



Models of Simultaneous Elections around the World: The Influence of Government Systems on Election Implementation Methods

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Abstract. Simultaneous general elections are general elections conducted by combining several types of elections to conduct general elections at the same time. The simultaneous implementation is generally aimed at efficiently implementing elections in a country. However, simultaneous elections can also be driven by the conditions of the government system in a country. This paper compared several types of simultaneous general election modeling from several researchers and laws through the normative juridical research method. Based on the research conducted, there is a correlation between the model of simultaneous general elections conducted with the choice of government system used by a country, especially for countries with a presidential system of government that uses simultaneous general elections as an instrument to create a congruent government between executive and legislative power holders.

Keywords: Simultaneous Election; Government Systems; and Influence

1 Introduction

As a characteristic of a democratic state, the existence of general elections illustrates the most basic sovereignty of the people because it is related to the fulfillment of human rights in the socio-political field. This condition makes general elections very principled in its continuity because it concerns the essence of the social contract in forming the state, emphasizing community participation in the state's life.[1] Thus, public participation through elections will determine the legitimacy of a government which will also result in public trust in it. Furthermore, the ICJ, in 1965, at its conference in Bangkok, stated that elections are one of the main characteristics of democracy in a country. [1] With the existence of elections, the government can use its power and authority optimally because it has legitimacy as an entity chosen by the people to represent their interests in state policymaking. In addition to its position as the central pillar of popular sovereignty, elections also have another essential meaning to limit the time of government power periodically.[1] These restrictions aim to ensure periodic alternation of power to prevent abuse of power. With these restrictions, sovereignty continues to reside in the hands of the people and does not shift to the ruler.

The number of elections in a country is determined by the system of government used by the country. [2] This situation is because the use of the government system determines the number of officials directly elected by the people. Thus, elections must be integrated with the system of government adopted by a country. [2]

With these conditions, the idea emerged to unify the implementation of several general elections. The unification of the implementation of the general election focuses on conducting voting simultaneously. This idea is called the Simultaneous General Election or simultaneous election in English.

Linguistically, there is no specific definition of the term simultaneous general election. Although, Simultaneous General Elections have several terminological definitions from experts. According to Sugato Dasgupta et al., Simultaneous General Elections are General Elections that are held at the same time for several types of elections at once. [3] Shugart refined this opinion. According to him, Simultaneous General Elections are general elections conducted at the same time to elect office holders at the national and regional levels, related to parliamentary candidates and presidential candidates for countries with a presidential system of government. [4] Based on those definitions, we can conclude that simultaneous general elections contain several different elections at once, both differences in scope and positions filled.

This paper focuses on the discussion related to simultaneous general elections as the philosophy of the general election mechanism. The simultaneous general election mechanism is one of the solutions in realizing the effectiveness of general elections, in terms of governance and results that can also affect the formation of government in a country. Thus, simultaneous elections have an influence on the system of government adopted by a country. The data used in this paper will be analyzed using descriptive research typology. The descriptive research referred to here is research that explores data as thoroughly as possible related to phenomena/phenomena that occur in society.[5] Exploring the data as deeply as possible is expected to provide a concrete picture related to the validity of hypotheses and theories that have existed before from a symptom/phenomenon. [5] In this research, the author will present data on the level of voter participation, the mechanism of the electoral system, and the concept of simultaneous general elections in Indonesia and Brazil, which is the basis for testing the compatibility between simultaneous general elections and an open proportional electoral system in countries with a presidential system of government.

Furthermore, the data analysis that has been carried out descriptively will use a comparative study approach. Comparative studies are conducted by comparing phenomena/symptoms that occur in a similar size scope. [6] In legal research, research with a comparative study approach is conducted to obtain certain patterns that appear in the application of a law in various places. The pattern found illustrates the tendency that occurs in the community where it is the result of research. [6]

The comparative study was conducted using a type of legal research planning in the form of experimental design. The use of this type of legal research planning aims to test existing theories/hypotheses using field data that has been qualified in accordance with certain standards to find patterns from the application of the theory/hypothesis. [6] In this research, the author analyzes the data that has been obtained to find patterns about the mechanism of

the electoral system that better accommodates the people's voice based on the trends obtained from data on voter turnout and invalid votes in simultaneous general elections held in Indonesia and Brazil.

