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A Model for Resolving Regional Head Election Result Disputes Based on Dignified Justice

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Abstract: Regional Head Elections (*Pilkada*) are a manifestation of popular sovereignty whose current dispute resolution system is experiencing failure. This failure stems from the percentage threshold in Article 158 of Law Number 10 of 2016 and institutional overload that reduces the Constitutional Court to a mere calculator court. Such rigid formalism closes the door to examining the material truth of substantive violations, thereby producing pseudo-justice. This research aims to formulate and construct an ideal model for resolving *Pilkada* result disputes. This reconstruction is directed at realizing electoral justice based on the Dignified Justice Theory to prevent legal deadlocks. This study is a doctrinal legal research utilizing statutory, conceptual, and case approaches. Legal materials are analyzed qualitatively-prescriptively using deductive reasoning to build comprehensive argumentation. The research results recommend transferring the jurisdiction of *Pilkada* result disputes to the Supreme Court through the establishment of a Special Chamber for Electoral Justice. The High Court will act as the *judex facti*, examining material truth through the assessment of *prima facie evidence* without rigid percentage limitations. This model restores the dignity of the Constitutional Court as a *judex juris* and guarantees electoral justice that respects popular sovereignty.

Keyword: *regional head elections, dignified justice, supreme court*

Abstrak: Pemilihan Kepala Daerah (Pilkada) merupakan wujud kedaulatan rakyat yang sistem penyelesaian sengketanya saat ini mengalami kegagalan. Kegagalan ini bersumber dari ambang batas persentase Pasal 158 UU Nomor 10 Tahun 2016 serta kelebihan beban yang menjadikan Mahkamah Konstitusi sekadar mahkamah kalkulator. Formalisme kaku tersebut menutup ruang pemeriksaan kebenaran materiil atas pelanggaran substantif sehingga menghasilkan keadilan semu. Penelitian ini bertujuan memformulasikan dan mengonstruksi model ideal penyelesaian sengketa hasil Pilkada. Rekonstruksi ini diarahkan untuk mewujudkan keadilan elektoral berlandaskan Teori Keadilan Bermartabat guna mencegah kebuntuan hukum. Studi ini adalah penelitian hukum doktrinal dengan pendekatan perundang-undangan, konseptual, dan kasus. Bahan hukum dianalisis secara kualitatif-preskriptif menggunakan penalaran deduktif untuk membangun argumentasi komprehensif. Hasil penelitian merekomendasikan pemindahan yurisdiksi sengketa hasil Pilkada ke Mahkamah Agung melalui pembentukan Kamar Khusus Peradilan Pemilu. Pengadilan Tinggi akan bertindak sebagai *judex facti* yang menguji kebenaran materiil melalui penilaian bukti *prima facie* tanpa batasan persentase kaku. Model ini memulihkan muruah Mahkamah Konstitusi sebagai *judex juris* dan menjamin keadilan elektoral yang menghormati kedaulatan rakyat.

Kata Kunci: *pilkada, keadilan bermartabat, mahkamah agung*

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1. Introduction

Direct regional head elections (*Pilkada*) are the most tangible manifestation of the principle of popular sovereignty at the local level, as expressly guaranteed in Article 18 paragraph (4) of the 1945 Constitution of the Republic of Indonesia (UUD NRI 1945). Over time, the status of the *Pilkada*, which was originally categorized as part of the regional government regime, has been fully affirmed as an inseparable part of the general election regime, as mandated in Constitutional Court Decision Number 55/PUU-XVII/2019. A democratic, honest, and fair *Pilkada* is an absolute prerequisite for achieving democratic consolidation and regional governance that is marked by integrity and legitimacy (Fahmi, 2021). However, the success of *Pilkada* administration is not determined solely by the dynamics of voting in the booth, but depends heavily on the availability of legal instruments capable of guaranteeing electoral justice. In every political contest for local executive power, the potential for disputes is unavoidable, and result disputes often become the culmination of all the articulated conflicts of interest among the contestants. Therefore, a *Pilkada* result dispute resolution model that is transparent, accountable, independent, and fair is the last bastion (*ultimum remedium*) for restoring violated constitutional rights and preserving the integrity of popular sovereignty.

