

Juridical Analysis of Constitutional Court Rulings Regarding the 2019 Presidential General Election Dispute

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Abstract. This study seeks to find out and comprehend the decision of the Constitutional Court No. 01/PHPU-PRES/XVII/2019 2019 Presidential Election Dispute. This research includes a typology of normative legal research. Research data was collected by examining library materials with a focus. Investigation was completed utilizing a legal and case approach. In light of the outcomes, it was reasoned that: The applicant has the legal standing to submit a quo petition, and the application was submitted within the time limit determined by statutory regulations. The applicant submitted several applications, including allegations of fraud in the 2019 presidential election which included systematic, structured, and massive fraud, as well as cheating in quantitative terms and asking for the disqualification of related parties in the 2019 presidential election. Constitutional Court judges have other considerations, and rejecting all petitions submitted is one of the most basic considerations regarding systematic, structured, and massive fraud, which is not within the domain of the Constitutional Court Because it is regulated in the law, the decision is appropriate and ensures legal certainty. However, on the other hand, the Constitutional Court does not dare to make progressive decisions, it looks more like a calculator.

Keywords: Constitutional Court, Dispute, Presidential Election

1 Introduction

Regulation Number 7 of 2017 concerning General Decisions (Pemilu) regulates elections in Indonesia, and the General Election Commission (KPU) Regulations assist the implementation process. This is the Indonesian government's five-year plan. The public will be treated to a spectacle reminiscent of the previous five years, but it is always interesting to watch and talk about everything from preparations, campaigns, and elections to the announcement of the results, and, don't forget the most interesting thing. of all, the controversy it caused. The presidential election, which is at its peak, is the most interesting topic to explore because it is full of political dynamics that are utilized by parties to elect their representatives to the highest

leadership positions in this country. As the saying goes, winner takes all, these political parties will fight it out for this seat.

Elections function as a means to elect and obtain people's representatives and as a symbol of Indonesia's democratic government. Elections in every country are the same. Elections, in the eyes of society, show that society chooses the individual or group of individuals who will rule the society or country. The will of the people will be carried out by elected leaders. Elections are a process where the political rights of the people are recognized, realized, and given to their representatives to run the government.[1]

Indonesia is a majority rule country that maintains the privileges of its residents to partake in the turn of events and direction in regards to their country. One illustration of majority rule privileges in Indonesia is the opportunity to pick and be chosen in everyday races, in light of equivalent freedoms through immediate, general, casting a ballot. free, secret, legitimate, and fair by legal guidelines so one might say that political improvements in Indonesia are enormously impacted by individuals' own decisions.[2]

The outcomes of the 1945 Adjustment to the Constitution of the Republic of Indonesia confirm that the President is the head of state and head of government.[3] The public authority framework in the limited sense is the connection between the council and the leader and in the wide sense, the public authority framework is characterized as a design comprising of regulative, chief, and legal capabilities that are interconnected, cooperate, and impact one another.[4] The public authority framework utilized by Indonesia is the Official Framework. In Indonesia, the presidential system must be based on the constitution and prioritize a control and power balance system.[5]

Trias politica which adheres to the traditional understanding of the division of power by separating state power into legislative, executive, and judicial is one of the basic principles of democracy. He divided power into three forms so that there was no monopoly of power. After the reform era, Individuals' Consultative Get together (MPR), Individuals' Agent Gathering (DPR), and the Local Delegate Chamber (DPD) held official power in Indonesia. The President is tasked with exercising executive power, and the Constitutional Court (MK), Judicial Commission, and other judicial organizations are tasked with exercising judicial power. The public authority framework utilized by Indonesia is the Official Framework. In Indonesia, the presidential system must be based on the constitution and prioritize a control and power balance system.[6] Power is no longer absolute in conditions like this, making it possible to create a balanced environment in line with Indonesia's commitment to the rule of Balanced governance. The three parts of force are isolated in view of the idea of governing rules, but they also interact and are connected through power institutions. In addition, since government delegates are chosen straight by individuals overall decisions which are held at regular intervals, citizens can actively participate in running and supervising the continuity of state administration.

