

# Legal Implications of Constitutional Court Decision Number 55/PHPU.BPU-XXIII/2025 on the Regional Head Election in North Gorontalo Regency in 2024

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This study examines the legal implications of Constitutional Court Decision Number 55/PHPU.BPU-XXIII/2025 on the Regional Head Election in North Gorontalo Regency in 2024. The decision disqualified a candidate pair due to formal deficiencies in the nomination requirements, specifically the status of a convicted person still under probation, and ordered a Re-vote (PSU). Using a normative legal research method with statutory and constitutional approaches, this study finds: first, The construction of the candidacy document verification process for the North Gorontalo regional head election experienced inconsistencies in norm application. The Election Supervisory Body (Bawaslu) employed a comparative approach toward jurisprudence to deliver substantial justice. Meanwhile, the General Election Commission (KPU) positioned itself strictly as an executor to uphold the principle of hierarchical compliance among election organizers ; second, the Constitutional Court Decision resulted in the annulment of KPU Decision Number 1081/2024, disqualification of Candidate Pair Number 3, and a re-vote order within 60 days. Although voter turnout declined by 3.35% in the PSU held on April 19, 2025, public trust in the democratic system as a whole remained relatively intact. This study underscores the importance of strengthening administrative verification mechanisms to ensure electoral integrity.

**Keywords:** Legal Implications, Constitutional Court, Re-vote, North Gorontalo

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## 1. Introduction

The primary foundation of Indonesian democracy rests on the fourth principle of Pancasila, which emphasizes deliberation and wisdom. This principle is further reinforced by the constitution through Article 1 paragraph (2) of the 1945 Constitution, which stipulates that popular sovereignty is exercised according to applicable legal procedures. Thus, our legal system guarantees that justice for citizens is based not merely on power, but on legitimate and democratic foundational rules [1]. The essence of a democratic system lies in genuine justice and transparency, not merely in the formality of vote-casting. In the implementation of regional elections (Pilkada), every stage must be publicly accountable to prevent deviations.

Regional elections are a core component of Indonesian democracy. Since the enactment of Law No. 32 of 2004, the people have been able to directly elect their regional leaders. This system of direct election was first implemented in 2005, transforming the previous arrangement in which regional heads were elected by the Regional Legislative Council (DPRD). Following the implementation of direct elections since 2005, public political engagement has consistently demonstrated variable dynamics. Referring to the documentation of the General Elections Commission (KPU), there was an increase in voter turnout in the 2020 simultaneous elections compared to 2015.

However, this has been accompanied by a significant escalation in the number of outcome disputes before the Constitutional Court; as many as 157 petitions were filed from a total of 270 organizing regions, indicating that nearly half of all electoral processes left residual legal conflicts.

The Constitutional Court is a judicial institution that operates autonomously without a tiered judicial structure beneath it, thus functioning as a court of first and final instance. Consequently, its decisions are final and absolutely binding, meaning disputes are resolved at the first and last level with no avenue for further legal remedy. The Constitutional Court's role as guardian of electoral rules is immense, yet its impact can ripple into political problems at the grassroots level. There is an urgent need to consider how Constitutional Court decisions can be applied in ways that respect local customs and regulations. This alignment between central law and local needs is important so that Constitutional Court decisions are not perceived as alien by affected regional communities.

Constitutional Court Decision No. 55/PHPU.BPU-XXIII/2025 brought significant changes to the 2024 North Gorontalo Pilkada. The judges decided to disqualify Ridwan Yasin and annul the election results previously determined by the KPU. The nominating party was required to find a replacement to accompany Muksin Bandar in a Re-vote (PSU) that had to be completed within 60 days. Furthermore, the KPU, Bawaslu, and the National Police were ordered to cooperate strictly to secure the re-vote process.

Regarding the subject matter, the Constitutional Court (MK) not only examined the contested vote counts but also investigated the existence of structured, systematic, and massive (TSM) fraud. This was done to ensure that the principles of honesty and fairness under Article 22E paragraph (1) of the 1945 Constitution were upheld. If serious violations were proven, the MK has the authority to order a Re-vote (PSU) to improve the quality of the election results[2].

A comparative study of the precedent set by Constitutional Court Decision No. 155/PHPU.D-XI/2013 regarding the vote count dispute in the North Gorontalo Regional Election reveals the Court's stance of entirely negating all local vote tabulation results. That case was postulated by contestants on the grounds of alleged legal discrimination in the 2013 North Gorontalo legal contest. The impact of that Constitutional Court decision was far-reaching, encompassing shifts in the map of authority, threats to public order, and a crisis of legitimacy of electoral institutions. With its power of judicial review, the MK can annul regulations deemed contrary to the basic principles of the state, proving that each of its decisions has immense influence capable of reshaping the legal and social order in affected areas[3].