In the practice of lawmaking and law enforcement, the realization of electoral justice in Indonesia is confronted with a fundamental normative conflict and disharmony between Law Number 10 of 2016 on the Election of Governors, Regents, and Mayors (the *Pilkada* Law) and Law Number 23 of 2014 on Regional Government (the Regional Government Law). This conflict stems from the dualism of legal regimes governing the position of the regional head (*doppelstatus*): on one side, the regional head is positioned as a state administrative official bound by the General Principles of Good Governance (*AUPB*) and the principle of bureaucratic neutrality, while on the other side, the regional head is positioned as a political actor and contestant in the electoral contest. The Regional Government Law expressly prohibits regional heads from taking actions that abuse authority (*abuse of power*), making decisions that benefit themselves or their political group, or mobilizing civil servants (*ASN*) and the Regional Budget (*APBD*) (Anggraini & Ramadhanil, 2022). The urgency of enforcing neutrality has become even more critical with the issuance of Constitutional Court Decision Number 136/PUU-XXII/2024, which imposes criminal sanctions on state officials, regional officials, and members of the *TNI/Polri* who violate neutrality in the *Pilkada*. However, the *Pilkada* Law, particularly within the scheme for resolving result disputes at the Constitutional Court, often overlooks this clash with the norms of government administrative law. Violations of regional governance norms and abuse of authority by incumbent regional heads in the run-up to the contest are frequently left unaddressed or unremedied in result disputes because they are blocked by the formality of the vote-margin limit.

This inability to capture substantive violations ultimately traces back to the vote-margin threshold provision in Article 158 of Law Number 10 of 2016. This article provides that a candidate pair may file a result dispute petition only if the difference in vote count falls within an extremely rigid percentage range, namely between 0.5% and 2% depending on the population ratio. Conceptually and in practice, this threshold provision has created a rigid procedural barrier at the preliminary examination stage (*dismissal process*). Many dispute petitions filed by contestants fall prematurely at the outset of the hearing simply because they do not meet the vote-margin percentage limit, without ever having their material evidence examined and tested regarding

allegations of Structured, Systematic, and Massive (*TSM*) fraud and money politics. The dominance of this calculative-quantitative approach to justice reduces the role of the Constitutional Court from a constitutional court that safeguards popular sovereignty to merely a "calculator court" that confines itself to the recapitulation of formal arithmetic figures (Mochtar, 2022).

Viewed from the historical perspective of Indonesian constitutional law, the jurisdictional shifting in resolving *Pilkada* result disputes has been highly dynamic. It began with the General Courts under the Supreme Court pursuant to Law No. 32 of 2004, was transferred to the Constitutional Court through Law No. 12 of 2008, and was then declared to lack constitutional authority by Constitutional Court Decision Number 97/PUU-XI/2013, which mandated the establishment of a special judicial body. To fill the legal vacuum, Article 157 of Law No. 10 of 2016 formulated a transitional scheme in which the Constitutional Court adjudicates result disputes until a special judicial body is established. The uncertainty of this transitional status was finally brought to a conclusive end by Constitutional Court Decision Number 85/PUU-XX/2022, which reaffirmed the Constitutional Court's permanent authority to adjudicate *Pilkada* result disputes as part of the general election regime under Article 24C paragraph (1) of the 1945 Constitution. Nevertheless, the institutionalization of this permanent authority triggers the problem of institutional overload, in which the Constitutional Court, which was in essence designed as a *judex juris* to review the constitutionality of statutes, is forced to act as a *judex facti* that must assess thousands of field facts and pieces of evidence from hundreds of regions within a very limited time. This condition gives rise to illusory justice, which sacrifices material truth in pursuit of the formalities of legal certainty (Faiz, 2023).