The Protected Court is another significant association that is helpful in practicing legal power in Indonesia, beside the High Court. The legal body that has extraordinary ward over political or established equity is the Sacred Court. The Established Court has the power to survey regulations that disregard the 1945 Constitution, go with choices in regards to the disintegration of ideological groups, and resolve general political race questions at the first and most significant levels of court. The Protected Court maintains equity with the conviction that policing achieve equity for society, not simply implementing the law from a procedural perspective just like the quality of a majority rule a vote based system. Accordingly, the law can be abused on the off chance that it hinders the organization of equity.[7]

The Sacred Court isn't simply an organization for deciphering the constitution however has additionally decisively situated its institutional level and established position to be able to

persuade all opposing parties while supporting the credibility of the results of the KPU recapitulation of a country. social-psychological point of view. On the off chance that the Established Court does its commitments in view of Article 240 section (1) of the 1945 Constitution of the Republic of Indonesia, specifically the position to mediate at the first and last level where the choice is conclusive, then social unrest may arise in the handling and trial. settlement of the Presidential Election Results Dispute (PHPU) lawsuit, counting concluding the PHPU claim was not in light of the proof and realities of the preliminary. The choice of the Established Court is conclusive and restricting, really intending that there is no an open door to make a further legitimate move after the choice, as in conventional court choices which actually consider cassation and legal survey (PK). Aside from that, the choice of the Established Court (MK) has extremely durable legitimate power since it is perused out in a Sacred Court preliminary by Article 10 and Article 47 of Guideline Number 8 of 2011 concerning Corrections to Guideline Number 24 of 2003 concerning the Safeguarded Court.[8]

In Indonesia, 12 general decisions have been held somewhere in the range of 1955 and 2019, yet the Official Political race (Pilpres) has just become piece of the overall decisions since the death of the fourth amendment to the 1945 Constitution of the Republic of Indonesia in 2002. In 2004, a development of Genuine decisions were held oddly. In any case, the norms of general races, especially Quick, General, Free, and Secret (Luber), as well as the principles of expectedness and value, are as yet kept up with.

By and by, general decisions are frequently portrayed by irreconcilable circumstances. In accomplishing their objectives, it is entirely expected for gatherings to commit extortion or be blamed for cheating to get a political seat at both the provincial and focal levels. General political race blackmail can be isolated into 3 (three) kinds of inquiries considering Guideline Number 7 of 2017 concerning General Choices, explicitly process discusses, General Political decision infringement, and General Political race results debates. Disagreements about the Overall Political race interaction and infringement are settled at the Overall Political race Administrative Body (Bawaslu) to the Overall Political decision criminal court, while arguments about Broad Political decision results are the power of the Sacred Court (MK) to determine them.[9]

Aside from choosing individuals from Individuals' Agent Chamber (DPR), Local Delegate Gathering (DPD), Common Territorial Individuals' Agent Committee (DPRD), and Regime/City Provincial Individuals' Agent Board (DPRD)/City, the 2019 Political race is likewise the primary political decision. concurrent decisions in Indonesia. Consistently, general races, particularly official decisions, become a significant subject of discussion. In the 2019 official political decision, there were two sets of official up-and-comers, to be specific Joko Widodo and Ma'ruf Amin who ran as first official and bad habit official applicants, and Prabowo Subianto and Sandiaga Uno who ran as second official competitors. also, VP.

Official applicant number 01 is the occupant president, so during this Overall Political race, there were numerous positive and negative suppositions from the general population. To increment positive evaluations from the general population, up-and-comer matches who need to participate in the Overall Political decision normally do crusades. Crusading is an action done by political associations or up-and-comers vieing for positions in parliament, etc to acquire the help of the majority of citizens in a vote. Campaigns are no longer limited to the distribution of leaflets and the raising of names through the use of images from the mass media. Instead, they have expanded into cyberspace with the creation of pages for each presidential and vice presidential candidate, hashtag wars on various social media platforms like Twitter and Instagram, comment wars, and buzzer. A signal is somebody who voices an assessment

straightforwardly, utilizing an individual or secret personality, to communicate an interest via online entertainment.[10]

The 2019 Presidential Election ended with the victory of an old face but was accompanied by various irregularities in the process. Make Presidential candidates who lose in the Presidential Election feel injustice in the election process or that there are defects in democracy implemented by an independent state institution, which is none other than the KPU.

