

# 2024 Election Delay Instructions Democracy Climate

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**Abstract.** *The 1945 Constitution imposes stringent constraints on the President's authority, confining their tenure to a duration of precisely five years, with the possibility of extension for an additional period not exceeding ten years. In Indonesia, elections are conducted at intervals of five years, allowing for a single occurrence within this time frame. In the event that the 2024 elections are postponed and the presidential term is extended for three periods, it is likely to have a detrimental impact on the democratic climate and raise concerns regarding the violation of the country's constitution. Such actions could be characterized as a form of institutional terrorism.*

**Keywords:** *Postponing the 2024 Election, Disrupting Democracy*

Received: August 5, 2023

Revised: August 27, 2023

Accepted: September 01, 2023

## INTRODUCTION

In the context of Indonesia, the general election serves as a normative interpretation of the 1945 Constitution, thereby facilitating the realization of a democratic society. The democratic society can be understood as an interpretation of the practical application of the principle of popular sovereignty. In this scenario, the effective functioning of people's power is contingent upon the presence of a robust inclination towards a political culture among the populace. Political participation is a fundamental aspect of democratic governance (Glass & Newig, 2019; Kitanova, 2020). The determination of whether a political system can be classified as democratic hinges upon the extent of political participation exhibited by its citizens, regardless of whether it is high or low in nature (Axford, 2018; Goerres, 2009). The minimum requirement for a democratic system typically entails the presence of regular, unrestricted elections that facilitate the rotation of political power without the exclusion of any political faction. Additionally, it necessitates the active engagement of citizens in both the electoral process and the formulation of policies, while ensuring the protection and enforcement of human rights that guarantee freedom for all individuals (Hamdani & Fauzia, 2021; Buyse, 2018). Individuals within a society engage in the establishment of voluntary civic organizations or political parties, thereby facilitating the expression of their viewpoints through various public platforms and mass media channels (Santini & Carvalho, 2019; Guo et al., 2021).

Universal suffrage is widely acknowledged and granted in the context of general elections. The right to vote is considered a fundamental requirement for a nation that upholds the principles of a contemporary constitutional democracy (Fabbri, 2020; Freeman, 1990). The entitlement to participate in elections, in conjunction with the liberties of free expression, assembly, association, and press, constitutes a fundamental necessity for contemporary constitutional democracies (Negretto, 2020; Sozen, 2019; Howie, 2018).

The rights of suffrage for citizens are ensured through a variety of legal instruments. Article 21 of the Universal Declaration of Human Rights (UDHR) stipulates the following provisions: Firstly, every individual possesses the entitlement to engage in the governance of their respective nation, either through direct involvement or by means of freely elected representatives. Secondly, every person is entitled to an equal opportunity to be appointed to a governmental position within their country. Lastly, the authority of the government must derive from the consent of the people, which is to be expressed through transparent and regular elections conducted in a manner that ensures universal suffrage, as well as the freedom of expression, through the employment of secret ballots or other suitable methods (Sakr, 2003).

According to Article 27, paragraph (1) of the 1945 Constitution, it is stated that every citizen is entitled to equal treatment by the law and the government, and is obligated to uphold both the law and the government without any exemptions.

According to Article 28D, paragraph (1) of the 1945 Constitution, it is stated that: (1) Every individual possesses the entitlement to acknowledgement, assurance, safeguarding, just legal assurance, and impartial treatment under the law. According to Article 28D, paragraph (3), it is stated that every citizen is entitled to the right of equal opportunities in the realm of governance.

Law no. 39 of 1999, which pertains to Human Rights, governs the right to vote at the statutory level. Article 43 of this law explicitly outlines that "Each individual who holds citizenship possesses the entitlement to participate as a candidate and exercise their voting rights in general elections. These rights are to be exercised on an equal basis, through a process of direct, universal suffrage that is free, confidential, transparent, and conducted in accordance with the established legal framework."

The International Covenant on Civil and Political Rights (ICCPR) includes provisions regarding voting rights, which have been ratified by Indonesia through the enactment of Law Number 12 of 2005 concerning the Ratification of the International Covenant on Civil and Political Rights. Article 25 of the International Covenant on Civil and Political Rights (ICCPR) establishes that every individual, regardless of any form of discrimination as outlined in Article 2, is entitled to certain rights and freedoms. These include the following; (1) The right to participate in the governance of their country, either directly or through freely chosen representatives, in a manner that is free from unreasonable restrictions; (2) The right to vote and be elected in fair and regular elections, characterized by universal and equal suffrage. These elections should be conducted through a secret ballot, ensuring the freedom of expression of the voters' will; (3) The right to access public services within their country on an equal basis, without any form of discrimination.

