

Simultaneously Election Impact On The Presidential System In Indonesia

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Abstract. Indonesia for the first time do Election simultaneously. This election is different from the previous elections. Although Election simultaneously in contrast to previous elections, the Election simultaneously turns both have relevance to the presidential government system in Indonesia. The relevance can be seen from the historical aspect of the previous elections. That is because the Election simultaneously substantially the same as the previous election. The difference lies only in the electoral mechanism simultaneously. However, simultaneous Elections must also be assessed whether the impact of the strengthening of the presidential system of government in Indonesia. This paper reviews the relevance of electoral simultaneously with the presidential system of government in Indonesia.

Keywords: Impact; Simultaneous Elections: Presidential.

1. Introduction

Election or elections is one of the pillars of democracy. Countries are often claimed as a democracy especially not directly make electoral democracy as a means to realize the people's sovereignty and make the transition of leadership², Indonesia as a democracy in an indirect, Elections held in order to elect someone to fill the position of legislative and executive power in particular. Elections were also held within a period of five years. A new election is held in Indonesia Election 2019³,

According to the schedule that has been set, the Election 2019 in Indonesia was held on Wednesday, April 17, 2019. Elections in 2019 is different from previous elections. If the previous elections held in two stages, the first stage of legislative elections and the presidential election for the second stage. Elections were held in 2019 is an election which the legislative elections simultaneously with the presidential elections held simultaneously. The conditions are a consequence of Constitutional Court Decision No. 14 / PUU-X / 2013, which was decided on January 23, 2014. This decision was not because of the interpretation made by the Constitutional Court against the Constitution of 1945. That is the mandate simultaneously Election Law 1945.

Article 22E paragraph (2) of the Act of 1945 states that An election was held to choose members of the House of Representatives, the House of Representatives Regions, the President and Vice President and Board Regional Representatives. The verse does not state explicitly that elections should be held simultaneously, but implicitly it can be stated Election implemented together or simultaneously. Regardless of the interpretation, Constitutional Court Decision No. 14 / PUU-X / 2013, which was decided to be implemented. Therefore, the Indonesian state shall simultaneously conducting a general election. Simultaneous elections are conducted in 2019 will be interesting to be studied in depth. Election studies simultaneously not confined to the

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²Ni'matul Huda and M. Imam Nasef. *Penataan Demokrasi dan Pemilu di Indonesia Pasca Reformasi*. Cet. 1. Jakarta: Kencana. p. 51.

³Fajlurrahman Jurdi. 2018. *Pengantar Hukum Pemilihan Umum*. Cet. 1. Jakarta: Kencana. p. 77.

legal basis for simultaneous implementation. Studies on Election Election simultaneously very spacious considering simultaneously is the first general election held in Indonesia.

This paper will discuss the effects associated with simultaneous electoral against presidential system in Indonesia. The impact is very important because one of the goals is to strengthen the electoral system of government one of which is a presidential system. Indonesian state was never stated in the constitution directly as a country that adopts a presidential government. But the popularity of beberapa article in the constitution. Indonesian state is more inclined towards the presidential system of government. Election simultaneous existence indirectly expected to strengthen the presidential system of government. The problem is as follows rumasan How relevant electoral simultaneously with the presidential system in Indonesia? How Election simultaneous impact on the presidential system in Indonesia?

2. Result And Discussion

2.1 Concept Election

Election is basically a part of the implementation of the sovereignty of the people. This is one of the consequences of diterapkannya indirect democracy in a country. Election is the most obvious instrument in deciding the people who sit on the branches of state power. Elections have two systems of organic systems and mechanical systems. Mechanical system emphasis on the position of the people is the same individual. The organic system emphasizes the position of the people individually but living in the community. Organic systems is usually done by sua way that the proportional system and the district system⁴,

In Indonesia, Election has several times held and in 2019 managed to hold elections simultaneously. Concurrent elections is basically the administration of elections conducted at the same time to choose someone to occupy the legislative and executive branches of power. In Indonesia Election 2019 simultaneously held to elect members of the House of Representatives, the President and Vice President, as well as the Parliament.⁵

2.2 Concept System of Government

The system of government according to Mahfud MD in Arsil (2017) is the relationship between the implementation of the tasks that occur lemabaga state institutions. Asshiddiqie in Arsil (2017) also argued that the system of government is the relation of state institutions in performing their duties, especially in the lawmaking institutions with law enforcement⁶, Asshiddiqie states that there are at least four forms of government systems. Four forms of governance system is the system of parliamentary government, presidential system of government, the system of collegial governance,

⁴Sukardja, Ahmad. 2014 *Hukum Tata Negara dan Administrasi Negara Dalam Perspektif Fikih Siyazah*. Cet. II. Jakarta: Sinar Grafika. p. 156-162.