Official/Bad habit Official Competitor Pair H. Prabowo Subianto and H. Sandiaga Salahuddin Uno documented 1 (one) instance of a claim over the consequences of the Official/Bad habit Official Political decision to the Established Court (MK) in the 2019 Concurrent General Political decision. After being recorded, the case of dispute over the results of the presidential election /vice president is terminated within 14 (fourteen) working days. On June 27, 2019, a hearing was held to announce the case decision. The applicant's application was rejected in its entirety, according to the Constitutional Court. The applicant's arguments were deemed not proven by the Constitutional Court.

Election season is an extraordinary season for society. Believing that synchronous races will keep on being arranged in the following political decision and then some, it is important to endlessly concentrate on top to bottom the choices with respect to the appointment of the president and VP in the Protected Court choice number 01-PHPU-PRES. /XVII/2019 concerning Debates. the consequences of the overall political race for president and VP, to forestall a rehash of occasions that brought about conflict over the aftereffects of the ongoing official political decision in future official races.

In light of the foundation of the issue over, the Drafting Council felt it important to look at in more profundity the choice that dismissed the candidate's request completely on the grounds that it was not exhibited in the Laid out Court decision Number 01-PHPU-PRES/XVII/2019 concerning Conflicts about the Results of the Generally speaking Political race for President and VP.

2 Research Methods

The kind of examination utilized is delegated regularizing research, in particular exploration whose object of study incorporates standards, legitimate standards, legal guidelines, precept, and statute.[11] This research will examine the Constitutional Court Decision regarding the 2019 Presidential Election Controversy Number 01/PHPU-PRES/XVII/2019. Legal information is collected from various publications, legal guidelines, and different references applicable to the issue under study. These legitimate materials will then be inspected, broke down, and surveyed ordinarily.

In this exploration, the creators acquired lawful materials got from different writing, legal guidelines, and different references connected with the issue under study.[12] The following legal materials were utilized in this study::

- 1) Primary Legitimate Materials, definitive lawful materials made by approved authorities including legal guidelines
 - a. Primary legal materials are legal materials produced by authorized authorities, such as legal guidelines, such as:
 - b. The 1945 Constitution of the Republic of Indonesia

- c. Law Number 48 of 2009 concerning Lawful Power (State Periodical of the Republic of Indonesia of 2009 Number 157, Supplement to State Diary of the Republic of Indonesia Number 5076);
 - d. Law Number 8 of 2011 concerning Revisions to Preclude Number 24 of 2003 concerning the Spread Court (State Diary of the Republic of Indonesia of 2011 Number 70, Supplement to the State Paper of the Republic of Indonesia Number 5226);
 - e. Law Number 12 of 2011 concerning the Movement of Veritable Standards (State Diary of the Republic of Indonesia of 2011 Number 82, Supplement to the State Paper of the Republic of Indonesia Number 5234);
 - f. Law No. 8 of 2012 (State Paper of the Republic of Indonesia of 2012 Number 117, Supplement to State Paper of the Republic of Indonesia Number 5316) regarding the General Course of Action of Individuals from Individuals' Delegate Chamber, Local Expert Gathering, and Close by Individuals' Representative Board;
 - g. Law Number 23 of 2014 concerning Regional Government which has been refreshed by Rule Number 9 of 2015 concerning the Second Change to Lead Number 23 of 2014 concerning Ordinary Government (State Periodical of the Republic of Indonesia of 2014 Number 244, Supplement to the State Paper of the Republic of Indonesia Number 5587)
 - h. Law Number 31 of 2014 concerning Modifications to Administer Number 13 of 2006 concerning Security of Witnesses and Setbacks (State Paper of the Republic of Indonesia of 2014 Number 293, Supplement to the State Diary of the Republic of Indonesia Number 5602);
 - i. Law Number 7 of 2017 concerning General Races (State Paper of the Republic of Indonesia of 2017 Number 182, Supplement to the State Paper of the Republic of Indonesia Number 61090);
 - j. Circular Letter Number 1 of 2018 concerning The leaders of Vote Counting Information Systems
 - k. General Political choice Commission Rule Number 3 of 2019 concerning Projecting a polling form and Incorporating of Votes in Regular Races
- 2) Secondary Legitimate Materials, in particular lawful materials which incorporate reference books, legitimate well-qualified suppositions, papers, research results, composed works, and so forth. connected with the choice of the Protected Court Number 01-PHPU-PRES/XVII/2019 concerning Debates Aftereffects of the Overall Political decision for President and VP
 - 3) Tertiary Legitimate Materials, specifically lawful materials that give clarifications of essential lawful materials and optional lawful materials, like word references, reference books, and so forth. This lawful material is utilized as a supplement and supports clearness in regards to essential and optional legitimate materials, and tertiary legitimate materials utilized in, among others, the Huge Indonesian Word reference, legitimate word references, and lawful reference books.