Although previous literature has largely focused on legal analyses of the Constitutional Court's authority, there remains an academic void regarding the examination of specific legal impacts at the regional level, particularly in North Gorontalo Regency. This research gap urgently needs to be explored, given that local socio-political typologies possess distinctive characteristics that are often overlooked in national-scale studies. This research aims to synergize the consequences of MK decisions with local socio-political realities, to demonstrate that the correlation between law and politics at the regional level is a determining variable for the sustainability of Indonesian democracy.

This research is of great importance as it endeavors to dissect the real influence of Constitutional Court decisions on the political landscape and social stability of the region. Its primary focus is to ensure that every electoral violation receives appropriate consequences. Beyond enriching academic knowledge, this work aims to provide input for policymakers to be better prepared to anticipate societal changes following the issuance of final legal decisions[4].

## 2. Literatur Reveiw

Before the era of democratic restoration, the determination of regional heads was the absolute authority of the Regional People's Representative Council (DPRD) as a representative institution, which resulted in the locus of accountability being solely focused on the regional parliament. However, after the implementation of Law Number 23 of 2014, the mandate of power shifted directly to the people, triggering a transformation in the socio-legal framework of accountability patterns. In this scheme, failure to accelerate regional development automatically degrades the figure's reputation in the eyes of constituents. The people now have the authority to impose electoral sanctions (political punishment) on incumbents and legislators deemed to be neglectful of the public interest, by not voting for them in the next term[5].

Through new regulations, the people now have the full right to directly elect their regional leaders through regional elections (Pilkada). History records that Kutai Kartanegara was the first region to implement this system in June 2005. Over time, the status of Pilkada was strengthened through Law No. 22 of 2007, which incorporated it into the national general election system. This is why the official term was briefly changed to Pemilukada (Regional Head Election), to emphasize that regional elections are part of the unified electoral regime.

From Gustav Radbruch's perspective, justice is positioned as a fundamental value in the doctrinal hierarchy of legal values, encompassing the trilogy of legal objectives: justice, utility, and legal certainty. Although justice holds the primary position, this does not negate the urgency of the other elements. An axiologically ideal law is one capable of integrating all three dimensions to realize collective well-being and prosperity in social life[6].

The transformation of legal philosophy, as an inherent part of human intellectual development, consistently centers on the recurring problem of the essence of justice in law. Justice can only be fully articulated when viewed as an ideal order that serves as the primary orientation of law. The realization of legal justice is a progressive process involving the dialectic of various interests under macro-political structures. In the electoral dimension, the achievement of justice is impossible without elaborating on aspects of morality, political constellations, and substantive legal doctrine to define the utility and nature of justice itself[7].

The essence of electoral justice also intervenes at the level of the composition of implementing institutions, which must be staffed by non-partisan and consistently credible personnel. Furthermore, this justice encompasses the crucial dimension in which the people, as the pillar of sovereignty, possess adequate political literacy regarding their role as the primary determinant in an impartial transfer of authority. Therefore, electoral justice is a multidimensional parameter that mitigates all variables affecting the freedom of a contest[8].

Indonesia as a law-based state upholding democracy rejects all forms of authoritarian actions that harm the people. The fundamental rights of citizens must be optimally protected, especially when facing laws whose validity is still questioned by higher courts. If a state fails to provide a legal bulwark for its citizens against unjust legal practices, then it cannot be considered a truly law-based state in the practice of governance.

The definition of authority is closely related to the capacity granted by law to specific institutions to create new legal rights and obligations. Citing the doctrine of HR, the term 'Bevoegdheid' or authority is understood as a set of legal rules governing the process of acquiring and applying authority by public legal entities. This concept is crucial in state administration as it ensures that every role carried out by public legal subjects remains within the applicable legal framework. Beyond the formal dimension of authority, there is a fundamental element concerning the distinction between power and authority as described by Soerjono Soekanto. Power is defined as the generic capacity to influence external subjects, while authority is the

manifestation of power that has obtained legitimacy and recognition from the public. Thus, every execution of duties by the relevant institution must refer to the competencies of the organ that have been formalized by the state through written regulations[9].

Based on the formal legality of Law No. 30 of 2014, attributive authority is defined as the primary authority delegated by the 1945 Constitution or statutes to a public organ. This power is inherently limited by certain temporal restrictions, the exceeding of which potentially triggers inter-institutional jurisdictional conflicts. In handling such jurisdictional disputes, the law mandates sectoral synchronization efforts to reach consensus in resolving disputes within the governmental administration environment[10]. Based on the above background and theoretical review, the research problems are formulated as follows:

- a. What is the ideal working scheme that the KPU and Bawaslu should have implemented in the North Gorontalo Pilkada before the dispute was examined by the Constitutional Court?
- b. What are the legal consequences of the implementation of Constitutional Court Decision Number 55/PHPU.BPU-XXIII/2025?

Through a statutory approach, the researcher analyzes various legal rules and regulations directly related to the subject matter. The researcher refers to Law No. 22 of 2014 and Government Regulation in Lieu of Law No. 1 of 2014 as the primary legal bases in the regional head election system in Indonesia. The constitutional approach analyzes the role of institutions in conducting elections and the impact on socio-political realities.