⁵Haris, Syamsuddin, et al. *Pemilu Nasional Serentak 2019*. Cet.I. Yogyakarta: Student Library. p. 14

⁶Arsil, Fitra. 2017. *Teori Sistem Pemerintahan: Pergeseran Konsep dan Saling Kontribusi Antar Sistem Pemerintahan di Berbagai Negara*. Cet. 1. Depok: Rajawali Pers. p. 13.

and good governance, mixed or hybrid system⁷, Saldi Isra divide the ruling system in three forms namely presidential system of government, semi-presidential system of government, and a parliamentary system of government⁸,

In Indonesia, the government system that is used is always changing since independence. Early independence, Indonesia uses a system of presidential government. Date 14 November 1946 due to government edict then the system of government changed to a parliamentary system of government⁹, After reintroduction of the Act of 1945 through Presidential Decree of 5 July 1959. Normatively the Indonesian government system in accordance with the constitution that presidential system of government. Sri Soemantri in Radjab (2005) suggested using a mixed system¹⁰, After the amendment of the Constitution of 1945. Indonesia using a presidential system of government. This is evidenced by the election carried out in direct, public, free, confidential, honest, and fair. Then their setting term limits head of government. Furthermore, the Constitution provides the mechanism to against the head of government¹¹,

Presidential system of government can be seen with a variety of characters, namely:

- Head of State and Head of Government led by the President;
- The President is the result of the election of the people (direct / indirect);
- Minister in the line of duty are responsible to the President; and
- Legislative and executive branches have an equal footing¹²,

2.3 Concept of Democracy

The concept of democracy was born from the development of democracy. The concept of democratic countries also have differences with concepts such as the concept of nation states huku. The concept of a state of law emphasizes on the law as a commander in the life of the state. The concept of democracy emphasizes that the sovereignty of the people is the highest authority in the country. The concept of democracy was born of democracy have any substance similar to democracy. Democracy is nothing but the supreme power is held and exercised by the people. Linkages with the democratic state power and the implementation of state life performed by the people because the people are sovereign¹³

⁷Asshiddiqie, Jimly. 2005. *Hukum Tata Negara dan Pilar-Pilar Demokrasi: Serpihan Pemikiran Hukum, Media dan HAM*. Cet. II. Jakarta: Constitutional Press. p. 109-110.

⁸Isra, Saldi. 2019. *Sistem Pemerintahan di Indonesia: Pergulatan Ketatanegaraan Menuju Sistem Pemerintahan Presidensial*. Cet. I. Depok: Rajawali Pers. p. 13-38.

⁹Huda, Ni'matul. 2005. *Hukum Tata Negara Indonesia*. Cet. I. Jakarta: PT Raja Grafindo Persada. p. 109-120.

¹⁰Radjab, Dasril. 2005. *Hukum Tata Negara Indonesia*. Cet. II. Jakarta: PT Rineka Reserved. p.71.

¹¹Isra, Saldi. 2019. *Sistem Pemerintahan di Indonesia: Pergulatan Ketatanegaraan Menuju Sistem Pemerintahan Presidensial*. Cet. I. Depok: Rajawali Pers. p. 150.

¹²Rauf, Maswadi. 2009. *Evaluasi Sistem Presidensial. Dalam Sistem Presidensial & Sosok Presiden Ideal*. Moch. Nurhasim and Pledge Nusa Bhakti (Adj). Cet. I. Yogyakarta: Student Library Cooperate Indonesia Political Science Association (AIPI). p. 28-30.

¹³Ni'matul Huda and M. Imam Nasef. *Penataan Demokrasi dan Pemilu di Indonesia Pasca Reformasi*. Cet. I. Jakarta: Kencana. p. 23.