To critique the pathology of legalistic positivism in *Pilkada* result disputes, this research builds its analytical framework on the Grand Theory of Dignified Justice Theory (*Teori Keadilan Bermartabat*) put forward by Prof. Teguh Prasetyo. This theory is deeply rooted in the legal ideal (*rechtsidee*) of Pancasila, with the central philosophical postulate that law aims to "humanize human beings" (*nguwongke uwong*) (Prasetyo, 2018a). Dignified Justice Theory firmly rejects rigid legal positivism, which separates written rules (*das Sein*) from the order of ethical-moral values of justice (*das Sollen*). From the perspective of Dignified Justice, the vote cast by the people in the voting booth is a tangible expression of the dignity, worth, and highly noble political human rights of a person. When that vote is defrauded or manipulated through money politics and abuse of bureaucratic authority, this constitutes political dehumanization that degrades the dignity of voters. Accordingly, the application of Article 158 of Law No. 10 of 2016, which mechanically dismisses cases, is sharply criticized as an *un-dignified system* because it reduces human dignity to a mere series of cold mathematical figures, sterile of the value of justice.

Bridging the philosophical analysis of Dignified Justice toward operational procedural and institutional law, this research employs, as its Middle/Applied Theory, the concept of the Electoral Justice System developed by International IDEA. This concept affirms that electoral justice must rest on three main pillars: the guarantee of the right to an effective legal remedy, equality of arms and due process of law, and clear institutional competence (Santoso & Budhiati, 2021). The application of the vote-margin threshold in Article 158 of Law No. 10 of 2016 has been shown to violate the pillar of the right to an effective remedy, because it closes the door to the courts at an early stage, before evidence of fraud can be tested. In addition, the overlapping authority and misalignment among *Bawaslu*, the *PTUN* (State Administrative Court), the *DKPP* (Honorary

Council of Election Organizers), and the Constitutional Court create confusion over institutional competence, which triggers the fragmentation of justice and legal uncertainty.

Based on all of these juridical, institutional, and empirical problems, there arises a very pressing urgency to reconstruct the *Pilkada* result dispute resolution model so that it can provide an effective legal remedy and prevent illusory justice. This reconstruction is directed *de lege ferenda* by offering a transfer of jurisdiction, or a rearrangement of the authority to adjudicate *Pilkada* result disputes, to the Supreme Court through a Special Chamber for Electoral Justice. Under this model, the High Court acts as *judex facti* that examines *prima facie* evidence of *TSM* violations and clashes with the norms of the Regional Government Law, so that the Constitutional Court can refocus on its role as *judex juri* (Chandranegara, 2023). In line with that urgency, the objective of this scientific research is to formulate and construct an ideal, independent, and fair model for resolving regional head election result disputes in order to realize electoral justice. Based on this background and objective, the Problem Formulation raised in this research is framed as one fundamental question: how should the model for resolving *Pilkada* result disputes be reconstructed so that it is ideal and fair, in order to realize electoral justice.

This study is a doctrinal legal research that combines a statute approach, a conceptual approach, and a case approach. The data sources primarily rely on primary legal materials, which include the 1945 Constitution of the Republic of Indonesia, Law No. 10 of 2016, Law No. 23 of 2014, Constitutional Court Decision No. 41/PHPU.D-VI/2008, Constitutional Court Decision No. 97/PUU-XI/2013, Constitutional Court Decision No. 85/PUU-XX/2022, as well as the technical regulations of the *KPU* and *Bawaslu*, supported by secondary legal materials in the form of constitutional law literature, textbooks, scientific journals, and electoral research reports. All the collected legal materials are subsequently analyzed using a qualitative-prescriptive technique, where the final conclusions are drawn through a deductive reasoning method to produce a comprehensive and well-directed legal argumentation (Juliardi et al., 2023).

2. Result and Discussion

2.1. Critical Analysis of Legal Pathology and Procedural Problems in the Current Resolution of *Pilkada* Result Disputes

The direct implementation of Regional Head Elections (*Pilkada*) is the most tangible manifestation of the principle of popular sovereignty at the local level guaranteed by Article 18 paragraph (4) of the 1945 Constitution of the Republic of Indonesia. However, the success of this local political contestation heavily relies on the availability of judicial instruments capable of providing genuine electoral justice. In dissecting the legal pathology of current *Pilkada* adjudication, the Dignified Justice Theory proposed by Teguh Prasetyo emerges as a fundamental philosophical analytical pillar derived directly from the legal ideals of Pancasila (Prasetyo, 2018b). This theory postulates that the purpose of law is to humanize human beings (*nguwongke uwong*), rejecting rigid positivism sterile of moral values, and positioning voters' voices as a manifestation of human dignity that must not be reduced to mere mathematical numbers on a recapitulation paper. Linked to the Electoral Justice System concept from International IDEA, the *Pilkada* law enforcement system must guarantee the right to an effective legal remedy, equality of arms, and clear institutional competence to prevent the paralysis of electoral justice.