### 3. Method

The type of research chosen is normative legal research, a method that focuses on dissecting existing legal rules, statutes, and principles. This method is also known as doctrinal research, as the work is largely devoted to studying legal documents and books (library research). The materials analyzed include statutory regulations, judicial decisions, legal theories, and expert opinions. The term itself originates from English, 'normative juridical research', which emphasizes the strength of written data in drawing a legal conclusion.

To strengthen the analysis in this research, the researcher categorizes legal references into certain levels in accordance with legal methodology standards.

Primary sources are used as the main reference due to their official and authoritative nature, consisting of regulatory texts and judicial decisions. Secondary sources, on the other hand, are utilized to provide additional perspectives and critical commentary on existing regulations. These include the use of theories from legal scholars and relevant interview data, providing a more complete picture of the implementation of law in the field.

Article 18 paragraph (4) of the 1945 Constitution affirms that regional elections must proceed democratically. To uphold this principle, Article 24C grants the Constitutional Court the authority to adjudicate disputes that arise. Notably, the MK now not only adjudicates outcome disputes at the end of the process, but has also begun expanding its oversight to various other types of violations. Upon closer examination, the MK's legal intervention now extends to matters occurring before the vote is cast through events after the votes are counted, to ensure the quality of democracy remains fully preserved[11].

As supporting material for the main rules, the researcher uses secondary materials to deepen the analysis. These sources include standard books on constitutional and electoral law, scientific articles, and various other academic studies. The researcher also refers to policies and reports from key institutions such as the KPU, Bawaslu, and DKPP, including provincial and regency-level election supervisors. The use of documents from these various institutions is crucial because they form an integrated whole that carries out election functions comprehensively[12].

## 4. Result and Discussion

### The Working Scheme Of Pilkada Implementation by the KPU and Bawaslu

The implementation of the Simultaneous Pilkada on November 27, 2024 reaffirmed the people's position as holders of political mandates, while also demonstrating the complexity of legal and political dynamics when regulations, interests, and interpretations of norms intertwine. This situation was evident in the North Gorontalo Regency election, where disputes not only emerged after the results were announced, but had already surfaced from the candidate nomination stage, when the legal status of one of the regent candidates gave rise to serious problems that ultimately led to a review by the Constitutional Court[13].

The KPU of North Gorontalo Regency in the 2024 Pilkada carried out a series of technical stages of an administrative and executive nature. Referring to the legal facts in Constitutional Court Decision Number 55/PHPU.BUP-XXIII/2025, the KPU exercised its authority from candidate pair registration, document requirement verification, through to the determination of the vote count recapitulation via KPU Decision Number 1081 of 2024. From the perspective of Authority Theory, the existence of the KPU and Bawaslu in North Gorontalo Regency is rooted in attributive authority granted by the constitution and statutes. According to Bagir Manan, attributive authority is the conferral of new authority by the constitution or statutes upon a state institution. In this context, Article 22E paragraph (5) of the 1945 Constitution serves as the source of authority for the KPU and Bawaslu to manage the transfer of power procedurally and constitutionally.

The North Gorontalo Bawaslu submitted supervisory reports to provide judges with certainty about field facts, specifically whether the KPU had acted in accordance with procedures or had been negligent. Within this working scheme, document verification transparency is central. In legal literature, candidate document verification is the 'moral gateway' of democracy. If the North Gorontalo KPU failed to conduct factual verification of the high school diploma as alleged against Roni Imran, this not only violated its technical authority but also damaged public trust in the organizing institution.

In academic terms, this working scheme is often referred to as electoral governance. The North Gorontalo KPU operates in the domain of implementation, while the MK operates in the domain of adjudication[14]. Constitutional Court Decision Number 55/PHPU.BUP-XXIII/2025 is an adjudication mechanism to correct potential errors in the implementation domain carried out by the KPU. The connection between the KPU-Bawaslu working scheme in this decision also highlights the use of information technology or population and education databases. Diploma verification requires synergy between the KPU and relevant agencies (such as the Education Office). This verification failure, if proven, indicates weaknesses in the cross-institutional coordination supporting the KPU's work in North Gorontalo Regency.

### Forms of Violations and Consequences for the Conduct of the Election

The conduct of the North Gorontalo Regency Regent and Deputy Regent Election of 2024 left fundamental problems related to the validity of the administrative requirements of candidate pairs, resulting in a dispute before the Constitutional Court. From a constitutional law perspective, the existence of substantive administrative violations constitutes a threat to electoral integrity. These violations are not merely technical errors but touch upon aspects of electoral integrity that should have been strictly maintained by the General Elections Commission (KPU) and the Election Supervisory Board (Bawaslu).