2.4 Relevance Election Simultaneously with Presidential System in Indonesia

Relationship or relevance Election simultaneously with the presidential system in Indonesia very closely indeed. Even that elections simultaneously one of its goals is to strengthen the presidential system of government. It is based on several reasons. One of the fundamental reasons related to the electoral objectives simultaneously to strengthen the presidential system of government that is the experiences that have been passed Indonesian state for implementing elections.

Election 2014 for example can be used as the experience that the elections did not strengthen the presidential system of government. Election 2014 conducted two phases. The first step is selecting candidates for members of the House of Representatives or the House of Representatives and the Regional Representatives Council or Parliament who come from political parties and candidates for members of the House of Representatives from the individual regions. Election results 2014 to prospective members of Parliament were won by political parties in sequence as shown in Table 1.

Table 1. Obtaining Chair of Parliament from 2014 to 2019.

No.	Name Political Party	Earned seats
1	Indonesian Democratic Party of Struggle (PDI-P)	109
2	Group Party (Golkar)	91
3	Indonesia Movement Party (Gerindra)	73
4	Democratic party	61
5	National Mandate Party (PAN)	49
6	National Awakening Party (PKB)	47
7	Prosperous Justice Party (PKS)	40
8	United Development Party (PPP)	39
9	National Democratic Party (Nasdem)	35
10	People's Conscience Party (Hanura)	16

Source: katadata.co.id¹⁴

As for the vote nationwide political parties in a sequence can be seen in Table 2.

Table 2. Acquisition of Political Party Vote 2014 election.

No.	Name Political Party	Sound Acquisition (%)
1	Indonesian Democratic Party of Struggle (PDI-P)	18.95
2	Group Party (Golkar)	14.75
3	Indonesia Movement Party (Gerindra)	11.81
4	Democratic party	10.9

¹⁴Katadata.co.id. 2018. How much Chair of Parliament who Achieved Political Party in the 2014 election ?. Retrieved from <https://databoks.katadata.co.id/datapublish/2018/07/17/berapa-kursi-dpr-ri-yang-diraih-partai-politik-pada-pemilu-2014> on 22 April 2019.

5	National Awakening Party	9.04
6	National Mandate Party (PAN)	7.59
7	Prosperous Justice Party (PKS)	6.79
8	National Democratic Party (Nasdem)	6.72
9	United Development Party (PPP)	6.53
10	People's Conscience Party (Hanura)	5.26
11	Crescent Star Party (PBB)	1.46
12	Indonesian Justice and Unity Party (PKPI)	0.91

Source: (bbc.com)¹⁵

2014 presidential election battle between the pair Joko Widodo - Jusuf Kalla with a pair Prabowo - Hatta Rajasa was won by the pair Joko Widodo - Jusuf Kalla with the sound of 53.15%. Pair of votes Prabowo - Hatta Rajasa amounted to 46.85%. Pair Joko Widodo - Jusuf Kalla promoted by a coalition of political parties such as the PDI-P, PKB, Nasdem Party, Hanura, and PKPI. The number of votes a political party coalition bearer pair Joko Widodo - Jusuf Kalla in the House not to PKPI a total of 207 seats. The pair Prabowo - Hatta Rajasa promoted by a coalition of political party Golkar, Gerindra, PAN, PKS, PPP, and the United Nations by the number of seats in the House unless the United Nations as many as 292 seats.¹⁶

The condition is interesting to study is that the amount of support for the coalition of political parties does not guarantee victory to the presidential election. Then the support of political parties are not always in line with the wishes of the people. Coalition of political parties in the presidential election turned out to continue until after the presidential election. Coalition political party bearer Prabowo - Hatta Rajasa plus the Democratic Party to form a coalition with the coalition name Red and White or KMP. The coalition of political parties bearer pair Joko Widodo - Indonesia Jusuf Kalla formed Coalition Deal or KIH. Berlanjut to fight the coalition in parliament and even going on the parliamentary counter.

Such conditions would lead to political instability between the government and the parliament or parliament. Though many government programs that must be approved by Parliament. Looking at the composition of parliament controlled by KMP at the time, many government programs that have problems (detik.com, 2014). The condition is of course detrimental to the Indonesian government. That is yet to materialize presidential system of government in Indonesia. Based on these experiences can be said that the relevance of the Election with presidential system of government in Indonesia very closely or strong. Then Elections also important to realize a presidential system in Indonesia. Through simultaneous Elections is expected

¹⁵Bbc.com. 2014 the Commission validate the election results, PDI-P's number one. Retrieved from https://www.bbc.com/indonesia/berita_indonesia/2014/05/140509_rekapitulasi_kpu on 2 April 2019.