3 Results and Discussion

3.1 Basic Lawful Contemplations of the Board of Judges in the Sacred Court Choice Number 01-PHPU-PRES/XVII/2019 concerning Disagreements regarding the Aftereffects of the Overall Political decision for President and VP

Legitimate contemplations (proportion decidendi) are the lawful reasons or reasoning involved by an appointed authority in choosing a case. The appointed authority's choice is generally founded on legitimate contemplations and contains examination, avocation, as well as lawful evaluations, and suggestions from the adjudicator who inspected the case. Each judge is given power using an overall set of laws that utilizes translations in light of equity, not for the interests of the adjudicator himself.

In the Spread out Court Choice Number 01-PHPU-PRES/XVII/2019 concerning the Dispute about the Consequences of the By and large Political decision for President and VP, there are several vital certified considerations for the Main collection of Judges at the Consecrated Court to pick the conversation. The primary authority for deciding disagreements regarding political race results is the Sacred Court. Nevertheless, to conclude the political race results, there ought to be inquiries as for the validness of the political choice, achieving differences of evaluation with respect to the political race results. Article 24C entry (1) of the 1945 Constitution of the Republic of Indonesia and Article 475 segment (2) of Guideline Number 7 of 2017 concerning General Races expressly control that the principal guarantees that can be submitted to the Safeguarded Court are challenges to projecting a voting form results. -assessment process.

During the 2019 Concurrent General Political race, the Sacred Court got 1 (one) instance of disagreement regarding the aftereffects of the Official/Bad habit Official Political race. The gatherings included incorporate the Solicitor, in particular the 2019 Official and Bad habit Official Competitor Pair, Chronic Number 02, explicitly H. Prabowo Subianto and H. Sandiaga Salahudin Uno, the Respondent, to be explicit the By and large Political choice Commission (KPU), and the Associated Social occasions are the Authority New kid on the block Pair and VP in the 2019 General Political choice for President and VP, Constant Number 01, specifically Ir. H. Joko Widodo and Prof. Dr. (HC). KH. Ma'ruf Amin.

The Protected Court will initially take a gander at the lawful place of the candidate, as far as possible for the application, and the contentions mentioned by the power of the Sacred Court prior to giving a choice on the application. The Protected Court will investigate and settle on the request thinking about these issues.

a. Legal position of the applicant

The party's legal status is a prerequisite for submitting a dispute or conflict request to the Constitutional Court of the Republic of Indonesia. In this sentence, "legal standing" replaces "personae standi in iudicio," which means the capacity to file a lawsuit or petition in court.[13] The concentrations at issue are charges of abuse of policing, of the State Pay and Utilization Spending plan (APBN), non-absence of predisposition of the State Normal Gadget (ASN), abuse of organization and State-Guaranteed Endeavors (BUMN), limitations on press opportunity and segregation in treatment, as well as applicants' cases. VP chronic number 01 didn't leave his situation as BUMN. Of the numerous contentions set forward, a couple of

disputes should not be the force of the Laid out Court yet the force of the Political choice Managerial Body (Bawaslu) by Guideline Number 7 of 2017 concerning General Races, but this is at this point being seen as by the Consecrated Court in the primer of this discussion.

b. Deadline for Submitting Applications

The best an open door for introducing a solicitation is by Article 475 entry (1) of Guideline Number 7 of 2017 concerning General Races, and Article 6 segment (1) of Safeguarded Court Rule Number 4 of 2018 concerning Strategies in Occurrences of Conflicts in regards to the Outcomes of the Authority and Delegate General Choices President, the application should be introduced no later than 3 (three) days after the Public Authority and Persistent vice Official Political race results are accounted for by the Respondent.[14] The Candidate presented a request for disagreement regarding the consequences of the overall political race in regards to the assurance of the public general political race results by the Respondent to the Court on 24 May 2019 at 22.35 WIB in light of the Deed of Accommodation of the Solicitor's Appeal Number 01/AP3-PRES/PAN.MK/2019 dated 24 May 2019, in this manner, the Solicitor's appeal was submitted inside as far as not entirely settled by legal guidelines.[15]

c. Constitutional Court considerations

Considering the Safeguarded Court decision Number 01/PHPU-PRES/XVII/2019 which contains 1944 pages with discussions from nine (9) judges. These nine adjudicators chose to dismiss the candidate's all's solicitations with no disagreeing assessment with a few contemplations in regards to the contentions set forward by the candidate, in particular:

a) Structured, Gigantic and Precise Infringement (TSM)