In the context of the North Gorontalo Pilkada, the KPU had an absolute obligation to verify candidate requirement documents as stipulated by the Pilkada Law and KPU Regulations (PKPU). The failure to detect the invalidity of a candidate's diploma or criminal conviction status constitutes a form of neglect of this bound authority. Referring to the legal facts in Constitutional Court Decision Number 55/PHPU.BUP-

XXIII/2025, the Petitioner (Candidate Pair Number 2) argued the existence of a 'Formal Defect' in the requirements of two rival candidate pairs. The first issue concerns Regent Candidate from Pair Number 3, Ridwan Yasin, who was alleged to be a Convicted Person. This legal status is an imperative exclusion criterion in electoral law, whereby a candidate who does not meet the legal requirements should have been declared to Not Meet Requirements (TMS) from the administrative verification stage. In addition to the convicted person status issue, another alleged violation concerns Regent Candidate from Pair Number 1, Roni Imran, who was alleged not to possess a valid high school diploma. In administrative legal studies, a diploma is an authentic document serving as evidence of competence and a legal prerequisite. If the KPU's verification failed to identify the validity of such a document, then the decision to declare that candidate pair eligible contained a legal defect referred to as error in persona, or an error in the declared subject[15].

**Table 1.** Data on Issues with North Gorontalo Regent and Deputy Regent Candidates in 2024

Candidate Name	Status	Violation
Roni Imran	Error in persona	Does not possess a valid high school diploma
Ridwan Yasin	Convicted Person	Formally defective in registration requirements

Source: Constitutional Court Decision Number 55/PHPU.BPU-XXIII/2025

This form of violation can be classified as an Administrative Violation with Implications for Results. Although disputes before the Constitutional Court generally focus on disagreements over vote counts (Article 158 of the Pilkada Law), the MK has jurisprudence to review processes that are fundamentally defective. This is consistent with the view of Jimly Asshiddiqie, who states that the integrity of results greatly depends on the integrity of the process[16]. If the candidate verification process in North Gorontalo contained violations, then the votes obtained by those candidates lose their moral and constitutional legitimacy.

The integrity of the 2024 North Gorontalo Regent Election was diminished by alleged substantive administrative violations regarding the qualifications of candidate pairs. Based on legal facts in Constitutional Court Decision Number 55/PHPU.BUP-XXIII/2025, the working scheme of the General Elections Commission (KPU) was tested through arguments of formal defects in Candidate Pair Number 1 regarding the validity of the high school diploma and Candidate Pair Number 3 regarding legal status as a convicted person. Theoretically, this indicates a failure in the verification function, which should rest on the principle of general due diligence (general principles of good administration). The inability of the Election Supervisory Board (Bawaslu) to detect and correct candidate qualification fulfilment at an early stage resulted in an informational gap that damaged the principle of fair equality of opportunity in the local democratic contest.

**Table 2.** Constitutional Court Decision Outcomes Regarding the Issues

Candidate Name	Alleged Violation	Final Status from MK	Note
Roni Imran Ramdhan Mapaliey	Invalid high school diploma	Not Disqualified	Continues to participate in the Pilkada
Ridwan Yasin Mukhsin Badar	Convicted Person	Disqualified	Must find replacement candidate partner

Source: Constitutional Court Decision Number 55/PHPU.BPU-XXIII/2025

Administrative violations in the form of declaring candidates who do not possess diplomas or who are convicted persons undermine procedural fairness by granting the right to compete to those who are legally unfit. From the perspective of justice theory, the application of John Rawls' concept of justice as fairness is highly relevant for assessing this problem. Rawls affirms that "justice is the first virtue of social institutions, as truth is of systems of thought," to assert that social institutions must place justice as the primary foundation. Procedural justice according to Rawls requires that institutions have a fair framework,

acceptable to all parties in the 'Original Position' behind the 'veil of ignorance', so as not to be biased toward any group. The declaration of problematic candidates creates an informational gap in society, where voters do not receive accurate information about candidate qualifications. This undermines the principle of fair equality of opportunity in local democracy, as the administrative violation resolution procedure in the election does not meet the standards of justice envisioned by Rawls. In this context, voters and election participants potentially become the most harmed parties because they do not receive fair treatment from institutional structures[17].

Joseph, Oliver, and Frank McLoughlin state that one of the enforcements of the principle of justice rests with judges in courts. The primary function of a judge is to render decisions on cases brought before him, which in principle determines that an event or error is considered proven, beyond the evidentiary tools provided by law, and also based on the judge's conviction grounded in good moral integrity. In handing down decisions, judges must consider many things, both those related to the case being examined, the degree of action and conduct of the perpetrator, up to the interests of the parties, and must also consider the sense of justice of the community. Before rendering a decision, a judge must ask himself: is he honest in making this decision? Is the decision taken appropriate? Will it resolve the dispute? Is this decision just? Or to what extent will the decision rendered by a judge benefit the parties to the case or the general public[18].