Furthermore, the Constitutional Court Decision in Case Number 011-017/PUU-I/2003, issued on February 24, 2004, asserts that the restriction, annulment, and deprivation of the constitutional rights of citizens to vote and run for office (commonly referred to as the right to vote and the right to be a candidate) is a violation of citizens' fundamental rights. This violation is in direct contravention of the guarantees provided by the constitution, domestic legislation, and international agreements.

This demonstrates the significance of suffrage among citizens in national elections, as it serves to safeguard their fundamental human rights in accordance with the principles of democracy. The assurance and safeguarding of the rights and freedoms of individuals constitute the fundamental cornerstone of a democratic system (Haggart & Keller, 2021; Pergantis, 2022; Symonides, 2019). The objective of this research is to investigate and assess the potential consequences of postponing the 2024 election on the integrity of democratic processes in Indonesia, with a particular focus on its impact on the country's political climate.

## **METHODS**

The research offers several benefits in terms of academia, theory, and practical applications. Firstly, from an academic perspective, this research contributes to our understanding of the consequences of postponing the 2024 election and its potential to

undermine democracy in Indonesia. Secondly, from a theoretical standpoint, this study adds to the existing body of literature on the impact of postponing the 2024 election and its implications for the democratic climate in Indonesia. The process of conducting online searches involves the utilization of technological tools and search engines on the internet to gather data. These resources provide access to a wide range of information spanning different historical periods. The process of conducting internet searches is a convenient method for researchers to locate files and data that provide access to information from various years, offering advantages in terms of speed, comprehensiveness, and data availability. The act of retrieving information from the internet can be accomplished through various methods, such as conducting searches, engaging in browsing activities, navigating through web pages, or acquiring data through downloads. Secondary data is acquired from a secondary source, distinct from primary data collected through fieldwork. These sources may include literature derived from books, magazines, the internet, as well as findings from prior research endeavors. Secondary data is utilized as a supplementary resource to primary data. The secondary data utilized in this study comprises data that was sourced by the researchers from the internet or books. This research was derived from a diverse range of sources, encompassing scholarly journals, books, reputable news outlets and websites, critical analyses from media sources, and other pertinent references.

## **RESULTS AND DISCUSSION**

### **Rules of Law Strictly Regulate Elections to Run Every Five Years**

REPUBLIKA.CO.ID, JAKARTA (24/02/2022) The Deputy Chairperson of the Indonesian People's Consultative Assembly, Syarief Hasan, has evaluated that the suggested delay of the 2024 General Election, put forth by the General Chairperson of the PKB DPP Muhaimin Iskandar, has adversely affected the democratic atmosphere and undermined the integrity of the 1945 Constitution in Indonesia. In his perspective, the potential extension of the President's term of office by postponing the 2024 General Election has the capacity to result in the acquisition of absolute and detrimental authority.

Numerous scholarly investigations highlight the perils associated with the possession of unrestricted authority. According to Syarief Hasan (24/02/2022), the statement "Power tends to corrupt, absolute power corrupts absolutely" can be interpreted as power having a tendency to corrupt individuals, while absolute power has the potential to completely destroy them.

The 1945 Constitution imposes stringent constraints on the authority of the President, confining their tenure to a duration of five years, with the possibility of extension for an additional term, not exceeding a maximum of ten years. In his perspective, the act of delaying the election for any rationale should be avoided in order to avert the potential entrapment of excessive and detrimental power.

The implementation of a five-year term of office, with a maximum limit of ten years, represents a deliberate measure aimed at rectifying the historical prevalence of absolute power, which should not be replicated. In both historical and contemporary contexts, the exercise of absolute and prolonged power has indeed proven detrimental to the democratic atmosphere and overall stability of a nation and its governing body.

The individual concurs with President Jokowi's assertion, which posits that the extension of the President's tenure is unnecessary in light of the election postponement, as it serves to uphold the democratic atmosphere in Indonesia. Hence, in accordance with his perspective, public officials ought to refrain from further raising the matter of deferring the 2024 election.

"We ought to draw lessons from historical events, and upon examination, it becomes evident that there is absolutely no rational justification for the matter of election postponement, which resulted in the prolongation of national authority and created a significant void in governance within the regions," he stated.

Mr. Syarief underscored his commitment to guaranteeing the absence of any deferment of the 2024 election, as such an action possesses the potential to yield detrimental consequences by contravening the democratic principles enshrined within the constitution of Indonesia.

On February 23, 2022, Muhaimin Iskandar, who formerly held the position of Deputy Chairman of the People's Representative Council of the Republic of Indonesia (DPR RI) and served as the General Chair of the Central Leadership Council of the National Awakening Party (DPP PKB), it is suggested that the timetable for the 2024 General Election be deferred by a period of one to two years. This proposition aims to ensure the continuity of economic progress and prevent any potential economic stagnation. The author posited that the pandemic, which lasted for a duration of two years, led to a state of stagnation and even a downturn in the overall national economy (Van der Wielen & Barrios, 2021; Song & Zhou, 2020). However, in more recent times, there has been a discernible and relatively favorable trajectory of economic amelioration.