2 Discussion

2.1 Correlation between Government Systems and Simultaneous General Elections

In the concept of democracy, the limitation of power is at the core of developing a country's constitutional system.[5] The limitation of power is done through two channels, vertically and horizontally. Both restrictions have different objectives. Horizontal restrictions limit a centralized power only held by a person/group of people, while vertical restrictions are oriented towards the periodic replacement of people who fill the power. [6]

Horizontally, power is limited by dividing power into several branches. There are two fundamental theories regarding the division of power, delivered by John Locke and Montesquieu. Both theories, in principle, have similarities in the division of power. However, there are significant differences in judicial power as an independent branch of power. [7]

In his opinion, John Locke stated that power in a state is divided into three branches: legislative, executive, and federative. [8] Holders of legislative power are authorized to make laws as the legal basis for the implementation of government by holders of executive power. Meanwhile, holders of federative power have the power to build relationships and communication with other countries. In his concept, John Locke placed judicial power as part of the executive power because the implementation of government must be based on the protection and fulfillment of individual rights. [9] Therefore, the enforcement of individual rights cannot be separated from the process of carrying out the daily work of the state carried out by the government.

Various parties, including Montesquieu, opposed John Locke's idea of the division of powers. He focused his ideas on the existence of an independent judicial branch. [10] As one of the pioneers of the French Revolutionary movement, Montesquieu considered that the root of the tyranny of power was that no branch of power could control and correct the policies taken by the government because judicial power became part of the executive branch of power. [10] Therefore, he initiated the concept of division of powers that separated judicial power into a separate branch of power and made the federative power part of the executive branch of power.

In practice, all modern states today apply the power-sharing theory perfected by Montesquieu. The application is made through two implementation models: Separations of Power and Distributions of Power. The existence of these models determines the concept of the system of government and the procedure for filling positions in a country.

The United States pioneered the Separations of Power model. In the United States government system, the center of power is in the hands of the people, who are then given to the three branches of power under their respective authorities. [11] In the implementation of this model, the limitation of the authority of each branch of power is strictly regulated.

Moreover, each branch of power has the authority to supervise each other through checks and balances. [11]

The emergence of this mechanism departs from the understanding that each branch of power must have a steady authority that is limited in order to prevent the possibility of abuse of power. Implementing the checks and balances mechanism is carried out by giving each branch of power 'a little' power from the other branches of power to control the authority of each branch of power. [11] An example is the President's authority to veto laws made by parliament.

In addition to the Separations of Power model, power sharing can be done using the Distributions of Power model. The United Kingdom adopted the Distributions of Power model. In this model, the center of power is in the hands of the people given to parliament. Parliament, as the holder of legislative power, distributes that power to the executive branch. [12] This condition makes the holder of executive power act as a 'mandate' of parliament. This situation means they can be removed from office anytime if they lose parliamentary support. Thus, the executive branch is in a position of subordination to the legislative branch in implementing government.

The existence of different concepts of government from the two models has an influence on the system of government in a country. Countries that use the Distributions of Power model adopt the Parliamentary System of Government, while countries that use the Separations of Power model adopt the Presidential System of Government. Furthermore, the model of government system used determines the number of positions required to run the government. The two systems of government have in common the existence of members of parliament as holders of legislative power. Meanwhile, the difference between the two lies in filling executive power holders. The people directly elect the holders of executive power in the Presidential System of Government. In contrast, the election of the holders of executive power is carried out by parliament. [12]

The different procedures for electing the holders of executive power affect the implementation of general elections as a form of vertical limitation of power. This situation is because there are differences in the number of elections held in general elections. When using the Parliamentary System of Government, general elections are only conducted to elect members of parliament. Meanwhile, using the Presidential System of Government creates a new type of election to elect the holder of executive power.

These conditions certainly make the implementation of general elections more complicated, both for organizers and voters. For organizers, the existence of two elections implements their duties complex because they have to prepare systems and mechanisms that can accommodate both elections to run optimally. [12] Furthermore, the budget the organizers must provide is also doubled to carry out various elections, which certainly require more logistics and transportation costs than elections with one type.

Meanwhile, voters face complicated conditions because they must repeatedly vote for several elections. This results in a decrease in voter participation in elections held later and in elections less in the public spotlight. [12] Thus, the implementation of general elections

repeatedly for several types of elections is considered less effective and efficient in its implementation. This condition encourages simultaneous general elections.

2.2 Models of Simultaneous General Elections

In the implementation of simultaneous general elections, no uniform concept makes the whole world have the same model. Simultaneous elections have a variety of models, both vertically in the national-regional context and horizontally executive-legislative.

A. Model of Simultaneous in a Parliamentary of Government System

With such diverse conditions in various countries, Schakel and Dandoy researched European countries (especially countries that are members of the European Union) to discover the trends in the form of simultaneous elections conducted in the European region. [13] The European countries sampled in the study generally use a parliamentary system of government. These trends are grouped into six types of simultaneous election models, among others: [13]

1. National, Provincial, and District/City simultaneity

In this simultaneous model, all types of elections in a country are conducted simultaneously on the same day. There are no other elections. In this model, all elections, both at the national and regional (provincial and district/city) levels, are conducted simultaneously for the election of Candidates for Members of the House of Representatives as power holders and Candidates for President - Vice President (if the country adheres to the Presidential System of Government).

