

Abstrak

Pemilihan Umum (Pemilu) sebagai pilar demokrasi harus menjamin terwujudnya keadilan elektoral. Polemik pencalonan Irman Gusman sebagai anggota Dewan Perwakilan Daerah (DPD) Sumatera Barat pada Pemilu 2024, yang melibatkan konflik antara putusan Pengadilan Tata Usaha Negara (PTUN) dan Mahkamah Konstitusi (MK), mencerminkan kompleksitas penegakan hukum dan keadilan elektoral. Putusan MK Nomor 03-03/PHPU.DPD-XXII/2024 yang memerintahkan Pemungutan Suara Ulang (PSU) menjadi fokus kajian untuk menganalisis pertimbangan hakim dan sejauh mana keadilan elektoral diwujudkan. Rumusan dalam penelitian ini adalah Bagaimana dasar pertimbangan Hakim Mahkamah Konstitusi dalam Putusan Nomor 03-03/PHPU.DPD-XXII/2024 yang memerintahkan Pemungutan Suara Ulang? Dan Bagaimana perspektif keadilan elektoral terhadap putusan Mahkamah Konstitusi tersebut? Jenis penelitian hukum normatif dengan pendekatan perundang-undangan (*statute approach*) dan pendekatan kasus. Teknik pengumpulan data dilakukan melalui studi kepustakaan (*library research*), dengan menganalisis bahan hukum primer, sekunder, dan tersier. Data yang terkumpul dianalisis secara kualitatif untuk menjawab rumusan masalah. Hasil penelitian pertama bahwa pertimbangan hakim MK dalam memutuskan PSU didasarkan pada temuan pelanggaran yang bersifat sistematis, terstruktur, dan masif, khususnya dalam proses rekapitulasi suara dan ketidakakuratan Daftar Pemilih Tetap (DPT). Hakim berpendapat pelanggaran ini telah mencemari integritas pemilu sehingga koreksi parsial dinilai tidak memadai. PSU dipandang sebagai solusi untuk memulihkan kedaulatan rakyat dan menegakkan keadilan substantif di atas kepastian hukum formal. Kedua Dari perspektif keadilan elektoral, putusan ini merefleksikan upaya MK menyeimbangkan dimensi keadilan prosedural (dengan standar pembuktian tinggi), keadilan substantif dan keadilan restoratif. Meskipun demikian, bagi pihak yang dirugikan, putusan ini mungkin belum sepenuhnya memuaskan, mengingat jurang antara realitas di lapangan dan kemampuan pembuktian secara hukum.

Kata Kunci : Keadilan Elektoral, Mahkamah Konstitusi, Pemungutan Suara Ulang (PSU), Pertimbangan Hakim

Abstract

General Elections (Pemilu) as a pillar of democracy must guarantee the realization of electoral justice. The polemic of Irman Gusman's candidacy as a member of the Regional Representative Council (DPD) of West Sumatra in the 2024 Election, which involves a conflict between the decisions of the State Administrative Court (PTUN) and the Constitutional Court (MK), reflects the complexity of law enforcement and electoral justice. The Constitutional Court Decision Number 03-03/PHPU.DPD-XXII/2024 which ordered a Revote (PSU) became the focus of the study to analyze the judges' considerations and the extent to which electoral justice was realized. The formulation in this research is What is the basis for the considerations of the Constitutional Court Judges in Decision Number 03-03/PHPU.DPD-XXII/2024 which ordered a Revote? And What is the perspective of electoral justice on the Constitutional Court's decision? The type of normative legal research with a statute approach. The data collection technique was carried out through library research, by analyzing primary, secondary, and tertiary legal materials. The collected data was analyzed qualitatively to answer the research questions. The first finding was that the Constitutional Court judges' considerations in deciding on a revote were based on findings of systematic, structured, and massive violations, particularly in the vote recapitulation process and inaccuracies in the Permanent Voter List (DPT). The judges argued that these violations had tarnished the integrity of the election, thus deeming partial correction inadequate. The revote was seen as a solution to restore popular sovereignty and uphold substantive justice over formal legal certainty. Second, from an electoral justice perspective, this ruling reflects the Constitutional Court's efforts to balance the dimensions of procedural justice (with high evidentiary standards), substantive justice (protecting the people's real will), and restorative justice (restoring constitutional rights and public trust). However, for the aggrieved parties, this ruling may not be entirely satisfactory, given the gap between the reality on the ground and the legal capacity for proof.

Keywords : *Electoral Justice, Constitutional Court, Re-vote (PSU), Judge's Consideration*