This philosophical foundation of dignified justice clashes sharply with the current normative reality of legislation, where a systemic contradiction exists between Law Number 10 of 2016 concerning the Election of Governors, Regents, and Mayors (Pilkada Law) and Law Number 23 of 2014 concerning Regional Government (Regional Government Law). The Regional Government Law explicitly prohibits Regional Heads from committing abuse of power (*détournement de pouvoir*), politicizing budget allocations, or mobilizing State Civil Apparatus (ASN) for personal or group political gain. However, the construction of result disputes in the Pilkada Law reduces all the complexities of such governance fraud into a mere dispute over vote acquisition numbers. The contradiction between these two normative regimes creates a legal loophole that provides an incumbent advantage, where severe violations of the bureaucratic neutrality principle upstream are often left untouched and ignored when the case culminates downstream in the result dispute adjudication (Anggraini & Ramadhanil, 2023).

The peak of this substantive justice reduction is manifested in the statutory threshold provision for vote margin differences as stipulated in Article 158 of Law No. 10 of 2016. This norm dictates that candidate pairs can only file a petition for a result dispute if their vote margin difference falls within the percentage range of 0.5% to 2%, depending on the region's population ratio. In judicial practice, its rigid application during the preliminary examination (dismissal process) has created a highly fatal procedural barrier. The doors of justice are locked tight at the beginning of the trial simply due to mathematical percentage calculations, thereby killing the search for material truth before evidence can be presented and examined by the panel of judges (Norris, 2022).

The application of this threshold-based dismissal process breeds a practice of illusory justice, where the judiciary formally provides a medium for lawsuits but substantively closes the door to justice for justice seekers. From the perspective of the Dignified Justice Theory, this mechanism is highly undignified because it degrades voters' dignity into cold, soulless numerical variables. Its socio-legal impact is highly destructive, as Structured, Systematic, and Massive (*TSM*) fraud and money politics practices are implicitly tolerated by the law as long as the perpetrators successfully create a vote margin above the threshold percentage (Fahmi, 2022). The closure of the judicial doors at this initial stage clearly violates the pillar of the right to an effective remedy in the Electoral Justice System, as it allows the people's voices tainted by fraud to be deemed valid for the sake of legal formalities.

This procedural law incoherence becomes even more apparent when linked to the recent Constitutional Court jurisprudence through Constitutional Court Decision Number 136/PUU-XXII/2024, which affirms stringent criminal sanctions and neutrality obligations for Regional Officials, *ASN*, *TNI*, and *Polri* in *Pilkada*. Although Constitutional Court Decision No. 136/PUU-XXII/2024 provides guarantees of protection for honest and fair principles at the process level, the strict fortress of formality in Article 158 of the *Pilkada* Law remains the main blockage at the result level. When fraud in the form of mobilizing apparatus or regional officials prohibited by Constitutional Court Decision No. 136/PUU-XXII/2024 occurs massively, the victims of fraud still cannot restore their constitutional rights in the result dispute trial if the vote margin exceeds the threshold percentage. This situation underscores how highly conflictual the current procedural law for result adjudication is with the spirit of upholding *Pilkada* integrity (Birch, 2023).

Aside from substantive legal problems, the pathology of Pilkada dispute resolution stems from the institutional dilemma of the Constitutional Court, reinforced by Constitutional Court

Decision Number 85/PUU-XX/2022. This landmark decision revoked previous interpretations and affirmed that the Constitutional Court's authority to adjudicate *Pilkada* result disputes is permanent because *Pilkada* is an integral part of the General Election regime based on Article 22E and Article 24C of the 1945 Constitution. Although this decision ended the uncertainty of the transitional status, the permanent withdrawal of authority to the Constitutional Court causes a remarkably heavy workload (institutional overload) for the nine constitutional justices. Adjudicating hundreds of simultaneous *Pilkada* disputes from all over Indonesia within a very short time limit of 45 working days physically and methodologically exceeds the institutional carrying capacity of the Constitutional Court (Faiz, 2024).