2. National and provincial simultaneity

The Concurrent Model combines national and provincial elections on the same polling day. This model sees elections in all provinces conducted simultaneously as national elections. However, this model leaves room for other election days in the country as districts conduct elections separately.

3. Provincial and district/city simultaneity

If the previous two simultaneous models make the national-level general election one of the variables of the simultaneous general election, this simultaneous model eliminates it. This simultaneous model focuses on organizing regional-level elections, both provincial and regency/city, simultaneously nationally. This simultaneous means that all general elections at the regional level are held on the same day. Meanwhile, general elections at the national level are held at different times and are separate from general elections at the regional level.

4. Provincial simultaneity

The Concurrent Model focuses on the simultaneous conduct of elections at the provincial level. In this model, all elections at the provincial level, both the election of legislative candidates and candidates for governor as the holder of executive power, are conducted simultaneously at the national level. By using this model, there will still be other election days to conduct elections at the national level as well as at the district/city level.

5. Regency/City simultaneity

In this Simultaneous General Election Model, simultaneity is only found in General Elections at the Regency/City level. The elections are held simultaneously for all regencies/cities in a province only. The implementation of this model has implications for the implementation of different general elections in each province. Also, the timing of implementing general elections at the national and provincial levels is different.

6. Another simultaneity

Using a sample of EU member states, the Simultaneous Elections model is intended to classify countries that conduct elections for the President and Members of the EU Parliament on the same election day. Furthermore, the model is also used to classify countries that hold referendums simultaneously on the same day.

B. Model of Simultaneous in a Parliamentary of Government System

In addition to the studies found from the application of countries in Europe that generally adhere to the parliamentary system, there are also models of simultaneous elections, according to Syamsuddin Haris et al., which are compiled based on the results of research on countries in the Americas, including Latin America which generally use a presidential system of government. The models of simultaneous general elections consist of several types, among others: [15]

1. National, Provincial, and District/City simultaneity

In this election model, all elections are conducted at the same time. These elections cover all levels, from the national to the regional level, both provincial and district/city. Furthermore, the scope of the elections targets more than just elections to fill the positions of members of parliament or heads of government. The elections include all holders of executive and legislative power.

2. Branches of Power simultaneity

In this model, there are two stages of elections: general elections to fill the legislative branch of power and general elections to fill the executive branch of power. This simultaneous model would first hold legislative elections at the national and regional (provincial and district/city) levels. Furthermore, executive elections would be held sometime later to elect the President as head of government at the national level along with regional heads across the country simultaneously.

3. Levels of Government simultaneity

This simultaneous model divides the implementation of general elections based on the level of government of a country. General elections will be divided into two types: national general elections and regional general elections. In national elections, elections for members of the national parliament and the President are conducted simultaneously. Meanwhile, elections for regional heads and regional parliamentarians are conducted

simultaneously on a national scale at a time after the national general elections are held.

4. Time Interval Based simultaneity

In principle, this model of simultaneous elections is the same as the model based on simultaneous levels of government. However, there are significant differences between the two regarding implementation time. In the simultaneous general election model of the concurrent levels of government, regional-level elections are conducted simultaneously in all regions. Meanwhile, this simultaneous model does not require the implementation of regional-level elections at one time only. Regional-level elections will be conducted periodically, such as in different islands or provinces, according to their geographical location. For example, the National General Election will be held in 2023, followed by the Regional General Election in 2024 for provinces located on Island A and the Regional General Election in 2024 for provinces located on Island B. With this kind of simultaneous model, general elections will continue to exist yearly.

5. Flexible Provincial simultaneity

The simultaneous election model is the same as the time interval-based simultaneous model. This model allows each provincial-level region to have different or the same general election time. This condition can occur because the simultaneity of local-level elections only covers the territory of a province. Provinces have the freedom/autonomy to determine when elections will be held in their provinces to elect members of parliament and regional heads, both at the provincial and district/city levels.

6. Legislative and Executive National simultaneity

Unlike the previous models of simultaneous elections, which were structured based on levels of government and the division of branches of power, this model combines both. This model will elect members of parliament, both at the national and regional levels (provincial and district/city), simultaneously with the election of the President as the holder of executive power at the national level. Meanwhile, regional head elections are conducted simultaneously in all country regions.