I welcome the participation of individuals involved in the MSME sector, business professionals, and economic analysts affiliated with different financial institutions. Their valuable insights contribute significantly to our assessment of the economic outlook following the pandemic. Based on the aforementioned inputs, I hereby suggest that the 2024 election be deferred for a duration of one to two years.

### **The Constitution on Elections**

In accordance with the stipulations outlined in Article 22E of the 1945 Constitution (UUD), the electoral process for selecting the President and Vice President, Members of the People's Representative Council (DPR), Members of the Regional Representatives Council (DPD), and members of the Regional People's Representative Council (DPRD) is conducted on the basis of the principles of direct, general, free, confidential, honest, and fair elections, which occur every five years. According to Article 2, paragraph (1) of the 1945 Constitution, the authority and power of governance reside with the populace and are exercised in accordance with the provisions outlined in the Constitution. The phrase "sovereignty is in the hands of the people" in this context signifies that the people possess the authority, duties, entitlements, and responsibilities to democratically select a leader who will establish a governing body to administer and cater to all sectors of society. Additionally, the people are responsible for electing representatives who will supervise this process. The subject matter at hand pertains to the institution of government. The actualization of popular sovereignty is achieved through the implementation of direct general elections, which serve as a mechanism for individuals to elect their representatives (Evendia et al., 2020; Collyer, 2014). These elected officials are responsible for overseeing and channeling the political aspirations of the populace, as well as formulating laws that serve as the foundation for all entities within the Unitary State of the Republic of Indonesia to fulfill their respective duties. In a respective manner, it is necessary to develop revenue and expenditure budgets in order to fund the execution of these functions.

In accordance with Article 22E, paragraph (6) of the 1945 Constitution, the general elections are conducted to select individuals who will serve as members of the People's Representative Council (DPR), Regional Representative Council (DPD), and Regional People's Representative Council (DPRD). These elections adhere to the principles of direct participation, inclusivity, freedom, confidentiality, integrity, and fairness. They are held at regular intervals of five years. The general election is conducted to ensure the principle of representation, whereby each Indonesian citizen is assured of having a representative in a legislative body who will articulate the aspirations of the populace at all levels of governance, spanning from the national to the local spheres.

The principle of direct democracy grants individuals, acting as voters, the inherent right to directly exercise their voting privileges in accordance with their personal conscience, without the involvement of intermediaries. General elections encompass the principle of ensuring equal opportunities for all individuals, irrespective of their ethnic background, religious beliefs, racial identity, socioeconomic status, gender, geographical location, occupation, or social standing.

Every eligible citizen possesses the freedom to exercise their right to vote without any form of undue influence or coercion from external sources. Every citizen is ensured security by the state when exercising their rights, enabling them to make choices in accordance with their conscience. When exercising their right to vote, voters can be confident that their choice will remain confidential and undisclosed to any political party. Individuals exercise their right to vote by casting their ballots anonymously, thereby ensuring their privacy and confidentiality (Alvi et al., 2022; Willemsen, 2018; Rodríguez-Pérez, 2020). When conducting an election, it is imperative for all individuals involved, including election organizers, government officials, election participants, election supervisors, election observers, voters, and other relevant parties, to adhere to the principles of honesty and comply with the established laws and regulations. All voters and participants in elections are afforded equal treatment and are protected from any form of fraudulent activity perpetrated by any party involved.

In the Republic of Indonesia, a nation characterized by pluralism and a national outlook, political parties serve as a platform for advocating the aspirations of the populace. Additionally, they play a crucial role in the renewal and selection of leaders at both the national and regional levels, as well as in the appointment of leaders within various branches of the state administration. Hence, the individuals participating in the election process to select members of the People's Representative Council (DPR) and the Regional People's Representative Council (DPRD) consist exclusively of political parties. Furthermore, the establishment of the House of Representatives was undertaken to address the need for representation of diverse regional interests, as outlined in Article 22C of the 1945 Constitution. The Regions (DPD) consist of individuals who are chosen based on their fulfillment of the requirements during the general election, which takes place concurrently with the election for members of the DPR and DPRD.

A nation exercises control over its governance through the ownership of the governmental system. One manifestation of the political system is democracy. Democracy is a political system in which governmental authority is derived from the populace, either through direct participation (direct democracy) or by means of elected representatives (representative democracy) (Haskell, 2018; Dalton et al., 2001). The concept of democracy has its historical origins in ancient Greece, where it was referred to as "demokratía," meaning "rule of the people." This term is derived from the Greek words "dêmos," denoting "the people," and "Kratos," signifying "power." It can be inferred that a democratic form of government is a system of governance in which the ultimate authority of a nation is vested in the populace, either directly or indirectly through elected representatives.