This accumulation of caseloads triggers a fundamental institutional mismatch within the Constitutional Court. The Constitutional Court, originally designed as a constitutional court acting as *judex juris* to review the constitutionality of laws, is massively forced to become a *judex facti* that must assess field facts, recount C-Hasil forms, and examine witness testimonies and recapitulation documents. This change in role reduces the dignity of the Constitutional Court from the main guard of the constitution to a mere calculator court trapped in quantitative-calculative adherence (Mochtar, 2023). Under extremely tight time pressure, the Constitutional Court is pushed to use the threshold-based dismissal process mechanism of Article 158 as an institutional shield to cut down case accumulation, ultimately sacrificing the enforcement of substantive justice.

This procedural pathology is exacerbated by the fragmentation and overlapping jurisdictions in the Indonesian electoral justice system. The absence of a single-roof electoral justice system triggers conflicting rulings among *Bawaslu*, *PTUN*, *DKPP*, and the Constitutional Court. *Bawaslu* and *PTUN* have the authority to adjudicate process disputes and *TSM* administrative violations, *DKPP* adjudicates organizers' ethical violations, while the Constitutional Court adjudicates result disputes. On a practical level, the ambiguity of absolute competence boundaries confuses justice seekers (*justiciabelen*) and creates forum shopping practices (Wibisana, 2024). Situations often arise where *Bawaslu* or *PTUN* annul a candidate's determination, yet the Constitutional Court rules otherwise, or *DKPP*'s ethical sanction decisions undermine the validity of the *KPU*'s administrative products being disputed at the Constitutional Court. The fragmentation of authority among these election law enforcement institutions concretely undermines the clear institutional competence pillar in the Electoral Justice System. When inter-institutional decisions collide or shift the responsibility for handling fraud, justice seekers are trapped in an unstable and unpredictable institutional labyrinth. Consequently, the right to an effective remedy becomes paralyzed, and the political legitimacy of regional leadership born from the *Pilkada* process becomes legally flawed and continuously questioned by the public throughout their tenure (Hasen, 2022).

The entire elaboration of the legal pathology and procedural problems above confirms that the current *Pilkada* dispute resolution model has failed to meet the demands of Dignified Justice and electoral justice principles. A comprehensive reconstruction of procedural law and institutional design is needed, one that no longer hinges justice on mathematical calculations and rigid formalities. The reconstruction of the *Pilkada* dispute resolution model must be directed toward forming a judicial system capable of thoroughly examining material truth, harmonizing fragmented institutional competencies, and providing tangible legal remedies for voters and *Pilkada* participants to honor the dignity of popular sovereignty (Chandranegara, 2024).

2.2. Reconstructing the Model for Resolving *Pilkada* Result Disputes Through a Special Electoral Justice Chamber at the Supreme Court

The jurisdictional arrangement for resolving disputes over regional head election (*Pilkada*) results in Indonesia has reached a critical juncture following Constitutional Court Decision Number 85/PUU-XX/2022. That decision affirms that the *Pilkada* is part of the general election regime mandated by Article 22E of the 1945 Constitution of the Republic of Indonesia, and it permanently entrenches the Constitutional Court's authority to adjudicate *Pilkada* result disputes. However, making this authority permanent leaves a fundamental problem: institutional overload that threatens the effectiveness of the Constitutional Court as the guard of the constitution (Amsari, 2021). The Court, designed as a court of law (*judex juris*) to review the constitutionality of statutes, is forced to act as a court of fact (*judex facti)* in order to assess thousands of pieces of physical evidence and witnesses from hundreds of electoral regions. As a result, the judicial role is reduced from that of a constitutional court to a mere "calculator court" that favors a quantitative-calculative approach. Viewed through the Dignified Justice Theory (*Teori Keadilan Bermartabat*) put forward by Prof. Teguh Prasetyo, a rigid positivist paradigm that reduces voters' voices to a series of arithmetic figures amounts to a disregard for the essence of humanity. Law derived from *Pancasila* must aim to humanize human beings (*nguwongke uwong*), so that the voter's voice is placed as an expression of human dignity and popular sovereignty that must not be sacrificed for the sake of purely formalistic calculation (Hernoko, 2022). Under the Electoral Justice System concept of International IDEA, clear institutional competence is required to guarantee the right to an effective remedy. Therefore, transferring jurisdiction over *Pilkada* result disputes from the Constitutional Court to the Supreme Court through the establishment of a Special Chamber for Electoral Justice (the Supreme Court Election Chamber) is an urgent need for institutional reconstruction.