In addition to the theoretical studies conducted by Syamsuddin Haris et al., there are also models of simultaneous elections that have been legally established in jurisprudence in Indonesia through the Constitutional Court Decision (MK). In the Constitutional Court Decision Number 55/PUU-XVII/2019. The decision discusses the judicial review of a law by the Association for Democracy and Elections (Perludem) relating to the ideal model of simultaneous elections in Indonesia. In the petition, Perludem stated that the ideal model of simultaneous general elections in Indonesia is the separation of simultaneous general elections into two, namely national and regional simultaneous elections. In its petite decision, the Constitutional Court did reject the petition submitted by Perludem. However, the ratio decidendi of the decision provides several models of simultaneous general elections that the legislators can choose, both the DPR and the President, among others: [16]

1. Simultaneous elections to elect members of the DPR, DPD, President/Vice President, and DPRD members;
2. Simultaneous general elections to elect members of the DPR, DPD, President/Vice President, Governor, and Regent/Mayor;
3. Simultaneous general elections to elect members of the DPR, DPD, President/Vice President, members of the DPRD, Governors, and Regents/Mayors;
4. National simultaneous general elections to elect members of the DPR, DPD, and President/Vice President; and sometime after that, local simultaneous general elections to elect members of the Provincial DPRD, members of the Regency / City DPRD, the election of Governors, and Regents / Mayors;
5. Simultaneous national elections to elect members of the DPR, DPD, and President/Vice President; and sometime after that, simultaneous provincial elections to elect members of the Provincial DPRD and elect governors; and then sometime after that, simultaneous district/city elections to elect members of the District / City DPRD and elect Regents and Mayors;
6. Other options, as long as they maintain the simultaneous nature of general elections to elect members of the DPR, DPD, and President/Vice President.

2.3 Comparison of Simultaneous Election Models in Parliamentary and Presidential Systems of Government

If we look closely, the six models issued by the Constitutional Court in its decision are primarily similar to those issued by Schakel and Dandoy in their research. The fundamental difference between the two is the existence of Election models number 1 and number 3. In both models, there is an uneven mixing of election types between national-level elections and regional-level elections, where in model number 1, there are elections for DPRD Candidates without the election of Regional Heads (Governors at the Provincial level and Regents / Mayors at the Regency / City level) and the opposite occurs in model number 4. In conclusion, the three models can be briefly compared as follows:

Simultaneity Model	Regis & Dandoy	Syamsuddin Haris, et.al.	Decision MK Number 55
National, Provincial, and District/City simultaneity	V	V	V
National and Regional (Provincial and District/City) Concurrency Separate	V	V	V

National and tiered regional simultaneity (own province and own district/city Own)	V	V	V
National Simultaneity Only	X	V	V
Regional Simultaneity Only	V	V	X
Branch of Power Simultaneity	X	V	X

Based on the table above, 6 (six) simultaneous general election models are used in various countries around the world based on 3 (three) modeling sources used as data. Of these six models, 3 (three) types of simultaneous general election models are mentioned from all modeling sources. However, other models are not mentioned in any of the sources due to the different perspectives used by the modeling sources.

This situation can be seen in the absence of the model of national simultaneity only and the simultaneity of the branches of power in the types of simultaneous elections proposed by Regis and Dandoy. This condition arises because the object of their research is countries in Europe, which are countries with parliamentary systems of government that only elect members of parliament at the national level. Meanwhile, the concept of national simultaneity alone and the simultaneity of the branches of power emerged from a study conducted by Syamsudin Haris et al. with the object of research on the simultaneity model using Latin American countries, which are countries that use a presidential system of government.

In a presidential system of government, the main purpose of conducting simultaneous elections is to create increased voter turnout and congruent government. Increased voter turnout occurs because simultaneous elections eliminate the repeated transportation costs that voters must incur in multiple elections in separate elections. [18] Simultaneous elections also prevent confusion and fatigue among voters from exercising their voting rights repeatedly for different matters. [18] Furthermore, the existence of simultaneous general elections makes the election of Legislative Members, which is often considered as a secondary election to the presidential election, receive an equal amount of votes. This is reflected in the increase in the participation rate of Legislative Member Elections in Indonesia where the participation rate in the 2014 General Election Legislative Member Candidate Election was 75.11% when conducted separately. [19] The percentage increased in the 2019 General Election when the General Election was conducted simultaneously with the percentage reaching 81.69%. [19] Contrasting conditions occur in the essence of the implementation of simultaneous general elections in countries with a parliamentary system of government. In countries with a parliamentary system of government, the focus of implementing simultaneous general elections is to combine central and regional elections. This is because in a parliamentary system of government, there is only one general election at the national level to elect

legislative members who will later elect the head of government.

3 Conclusion

Simultaneous general elections are elections that combine the implementation of several elections at the same time. The implementation of simultaneous general elections is closely related to the system of government used by a country. For countries with a presidential system of government, the orientation of using the simultaneous general election method is to create a congruent government between the legislative and executive power holders. Different conditions are experienced by countries with a parliamentary system of government whose orientation of using the simultaneous general election method is to combine national and regional elections only.

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