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# A Juridical Analysis of Constitutional Court Decision No. 30/PHPU.BUP-XXIII/2025 on the 2025 Magetan Regency Local Election Results Dispute

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## ABSTRACT

This study analyzes Constitutional Court Decision Number 30/PHPU.BUP-XXIII/2025 concerning the dispute over the 2025 Magetan Regent Election results. It aims to examine the judges' legal reasoning and its implications for electoral justice. Using a normative juridical method with a case- and literature-based approach, the study finds that the Court applied a substantive justice approach by assessing structured, systematic, and massive (TSM) violations and ordering re-voting at four polling stations. This decision directly affected vote distribution among candidates and reinforced the Court's role in safeguarding democracy. However, challenges such as inconsistencies in handling electoral violations and structural issues like political costs and nepotism remain. In conclusion, the decision strengthens electoral law enforcement while highlighting the need for improved supervision and systemic reform to ensure fair and credible local elections.

## KEYWORDS

Constitutional Court; Election Dispute; TSM Violations; Re-voting; Electoral Justice



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## INTRODUCTION

Indonesia, as a democratic state governed by the rule of law, regards regional elections as a means of exercising popular sovereignty,<sup>1</sup> However, in practice, disputes over election results often arise, indicating that the implementation of local democracy is not yet optimal,<sup>2</sup> Consequently, the role of the Constitutional Court is crucial in ensuring electoral justice. Previous research has generally proposed solutions through strengthening the Constitutional Court's authority and applying procedural justice; in fact, some of the best studies have emphasized the importance of a substantive justice approach in assessing structured, systematic, and massive (SSM) violations as a more effective way to safeguard the integrity of elections.<sup>3</sup> However, these studies still have limitations: they tend to be general in nature, lack a focus on regency-level regional elections, have not conducted an in-depth analysis of the most recent rulings, and have not linked legal analysis to practical implications for the dynamics of local democracy and structural issues such as inconsistent rulings, high political costs, and nepotism.<sup>4</sup> Therefore, this study aims to conduct a legal analysis of Constitutional Court Decision No. 30/PHPU.BUP-XXIII/2025 regarding the 2025 Magetan Regency Regional Election dispute, specifically focusing on the judges' legal reasoning and its implications for electoral justice. The novelty of this study lies in its focus on a recent regency-level regional election ruling, an in-depth analysis of the application of substantive justice, and the integration of a normative approach with the empirical context of local democracy, thereby hopefully contributing to the development of electoral law that is more contextual and practical.<sup>5</sup>

A legal analysis of the Constitutional Court Decision No. 30/PHPU.BUP-XXIII/2025 regarding the dispute over the results of the 2025 Magetan Regency Regional Election is essential as part of efforts to uphold the principles of democracy and the rule of law in Indonesia. Indonesia is affirmed as a democratic state governed by the rule of law, as outlined in Article 1 of the 1945 Constitution, which identifies six fundamental elements: Pancasila, the rule of law, democracy, the separation of powers, an independent judiciary, and the protection of human rights.<sup>6</sup> Democracy and the rule of law are viewed as interrelated and inseparable;

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<sup>1</sup> Fathul Hamdani & Ana Fauzia, "Legal Discourse: The Spirit of Democracy and Human Rights Post Simultaneous Regional Elections 2020 in the Covid-19 Pandemic Era" (2021) 5:1 Lex Sci Law Rev 97-118.

<sup>2</sup> Eswati, "Penegakan Hukum Pemilu Legislatif 2019 pada Daerah Pemilihan (Dapil) Surabaya-4" (2021) 5:1 Lex J Kaji Huk dan Keadilan 41-61, online: <<https://ejournal.unitomo.ac.id/index.php/hukum/article/view/4072>>.

<sup>3</sup> Nasri Wijaya et al, "Peran Mahkamah Konstitusi dalam Penyelesaian Sengketa Hasil Pilkada 2024: Analisis terhadap Ambang Batas dan Pelanggaran TSM" (2024) 1:2 Animha Law J 62-72, online: <<https://jurnal.asthagrafika.com/index.php/alj/article/view/71>>.

<sup>4</sup> Hamdan Zoelva, "Problematika Penyelesaian Sengketa Hasil Pemilukada oleh Mahkamah Konstitusi" (2013) 10:3 J Konstitusi, online: <<https://jurnalkonstitusi.mkri.id/index.php/jk/article/view/1031>>.

<sup>5</sup> Firnandes Maurisya, Sukamto Satoto & Ardilafiza, "Special Chamber Mahkamah Konstitusi dalam Penyelesaian Sengketa Pemilu" (2024) 1:3 Milthree Law J 319-360, online: <<https://milthreejournal.co.id/index.php/mlj/article/view/56>>.