Although the administrative violation arguments put forward by the Petitioner carried fundamental substantive weight, the Constitutional Court in its decision maintained the legality of the vote count results determined by the KPU. The Court affirmed that disputes regarding the diploma and convicted person status fall within the domain of process disputes that should have been resolved at the Bawaslu or Administrative Court (PTUN) level, unless systemic violations with a significant impact on results were proven. Thus, although there were indications of formal defects, no disqualification order was handed down for one candidate pair, allowing the elected candidate pair to proceed to the inauguration stage to preserve legal certainty. This phenomenon reveals that the law enforcement scheme for elections still requires the strengthening of cross-institutional synergy so that substantive justice is not overcome by procedural limitations in the future.

### **Implications of the Constitutional Court Decision**

Regarding the Legal Implications of Constitutional Court Decision Number 55/PHPU.BUP-XXIII/2025, the Constitutional Court in its decision declared that the Petitioner's arguments were legally proven. Ridwan Yasin did not meet Article 7 paragraph (2) letter g of the Pilkada Law because he was still of convicted person status at the time the candidate registration was underway. The legal consequences arising are multi-dimensional, encompassing administrative, electoral, and socio-political dimensions.

Administratively, the Court annulled KPU Decision Number 1081 of 2024 on the determination of election results, along with Decisions Number 640, 653, and 654 of 2024 related to the declaration and sequential numbering of candidate pairs. This annulment rendered the entire election process that had taken place legally groundless from a constitutional standpoint.

Electorally, the Court ordered a Re-vote (PSU) by disqualifying Ridwan Yasin from participation. The nominating party (PDI-P) was required to find a replacement to accompany Muksin Badar, who was retained as the deputy regent candidate within the stipulated timeframe. The PSU was carried out on April 19, 2025, using the same Permanent Voter List (DPT), Additional Voter List (DPP), and Special Additional Voter List (DPTb) as the initial election, with an implementation deadline of 60 days from the reading of the decision. Supervision was conducted by the National Bawaslu down to the regency level, with security provided by the National Police (Gorontalo Regional Police and the North Gorontalo District Police).

Regarding the impact on voter participation and public trust, empirical data shows a decline in voter participation rates between the initial election and the PSU. Below is a comparison of participation data by sub-district:

**Table 3.** Comparison of Voter Participation Rates (November 27, 2024 vs. PSU April 19, 2025)

No.	Sub-District	Total Nov 27	Participation (%)	Total PSU	Participation (%)	Difference
1	Atinggola	7,686	83.81	7,280	79.38	- 4.43
2	Kwandang	17,577	82.67	17,382	81.76	- 0.92
3	Anggrek	10,085	81.66	9,633	78.00	- 3.66
4	Sumalata	7,335	84.60	7,077	81.63	- 2.98
5	Tolinggula	6,430	80.68	6,210	77.92	- 2.76
6	Gentuma Raya	6,146	83.48	5,770	78.38	- 5.11
7	Tomolito	5,939	81.95	5,634	77.74	- 4.21
8	Ponelo	2,652	86.84	2,557	83.73	- 3.11
	Kepulauan					
9	Monanno	4,815	85.24	4,436	78.53	- 6.71
10	Biau	3,719	86.37	3,522	81.79	- 4.58
11	Sumalata Timur	5,093	87.90	4,867	84.00	- 3.90
	TOTAL	77,477	83.46	74,368	80.11	- 3.35

Source: KPU of North Gorontalo Regency, 2025

The 3.35% decline in participation can academically be interpreted as a manifestation of political fatigue or the silent protest of the community against the administrative failure of the organizers. Nevertheless, the still-significant vote counts during the PSU indicate that trust in the democratic system as a whole remains relatively solid. An interview with a Commissioner of the North Gorontalo Regency KPU revealed that the institution assessed that public trust quantitatively remained high, as reflected in the large participation of citizens in various socialization activities organized by the institution.

From the perspective of Electoral Integrity Theory, the restoration of public trust depends on the willingness of the legal system to correct itself. When the MK annulled the defective results and ordered a PSU, a process of trust reconstruction took place in which society witnessed that legal truth values still stand above momentary procedural interests. This proves that the MK does not merely function as a 'calculator court' counting vote count differences, but also as a 'justice court' that examines the quality and integrity of every stage of the election.

### Re-vote (PSU)

The Re-vote (PSU) is a fundamental legal instrument in Indonesia's constitutional democratic system that functions as a mechanism of judicial correction of election results indicated to be legally defective. Theoretically, a PSU is not merely a technical repetition of the voting procedure, but rather an effort to restore the constitutional rights of citizens harmed by a process that was not credible or was manipulative. The Constitutional Court has full authority to order the implementation of a PSU if strong evidence is found of violations that are Structured, Systematic, and Massive (TSM) or fundamental administrative defects in a candidate pair. From the perspective of progressive law, the PSU serves as a means to ensure that the mandate of power obtained through elections truly represents the purity of the people's will, without juridical or factual distortions that damage the integrity of the democratic process.