In the application, the candidate makes sense of that there are charges of Organized, Precise, and Enormous (TSM) infringement with 6 focuses which will be made sense of as follows:

- 1) Structured, Methodical, and Enormous Infringement (TSM) of the rule of free and secret General Decisions
- 2) Fraudulent abuse of the State Income and Consumption Spending plan (APBN) and government work programs
- 3) Abuse of Organization and State-Possessed Endeavors (BUMN)
- 4) Non-lack of bias of State Contraption (Police and Insight)
- 5) Restrictions on Media and Press Opportunity
- 6) Discriminatory Treatment and Maltreatment of Policing

b) Other Fraud

Aside from the Organized, Efficient, and Gigantic (TSM) contentions talked about over, the candidate has claimed different types of misrepresentation that brought about vote securing, so the candidate remembered this contention for the appeal.

3.2 Analysis of Lawful Contemplations in the Sacred Court Choice Number 01-PHPU-PRES/XVII/2019 which was assessed in light of Established Translation

Judges have the opportunity to decide their perspective in settling a case. This viewpoint is much of the time called lawful understanding. There are no standards that specify that judges should utilize specific understanding techniques or restrict decided from utilizing these translation strategies.

When rules already exist but are not explicit enough to apply to the situation, legal interpretation (interpretation) is a method of legal discovery. However, judges may be asked to review and decide cases for which there is no rule. Since the appointed authority can't decline to look at and attempt the case since there is no regulation or the law is inadequate with regards to, the adjudicator is confronted with a void or fragmented regulation that should be filled in or finished. The judge concluded that the law closed a legal gap.

In the legal profession, interpretation is a crucial task. Interpretation is a technique for deciphering the meaning of legal writings that can be applied to resolving cases or making decisions on a particular problem. Apart from that, in the field of constitutional law, interpretation, in this case, judicial interpretation (judge's interpretation) can also be a tool for constitutional change by expanding, condensing, or changing the meaning of a Constitutional document.

Jazim Hamidi, citing the opinions of Sudikno Mertokusumo, A. Pitio, Achmad Ali, and Yudha Bhakti, noted 11 (eleven) types of legal interpretation methods, namely:

- a. Grammatical Understanding, deciphering the words in the law as per language rules and linguistic legitimate principles.
- b. Historical Translation, to be specific the understanding of the historical backdrop of regulations and legitimate history.
- c. Systematic Translation, deciphering regulations as a component of the generally administrative framework.
- d. Sociological or teleological interpretation, in which the meaning of the law is viewed in light of its societal objectives, aims to close the gap between legal reality and the law's positive nature.
- e. Comparative Understanding, deciphering by looking at different general sets of laws.
- f. Featureistic Understanding, deciphering regulations by taking a gander at the bills that are as of now in the conversation cycle.
- g. Restrictive Interpretation: Interpretation is limited by words that have a particular meaning.
- h. Extensive Translation, deciphering past the constraints of syntactic understanding outcomes.
- i. Authentic Understanding, a translation that must be done in light of the implying that is clear in the law.
- j. Interdisciplinary interpretation, which employs the logic of interpretation from multiple legal science subfields.
- k. Multidisciplinary Understanding, deciphering utilizing translations from different sciences beyond the law.

Considering the considerations of the Laid out Court got a handle on in the discussion over, the Drafting Warning gathering can reason that the Consecrated Court Decision Number 01-PHPU-PRES/XVII/2019 concerning Conflicts with respect to the Delayed consequences of the Generally Political race for President and VP used expansive interpretation, bona fide and efficient understanding in the thought of the board

of judges. This choice was taken remembering meaningful equity, in particular equity connected with the adjudicator's choice in looking at, mediating, and settling on a case which should be made in view of contemplations of trustworthiness, objectivity, fairness, without segregation, and in light of still, small voice.