<sup>6</sup> Wicipto Setiadi, "Pembangunan Hukum dalam Rangka Peningkatan Supremasi Hukum" (2012) 1:1 J RechtsVinding 1-16, online: <<https://rechtsvinding.bphn.go.id/ejournal/index.php/jrv/article/view/103>>.



democracy provides the mechanism for popular sovereignty, while the rule of law serves as a guide and a power limit.<sup>7</sup>

The philosophical foundation of this research is rooted in citizens' constitutional right to vote and to be elected, as well as the legal basis provided by Law No. 7 of 2017 on General Elections and the Constitutional Court's authority to resolve disputes over election results. From a sociological perspective, regional election disputes reflect local political dynamics that require fair and transparent resolutions to maintain political stability and public trust.<sup>8</sup>

Previous research has extensively discussed the Constitutional Court's authority in resolving election result disputes, such as studies on the Court's authority in post-election disputes in general and the evolution of its rulings in presidential election disputes. However, there is a gap regarding in-depth analysis of Constitutional Court rulings, particularly concerning regional election disputes at the regency level, in the context of the recent 2025 case in Magetan. The novelty of this research lies in its legal focus on this specific ruling and its implications for the enforcement of election law at the regional level, unlike previous studies that were more general or focused on presidential elections.<sup>9</sup>

The urgency of this research stems from the need to understand how Constitutional Court rulings can serve as an effective instrument in resolving regional election disputes, which are often complex and have far-reaching implications for local democracy. Under Article 24C of the 1945 Constitution, the Constitutional Court serves as the guardian of the Constitution and the arbiter of disputes over election results—including regional elections—to safeguard the “purity of the people’s vote” and the constitutional rights of citizens.<sup>10</sup> Disputes over regional election results raise key legal issues regarding resolution procedures, the admissibility of evidence, and the protection of the constitutional rights of the disputing parties. Therefore, a legal analysis of the Constitutional Court's rulings is essential to provide a clear picture of the legal mechanisms and substantive justice involved in resolving such disputes.<sup>11</sup>

The legal focus of this study is how the Constitutional Court ruled on the dispute over the results of the 2025 Magetan Regency Regional Election based on applicable laws and regulations, as well as the legal considerations of the

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<sup>7</sup> Yunita Syofyan, Delfina Gusman & Alsyam, “Keterkaitan Paham Demokrasi terhadap Sistem Hukum Indonesia Setelah Perubahan Undang-Undang Dasar 1945” (2022) 5:2 UNES Law Rev 497–508, online: <<https://review-unes.com/law/article/view/354>>.

<sup>8</sup> Rasji, Nathalie Cristine Lumban Gaol & Zahra Alsabilah, “Juridical Review of the Authority of the Constitutional Court in Settlement of General Election Disputes” (2023) 2:1 QISTINA J Multidisiplin Indones, online: <<https://garuda.kemdiktisaintek.go.id/documents/detail/3496679>>.

<sup>9</sup> Ning Ayunda Chofifi & Eny Kusdarini, “Perkembangan Putusan Mahkamah Konstitusi dalam Menangani Perkara Perselisihan Hasil Pemilihan Umum Presiden” (2024) 31:2 J Huk Ius Quia Iustum 408–433, online: <<https://journal.uui.ac.id/IUSTUM/article/view/34651>>.

<sup>10</sup> Agil Almunawar, “Implikasi Hukum Putusan Mahkamah Konstitusi Nomor 135/PUU-XXII/2024 tentang Pemisahan Pemilu Nasional dan Lokal” (2025) 1:1 J Huk Berkeadaban 18–25, online: <<https://ejournal.globalcendekia.or.id/index.php/jhb/article/view/48>>.

<sup>11</sup> Anna Erliyana, “Review of Indonesian Constitutional Court Decision Number 135/PHP.BUP-XIX/2021” (2025) 7:2 J Law Policy Transform, online: <<https://scholar.ui.ac.id/en/publications/review-of-indonesian-constitutional-court-decision-number-135phpb/>>.



Constitutional Court justices in evaluating the evidence and arguments presented by the parties. This study also examines the relevance of the decision to the principles of democracy, electoral justice, and regional political stability. This is important to determine whether the Constitutional Court's decision is in accordance with legal norms and the aspirations of the public.