In Case Number 55/PHPU.BUP-XXIII/2025 concerning the North Gorontalo Regent Election, the discourse on the PSU emerged as a consequence of highly fundamental arguments regarding the validity of the requirements for election participants. The Petitioner in this case, namely the pair Thariq Modanggu and

Nurjana Hasan Yusuf, filed a petition to annul the election results on the grounds that the process of candidate pair determination by the Respondent (KPU) contained fatal formal defects. These arguments included non-compliance with administrative requirements that should have been absolute but were nonetheless passed in the verification process by the election organizer. The significance of this case lies in how the Constitutional Court had to balance the legal certainty of the vote count results that had already proceeded against the protection of integrity standards for prospective regional leaders as mandated by law.[19]

**Table 4.** Analysis Aspects Based on Findings and Legal Consequences and Impacts of the Case

Analysis Aspect	Finding/Legal Fact (Based on Decision)	Legal Consequences and Implications
Legal Standing	KPU Decision of North Gorontalo Regency Number 1081 of 2024 on Election Results. Petition of Candidate Pair No. 2 argues violations of the principles of Direct, Public, Free, Confidential, Honest, and Fair elections (Luber Jurdil) beyond a mere vote count discrepancy.	The validity of the vote count determination becomes the subject of judicial review by the Constitutional Court.
Formal Defects of Candidate Pairs No. 1 and 3	Arguments regarding the absence of a diploma and the existence of a convicted person status attached to the candidate without fulfilling the time gap criteria and statutory requirements.	
Organizer Performance and Election Implementation Mechanism	Indications of negligence in the verification of administrative document files.	Re-vote (PSU)

The academic significance of the case study of Constitutional Court Decision Number 55/PHPU.BUP-XXIII/2025 lies in the reinforcement of the principle that 'candidacy is the heart of the election.' If the heart of the election contains a defect from the outset, then the entire process that follows, including the casting of votes and the determination of results, becomes legally meaningless. The PSU serves to re-examine that process to separate the legitimate procedure from the defective one. Through this mechanism, the Constitutional Court demonstrates that it does not merely act as a 'calculator court' that only counts vote count differences, but also as a 'justice court' that examines the quality and integrity of every stage of the election to uphold the dignity of regional democracy.

### The Community's Perspective on Trust in Institutions in the Regional Election

The analysis of the impact of Constitutional Court (MK) Decision Number 55/PHPU.BUP-XXIII/2025 on community trust in North Gorontalo Regency reveals complex dynamics between juridical, administrative, and sociological aspects. Academically, public trust is the primary pillar of democratic legitimacy, highly dependent on the integrity of election organizers. The MK's decision ordering a Re-vote (PSU) and the disqualification of certain candidate pairs due to formal requirement defects (diploma and convicted person status) became a severe test of the credibility of the KPU and Bawaslu in the eyes of the public. This phenomenon creates ambivalence; on one hand, the MK's decision is regarded as a form of constitutional justice, but on the other, it exposes the weaknesses in the supervision and verification carried out by organizing institutions at the regional level from the candidate nomination stage.

In line with this, the results of interviews with the North Gorontalo Bawaslu showed acknowledgment of a 'misinterpretation' regarding criminal sanctions that previously allowed the problematic candidate to pass.

The implications of this MK decision forced the supervisory body to conduct a comprehensive performance evaluation in order to improve its image before its constituents. The Bawaslu noted that although there was an increase in violation reports following the decision, this in fact shows that the community is increasingly critical and concerned about electoral integrity. Public trust is at stake in how the Bawaslu is able to oversee the PSU to prevent similar anomalies from occurring again, given that the greatest impact of this decision was felt directly by political parties and public confidence in the certainty of administrative law.

Statistically, a comparison of data before and after the PSU in North Gorontalo Regency provides an interesting empirical picture of the community's response. At the initial vote on November 27, 2024, participation rates were recorded as quite high across various sub-districts, but fluctuations occurred during the PSU on April 19, 2025. A decline in participation in several areas, such as in the Atinggola and Kwandang sub-districts, can be academically interpreted as a manifestation of political fatigue or a form of silent public protest against the administrative failure of the organizers. However, the still-significant vote counts for the legitimate candidate pair indicate that although trust in institutions was momentarily shaken, trust in the democratic system itself remains relatively solid in the community.

Public trust is the primary pillar in democratic legitimacy, which in Electoral Integrity Theory is highly dependent on the public's perception of the professionalism and impartiality of the organizing institutions. The annulment of election results by the Constitutional Court due to administrative verification failures reflects a crisis of integrity at the technical level that could potentially erode the credibility of the KPU and Bawaslu as referees in the contest. However, empirical facts in the field reveal unique dynamics: although the organizers committed a fatal error, public trust can be restored if the legal correction process is carried out transparently and firmly through the Re-vote (PSU). This proves that public trust is not merely static toward a single event, but rather an accumulation of the extent to which the legal system can guarantee that the people's votes are not manipulated by candidates who are constitutionally unfit.