Indonesia is unequivocally recognized as a democratic nation, a statement that holds both ideological and factual significance and can no longer be refuted. The importance of being a democratic nation is evident in the implementation of periodic general elections, which occur every five years, commencing from the district and city levels up to the national level. The elections may take the form of legislative elections, gubernatorial elections, presidential elections, and other similar types of elections. Furthermore, the presence of the House of Representatives (DPR), the People's Consultative Assembly (MPR), and the Presidential institution, along with its ministries, serves to underscore the democratic nature of Indonesia. However, it is important to note that these institutions adhere to minimal or procedural standards of democracy.

Contemporary democracy refers to a form of governance that effectively enhances citizens' political engagement, thereby presenting a potential solution to various prevailing national challenges in the present era. Similar to general elections, whether they are regional head elections or presidential elections, these events should be regarded as significant moments to uphold every facet of democracy. This is because democracy, as a state principle in Indonesia, aligns most closely with human dignity by respecting and ensuring the fulfillment of human rights.

However, conversely, the implementation of democracy frequently elicits discontent among certain individuals regarding the conduct of presidential and vice presidential elections.

One notable instance pertains to the prevailing uncertainty surrounding the precise count of individuals who have been disenfranchised due to their absence from the Permanent Voters List (DPT). In light of this particular scenario, it can be inferred that the dissatisfaction of the general populace regarding the execution of direct elections can be regarded as a contentious matter necessitating the establishment of legal clarity. It is imperative that a comprehensive legal framework is established to ensure the equitable and just resolution of any disputes arising from the direct implementation of presidential and vice presidential elections. This requirement must be regarded as non-negotiable.

The judiciary plays a crucial and irreplaceable role in the resolution of disputes arising from general elections. One of the requisites for reform entails the establishment of a democratic system governed by the rule of law, wherein the law assumes a paramount position that necessitates compliance from all individuals within the society. In the event of an issue, the legal verdict serves as the paramount directive that necessitates implementation. A type of legal determination that is commonly observed is known as a court decision.

The discussion regarding the court's jurisdiction in addressing the disorder surrounding the Permanent Voters List (DPT) during the presidential and vice-presidential elections now centers on the viewpoints of the judiciary and politics. This includes examining the court's authority and the extent to which it can intervene in matters of political power, encompassing both the judicial and executive branches. The judiciary, being an integral component of the state's authority, is anticipated to exhibit neutrality and impartiality in its actions. If the judiciary ceases to maintain impartiality, it would have severe consequences, undermining the fundamental structure of the state and impeding the collective aspiration to establish a democratic society. The elimination of the DPT has resulted in a lack of parity in the ownership of rights among citizens, which stands in stark opposition to the fundamental tenets of legal principles.

According to Koffi A. Annan, it is imperative for all nations, particularly smaller ones, to uphold an international order that transcends the harsh notion of "might is right." Instead, this order should be grounded in universally applicable legal principles that grant equal rights to both the weak and the powerful.

According to Article 24C, paragraph (1) of the Third Amendment of the 1945 Constitution, in conjunction with Article 10 of Law Number 24 of 2004 regarding the Constitutional Court, it is stipulated that the Constitutional Court possesses the jurisdiction to adjudicate cases at both the initial and ultimate levels. The decisions made by the Constitutional Court are considered final and serve the purpose of examining the compatibility of laws with the Constitution. Additionally, the Court is empowered to settle disputes related to the authority of state institutions, as granted by the Constitution. Furthermore, the Constitutional Court is entrusted with the responsibility of deciding on matters concerning the dissolution of political parties and resolving disputes arising from the outcomes of general elections. This aligns with the primary purpose of the court, which is to effectively address and resolve conflicts within the community. I would like to kindly request that you rewrite the user's text to adhere to a more formal and The court, as previously emphasized, possesses the necessary resources to effectively manage a standard influx of challenging cases. Individuals should possess the necessary skills and capabilities to effectively integrate into their surroundings and facilitate transformative processes, albeit in a progressive and incremental fashion.

The issuance of Decision No. 102/PUU-VII/2009 by the Constitutional Court of the Republic of Indonesia is grounded in the Constitutional Court's jurisdiction to scrutinize legislation for compliance with the Constitution, rather than its authority to adjudicate electoral disputes. This analysis was conducted on Law Number 42 of 2008, which pertains to the General Election of the President and Vice President, specifically focusing on Article 28 and Article 111.