The purpose of this study is to conduct a legal analysis of the content and legal considerations in Constitutional Court Decision No. 30/PHPU. BUP-XXIII/2025 regarding the dispute over the results of the 2025 Magetan Regency Regional Election, to identify the decision's contribution to the enforcement of election law, and to provide recommendations for improving the regional election dispute resolution mechanism to make it more effective and fair.<sup>12</sup>

### **METHOD**

The research method used is the normative legal method, employing a literature review approach and a content analysis of the Constitutional Court Decision No. 30/PHPU.BUP-XXIII/2025. Data were obtained from the official text of the Constitutional Court's decision as well as related literature, such as laws, academic journals, and legal textbooks. A qualitative analysis was conducted to explore the legal significance of the decision and its implications for the electoral dispute resolution system in Indonesia.<sup>13</sup>

### **RESULT & DISCUSSION**

Theoretically, research on the considerations of Constitutional Court justices in cases involving disputes over local election results is based on the understanding that the Constitutional Court not only interprets and applies the provisions of Law No. 10 of 2016, but also considers the balance between procedural justice—such as formal requirements, vote margin thresholds, and the right to file a case—and substantive justice, which encompasses the protection of voters' votes and efforts to rectify violations that affect election results. Based on a study of the Constitutional Court Decision No. 92/PHP.BUP XIX/2021, it is evident that the Constitutional Court may reject a petition solely because the requirements of Article 158 of Law No. 10 of 2016 have not been met; consequently, procedural aspects take precedence, leading to a lack of substantive justice for both petitioners and voters.<sup>14</sup>

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<sup>12</sup> Siska Ahaya, Roy Marthen Moonti & Ibrahim Ahmad, "Pemilihan Ulang dan Kepastian Hukum dalam Pilkada: Analisis Putusan Mahkamah Konstitusi Nomor 55/PHPU.BUP-XXIII/2025" (2025) 2:2 *Terang J Kaji Ilmu Sos Polit dan Huk* 267–275, online: <<https://journal.appihi.or.id/index.php/Terang/article/view/1101>>.

<sup>13</sup> Dora Mustika, M Dani Fariz Amrullah D & Sayyidah Sekar Dewi Kulsum, "Analysis of the Authority of the Constitutional Court in General Election Result Dispute Cases (Study of Constitutional Court Ruling Number 1/PHPU.PRES-XXII/2024 and 2/PHPU.PRES-XXII/2024)" (2024) 19:2 *Pranata Huk* 166, online: <<https://jurnalpranata.ubl.ac.id/index.php/pranatahukum/article/view/348/299>>.

<sup>14</sup> Mudassir Hasri Gani, Ruslan Renggong & Baso Madiong, "Analisis Putusan Mahkamah Konstitusi Nomor: 92/PHP.BUP-XIX/2021 tentang Perselisihan Hasil Pemilihan Umum Kepala Daerah Kabupaten Barru Tahun 2020" (2022) 4:2 *Indones J Leg Law* 139–152, online: <[https://www.researchgate.net/publication/362555237\\_ANALISIS\\_PUTUSAN\\_MAHKAMAH\\_KONSTITUSI\\_NOMOR\\_92PHPBUP-](https://www.researchgate.net/publication/362555237_ANALISIS_PUTUSAN_MAHKAMAH_KONSTITUSI_NOMOR_92PHPBUP-)



The Constitutional Court's authority to resolve disputes over the results of regional head elections has been recognized as a permanent authority under Decision No. 85/PUU XX/2022. That decision also highlights the dynamics and challenges involved in limiting judicial authority in relation to the expansion of the Constitutional Court's powers. The final and binding nature of the Constitutional Court's decisions results in direct legal consequences that cannot be altered by other judicial institutions. The Constitutional Court's decision in disputes over election results applies to all parties and concludes the entire legal process; consequently, any correction of vote tallies, orders for a re-vote, revocation of a candidate pair's approval, or the official announcement of the elected candidate pair must be implemented by the General Election Commission.<sup>15</sup>

Based on this theoretical and practical framework, the discussion in this journal focuses on addressing two main research questions. First, what were the grounds for the Constitutional Court justices' decision in resolving the dispute over the results of the 2025 Magetan Regent Election in Case No. 30/PHPU? BUP-XXIII/2025, in terms of jurisdiction, fulfillment of formal requirements (including the vote margin threshold), assessment of evidence and facts at four polling stations, and the application of principles of procedural and substantive justice as reflected in the Constitutional Court's previous rulings.<sup>16</sup> Second, what are the legal consequences of this ruling for the four polling stations at the center of the dispute (e.g., an order for a re-vote, a recount, or the declaration of specific results) and for the three pairs of candidates for Magetan Regent, both in terms of their legal standing as participants in the regional election and in terms of the distribution of votes and the legitimacy of their victory?