Community trust in institutions following the MK's decision greatly depends on the transparency of the execution of that decision in the field. If the PSU is implemented with higher integrity standards than the previous election, then public trust is likely to recover through a process of institutional image rehabilitation. However, if technical obstacles or indications of bias are still found during the PSU process, then the delegitimization of the KPU and Bawaslu will be permanent and will damage the local democratic order. Therefore, the strengthening of human resources and the integrity of organizers, as conveyed in the interview findings, becomes an absolute requirement (*conditio sine qua non*) so that the PSU does not merely become a legal ritual, but becomes a vehicle for healthy political education.

## 5. Concluding

Based on the research findings and discussion above, two main conclusions can be drawn. First, the ideal working scheme of the North Gorontalo Regency KPU should have included comprehensive factual verification of candidate nomination documents, including checking criminal conviction status with permanent legal force through the District Court in the candidate's domicile, and coordination with the Education Office for diploma validation. The Bawaslu should have acted independently in adjudicating candidacy objections and recommending disqualification if formal defects were found, without sacrificing the principle of administrative diligence due to political pressure. In reality, the coordination failure between the KPU and Bawaslu in verifying the convicted status of Ridwan Yasin became the root cause that ultimately led to the lawsuit before the Constitutional Court.

Second, Constitutional Court Decision Number 55/PHPU.BPU-XXIII/2025 carries significant and multi-dimensional legal consequences: the annulment of KPU Decision Number 1081 of 2024 along with related candidate pair decisions, the disqualification of Candidate Pair Number 3, and the order for a PSU within

60 days under strict supervision. Although the PSU resulted in a 3.35% decrease in voter participation, the community's compliance in exercising their voting rights once again demonstrated 'democratic resilience' in North Gorontalo. This decision serves as a constitutional reminder for all election organizers that every administrative action has implications that go beyond mere numbers in the vote count recapitulation.

This research recommends the strengthening of cross-institutional administrative verification mechanisms, the unification of legal perceptions among the KPU, Bawaslu, and MK regarding the definition of 'former convicted person', and the improvement of the capacity of election organizers' human resources at the regency level to minimize legal loopholes that can be exploited in future Pilkada contests. Furthermore, regarding the handling of social and budgetary impacts following the PSU, the central and regional governments need to prepare regulations governing the PSU funding mechanism more efficiently so as not to burden the relevant regional finances. The 3.35% decline in voter participation in the North Gorontalo PSU is an important note that socialization and public education efforts must be significantly increased. A comprehensive public communication strategy needs to be designed by the KPU and Bawaslu to maintain the public's enthusiasm and trust in the democratic process following MK decisions. The regional government needs to allocate a contingency budget in the Regional Revenue and Expenditure Budget (APBD) that can be used to fund the PSU if a Pilkada in its territory results in a dispute before the Constitutional Court. An in-depth study of the social psychological impacts of the PSU on the community needs to be conducted as a basis for formulating policies to restore public trust.

## 6. References

- [1] M. Y. A. Syaputra and M. Nasution, "Pemenuhan hak konstitusi masyarakat penganut kepercayaan lokal dalam pemilihan umum," *J. Yuridis*, vol. 6, no. 1, p. 47, 2019. <https://doi.org/10.35586/jjur.v6i1.787>
- [2] M. F. Arfandy and A. R. Maharani, "Pergeseran Peran Mahkamah Konstitusi dalam Menangani Pelanggaran Pemilihan Umum TSM: Analisis Hukum dan Konstitusional," *Adagium J. Ilm. Huk.*, vol. 4, no. 1, p. 129, 2026. <https://doi.org/10.70308/adagium.v4i1.281>.
- [3] M. A. Maulidi, "PROBLEMATIKA HUKUM IMPLEMENTASI PUTUSAN FINAL DAN MENGIKAT MAHKAMAH KONSTITUSI PERSPEKTIF NEGARA HUKUM," *J. Huk. Ius Quia Iustum*, vol. 24, no. 4, pp. 535-557, Oct. 2017, doi: 10.20885/iustum.vol24.iss4.art2. <https://doi.org/10.20885/iustum.vol24.iss4.art2>
- [4] H. Zoelva, "Problematika Penyelesaian Sengketa Hasil Pemilukada oleh Mahkamah Konstitusi." [Online]. Available: [http://www.kpu.go.id/index.php?option=com\\_content&task=view&id=5607&Itemid=76https://doi.org/10.31078/jk1031](http://www.kpu.go.id/index.php?option=com_content&task=view&id=5607&Itemid=76https://doi.org/10.31078/jk1031)
- [5] Y. Arafat, A. Sahrin, and A. M. Hadi, "Pilkada antara Pertarungan Gagasan dan Perebutan Kekuasaan," *Al-Ittihad J. Pemikir. dan Huk. Islam*, vol. 8, no. 2, p. 22, 2022. <https://doi.org/10.21776/transformative.v2i1.139>.
- [6] S. Halilah and M. F. Arif, "Asas Kepastian Hukum Menurut Para Ahli," *Siyasah J. Huk. Tata Negara*, vol. 4, no. 2, p. 60, 2021. <https://ejournal.an-nadwah.ac.id/index.php/Siyasah/article/view/334>
- [7] A. Zamzami, *Hukum dan Keadilan: Anotasi Pemikiran Hukum dalam Perspektif Filsafat Hukum*. Magelang: UB Press, 2016.
- [8] K. Fahmi, "Menelusuri Konsep Keadilan Pemilihan Umum Menurut UUD 1945," *J. Cita Hukum, Fak. Syariah dan Huk. UIN Jakarta*, vol. 4, no. 2, p. 184, 2016. <https://doi.org/10.15408/jch.v4i2.4098>
- [9] D. A. Situngkir, "Mengenal Teori Demokrasi dan Teori Kewenangan dalam Ilmu Hukum," *J. Ensiklopedia*, vol. 5, no. 4, p. 11, 2023. <https://doi.org/10.33559/eoj.v5i4.1745>
- [10] M. Gandara, "Kewenangan Atribusi, Delegasi dan Mandat," *J. Khazanah Huk.*, vol. 3, no. 3, p. 95, 2020.

