system. This perspective is reinforced by [Arifin, Maarif, Bunyamin, Bahri, and Murbani \(2025\)](#), who argue that legal inconsistencies between the Election Law and the Regional Election Law undermine regulatory coherence, thereby highlighting the necessity of regulatory harmonisation to strengthen institutional effectiveness and support sustainable constitutional governance.

2.4 The Authority of the Constitutional Court in Electoral Constitutionalism

The authority of the Constitutional Court in Indonesia's electoral constitutionalism is manifested through its role in judicial review and the resolution of election-related disputes, which together position the Court as a key institution in safeguarding democratic principles. Normative legal analysis indicates that the Court's decisions in electoral cases have contributed to the development of constitutional standards governing electoral fairness, accountability, and democratic integrity. [Patra \(2022\)](#) argues that the Constitutional Court's function as a guardian of democracy is reflected in its jurisprudence, where judicial review and electoral dispute rulings serve not merely as instruments of legality control but also as mechanisms for strengthening substantive democracy. This view is reinforced by [Dichio and](#)

[Logvinenko \(2024\)](#), who demonstrate that judicial norms, professional legal culture, and procedural doctrines play a crucial role in safeguarding judicial independence and democratic integrity in electoral disputes, even amid intense political contestation. Contemporary constitutional theory frames the expanding role of courts within the broader debate between judicial activism and judicial restraint in democratic systems. Judicial activism is understood as a proactive judicial approach that enables courts to interpret constitutional norms dynamically in order to address democratic deficiencies and protect fundamental rights, while judicial restraint prioritises deference to elected institutions to preserve the separation of powers. [Kumar \(2024\)](#) explains that although judicial activism can enhance constitutional safeguards and correct legislative shortcomings, it simultaneously raises concerns regarding excessive judicial intervention and the potential marginalisation of legislative authority.

2.5 Political Actors and Public Perception in Electoral Reform

Recent research shows that support for electoral system reform among voters and politicians is strongly influenced by information about its consequences, with a general tendency to favour the status quo once potential impacts on party representation and governance are made explicit ([Arnesen, Bergh, Christensen, & Aardal, 2021](#)). Recent quantitative analysis suggests that electoral reforms do not necessarily benefit incumbent parties as commonly assumed. A comparative study of European electoral reforms between 1960 and 2011 finds no systematic evidence that changes in electoral rules improve incumbents' vote shares, seat shares, or re-election prospects, and in many cases reforms even advantage opposition parties ([Patkós & Stump, 2022](#)).

Recent experimental evidence indicates that public evaluations of electoral reform are shaped not only by perceptions of fairness but also by partisan self-interest. [Biggers and Bowler \(2021\)](#) demonstrate that citizens who initially judge a reform as unfair may nonetheless become more supportive when the proposal is framed as benefiting their preferred party, revealing that assessments of procedural legitimacy are more malleable than often assumed. Public trust in electoral institutions depends not only on legal certainty but also on transparency, consistency, and procedural fairness. Therefore, Constitutional Court Decision Number 135/PUU-XXII/2024 must also be examined from the perspective of its broader political and societal implications. Similar patterns of regulatory impact on stakeholder participation have been observed in other policy contexts, such as local entrepreneurship, where national regulations influence how actors engage with legal frameworks and perceive procedural fairness ([Sianturi, Marlissa, & Hutajulu, 2026](#)).

3. Methodology

This study employs a normative legal research approach, commonly referred to as doctrinal legal research, and is categorised as a library-based study. Normative legal research places emphasis on the examination of legal norms, principles, doctrines, and positive law as the core characteristics of legal science, rather than on empirical behaviour or social facts. Within this framework, law is understood as a normative system that determines what ought to be (*das sollen*), distinguishing it from non-doctrinal approaches that focus on empirical realities (*das sein*) ([Qamar & Rezah, 2022](#)). The main objective of this study is to examine the juridical-normative implications of Constitutional Court Decision Number 135/PUU-XXII/2024 on the regulation of general elections and regional head elections in Indonesia.

The research applies three main approaches: the statute approach, the conceptual approach, and the case approach. The statute approach examines relevant legal instruments, including the *Undang-Undang Dasar 1945*, *Undang-Undang Nomor 7 Tahun 2017* on General Elections, *Undang-Undang Nomor 8 Tahun 2015* on Regional Head Elections, and legislation governing the Constitutional Court. The conceptual approach is used to analyse key legal concepts such as constitutionalism, constitutional supremacy, checks and balances, and the hierarchy of legal norms ([Asshiddiqie, 2005](#)). The case approach focuses on an in-depth analysis of Constitutional Court Decision Number 135/PUU-XXII/2024 and its comparison with prior Constitutional Court decisions, particularly Decision Number 14/PUU-XI/2013.