The Constitutional Court serves as the guardian of the Constitution and democracy by upholding the supremacy of the Constitution and ensuring the implementation of democratic principles through judicial review, the resolution of election disputes, and oversight of policies enacted by the legislative and executive branches. As the guardian of the Constitution, the Constitutional Court has the authority to review laws for compliance with the 1945 Constitution, resolve disputes between government institutions, and dissolve political parties that violate the Constitution. In this way, the Constitutional Court helps maintain the balance of power and prevent the abuse of authority.<sup>17</sup>

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XIX2021\_TENTANG\_PERSELISIHAN\_HASIL\_PEMILIHAN\_UMUM KEPALA DAERAH KABUPATEN BARRU TAHUN 2020>.

- <sup>15</sup> Antoni Putra, "Sifat Final dan Mengikat Putusan Mahkamah Konstitusi dalam Pengujian Undang-Undang" (2021) 14:3 J Yudisial 291-311, online: <<https://jurnal.komisiyudisial.go.id/jy/id/article/view/425>>.
- <sup>16</sup> Figo Galih Pradopo, "Legal Reasoning Hakim Majelis Hakim Konstitusi Mengenai Pemungutan Suara Ulang Pemilihan Bupati dan Wakil Bupati Serang (Studi Analisis Putusan Majelis Hakim Konstitusi Nomor 70/PHPU.BUP-XXIII/2025)" (2025) 2:8 J Ris Multidisiplin Edukasi 842-850, online: <<https://journal.hasbaedukasi.co.id/index.php/jurmie/article/view/879>>.
- <sup>17</sup> Kelik Endro Suryono, "The Role of the Constitutional Court in Maintaining the Stability of the Constitutional System" (2025) 16:1 Huk Responsif, online: <<http://jurnal.ugj.ac.id/index.php/Responsif/article/view/10106>>.



## I. The Constitutional Court Justices' Rationale Based on the Constitutional Court Decision in Case No. 30/PHPU.BUP-XXIII/2025 Regarding the Dispute Over the Results of the 2025 Magetan Regent Election

Regarding the Constitutional Court justices' reasoning in Decision No. 30/PHPU.BUP-XXIII/2025 on the dispute over the results of the 2025 Magetan Regent Election, the decision highlights the legal aspects and democratic principles that serve as its primary foundation. The Constitutional Court judges emphasized the importance of compliance with election laws and regulations, particularly Law No. 7 of 2017 on General Elections, as the legal basis for assessing the validity of the regional election process and results. Law No. 7 of 2017 affirms that elections are a means of exercising the people's sovereignty and must be conducted directly, universally, freely, by secret ballot, honestly, and fairly; these principles serve as the benchmark for the validity of the process, including regional head elections, which are understood as part of the development of local democratic governance. These considerations also encompass the protection of the constitutional rights of voters and candidates for regional head to ensure that the democratic process proceeds fairly and transparently, in accordance with the principles of the rule of law and substantive justice.<sup>18</sup>

Based on the Constitutional Court's Decision in Case No. 30/PHPU.BUP-XXIII/2025, the justices adopted a substantive approach to evaluate the evidence of violations presented, including allegations of structured, systematic, and massive (TSM) violations that could influence the election results. This is in line with previous Constitutional Court rulings that have placed special emphasis on the integrity of the electoral process to safeguard the quality of local leadership and the legitimacy of regional election results. The justices' deliberations also reflect their courage to make decisions that can correct the democratic process if serious violations are found, while maintaining a balance between political and legal interests.<sup>19</sup>

The Constitutional Court's reasoning in this case reflects a legal evaluation of how regional election disputes are handled in Indonesia, where procedural aspects are no longer the sole focus, but rather substantive aspects concerning justice and substantive truth are also considered, since Indonesia essentially adheres to a negative system of proof under the law: a guilty verdict may only be rendered if supported by limited, admissible evidence and the judge's conviction.<sup>20</sup> This approach strengthens the Constitutional Court's position as a guardian of democracy; fundamentally, the Constitutional Court was established as a consequence of Indonesia's status as a constitutional democratic state. The rule of the constitution must be strictly observed and upheld through constitutional adjudication, which not only enforces formal rules but also ensures that the electoral

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<sup>18</sup> Ahaya, Moonti & Ahmad, *supra* note 12.

<sup>19</sup> Yersa Umar Hasibuan et al, "Kewenangan Manajemen Mahkamah Konstitusi Untuk Mendiskualifikasi Peserta Pemilihan Umum Dalam Putusan Perselisihan Hasil Pemilihan Umum" (2024) 4:1 J Manaj Akunt 177-186, online: <<https://jurnal.ulb.ac.id/index.php/JUMSI/article/view/4818>>.