- [.https://doi.org/10.15575/kh.v2i3.8187](https://doi.org/10.15575/kh.v2i3.8187)
- [11] F. K. Nugraha, "Peran Mahkamah Konstitusi (MK) dalam Sengketa Pemilu Kepala Daerah," *J. Transform.*, vol. 2, no. 1, pp. 58–74, 2016. <https://doi.org/10.21776/transformative.v2i1.141>
- [12] F. A. F. Furi, "Komisi Pemilihan Umum (KPU) vs Badan Pengawas Pemilihan Umum," *J. Transform.*, vol. 2, no. 1, p. 32, 2016. <https://doi.org/10.21776/transformative.v2i1.139>.
- [13] S. P. Katili, E. I. Rahim, and A. H. Tome, "Kepastian Hukum Status Terpidana Percobaan dalam Syarat Pencalonan Pilkada Gorontalo Utara 2024," *Legitimacy J. Law Islam. Law*, vol. 1, no. 2, p. 135, 2025. <https://doi.org/10.59066/jolil.v1i2.1851>
- [14] A. Yusuf, "Menggugat Sistem Reaktif: Kajian Diskualifikasi Calon dalam Putusan MK Pilkada 2024 dan Kebutuhan Reformulasi Hukum Pemilu," *Indones. J. Leg. Law*, vol. 7, no. 2, p. 267, 2025. <https://doi.org/10.35965/ijlf.v7i2.6311>
- [15] R. S. Tarigan, *Konstitusi dan Kekuasaan: Studi Kasus dalam Hukum Tata Negara*. Ruang Karya Bersama, 2024.
- [16] A. Alaydrus, *Pengawasan Pemilu: Membangun Integritas, Menjaga Demokrasi*. Penerbit Adab, 2023.
- [17] A. D. Novemyanto, "Rekonstruksi Kewenangan Bawaslu Terhadap Pelanggaran Administratif Pilkada (Studi Putusan MK No. 104/PUU-XXIII/2025)," *Moderat J. Ilm. Ilmu Pemerintah.*, vol. 11, no. 4, p. 1223, 2025. <https://doi.org/10.25157/moderat.v11i4.5545>
- [18] R. Sahran, "Gagasan Teori Keadilan Kewajaran yang Berintegritas dalam Sistem Penegakan Hukum Pemilu di Indonesia," *LP2M UIN Datokamara Palu*, p. 10. <https://repository.uindatokarama.ac.id/id/eprint/3903>
- [19] "Putusan\_Mkri\_12400\_1740403830," 2025, pp. 1–174.  
Komisi Pemilihan Umum (KPU), Laporan kinerja komisi pemilihan umum (Jakarta, KPU 2020). [Komisi Pemilihan Umum \(KPU\), Laporan kinerja komisi pemilihan umum \(Jakarta, KPU 2020\)](#).  
Mahkamah Konstitusi Reepublik Indonesia (MKRI). Laporan tahunan MKRI (2021) [Mahkamah Konstitusi Reepublik Indonesia \(MKRI\). Laporan tahunan MKRI \(2021\)](#)  
Putusan Mahkamah Konstitusi Republik Indonesia (MKRI) tahun (2013) No. 155/PHPU.D-XI/2013. Putusan Mahkamah Konstitusi Republik Indonesia (MKRI) tahun (2013) No. 155/PHPU.D-XI/2013. [https://www.mkri.id/public/content/persidangan/putusan/putusan\\_sidang\\_Final%20Putusan%20Gorontalo\\_31%2025%20November%202008\\_09.32b.pdf](https://www.mkri.id/public/content/persidangan/putusan/putusan_sidang_Final%20Putusan%20Gorontalo_31%2025%20November%202008_09.32b.pdf). Diakses pada 13 November 2013  
Putusan Mahkamah Konstitusi No. 55/PHPU.BPU-XXIII/2025 [Putusan Mahkamah Konstitusi No. 55/PHPU.BPU-XXIII/2025](#)