The Adjudicators' Consultation Meeting for the Established Court Choice Number 01-PHPU-PRES/XVII/2019 was held by nine Protected Judges, in particular, Anwar Usman, as Director and Part, Aswanto, Wahiduddin Adams, Arief Hidayat, I Dewa Gede Palguna, Suhartoyo, Manahan M.P. Sitompul, Saldi Isra, and Enny Nurbaningsih, each as individuals, on Monday, June 24, 2019, delivered a choice to dismiss the candidate's all's applications. By rejecting all of the applicant's requests, the Sacred Court's choice finishes a legitimate question, in view of the qualities of its choice which is conclusive and restricting, has finished a lawful debate and no further lawful move can be made and applies to all of Indonesia.

About the essential legitimate contemplations and in view of the Last Report of Legitimate Examination and Assessment Connected with General Races made by the Public Lawful Improvement Organization of the Service of Regulation and Common freedoms of the Republic of Indonesia in 2020, the material audit of Regulation Number 7 of 2017 concerning General Decisions has been done a few times with the outcomes different choices, specifically:[16]

a. Decision Number 53/PUU-XV/2017

This decision reasons that the platitude "not everlastingly set up/" in Article 173 locale (1) and Article 173 section (3) of Rule Number 7 of 2017 concerning General Races is contrary to the 1945 Constitution of the Republic of Indonesia and has no legitimate power. tie.

b. Decision Number 61/PUU-XV/2017 This decision asserts that Article 557 of Rule Number 7 of 2017 Concerning General Decisions is contrary to the Republic of Indonesia's 1945 Constitution and has no limiting real power.

c. Decision Number 66/PUU-XV/2017

The culmination of Decision Number 66/PUU-XV/2017 is that Article 571 letter d of Rule Number 7 of 2017 concerning General Races is contrary to the 1945 Constitution of the Republic of Indonesia and has no restricting authentic power.

d. Decision Number 20/PUU-XVII/2019

This choice has a few features, specifically:

- 1) Declare that the expression "electronic personality card" in Article 348 passage (9) of Regulation Number 7 of 2017 concerning General Races is in opposition to the 1945 Constitution of the Republic of Indonesia and doesn't have restrictively restricting lawful power for however long it isn't deciphered as " "This likewise incorporates a declaration of recording an electronic character card gave by the Populace and Common Vault Administration or other comparative office that has the position to do as such."
- 2) Declaring the expression "no later than 30 (thirty) days" in Article 210 passage (1) of Regulation Number 7 of 2017 concerning General Decisions is in opposition to the 1945 Constitution of the Republic of Indonesia and doesn't have restrictively restricting legitimate power for however long it isn't deciphered as "no later than 30 (thirty) days before

voting day except for voters due to unforeseen conditions beyond the ability and will of voters due to illness, being hit by a natural disaster, being a prisoner, and because carrying out duties at the time of voting is determined no later than 7 (seven) days before voting day.”

- 3) Declaring the phrase "only carried out and completed at the relevant TPS/TPSLN on voting day" in Article 383 section (2) of Guideline Number 7 of 2017 concerning General Races is contrary to the 1945 Constitution of the Republic of Indonesia and isn't has restrictively restricting legitimate power for however long it isn't deciphered as "only carried out and completed at the relevant TPS/TPSLN on voting day and if the vote count has not been completed it can be extended without a break for a maximum of 12 (twelve) hours from the end of voting day".
- e. Decision Number 32/Puu-Xix/2021

This decision affirms that the courses of action of Article 458 segment (13) of Guideline Number 7 of 2017 are contrary to the 1945 Constitution of the Republic of Indonesia and don't have restricting legitimate power for however long it isn't deciphered as, "The choice as planned in passage (10) is restricting for "The President, KPU, Commonplace KPU, Rule/City KPU, and Bawaslu are concrete, individual and ultimate conclusions of TUN authorities, which can be the object of a claim in the TUN court";

- f. Decision Number 39/Puu-Xvii/2019

This decision checks that Article 416 segment (1) of Rule Number 7 of 2017 concerning General Choices is contrary to the 1945 Constitution of the Republic of Indonesia and has no restricting legitimate power for whatever length of time it isn't translated as "has no huge bearing to the general arrangement of President and VP which was only shared by 2 (two) sets of promising new kids on the block"