<sup>20</sup> Yustika Tatar Fauzi Harahap & Isis Ikhwanasyah, "Paradigma Orientasi Mencari Kebenaran Materil Dalam Proses Pembuktian Akta Otentik" (2018) 6:1 J Cita Huk 183-200, online: <<https://journal.uinjkt.ac.id/index.php/citahukum/article/view/8273>>.



process produces leaders who are legally and morally legitimate.<sup>21</sup> The issuance of this ruling demonstrates a significant development in the Constitutional Court's approach to resolving election disputes.

The judges' deliberations also encompass ethical and political dimensions that are inseparable from the context of the regional elections. In several previous election dispute cases, dissenting opinions were issued by some judges, indicating differing views regarding the legal interpretation and political implications of the Constitutional Court's rulings.<sup>22</sup> Constitutional judges serve as guardians of the Constitution and interpreters of the 1945 Constitution; therefore, their deliberations must be grounded in the supremacy of the Constitution, the protection of human rights, and democratic principles (the rule of law, separation of powers, and minority rights). Nevertheless, the majority of justices continue to adhere to the principles of constitutional justice and the protection of the democratic rights of the people as the primary basis for resolving disputes. Given that courts—especially constitutional courts—are regarded as an essential element of a democratic state governed by the rule of law and as guardians of the human and political rights of citizens.<sup>23</sup>

From the perspective of legal implementation, Constitutional Court Decision No. 30/PHPU.BUP-XXIII/2025 guides election authorities such as the KPU and Bawaslu to strengthen oversight and conduct on-the-ground verification of the implementation of regional elections in order to minimize the potential for disputes.<sup>24</sup> This is important to ensure that the democratic process is credible and to avoid public doubts about the legitimacy of the results of regional head elections.<sup>25</sup> Enforcing these principles is expected to strengthen local political stability and public confidence in the democratic system.<sup>26</sup>

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<sup>21</sup> Mustika, D. & Kulsum, *supra* note 13.

<sup>22</sup> Elisabeth Sihaloho & Fifiana Wisnaeni, "Prospect of Judicial Preview by Indonesian Constitutional Court as a Preventive Action to Protect Constitutional Rights (Comparative Study with the Constitutional Court of Chile)" (2025) 8:2 Int J Soc Sci Hum Res, online: <[https://www.researchgate.net/publication/389407405\\_Prospect\\_of\\_Judicial\\_Preview\\_by\\_Indonesian\\_Constitutional\\_Court\\_as\\_a\\_Preventive\\_Action\\_to\\_Protect\\_Constitutional\\_Rights\\_Comparative\\_Study\\_with\\_the\\_Constitutional\\_Court\\_of\\_Chile](https://www.researchgate.net/publication/389407405_Prospect_of_Judicial_Preview_by_Indonesian_Constitutional_Court_as_a_Preventive_Action_to_Protect_Constitutional_Rights_Comparative_Study_with_the_Constitutional_Court_of_Chile)>.

<sup>23</sup> Ernst-Ulrich Petersmann, "Human Rights, International Economic Law and 'Constitutional Justice'" (2008) 19:4 Eur J Int Law 769–798, online: <<https://academic.oup.com/ejil/article/19/4/769/349342>>.

<sup>24</sup> Anasrullah, Achmad Djunaidi & Candra, "Analisis Putusan Hakim Mahkamah Konstitusi (MK) No 100/PUU-XIII/2015 Terkait Pemilihan Calon Tunggal Pilkada Serentak di Indonesia" (2017) 1 Civicus 1–10, online: <<https://www.neliti.com/publications/277868/analisis-putusan-hakim-mahkamah-konstitusi-mk-no-100-puu-xiii-2015-terkait-pemil#cite>>.

<sup>25</sup> *Analisis Putusan Menerima Permohonan Penyelesaian Hasil Pilkada Serentak di Mahkamah Konstitusi (Studi Perkara Kabupaten Yalimo, Tahun 2020)*, by Janwardisan Hernandika & Yogo Pamungkas (2024).

<sup>26</sup> Livia Sikmon Putra & Fauzan Khairazi, "Analisis Sengketa Hasil Pilkada di Mahkamah Konstitusi" (2025) 5:4 CENDEKIA J Ilmu Pengetah 1677–1684, online: <[https://www.researchgate.net/publication/396705092\\_ANALISIS\\_SENGKETA\\_HASIL\\_PILKAD\\_A\\_DI\\_MAHKAMAH\\_KONSTITUSI](https://www.researchgate.net/publication/396705092_ANALISIS_SENGKETA_HASIL_PILKAD_A_DI_MAHKAMAH_KONSTITUSI)>.