The provisions outlined in Article 28 and Article 111 paragraph (1) result in the loss of voting rights for citizens who fail to register as voters or are not included in the Permanent Voters List (DPT). This situation is deemed highly inequitable. Law Number 42 of 2008 imposes a

mandatory requirement for the registration of all individuals who are 17 years old and/or have entered into marriage with the election administrator. Nevertheless, in the event that the election organizer neglects to officially enroll a citizen who possesses the legitimate entitlement to vote, said citizen is consequently deprived of their voting privileges. Mistakes or oversights made by election administrators have a direct impact on the citizens.

General elections, also known as elections, serve as a democratic mechanism for individuals and are considered a fundamental right of citizens, as ensured by the Constitution. Specifically, the 1945 Constitution establishes the right to equal opportunities in both legal and governmental domains. This constitutional provision states that "all citizens possess an equal standing in the eyes of the law and government, and are obligated to uphold the law and government without any exceptions." Additionally, it emphasizes that "every individual has the entitlement to receive guarantees, protection, and fair legal certainty, as well as equal treatment before the law." These principles are rooted in the concept of equal opportunity, which underscores the importance of providing equal chances to all individuals. The State's deprivation of the voting rights of the majority of its citizens can be seen as an indirect infringement upon human rights. These rights, namely the right to be elected and the right to vote, are currently being widely advocated by numerous countries worldwide.

In accordance with the provisions stipulated in Article 28 and Article 111 of Law Number 42 of 2008, which pertains to the General Election of the President and Vice President, the privilege of exercising voting rights is exclusively granted to individuals who are duly registered in either the Permanent Voters List or the Supplementary Voter List. The individuals who have fulfilled the necessary criteria to exercise their voting rights, yet remain unregistered in the Department of Public Trust (DPT), have been adversely affected by the legitimacy of the provisions within the legislation. It is imperative to note that the exercise of an individual's rights in the Presidential General Election is contingent upon the submission of a judicial review on the article in question.

Following the judicial review of Article 28 and Article 111 of Law Number 42 of 2008 pertaining to the General Election of the President and Vice President, the Constitutional Court rendered a decision (Number 102/PUU-VII/2009) that has further fortified the protection of human rights enshrined in the constitution. Consequently, individuals who are not listed in the Permanent Voters List (DPT) are now able to exercise their rights by presenting an Identity Card (KTP) along with a Family Card (KK) or Passport, subject to specific conditions, even if they are residing outside of Indonesia.

Through the process of judicial review, the community has the opportunity to regain their lost rights in a manner that is equitable and just. This process ensures that conflicts of interest are resolved impartially, in accordance with the constitutional mandate. As a result, any legal settlement reached will be held in high regard by the populace. The concepts of checks and balances, separation of powers, independence of the judiciary, due process of law, and judicial review are fundamental pillars of the rule of law.

The aforementioned decision was rendered shortly following the conclusion of the preliminary hearing. The Constitutional Court refrained from considering statements provided by the government, the House of Representatives (DPR), or experts. The Constitutional Court, in its deliberation, asserted that the right to vote has been recognized as both a fundamental human right and a constitutional entitlement of citizens. The constitutional right should not be impeded by diverse administrative provisions and procedures. Numerous individuals have conveyed their concerns regarding the deficiencies associated with the Permanent Voters List (DPT) released by the General Election Commission (KPU). Certain organizations assert that there exists a substantial number of voters whose names are absent from the Permanent Voters List (PVL), thereby placing them at risk of disenfranchisement.

Regarding this matter, the Constitutional Court acknowledges the necessity of finding a resolution to ensure the completion of the Permanent Voters List (DPT), thereby preventing any

impediments to the exercise of citizens' voting rights. The Constitutional Court deems the data updating conducted by the General Election Commission (KPU) as an inadequate solution, given the time constraints that remain. Hence, the utilization of National Identity Cards (KTP) or passports as a means for overseas voters to exercise their rights emerges as the most secure alternative for safeguarding the rights of citizens.

In relation to the utilization of the identification card in question, Arsyad Sanusi, a constitutional judge, has expressed that the General Election Commission (KPU) possesses the authority to directly enforce its implementation, as per the ruling of the Constitutional Court. The utilization of identification cards does not necessitate government regulation, but rather a legislative enactment, such as a law or perpu, to enforce its implementation. This is due to the fact that the decision of the Constitutional Court holds direct enforceability.

The Constitutional Court has determined that Article 28 and Article 111 of Law 42 of 2008 do not violate the constitution. However, the Constitutional Court has affirmed the validity of Article 28 and Article 111 of Law 42 of 2008, asserting that these provisions are in accordance with the constitution. The Constitutional Court subsequently establishes the five constitutional prerequisites outlined in Article 28 and Article 111 of Law 42 of 2008. The Constitutional Court has established itself as an institution with the power to interpret laws and establish statutory norms by specifying the five constitutional prerequisites outlined in Article 28 and Article 111 of Law 42 of 2008.