- g. Decision Number 55/Puu-Xviii/2020

This choice discovers that Article 173 segment (1) of Rule Number 7 of 2017 concerning General Races which states, "Philosophical social events Partaking in Decisions are philosophical get-togethers that have passed the certification by the KPU", is in opposition to the 1945 Constitution of the Republic of Indonesia and doesn't have keeping legitimate power for whatever length of time it isn't translated as, "Philosophical gatherings that have passed the 2019 Political race check and passed/met the Parliamentary Edge plans in the 2019 Political choice are still authoritatively checked at this point not irrefutably affirmed, while philosophical gatherings that needy individual passed/meet the Parliamentary courses of action Cutoff, philosophical gatherings that simply have depiction at the Normal/Rule/City DPRD level and philosophical gatherings that don't have depiction at the Typical/System/City DPRD level, are supposed to go through administrative and certified affirmation again, this is comparable to the courses of action that apply to another philosophical gathering”.

The nine adjudicators of the Protected Court deciphered the law by the law, legitimate standards, and the interests of individuals in the Laid out Court Decision Number 01-PHPU-PRES/XVII/2019 concerning the Discussion on the Delayed consequences of the In general Political race for President and VP. The president

additionally showed that it was all the while being executed. There are numerous shortcomings in the standards for controlling races, bringing about clashes of power, particularly between the Protected Court and the Political decision Administrative Body (Bawaslu), where the Established Court has the position to conclude the consequences of political decision debates yet doesn't to conclude the aftereffects of political decision questions. The Political choice Managerial Body (Bawaslu) has more unmistakable control over these issues. with the objective that the Drafters consider the necessity for a lawful study finished by the Hallowed Court seeing the force of Bawaslu as coordinated in Article 95 of Guideline No. 7 of 2017 with regards to General Races. Legitimate review is the most widely recognized approach to testing lower lawful rules contrary to higher lawful rules did by the legitimate leader, for this present circumstance, the Law on the 1945 Constitution of the Republic of Indonesia.

The Sacred Court has the power to determine issues connected with political race results. It isn't just the methodology for holding decisions that should be considered yet in addition the aftereffects of vote relying on final voting day. The development of Bawaslu to regulate the execution of races seems to have been made by giving unnecessary power Bawaslu. This should be visible from the Sacred Court's failure to survey Bawaslu's choices which struggle with Bawaslu's choices. The power of the Sacred Court to determine PPHU questions and screen the execution cycle as well as look at and audit choices of lower establishments.

In light of the examination results above, there is no apparent material audit with respect to the power of the Political Decision Administrative Body (Bawaslu), General Political decision Commission (KPU), and Sacred Court to date, despite the fact that this ought to be a significant concern due to Regulation Number 7 of 2017 concerning The Overall Political decision will be utilized in the future in the Overall Political race in 2024.

4 Conclusion

In light of the juridical examination connected with the Juridical Examination of the Established Court Choice Number 01/PHPU-PRES/XVII/2019 Presidential General Election Dispute which has been discussed above, the following conclusions can be drawn:

There are several main components put forward by the candidate in his request to the Established Court, from requesting to try fraud, to systematic, structured, massive fraud, and to try quantitative fraud, as well as requesting to disqualify his opponent in the presidential election. From the requirements for the applicant to have legal standing to submit an application, and the application to be submitted inside as far not entirely set in stone by legal guidelines.

The Constitutional Court, regarding the decision on the 2019 presidential election dispute, made a decision rejecting the objections of the respondent and related parties in their entirety and rejecting the petition from the applicant in its entirety. From the perspective of the applicable law, *ius constitutum*, the judge's considerations are appropriate. However, this looks neutral, so that in terms of considerations and decisions it looks like a calculator, without daring to make progressive decisions. It seems that the Constitutional Court does not run parallel in holding power, this looks like a case that will have a big impact on the executive and legislature. Regarding the conditions for being elected president as stated in Article 6A paragraph (3) of the

1945 Constitution, of course, they have not been fulfilled, let alone continuing with the requirements of Article 6A paragraph (4). In the 2019 presidential election dispute, these two verses were reduced by the regulations below them.

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