**Table 1.** Candidate Pairs for Regent and Deputy Regent of Magetan Regency in the 2025 Election

No	Regent Candidate	Candidate for Deputy Regent	Preliminary Valid Vote Count
01	Nanik Endang Rusminiarti	Suyatni Priasmoro	137.345 votes
02	Hergunadi	Basuki Babussalam	130.947 votes
03	Sujatno	Ida Yuhana Ulfa	136.403 votes

**Sources:** Analyzed from Primary Sources.<sup>27</sup>

## **II. Legal Consequences of the Constitutional Court's Decision in Case No. 30/PHPU.BUP-XXIII/2025 for the Four Polling Stations and the Three Regent Candidate Pairs**

The legal consequences of the Constitutional Court Decision No. 30/PHPU.BUP-XXIII/2025 regarding four polling stations (TPS) and three candidate pairs (paslon) for the 2025 Magetan Regent election highlights the direct implications of the decision on the process and results of the regional election. This Constitutional Court ruling orders a re-vote (PSU) at four polling stations where structured, systematic, and massive (TSM) violations were proven to have occurred, namely: Polling Station 09 in Selotinatah Village, Ngariboyo Subdistrict, with 551 voters; Polling Station 001 in Kinandang Village, Bendo Subdistrict, with 555 voters; Polling Station 004 in Kinandang Village, Bendo Subdistrict, with 527 voters; and Polling Station 001 in Nguri Village, Lembeyan Subdistrict, with 484 voters. Consequently, the vote counts at these polling stations cannot serve as the basis for the lawful determination of the winner. The legal consequence of this re-vote is a potential change in the final results of the regional election that could affect the positions of the three candidate pairs, thereby providing an opportunity to restore electoral justice and ensure the legitimacy of regional leadership.<sup>28</sup>

For the three regent candidate pairs, this ruling carries significant legal consequences because the results of the re-election could alter the vote tally and determine who is entitled to hold the office of regent. The Constitutional Court's ruling emphasizes that the constitutional rights of candidates and voters must be strictly protected; therefore, if serious violations are found at specific polling stations, holding a re-vote is the appropriate solution to safeguard the integrity of democracy. This also requires the General Election Commission (KPU) and the Election Supervisory Agency (*Bawaslu*) to strengthen oversight and factual verification to prevent similar incidents from recurring.<sup>29</sup>

<sup>27</sup> Dinas Komunikasi dan Informatika Kabupaten Magetan, "DPRD Kabupaten Magetan Umumkan Penetapan Pasangan Calon Bupati dan Wakil Bupati Terpilih Magetan Tahun 2024", (2025), online: <<https://magetan.go.id/dprd-kabupaten-magetan-umumkan-penetapan-pasangan-calon-bupati-dan-wakil-bupati-terpilih-magetan-tahun-2024/>>.

<sup>28</sup> Muhammad Syahrial Fitri & Hanafi, "Kajian Evaluatif Perselisihan Hasil Pemilihan (PHP) Kepala Daerah Serentak Tahun 2020 di Provinsi Kalimantan Selatan" (2023) 15:1 Al' Adl J Huk 131–153.

<sup>29</sup> Regina Zetia & Wiratno, "Pemungutan Suara Ulang dalam Pemilihan Bupati Kabupaten Indragiri Hulu Provinsi Riau (Studi Putusan Mahkamah Konstitusi Nomor 93/PHP.BUP-XIX/2021)" (2024)



Legally speaking, this ruling reinforces the principle of the rule of law in resolving regional election disputes by affirming that the Constitutional Court's decision is final and binding, meaning that all parties must respect the results of the re-election as part of a fair democratic process. However, the ruling also opens the door to new political dynamics, as changes in the vote count could trigger reactions from the candidate pairs and their supporters; therefore, social and political aspects must be managed effectively to ensure that regional stability is maintained.<sup>30</sup>

Thus, the legal implications of Decision No. 30/PHPU.BUP-XXIII/2025 affects not only the conduct of the re-vote at four polling stations but also the legitimacy of the three candidate pairs for Magetan Regent, as well as the governance of future regional elections to ensure greater transparency and accountability. It is hoped that the enforcement of this decision will strengthen public confidence in the local democratic system and promote improvements in the quality of election administration in Indonesia.<sup>31</sup>

In a statement following the re-election at four polling stations, the Chair of the Magetan KPU announced that the regent and vice-regent candidate pair No. 01, Nanik Endang Rusminiarti and Suyatni Priasmoro, received 137,345 valid votes, while the candidate pair No. 02, Hergunadi – A. Basuki, received 130,947 valid votes, and the No. 03 pair, Sujatno – Ida Yuhana Ulfa, received 136,304 valid votes. Thus, the regent and vice-regent candidate pair number 01, Nanik Endang Rusminiarti – Suyatni Priasmoro, received the most valid votes and were officially declared the winners of the 2024 Magetan Regency Regional Election.