The legal materials used in this study consist of primary legal materials, including statutes and Constitutional Court decisions; secondary legal materials, such as scholarly journals, constitutional law

textbooks, and academic articles; and tertiary legal materials, including legal dictionaries and official online legal databases. Data collection was conducted through systematic library research using official legal documents and recognised academic sources ([Marzuki, 2008](#)).

Legal materials were analysed using qualitative juridical analysis, involving descriptive, interpretative, and evaluative methods. The analysis applies deductive reasoning, moving from general principles of constitutional law to the examination of the specific Constitutional Court decision. This study does not employ surveys, questionnaires, statistical software, or experimental methods, as its nature is purely normative and conceptual. The methodology is designed to ensure replicability through access to the same legal texts and academic references under similar research conditions.

This normative juridical approach inherently limits the scope of analysis to doctrinal interpretation and constitutional reasoning. The study does not examine empirical data, political behaviour, or public opinion, as such perspectives fall within the domain of socio-legal or political science research. Consequently, the findings of this research are confined to normative constitutional analysis and do not aim to measure the practical or political impact of the Constitutional Court's decision. This limitation is acknowledged to clarify the analytical boundaries of the study and to ensure conceptual consistency with its doctrinal objectives.

4. Results and Discussions

4.1 Results

4.1.1 Normative Implications of Constitutional Court Decision Number 135/PUU-XXII/2024

The controversy arising from Constitutional Court Decision Number 135/PUU-XXII/2024 triggered widespread public reaction, particularly from political parties, many of which perceived the ruling negatively due to its significant alteration of the established electoral configuration and legal certainty. The implementation of this decision resulted in changes to the term of office and the scheduling of regional head elections, extending the electoral cycle from five to seven years and shifting the simultaneous regional elections from 2029 to 2031. This unexpected adjustment was widely regarded as creating political turbulence and was perceived as disadvantaging political actors who had long prepared for the 2029 electoral contest, forcing them to revise previously established political plans and strategies.

Constitutional Court decisions constitute legal declarations that are final and binding on petitions for judicial review that have been examined in accordance with valid procedural law. In the context of Constitutional Court Decision Number 135/PUU-XXII/2024, the ruling carries legal significance as a foundational basis for the modification and adjustment of legal norms governing Indonesian society, particularly those relating to the organisation of general and regional elections. Accordingly, this decision serves as an important reference for ensuring legal certainty and justice in electoral processes while simultaneously establishing new norms that respond to evolving societal dynamics ([Setiadi, Sadiawati, Meliala, Bakhtiar, & Harefa, 2021](#)).

From a juridical-normative perspective, the operative ruling of the Constitutional Court produces *erga omnes* legal effects, meaning that it applies generally and is binding not only upon the parties to the case but also upon all citizens and state institutions, including electoral management bodies. Consequently, statutory provisions declared inconsistent with the *Undang-Undang Dasar 1945* of the Republic of Indonesia lose their binding legal force, either in whole or conditionally. In this respect, Constitutional Court decisions function as corrective instruments within the national legal system, ensuring constitutional compliance and preventing legal uncertainty ([Bima & Saputra, 2022](#)).

Although, formally, the legal reasoning of a Constitutional Court decision does not possess the same binding force as the operative ruling, substantively it carries a high degree of persuasive authority in legislative practice. Such reasoning is frequently relied upon in the harmonisation, renewal, and amendment of legislation, including laws governing general and regional elections. Therefore, the Court's legal considerations occupy a strategic position in safeguarding the consistency of the national legal system with constitutional values ([Hakiki & Taufiqurrahman, 2023](#)).

4.1.2 Research Findings on the Validity of Simultaneous Election Regulations

Prior to the issuance of Constitutional Court Decision *No. 135/PUU-XXII/2024*, the regulation of general elections and regional head elections in Indonesia was designed to be conducted simultaneously. This regulatory framework was mandated by Law No. 7 of 2017 concerning General Elections and Law Number 8 of 2015 concerning Regional Head Elections, both of which were rooted in the post-reform agenda aimed at strengthening democratic governance through procedural efficiency at both national and regional levels.

