

The Growth of General Election as an Implementation of Democracy and Constitution in Indonesia since Parliamentary Democracy Era until Reformation Era

by
Mulyanto¹, Moh. Mahfud MD², Aminoto³

Abstract

The objectives of this research are (first) to know General election growth as an implementation of democracy in Indonesia specially as an empirical description of General Election since Parliamentary Era until Reformation Era and as an assessment to know whether General election that was executed was democratic or not. This assessment used many indicators as General election order, General election organizer, General election contestant competition, freedom of elector, and controlling of General election. Second, to know the position of General election as Constitution implementation in Indonesia specially from the aspect of General election growth in Constitution and also General election law and causal factor of changing General election law in every General election that is implemented in Indonesia. Third, to give solution in order to make General election perfect in Indonesia governance system.

This research use research method consist of normative law research that having descriptive character by using law approach, political approach, historical approach and comparability approach. Data in this research are secondary data with library research as an instrument. The technique to analyse data use qualitative method through categorize problems based on problems that is researched by taking conclusion based on logical idea.

The result of this research indicate that General election is fluctuative. The General Election in the Parliamentary Democracy Era is democratic, The General election in Guided Democracy Era is not implemented, The General Election in New Order Era is undemocratic and The General election in Reformation Era is democratic. The growth of General election as Constitution implementation in Indonesia experiences a significant growth since Constitution of 1945, Constitution of 1949, Constitution of 1950 until amandement Constitution (reformation era). In General election law there are items that need to be defended, to be vanished and to be corrected. The basic reasons of changing General election law consist of law aspect, political aspect and sociological aspect. Small part of solution General election in governance system for Indonesian future (postscriptum) are necessity in improvement of General election democratization, necessity in repairing of General election in Constitution and General election law.

Keyword: General election, constitution and democracy

¹ Faculty of Law Gadjah Mada University, Yogyakarta

² Faculty of Law Gadjah Mada University, Yogyakarta

³ Faculty of Law Gadjah Mada University, Yogyakarta