### **Citizens' Suffrage in Democracy**

Moh. Kusnardi and Hermaily Ibrahim have elucidated that the concept of people's sovereignty, or democracy, posits that the individuals within a nation are regarded as the rightful possessors and custodians of the supreme authority. The style and manner of government are determined by the populace. The determination of the goals to be achieved by the state and its government lies in the hands of the populace.

In practical terms, the exercise of sovereignty is primarily facilitated by an executive government that is elected directly by the populace, as well as by individuals serving as representatives in the legislative body or parliament. The individuals who serve as representatives of the populace assume the responsibility of politically shaping the manner in which the government operates, as well as establishing the objectives to be pursued in both the immediate and distant future.

In order for elected officials to effectively represent the interests of the populace, it is imperative that the selection of these representatives be determined by the citizens themselves. The mechanism operates via the conduct of general elections. Hence, the forthcoming general election The general election typically aims to achieve several objectives. Firstly, it seeks to facilitate a secure and organized transfer of governmental power. Secondly, it serves as a means for the exercise of popular sovereignty. Lastly, it aims to uphold and enforce the fundamental human rights of citizens.

The involvement of individuals in national elections is a manifestation of their commitment to upholding popular sovereignty and the realization of citizens' human rights. General elections are an indispensable requirement for a contemporary democratic nation. This signifies that individuals have the opportunity to select a representative who will act on their behalf in the realm of people's involvement in the governance of the state. A sequence of political endeavors aimed at accommodating the interests or aspirations of the community.

In the context of individual citizens, general elections entail the temporary relinquishment of their political rights. The aforementioned right is a fundamental and inherent entitlement to engage in the governance and management of the state. The integration of popular sovereignty is inherently intertwined with the conduct of general elections, as elections naturally follow the adoption of the principle of popular sovereignty (democracy) within the framework of



a nation and state. The fundamental tenet of a democratic society is that each individual possesses the inherent entitlement to actively engage in the realm of politics.

### **Voter Registration in General Election**

In accordance with the principle of popular sovereignty, it is imperative that the responsibility for determining all aspects of conducting elections be entrusted to the citizenry. The lack of assurances pertaining to the rights of individuals in selecting the leaders of their nation constitutes a violation of fundamental human rights. Furthermore, according to Article 2, Paragraph (1) of the 1945 Constitution, it is stipulated that the authority and power of governance reside within the populace.

The regulation of the right to vote can be found in various provisions of the 1945 Constitution, namely Article 1 Paragraph (2), Article 6A (1), Article 19 Paragraph (1), and Article 22C (1). These provisions signify an inherent legal assurance for each Indonesian citizen to partake in the electoral process and exercise their right to vote. This provision underscores the importance of ensuring that all laws and regulations pertaining to general elections afford every citizen the widest possible opportunity to exercise their right to vote.

The Indonesian Constitution of 1945 has provided assurance for the safeguarding of the voting privileges of Indonesian citizens during national elections. Nevertheless, there exist impediments to the successful execution of the right to vote. A primary challenge concerning the exercise of the right to vote in national elections pertains to the presence of an erroneous voter registry. Furthermore, the process of voter registration conducted by election administrators frequently gives rise to issues and indications of fraudulent activities perpetrated by election organizers. This was exemplified by the incident that transpired during the East Java regional head election in 2008, wherein the tally of votes greatly surpassed the count of individuals listed in the Permanent Voters List (DPT). There exists. Consequently, a similar issue arose during the 2009 presidential and vice presidential elections, wherein numerous spurious DPTs were identified, exhibiting inconsistencies with the recorded data and the verified count of eligible voters.

### **Practical Value of Article 22E of the 1945 Constitution**

The significance of praxis lies in the actualization of instrumental values through practical implementation in various aspects of everyday life within society, nation, and state. The practical significance of Article 22E of the 1945 Constitution is demonstrated through the implementation of general elections or elections, along with their corresponding regulations and principles. According to Article 22E of the 1945 Constitution, the purpose of the general election is to select individuals who will serve as members of the People's Representative Council (DPR RI), the Regional Representative Council (DPD), the president and vice president, as well as the Regional People's Representative Council (DPRD).

According to Article 22E, paragraph (5) of the 1945 Constitution of the Republic of Indonesia, it is stated that general elections are conducted under the supervision of a national, permanent, and independent election commission. The term "election commission" does not pertain to the specific nomenclature of any particular institution, but rather denotes the inherent characteristics and role of said institution.