In May 2003, Efendi Gozali, together with the Coalition of Civil Society for Simultaneous Elections, submitted a judicial review challenging the constitutional basis for conducting national and regional elections separately and at different times. This constitutional process culminated in Constitutional Court Decision *No. 14/PUU-XI/2013*, which declared the separation of elections to be unconstitutional. The Court reasoned that simultaneous elections would allow for more efficient use of public funds and reduce social and political conflict during electoral periods, thereby producing significant implications for electoral governance in Indonesia ([Ariviani et al., 2016](#)).

Despite the efficiency-oriented rationale underpinning the model of simultaneous elections, empirical practice prior to Constitutional Court Decision *No. 135/PUU-XXII/2024* revealed persistent structural challenges. These included high administrative and technical burdens on election organisers, increasing organisational complexity, and a tendency to marginalise the substantive quality of democracy due to an excessive emphasis on procedural efficiency.

The enactment of Constitutional Court Decision *No. 135/PUU-XXII/2024* marked a fundamental shift in the legal construction of electoral governance in Indonesia. Through its operative ruling and legal reasoning, the Constitutional Court affirmed that simultaneous elections should not be regarded as a rigid or exclusive constitutional model. Consequently, statutory norms mandating the compulsory simultaneity of general and regional elections must be reinterpreted in light of broader constitutional values.

Following this decision, general elections and regional head elections are no longer positioned as inseparable components of a single electoral framework but are instead recognized as distinct systems with differing objectives, characteristics, and governance needs. This shift provides legislators with constitutional space to redesign electoral arrangements by prioritizing effectiveness, democratic quality, and the protection of citizens' constitutional rights, while ensuring coherence within the national legal framework ([Siboy, 2022](#)).

The findings of this study further demonstrate that Constitutional Court Decision *No. 135/PUU-XXII/2024* has reframed simultaneity from an absolute organizing principle into a flexible constitutional guideline. In this context, the Court places substantive democracy and constitutional conformity as the primary benchmarks of electoral legitimacy, rather than the mere synchronization of electoral schedules. Normatively, the decision has produced direct consequences for Indonesia's national electoral system. It requires the harmonization of existing electoral legislation particularly Law Number 7 of 2017 and Law Number 8 of 2015 to ensure consistency with the Constitutional Court's constitutional interpretation, while simultaneously reaffirming the principle of constitutional supremacy as the ultimate standard for the validity of statutory norms ([Iacuba & Stan, 2024](#)).

4.1.3 Research Findings on the Position and Authority of the Constitutional Court

The Constitutional Court occupies a strategic position within Indonesia's constitutional system as an institution exercising judicial power whose primary function is to safeguard the supremacy of the *Undang-Undang Dasar 1945* of the Republic of Indonesia. As the guardian of the constitution, the Court is entrusted with the authority to ensure that all statutory regulations conform to constitutional principles and fundamental legal values, thereby maintaining constitutional order and preventing deviations from constitutional norms within the legislative framework ([Abidin, 2023](#)).

In the context of judicial review, the Constitutional Court is authorized to conduct both formal and material reviews of statutes, to interpret constitutional norms, and to determine the validity of legal provisions through decisions that are final and binding. This scope of authority demonstrates that the invalidation of unconstitutional laws is not merely corrective in nature, but also constructive, as it establishes constitutional interpretative guidance for legislators and law enforcers in shaping and implementing future legal norms.

The authority of the Constitutional Court has significant implications for the development of national law, particularly through the increasing reliance on its decisions as normative references in the legislative drafting process. By compelling lawmakers to comply more strictly with constitutional standards, uphold legality, and respect citizens' constitutional rights, Constitutional Court decisions contribute to the formation of a more responsive, democratic, and constitutionally grounded legal system. Consequently, the Court's rulings function not only as instruments of constitutional review, but also as driving forces in the creation of laws that better reflect justice, public interest, and the principles of constitutionalism (Nemtoi, 2023).

4.2 Discussion

This study demonstrates that Constitutional Court Decision *No. 135/PUU-XXII/2024* represents a significant shift in the constitutional interpretation of simultaneous elections within Indonesia's electoral system. The decision clarifies that electoral simultaneity is not an absolute constitutional requirement, but rather a legislative model that must remain consistent with constitutional principles. Consequently, statutory provisions under *Undang-Undang Nomor 7 Tahun 2017* on General Elections must be interpreted flexibly in accordance with the Constitutional Court's constitutional reasoning.