¹⁶Fazli, Zulfikar Achmad. 2014 It List Acquisition Each political party House of Representatives seats. Retrieved from <https://www.medcom.id/nasional/politik/nN98v6GK-ini-daftar-perolehan-kursi-dpr-ri-tiap-parpol> on 2 April 2019.

to create a strong presidential system in Indonesia.¹⁷

After seeing previous experiences on the relevance of the elections with the presidential system of government in Indonesia. Next is a look at the relevance Election simultaneously with the presidential system of government in Indonesia is actually not much different from the previous election relevance to the system of government in Indonesia. That is because the substance of the previous elections by the Election simultaneously in Indonesia is almost the same. The difference between the previous election by the Election simultaneously only in the implementation of the procedure. The question is whether the conditions after the previous election in particular Election 2014 will be repeated in unison Election 2019? Given the 2014 postelection political instability between parelemen with the government.

2019 simultaneous elections just held with categories can be said to be smooth. Unfortunately the simultaneous election results in 2019 can not be determined and announced at this time. It takes time for the election organizers simultaneously in 2019 to establish and announce the voting results Election 2019 outright.

Known that the pair Joko Widodo - Ma'ruf Amin promoted and supported by various Parties including PDI P, Golkar, PKB, PPP, Nasdem Party, Hanura, PKPI Perindo Party, PSI, and the United Nations. The pair Prabowo - Salahudin carried by various Political Parties among which Gerindra, the Democratic Party, PAN, PKS, and Party.¹⁸

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¹⁷Detik.com. 2014. This Impact Counter emergence House leadership. Retrieved from <https://news.detik.com/berita/2733652/ini-dampak-munculnya-pimpinan-dpr-tandingan> on 2 April 2019.

¹⁸Katadata.co.id. 2019. Survey of LSI Denny JA: 6 Party Support Jokowi-Ma'Ruf Threatened Not Passed to Parliament. Retrieved from <https://databoks.katadata.co.id/datapublish/2019/02/27/survei-lsi-denny-ja-6-partai-pendukung-jokowi-maruf-terancam-tidak-lolos-ke-parlemen> on 22 April 2019.

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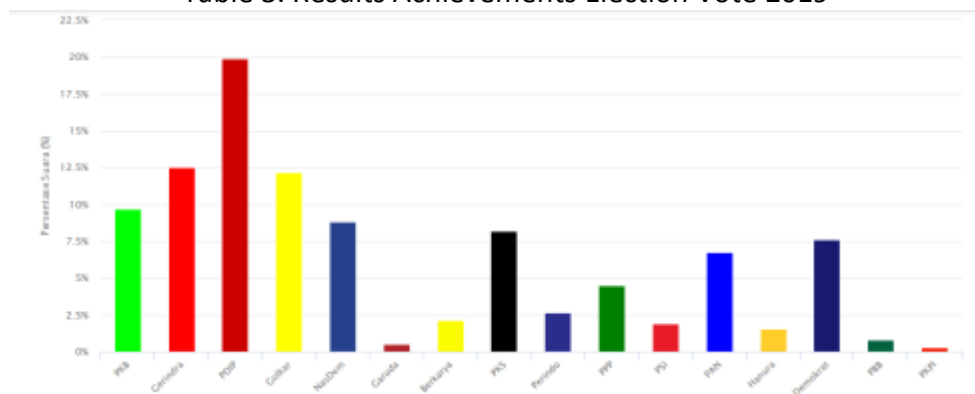
¹⁹Katadata.co.id. 2019. Survey of LSI Denny JA: 6 Party Support Jokowi-Ma'Ruf Threatened Not Passed to Parliament. Retrieved from <https://databoks.katadata.co.id/datapublish/2019/02/27/survei-lsi-denny-ja-6-partai-pendukung-jokowi-maruf-terancam-tidak-lolos-ke-parlemen> on 22 April 2019.