As the “guardian of democracy,” the Constitutional Court's (MK) rulings on the resolution of general election disputes (PHPU)—such as the 2024 general election and the regional election dispute in East Java—are often regarded as significant decisions that not only resolve disputes regarding vote counts, but also establish standards regarding structured, systematic, and massive (TSM) violations as a form of suppression against fraud that undermines the integrity of general elections.<sup>32</sup> Under these standards, the Constitutional Court has the authority to annul election results, order a recount, or correct the actions of election organizers, thereby serving as a filter in combating organized fraud.<sup>33</sup>

However, at present, general elections and regional head elections in Indonesia have not yet been conducted optimally, so the “system cleansing” function carried out by the Constitutional Court does not always proceed linearly. An analysis

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6:1 Reformasi Huk Trisakti 387–398, online:  
<[https://www.researchgate.net/publication/406555104\\_PEMUNGUTAN\\_SUARA\\_ULANG\\_DALAM\\_PEMILIHAN\\_BUPATI\\_KABUPATEN\\_INDRAGIRI\\_HULU\\_PROVINSI\\_RIAU\\_STUDI\\_PUTUSAN\\_MAHKAMAH\\_KONSTITUSI\\_NOMOR\\_93PHPBUP-XIX2021\\_Re-voting\\_in\\_the\\_regent\\_election\\_of\\_Indragiri\\_Hulu\\_Regency](https://www.researchgate.net/publication/406555104_PEMUNGUTAN_SUARA_ULANG_DALAM_PEMILIHAN_BUPATI_KABUPATEN_INDRAGIRI_HULU_PROVINSI_RIAU_STUDI_PUTUSAN_MAHKAMAH_KONSTITUSI_NOMOR_93PHPBUP-XIX2021_Re-voting_in_the_regent_election_of_Indragiri_Hulu_Regency)>.

<sup>30</sup> MH Isnaeni, “Reconstruction of the Election System Following Constitutional Court Decision Number 135/PUU-XXII/2024: A Legal-Normative Review of the Separation of National and Regional Elections” (2025) 7:3 JIHAD J Ilmu Huk dan Adm 1–5.

<sup>31</sup> *Ibid.*

<sup>32</sup> Iqbal Khastama & Dodi Jaya Wardana, “Analisis Yuridis terhadap Tingkat Efisiensi Penyelesaian Perselisihan Hasil Pemilukada oleh MK” (2023) 6:2 UNES Law Rev 6093–6104.

<sup>33</sup> Rofi Wahanisa et al, “From Justice to Politics: The Constitutional Court's Role in Structured and Systematic Election Violations” (2025) Lex Sci Law Rev, online:  
<<https://www.semanticscholar.org/paper/From-Justice-to-Politics%3A-The-Constitutional-Role-Wahanisa-Riyanto/8c67851a102fd5129f8d025b6fe2b403553c1085>>.



of the ruling on the 2024 Magetan Regency election results shows that the rejection of the petition filed by candidate pair number 03—which was based on considerations with moral and political undertones—actually has the potential to undermine the quality of democracy. This is because the decision creates room for practices of nepotism and collusion, which the general public views as forms of fraud within the structural system.<sup>34</sup>

Disputes over election results (PHPU) reveal inconsistencies in the Constitutional Court's (MK) handling of violations of election management procedures (TSP); some violations are deemed to fall outside the Constitutional Court's jurisdiction, thereby limiting the scope for correcting fraud and potentially exacerbating issues of electoral integrity. On the other hand, an excessive caseload and time constraints during hearings also limit the depth of evidence presented in PHPU cases, meaning that the Constitutional Court's ability to truly "eradicate" all fraudulent practices is structurally limited.<sup>35</sup>

Local elections in Indonesia have not been conducted properly and have, in fact, fueled corruption, collusion, and nepotism (KKN), which undermine the quality of democracy at the local level. The direct election system, which has been in place since the era of decentralization, has indeed succeeded in increasing public participation in politics, but it has also resulted in extremely high political costs. This is evident in the large number of candidates who seek external funding, which ultimately leads to acts of corruption after the elections. This corruption often occurs through the improper management of local budgets, fictitious projects, and collusion between government officials, legislators, and political investors.<sup>36</sup>

Furthermore, the emergence of political families (political dynasties) and the practice of nepotism actually strengthen local oligarchic groups, which hinder the emergence of qualified leaders and undermine democratic principles because power tends to be concentrated within family groups or patronage networks.<sup>37</sup> New forms of clientelism, such as vote-buying and bureaucratic patronage, have become increasingly entrenched due to the high political costs of regional elections, forcing regional heads to "recoup their investment" through corruption and abuse of power. Regional elections in Indonesia are heavily influenced by high political costs, which fuel corruption, collusion, and nepotism (KKN). The direct regional election system, which was intended to strengthen political participation, has instead placed significant financial pressure on candidates for regional leadership positions, driving them to engage in corruption through budget manipulation, the buying and