From the perspective of legal certainty, the decision may initially generate normative uncertainty due to changes in the applicability of certain electoral provisions. However, in the long term, it reinforces constitutional supremacy as the foundational principle of electoral law-making and implementation. In terms of democratic principles, the decision promotes a more substantive democracy by prioritizing effective governance and the protection of citizens' voting rights over procedural efficiency alone.

The decision also produces direct juridical consequences for election management bodies, particularly the General Election Commission and the Election Supervisory Agency, which are required to align electoral stages and technical regulations with the Constitutional Court's interpretation. This confirms that Constitutional Court decisions function as binding normative and practical guidance in electoral administration.

With regard to *Undang-Undang Nomor 8 Tahun 2015* on Regional Head Elections, the decision necessitates regulatory reconstruction. Simultaneous local elections are no longer conceived as a mandatory uniform design, but as a legislative policy option subject to constitutional standards. Normatively, the decision affirms that national elections and regional elections constitute distinct yet interconnected electoral regimes, where synchronization is based on shared constitutional values rather than identical electoral timing.

Furthermore, the decision highlights challenges in legislative harmonization between electoral laws and their implementing regulations. The legislature is therefore obliged to revise and align statutory norms to ensure constitutional consistency and prevent regulatory fragmentation. This obligation underscores the broader impact of the decision on the coherence of Indonesia's electoral legal framework.

In practical terms, the separation of national and regional elections following Constitutional Court Decision *No. 135/PUU-XXII/2024* may produce concrete implications for future governance. For instance, the temporal separation of electoral cycles may reduce administrative overload for electoral management bodies and allow more focused policy debates at the regional level. Regional head elections conducted independently from national political contests may also encourage greater emphasis on local governance issues such as public service delivery, regional development planning, and budget allocation priorities. Moreover, the redesigned electoral schedule may influence policy continuity and

executive-legislative coordination. A non-simultaneous electoral framework could potentially reduce coattail effects between presidential and regional elections, thereby reshaping political coalitions and altering public policy priorities at both levels of government. In this context, future electoral cycles may reflect more differentiated policy agendas between national and regional administrations, particularly in areas such as fiscal decentralization, infrastructure development, and social welfare programmers.

Finally, the decision reinforces the Constitutional Court's role as the guardian of constitutionalism through its judicial review authority. While the Court's active role contributes to the correction of problematic electoral legislation, such authority must remain within constitutional limits to preserve the balance of powers. Accordingly, Decision *No. 135/PUU-XXII/2024* strengthens constitutional democracy by affirming constitutional supremacy while maintaining the essential framework of checks and balances.

This research is limited to a normative juridical analysis based on statutory regulations, Constitutional Court decisions, and legal doctrines, without incorporating empirical or socio-political data. As similarly noted in normative legal studies, such an approach provides conceptual and doctrinal clarity but does not fully capture the practical dynamics of legal implementation ([Natamiharja, Panjaitan, & Setiawan, 2025](#)).

Additionally, this study focuses solely on the juridical-normative implications of Constitutional Court Decision *No. 135/PUU-XXII/2024*, without examining its administrative, political, or sociological impacts on election organizers, political parties, or voters. Prior legal research has demonstrated that normative legal frameworks often encounter implementation challenges when not supported by empirical evaluation and institutional analysis ([Aida & Setiawan, 2021](#)). Therefore, the findings of this study should be interpreted within the confines of doctrinal legal analysis.

Furthermore, this decision reaffirms the Constitutional Court's role as the guardian of the Constitution within Indonesia's constitutional democracy. As emphasized in studies on constitutional adjudication, Constitutional Court decisions not only resolve normative conflicts but also function as instruments of legal development when grounded in constitutional principles and social justice ([Bustomi, 2023](#)). Nevertheless, the decision also highlights the importance of judicial restraint, ensuring that constitutional interpretation does not exceed the boundaries of legislative authority, in order to preserve the balance of power and democratic legitimacy.

This legislative process should be conducted transparently, involve meaningful public participation, and adhere to constitutional principles to ensure legal certainty and prevent regulatory gaps in future election administration. Consistent legal policy formulation and regulatory harmonization, as emphasized in constitutional law scholarship, are essential to ensure that state actions remain aligned with constitutional mandates and democratic values, thereby strengthening democratic governance and public trust ([Natamiharja, 2025](#)).