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Table 3. Results Achievements Election Vote 2019



Source:

Election Info

Results pair Joko Widodo - Ma'ruf Amin will support as much noise as 84,646,196 noise. Then the pair Prabowo - Salahudin Uno Uno 68.357813 obtain sound if the party's consistent support to the establishment and inauguration of the President and Vice President, the conditions in 2014 will not recur. The relationship between parliament and the government will be relatively stable. Strengthening Indonesia's presidential system can also be said to be stronger given the coalition government supporters control parliament.

2.5 Simultaneously Election impact on the Presidential System in Indonesia

Election Impact of Concurrent against presidential system in Indonesia actually can not be assessed at this time. Given the simultaneous general election in 2019 has not been completed at the stage of determination of election result in unison. The condition causes simultaneous electoral impact of the presidential system of government in Indonesia can not be judged whether the positive impact that strengthen the presidential system of government or a negative impact on it weakens the presidential system of government. Although the electoral impact of the simultaneous presidential system of government in Indonesia can not be assessed. Predictions regarding the possible electoral impact of the simultaneous presidential system of government in Indonesia do.

In general, the actual electoral simultaneously does not affect significantly towards strengthening the presidential system of government in Indonesia. It is based on electoral conditions are substantially simultaneously. As has been previously explained that in substance, the same as the simultaneous Election 2014. The difference is more related to the procedure or implementation. One of the factors why substantially Election 2014 simultaneously with the same for their Presidential Threshold. Their Presidential Election Threshold make simultaneous conditions are substantially similar to the general election in 2014. The polarization of political parties as a result of the Presidential Threshold back occurs through a coalition.

The condition is different if no Threshold Presidency, because the political parties contesting Election Candidates are entitled to file a pair of President and Vice President. Polarization in parliament will also be relatively melt because not depart from the two great forces of the coalition. Therefore the next Presidential Threshold should be rethought whether it has a positive impact on the Election and also

strengthening presidential system of government in Indonesia or not. There needs to be an assessment of the implementation and impact of the Presidential Threshold. This is to measure the extent of the impact of the implementation of the Threshold Presidential Election in Indonesia, especially the Election simultaneously.

Other conditions that cause the simultaneous Election substantially no impact on the strengthening of presidential system of government in Indonesia, due to provisions in the constitution. Some provisions of Part VII of the House of Representatives in the Act of 1945 authorizes the Parliament to exercise control over the government. The consequences of such control that the government must often conduct deliberations with Parliament. It is for the programs issued by the government by Parliament and then implemented by the government. The circumstances which led to the checks and balances between the Parliament and the government. On the other hand the situation is certainly good for accountability and transparency pemerintahan. However, the other hand, sometimes the checks and balances used as political instruments that bring happen shootout positions. The position of the House as higher as it can accept or reject the program of the government.

Such conditions clearly caused relations between government and Parliament can not be harmonious, especially if it is affected by two polarization between supporters of the coalition government with the opposition against the government. These things are not directly participate weaken presidential system of government in Indonesia. Strengthening the presidential system of government in Indonesia would be difficult to occur if conditions remain as it is. Simultaneous elections will not have a significant impact substantially towards strengthening the presidential system of government in Indonesia.

3. Closing

3.1 Conclusion

Elections in Indonesia in 2019 different with previous elections. Election 2019 using simultaneous elections on the basis of the new regulations. Concurrent elections were first held in Indonesia that have relevance to the presidential government system in Indonesia. Concurrent statement that elections have relevance to the presidential government system because historically and experience of previous elections in Indonesia have relevance to the system of government. Then associated with electoral impact simultaneously with strengthening presidential system of government in Indonesia is not significant in substance. Election simultaneous existence does not automatically strengthen the presidential system of government in Indonesia. That is because the Election simultaneously almost equal to the previous elections. They differ only in aspects of the mechanism, but the substance remains the same. Given the previous election no significant impact on the presidential system of government in Indonesia, the electoral conditions simultaneously is also the same.

3.2 Recommendation

- Advised against election-related policy makers to evaluate the application of the general election simultaneously in unison. Pembuatk policy should be able to assess

and measure the impact of their electoral towards strengthening presidential system of government in Indonesia.

- Advised against forming policies to make policy related Election in order to strengthen the presidential system of government in Indonesia. Matters relating to electoral and inhibit strengthening presidential system of government should be eliminated. As for matters related to electoral and strengthen the presidential system of government in Indonesia should be applied.

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