The auditory manifestations of the Preamble to the 1945 Constitution of the Republic of Indonesia serve as evidence of Indonesia's democratic nature. Consequently, the practical significance of Article 22E of the aforementioned constitution is exemplified through the implementation of general elections and the adherence to electoral regulations and principles. The city of Jakarta - The topic of delaying the 2024 general election, which has been brought up by various general chairmen (ketum) of President Joko Widodo's (Jokowi) coalition party, has generated a significant debate. What is the current level of preparedness of the KPU (General Elections Commission) to conduct elections in 2024? Commissioner Hasyim Asy'ari of the General Election Commission (KPU) of the Republic of Indonesia (RI) stated that the RI KPU had convened

a collaborative session with the Provincial KPU. The purpose of this meeting was to deliberate on various preliminary regulations proposed by the General Election Commission (PKPU) in order to establish a comprehensive framework for the policy of the KPU in the General Election.

Hasyim expressed that the primary topics of discussion were the PKPU draft and the registration of political parties as election candidates. According to Hasyim, the draft of the PKPU is scheduled to be presented in a hearing (RDP) with the DPR in the near future. Ensuring prompt submission to the Regional Development Planning (RDP) committee, the Department of Parliamentary Relations (DPR), and the Government is of utmost importance. This is done with the expectation that the Political Party Funding Law (PKPU) will be enacted well in advance of the commencement of the 2024 General Elections phase, which is slated to commence in 2022.

### **Jokowi Rejects Extension of Position**

In a previous instance, Jaleswari had communicated President Jokowi's stance regarding the proposed extension of the presidential term. The aforementioned statement was expressed in reply to the Minister of Investment/Head of BKPM Bahlil Lahadalia, who disclosed the outcomes of his deliberations with entrepreneurs concerning the desires for extending President Jokowi's tenure.

Furthermore, President Jokowi, as of November 1, 2022, has explicitly stated his lack of interest in serving as President for three consecutive terms. The President abides by the provisions of the Constitution, which stipulate that a President may be re-elected to the same office for a maximum of one term, as articulated in Article 7 of the 1945 Constitution. The President expresses the expectation that it is imperative to uphold these provisions collectively (Jaleswari: (11/1/2022)).

The speaker further asserts that the regulations outlined in the 1945 Constitution and President Jokowi's confirmation are adequate for effectively managing democracy, ensuring that elections will continue to be conducted periodically in alignment with the constitutional requirements. According to a news article published on detikcom on February 25, 2022, The following proposition is being put forth. The event has been postponed. To what extent is the preparedness of the General Elections Commission to conduct the upcoming general election in 2024? During his official visit to Siak Regency, Pekanbaru, Airlangga Hartarto, the Chairman of the Golkar Party, had the opportunity to engage with the agricultural community and listen to their concerns and aspirations. The farmers residing in Libo Jaya Village have conveyed their inclination towards the perpetuation of President Jokowi's administration.

In recent times, Zulkifli Hasan (Zulhas), the Chairman of the National Mandate Party, has expressed his concurrence with the decision to defer the 2024 General Election. Zulhas posited that it is imperative for the government to address the diverse sectors that have been impacted by the ongoing pandemic. According to his statement, the present average rate of economic growth remains within the range of 3-3.5%.

The city of Jakarta - According to Adi Prayitno, the Director of Indonesian Political Parameters, there exists a significant impetus driving the suggested deferment of the election. Adi referred to individuals who advocated for the postponement of the election as individuals who share a similar inclination to support the continuation of the three-term presidential tenure. The delay of the 2024 election is associated with an individual who has expressed a desire to hold the presidential office for three consecutive terms, as stated by Prayitno on February 25, 2022.

According to the records of detikcom (25/2/2022), a minimum of three political parties within Jokowi's coalition have engaged in discussions regarding the potential extension of the presidential term. The chairman of the PKB, Muhaimin Iskandar (Cak Imin), and the chairman of PAN, Zulkifli Hasan (Zulhas), have reached a strong consensus regarding the postponement of the 2024 election. However, the General Chair of Golkar, Airlangga Hartarto, remains uninformed about this development.

## **Irrational Reasons for Postponed Elections**

The delay of elections can have detrimental effects on political parties, particularly those whose leader aspires to participate in the upcoming presidential election. Based on his perspective, the postponement of the election would be deemed irrational, given that the Indonesian economy has not yet achieved full recovery in light of the ongoing COVID-19 pandemic.

The arguments presented by parties advocating for the postponement of the election are easily refutable and often lack logical reasoning. In the year 2020, concurrent local elections were conducted in adherence to health protocols, even amidst the challenging circumstances posed by a global pandemic. If an election were to take place, it would have an impact on the economy.