For future research, it is recommended that scholars adopt empirical or socio-legal approaches to examine the practical implications of the Constitutional Court's decision on election administration, political accountability, and democratic quality. Studies on governance and legal effectiveness indicate that legal norms must be supported by institutional readiness, ethical political culture, and administrative capacity to achieve substantive justice ([Djufri, 2023](#)). Further interdisciplinary research combining constitutional law, political science, and public administration would enrich understanding of how Constitutional Court decisions operate within Indonesia's broader democratic and governance framework.

5. Conclusions

5.1. Conclusion

The Constitutional Court Decision *No. 135/PUU-XXII/2024* has significant juridical implications for *Undang-Undang Nomor 7 Tahun 2017* concerning General Elections and *Undang-Undang Nomor 8*

Tahun 2015 regarding Regional Head Elections. This decision shifts the understanding of simultaneous elections from a rigid normative obligation toward a more flexible constitutional approach that considers democratic effectiveness, governance management, and the protection of citizens' constitutional rights. Consequently, provisions regulating simultaneous election scheduling require reinterpretation and legislative adjustment to ensure conformity with the Constitutional Court's constitutional interpretation. Failure to undertake such adjustments may result in legal uncertainty and disrupt regulatory harmonization in election administration.

Theoretically, this study contributes to the development of constitutional and electoral law scholarship by reconceptualizing electoral simultaneity not as a fixed constitutional mandate but as a flexible constitutional design subject to democratic evaluation. By situating Constitutional Court Decision No. 135/PUU-XXII/2024 within the broader framework of constitutional supremacy and judicial review, this research enriches doctrinal debates on the dynamic interaction between constitutional interpretation and legislative policy-making in transitional democracies such as Indonesia.

5.2. Research Limitations

This research is limited to a normative juridical analysis based on statutory regulations, Constitutional Court decisions, and legal doctrines, without incorporating empirical or socio-political data. While such an approach provides conceptual and doctrinal clarity, it does not fully capture the practical dynamics of legal implementation. Additionally, this study focuses solely on the juridical-normative implications of Constitutional Court Decision No. 135/PUU-XXII/2024, without examining its administrative, political, or sociological impacts on election organizers, political parties, or voters. Previous legal research has shown that normative legal frameworks often encounter implementation challenges when not supported by empirical evaluation and institutional analysis. Therefore, the findings of this study should be interpreted within the confines of doctrinal legal analysis.

5.3. Suggestions and Directions for Future Research

Based on the study's findings, it is recommended that legislators adjust and harmonize the Election Law and the Regional Head Election Law following Constitutional Court Decision Number 135/PUU-XXII/2024. This includes revising electoral scheduling, establishing provisions for regional head term adjustments, and creating detailed regulations for electoral bodies. The legislative process should be transparent, inclusive, and adhere to constitutional principles. Future research should focus on empirical or socio-legal approaches to assess the practical impact of the decision on election administration, political accountability, and democracy, with interdisciplinary studies enhancing understanding of its role in Indonesia's democratic framework.

Acknowledgment

The author would like to thank colleagues and reviewers for their constructive feedback, which significantly improved this manuscript.

Author Contributions

SW contributed to conceptualization, research design, normative legal analysis, and manuscript drafting. IL contributed to literature review, legal material collection, data analysis, and manuscript revision. YO contributed to methodological design, supervision, critical review of the manuscript, and final approval of the version to be published. All authors have read and approved the final manuscript.

References

- Abidin, Z. (2023). Position and Authority of the Constitutional Court in the Constitutional System of the Republic of Indonesia. *JUSTICES: Journal of Law*, 2(4), 221-227. <https://doi.org/https://doi.org/10.58355/justices.v1i4.38>
- Aida, M., & Setiawan, I. (2021). The Implementation of Polluter Pays Principle in Indonesian Land Policy Regulation. *Jurnal Ilmiah Hukum dan Hak Asasi Manusia*, 1(1), 37-42. <https://doi.org/10.35912/jihham.v1i1.415>