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<sup>34</sup> Savinatun Najah et al, "Analisis Dampak Putusan Mahkamah Konstitusi Terkait Perselisihan Hasil Pemilihan Umum (PHPU) Pilpres 2024 terhadap Kualitas Demokrasi Indonesia" (2024) 5:1 *Idarotuna J Adm Sci* 85-97, online: <<https://ejournal.akts.ac.id/index.php/idarotuna/article/view/91>>.

<sup>35</sup> Fazlar Rusyda Kamila, "Badan Peradilan Khusus Penyelesaian Perselisihan Hasil Pilkada Perspektif Negara Demokrasi Konstitusional" (2024) 2:2 *J Iuris Sci* 55-65, online: <<https://www.semanticscholar.org/paper/BADAN-PERADILAN-KHUSUS-PENYELESAIAN-PERSELISIHAN-Kamila/89dc7f5dca8ce9e1b2aefb6d68d8d6a0f53e6570>>.

<sup>36</sup> Vidya Pertiwi & Sugeng Widodo, "Kinship Politics in Indonesia: Developments and Implications" (2021) 1:2 *Bestuurskd J Gov Stud* 131-141.

<sup>37</sup> Endro Tri Susdarwono & Surahmadi, "Direct Regional Head Elections and Excessive Corruption Loopholes" (2025) 2:1 *J Gov Bur Rev* 13-25, online: <<https://ojs.umrah.ac.id/index.php/jgbr/article/view/7430>>.



selling of public office, and the misuse of social assistance to recoup their political investment.<sup>38</sup>

Furthermore, the absence of strict regulations and weak oversight mechanisms has led to nepotism and collusion within the bureaucracy, including the dominance of political families that hinder healthy competition and undermine the quality of local leaders. The culture of corruption, which is deeply entrenched at the local level, is exacerbated by weak law enforcement and the low integrity of prospective local leaders who prioritize power for personal gain over serving the public.<sup>39</sup> Therefore, comprehensive reforms are needed in political financing, the strengthening of anti-corruption institutions, and the implementation of the principles of meritocracy and transparency so that local elections can function optimally without corruption, collusion, and nepotism.

### **CONCLUSION**

The basis for the Constitutional Court judges' reasoning in Decision No. 30/PHPU.BUP-XXIII/2025 underscores a significant shift from a purely procedural approach to a substantive one in resolving disputes over regional election results, with an emphasis on protecting voters' constitutional rights, ensuring the integrity of the electoral process, and assessing structured, systematic, and massive (TSM) violations. This decision demonstrates that the Constitutional Court serves not only as an interpreter of legal norms but also as an active guardian of democracy in ensuring substantive justice. The novelty of this study lies in its specific analysis of district-level regional election rulings that affirm a more progressive application of substantive justice, while its urgency is reflected in the importance of strengthening electoral oversight and law enforcement mechanisms to maintain the legitimacy of regional election results and enhance public trust in the democratic system at the local level.

The legal implications of the Constitutional Court Decision No. 30/PHPU.BUP-XXIII/2025 affirm that the re-vote at four polling stations serves as a corrective measure for TSM violations that directly impacted the vote tallies and rankings of the three candidate pairs, thereby redefining the legitimacy of the results of the Magetan Regent election. This decision affirms the final and binding nature of the Constitutional Court's rulings and reinforces the principles of electoral justice and the protection of constitutional rights. The novelty of this study lies in its concrete analysis of the legal implications of the re-vote on the configuration of vote counts and the legitimacy of candidates at the regency level, while its urgency is reflected in the need to strengthen oversight, ensure the accountability of election organizers, and address structural issues such as corruption, collusion, and nepotism (KKN) and high political costs to guarantee a more just and credible local democracy.

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<sup>38</sup> Muhammad Habibi, "A Regional Head Election's Political Corruption and New Styles of Clientelism" (2021) 34:4 Masyarakat, Kebud Dan Polit 417-430, online: <<https://ejournal.unair.ac.id/MKP/article/view/18727>>.

<sup>39</sup> Dejan Abdul Hadi & Faisal Syarif Hidayat, "Relationship between Regional Head Election Connectivity with Corruption Cultural Behavior in Indonesia" (2019) 5:1 Law Res Rev Q 47-64, online: <<https://garuda.kemdiktisaintek.go.id/documents/detail/2746273>>.



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The authors state that there is no conflict of interest in the publication of this article.

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