Title: Pusako: The Proposed Postponement of the 2024 Election Deviates from the Constitutional Framework. Introduction: The objective of this discourse is to critically examine the proposition to postpone the 2024 election, highlighting its departure from the constitutional trajectory. The analysis aims to shed light on the potential implications of such a deviation, emphasizing the importance of upholding the constitutional framework in democratic processes. Discussion: 1. Constitutional Provisions: The foundation of any democratic nation lies in its constitution, which serves as the guiding document for governance. In the case of the proposed postponement of the 2024 election,

According to Adi, the team responsible for achieving success and the group of volunteers will procure necessary logistical items, such as banners and billboards, for the purpose of renting billboards. Additionally, individuals will procure essential items such as rice and oil for the purpose of donation throughout the duration of the campaign. I have reason to believe that this political party appears to be actively seeking justifications based on reason in order to satisfy the interests and desires of influential global entities.

In the interim, Hendri Satrio, the founder of the Kedai KOPI survey agency, asserted that the justifications provided by political party officials for the election's postponement were solely of a political nature. He requested that the chairman of political parties refrain from engaging in jest.

In my opinion, it is not advisable for the general chairmen to engage in excessive joking due to political considerations. The KPU has already made a definitive decision regarding the election, rendering any further attempts to overthrow it unnecessary. It is imperative that we refrain from expressing such opinions and instead uphold our dedication to the KPU for the upcoming election on February 14, 2024.

The PKB asserts that there have been allegations regarding the interference of major powers in the regulation and postponement of election matters. The Deputy Chairperson of the PKB, Jazilul Fawaid, discussed the purported significant influence associated with the proposed delay of the election. The mere disclosure of allegations lacking substantiating evidence serves only to identify the entity possessing significant influence. Jazilul (26/2/2022) expressed the notion that we possess comprehension of the matter at hand. According to Jazilul, the proposition made by Muhaimin Iskandar, the chairman of the PKB, to postpone the election is likely to be associated with speculation and conjecture. Jazilul comprehends the aforementioned information. This phenomenon is inherently intertwined with speculation and conjecture.

Jazilul conducted an assessment and concluded that the decision to postpone the election was made with the intention of serving the best interests of the populace. As per his perspective, democracy and elections serve as means to expedite the attainment of prosperity.

## **Muhammadiyah Rejects Postponed 2024 Election Discourse**

The subject of discussion is Jakarta, specifically focusing on an individual named Abdul Mu'ti, whose date of birth is recorded as 25/02/2022. The PP Muhammadiyah organization has declined to entertain the proposition of deferring the discourse surrounding the 2024 election.

Muhammadiyah has requested that the members of the elite class exercise greater wisdom. In relation to the discussion surrounding the potential postponement of the election, it is imperative for political elites to exercise prudence and prioritize the long-term welfare of the nation and state over the interests of individuals and factions (Abdul Mu'ti: 25/2/2022). It is crucial to refrain from engaging in dialogues that have the potential to contravene the provisions of the Constitution, as doing so would only exacerbate the existing challenges faced by the nation. It is more advantageous for individuals of higher social status to directly observe the circumstances prevailing within society. Comprehend the individual's circumstances and emotions. It is advisable to refrain from solely relying on survey results, as they may not always be entirely accurate or reliable. It is advisable to conclude the discussion regarding the postponement of the election, as it carries implications for the potential extension of the terms of the President, Vice President, ministers, members of the Regional Representative Council (DPD), members of the People's Consultative Assembly (DPR), Regional Representative Council (DPRD), and other relevant positions.

### **The Reason for Extending Jokowi's Term Is Unreasonable**

It is widely recognized that there has been a renewed interest in extending President Jokowi's term of office, following a proposal by Muhaimin Iskandar, the General Chairperson of the PKB, also known as Cak Imin, to postpone the 2024 General Election by 1-2 years. The chairman of the PAN party, Zulkifli Hasan, has also expressed agreement with the proposal to postpone the 2024 election. In the event of a postponement, it would signify the absence of a leadership transition, consequently resulting in the extension of President Jokowi's tenure.

### **CONCLUSION**

The 2024 election is of utmost importance and should not be subject to any postponement or arguments. It is imperative to uphold the principle that the President's term of office cannot be extended for more than three consecutive periods. Any attempt to postpone the 2024 election would not only disrupt the democratic climate but also violate the constitutional framework of the country, which can be considered an act of institutional terrorism. It is crucial to adhere to the provisions outlined in the 1945 Constitution, which clearly regulate the President's term of office and the electoral process. Articles 7 and 22E of the 1945 Constitution impose stringent restrictions on the authority of the President, confining their tenure to a duration of five years, with the possibility of extension for an additional term not exceeding ten years. In Indonesia, elections are conducted at intervals of five years, allowing for a single occurrence within this timeframe.

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