- Amancik, A., Ahmad Saifulloh, P. P., Ayub, Z. A., Barus, S. I., & Ramadhani, S. (2024). Choices of Law for Democratic Regional Head Election Dispute Resolution Institutions in Indonesia. *Jambura Law Review*, 6(2), 304-338. <https://doi.org/10.33756/jlr.v6i2.24792>
- Anas, H., Herawati, R., & Wisnaeni, F. (2023). Examining the Redesign of the National and Local Simultaneous General Elections.
- Arifin, F., Maarif, I., Bunyamin, Bahri, R. A., & Murbani, A. W. (2025). Reforming Indonesia's Electoral System: Legal and Policy Considerations. *Jambe Law Journal*, 8(1), 61-99. <https://doi.org/10.22437/jlj.8.1.61-99>
- Ariviani, R., Asy'ari, H., & Hardjanto, U. S. (2016). Analisis putusan Mahkamah Konstitusi Nomor 14/PUU-XI/2013 berkaitan dengan pemilihan umum serentak di Indonesia. *Diponegoro Law Journal*. <https://doi.org/https://doi.org/10.14710/dlj.2016.13455>
- Arnesen, S., Bergh, J., Christensen, D. A., & Aardal, B. (2021). Support for electoral system reform among voters and politicians: Studying information effects through survey experiments. *Electoral Studies*, 71. <https://doi.org/10.1016/j.electstud.2021.102313>
- Asshiddiqie, J. (2005). *Hukum Tata Negara dan Pilar-Pilar Demokrasi*. Konstitusi Press.
- Biggers, D. R., & Bowler, S. (2021). Citizen Assessment of Electoral Reforms: Do Evaluations of Fairness Blunt Self-Interest? *Political Behavior*, 1-20. <https://doi.org/10.1007/S11109-021-09723-9>
- Bima, M. R., & Saputra, I. E. (2022). Implication of the Constitutional Court Ruling on the Binding Character of the Election Organizer Ethics Council Decision. *Daengku: Journal of Humanities and Social Sciences Innovation*, 2(6). <https://doi.org/https://doi.org/10.35877/454RI.daengku1363>
- Bustomi, Y. (2023). Politik Hukum Putusan MK No. 46/PUU-VIII/2010 sebagai Upaya Pembangunan Hukum Nasional. *Jurnal Ilmiah Hukum dan Hak Asasi Manusia*, 3(1), 9-20. <https://doi.org/10.35912/jihham.v3i1.1795>
- Dichio, M. A., & Logvinenko, I. (2024). Culture and practice eat documents for lunch: Norms and procedures in the 2020 election cases. *Law and Policy*, 46(3), 298-324. <https://doi.org/10.1111/lapo.12241>
- Djufri, D. (2023). Membangun Tradisi Literasi Anti Korupsi di Kalangan Elite Daerah dalam Perspektif Hukum Tata Negara. *Jurnal Ilmiah Hukum dan Hak Asasi Manusia*, 3(1), 35-42. <https://doi.org/10.35912/jihham.v3i1.2307>
- Hakiki, Y. R., & Taufiqurrahman, T. (2023). The Idea of Structuring National Legislation Based on the Ratio Decidendi and Obiter Dictum of Constitutional Court Decisions. *Jurnal Konstitusi*, 20(1). <https://doi.org/https://doi.org/10.31078/jk2015>
- Harahap, H. (2023). The Formation of Special Electoral Court Institution: Between Democratization of Regional Head Elections and Institutional Issues. *International Journal of Economic, Technology and Social Sciences (Injects)*, 3(2), 399-407. <https://doi.org/10.53695/injects.v3i2.868>
- Haryani, R. (2023). The Implementation of Simultaneous Local Elections: An Overview of Constitutional Law and Its Impact on Democracy in Indonesia. *SIGN Jurnal Hukum*, 5(1), 102-113. <https://doi.org/10.37276/sjh.v5i1.262>
- Iacuba, A., & Stan, G. I. (2024). Constitution Supremacy and the Reasonable Limits of Case Law Reversal within the Framework of Constitutionality Control. *Perspectives of Law and Public Administration*, 13. <https://doi.org/10.62768/PLPA/2024/13/2/07>
- Kumar, S. (2024). Judicial Activism vs. Judicial Restraint: Balancing the Role of the Courts in a Democratic Society. *Indian Journal of Law*, 2(2), 5-8. <https://doi.org/10.36676/ijl.v2.i2.02>
- Mahesuari, K. C. P., I Ketut Putra, E., & Ni Wayan Radita Novi, P. (2023). Dampak dan Evaluasi Penyelenggaraan Pemilihan Umum Serentak 2019 di Indonesia. *Depositi: Jurnal Publikasi Ilmu Hukum*, 1(4), 33-45. <https://doi.org/10.59581/deposisi.v1i4.1645>
- Marhamah, I., Wijayanti, A. S., Ristyawati, M. S., Bardana, S. A., & Sari, D. P. (2024). Analisis Prinsip Demokrasi dalam Konstitusi Indonesia: Tinjauan terhadap Implementasi dan Tantangannya. *Intellektika*. <https://doi.org/10.59841/intellektika.v2i6.2020>
- Marzuki, P. M. (2008). *Pengantar Ilmu Hukum*. Kencana.

- Natamiharja, R. (2025). Peran Negara dalam Menjamin Kebebasan Berekspresi Menurut Konstitusi dan Hukum HAM. *Kajian Ilmiah Hukum dan Kenegaraan*, 4(1), 1-10. <https://doi.org/10.35912/kihan.v4i1.4574>
- Natamiharja, R., Panjaitan, O. D. A., & Setiawan, I. (2025). Arbitrase Internasional: Evaluasi Efektivitasnya sebagai Mekanisme Penyelesaian Sengketa Alternatif. *Jurnal Ilmiah Hukum dan Hak Asasi Manusia*, 4(2), 83-89. <https://doi.org/10.35912/jihham.v4i2.3297>
- Nemtoi, G. (2023). The Binding Aspect of the Decisions of the Constitutional Court and Their Effect. *European Journal of Law and Public Administration*, 10(1), 125-131. <https://doi.org/https://doi.org/10.18662/eljpa/10.1/201>
- Patkós, V., & Stump, Á. (2022). Do electoral reforms tend to favour the incumbents? A quantitative analysis. *Acta Politica*, 58(1), 118-140. <https://doi.org/10.1057/s41269-022-00237-8>
- Patra, R. (2022). Peran Mahkamah Konstitusi sebagai Pengawal Demokrasi di Indonesia. *Jurnal Komunikasi Hukum*, 8(2), 381-393. <https://doi.org/10.23887/jkh.v8i2.51180>
- Prasetio, R. B., & Sianipar, F. (2021). The Relevance of the Application of the Presidential Threshold and the Implementation of Simultaneous Elections in Indonesia. *Jurnal Penelitian Hukum De Jure*, 21(2), 267-284. <https://doi.org/10.30641/dejure.2021.V21.267-284>
- Qamar, N., & Rezah, F. S. (2022). The Dichotomy of Approach in the Study of Legal Science: A Critical Review. *SIGn Jurnal Hukum*, 4(2), 191-201. <https://doi.org/10.37276/sjh.v4i2.162>
- Rezah, F. S., & Sapada, A. T. (2024). Implications of Constitutional Court Decision Number 85/PUU-XX/2022 for the Dispute Resolution of Regional Head Election Results. *SIGn Jurnal Hukum*, 6(2), 233-246. <https://doi.org/10.37276/sjh.v6i2.383>
- Setiadi, W., Sadiawati, D., Meliala, A. J., Bakhtiar, H. S., & Harefa, B. (2021). The Role of Indonesia Constitutional Court Decision in the Process of Establishing the Law. *Journal of Legal, Ethical and Regulatory Issues*, 24, 1. <https://doi.org/https://ssrn.com/abstract=3947010>
- Sianturi, I. L., Marlissa, E. R., & Hutajulu, H. (2026). Impact Assessment of Presidential Regulation No. 17 of 2019 on Assets of Indigenous Papuan Entrepreneurs in Mimika Regency. *Dynamics of Politics and Democracy*, 5(2), 1-15. <https://doi.org/10.35912/dpd.v5i2.3935>
- Siboy, A. (2022). Alternatif Desain Penyelenggaraan Pemilihan Umum Pasca Putusan Mahkamah Konstitusi. *Arena Hukum*, 15(1), 200-219.
- Silalahi, W. (2022). Design of Simultaneous General Elections after the Decision of the Constitutional Court. *International Journal of Health Sciences*, 1994-2012. <https://doi.org/10.53730/ijhs.v6nS4.6583>
- Yudiansyah, F., Rika, E., Sari, L., Hidayat, T. W., & Yana, Y. (2024). Perkembangan Konstitusi di Indonesia Melalui Peran Mahkamah Konstitusi dalam Penegakan Hukum Konstitusi. *Jembatan Hukum*. <https://doi.org/10.62383/jembatan.v1i2.273>