The transfer of authority to the Supreme Court rests on very strong structural and constitutional arguments. The Supreme Court has a tiered judicial network in the regions, namely High Courts at the provincial level and District Courts at the regency/city level, which have long institutional experience as *judex facti*. The general judiciary under the Supreme Court is accustomed to performing comprehensive fact-finding evaluation, from testing the validity of documents and examining fact witnesses to assessing electronic evidence (Susanti, 2023). This regional structure overcomes the geographical and operational limitations of the Constitutional Court, which is centralized in the national capital, thereby reducing the high cost of litigation and bringing access to justice closer to justice seekers throughout the country (Santoso & Riyanto, 2021). By placing this authority within the existing Supreme Court structure under Article 24 of the 1945 Constitution, the Supreme Court Election Chamber can be realized rationally through revisions of the Supreme Court Law and the *Pilkada* Law, without the need for a complex constitutional amendment.

In the operational framework of this ideal model, the High Court at the provincial level functions as the court of first instance to examine and adjudicate *Pilkada* result disputes within its jurisdiction. The High Court no longer applies a mechanism of automatic dismissal at the outset of the proceedings, but is instead required to conduct a preliminary evidence examination and a substantive feasibility test. This approach directly deconstructs the vote-margin threshold provisions in Article 158 of Law Number 10 of 2016. The norm in Article 158 of the *Pilkada* Law, which sets rigid vote-margin percentage limits of between 0.5 percent and 2 percent, has long

become an extremely rigid procedural obstacle (Huda & Heriyanto, 2021). That provision dismisses cases at the preliminary examination stage without ever examining material evidence of violations that are Structured, Systematic, and Massive (*Terstruktur, Sistematis, dan Masif*, TSM). Applying such a rigid threshold produces pseudo-justice that damages the dignity of voters. Through the mechanism of prima facie evidence, the High Court replaces this rigid numerical limit with an assessment of qualitative significance, ensuring that every allegation of fraud that corrupts the integrity of the voters' will can be transparently exposed before the panel of judges (Arizona, 2023).

The substantive feasibility test on *prima facie evidence* at the High Court also serves as a means of normative harmonization between the Pilkada Law (Law No. 10 of 2016) and the Regional Government Law (Law No. 23 of 2014). The Regional Government Law expressly prohibits regional heads from making decisions or taking actions that abuse authority, benefit themselves, use regional budget (APBD) facilities, or involve the bureaucracy and civil servants (*ASN*) in political contestation. The urgency of enforcing the norm of bureaucratic neutrality is further underscored by Constitutional Court Decision Number 136/PUU-XXII/2024, which granted the material review of Article 188 of Law Number 1 of 2015 in conjunction with Law Number 10 of 2016. This landmark decision expressly includes the phrases "regional officials" and "members of the *TNI/Polri*" as legal subjects who may be criminally punished if they make decisions or take actions that benefit or harm one of the candidate pairs. Decision Number 136/PUU-XXII/2024 affirms that the neutrality of state apparatus is a fundamental principle for guaranteeing honest and fair *Pilkada* and for preventing manipulative electoral processes resulting from the partisanship of those in power. When an incumbent or regional official commits an abuse of power that violates the norms of the Regional Government Law and the criminal provisions of the *Pilkada* Law, such conduct fundamentally undermines the principle of electoral justice. (Simabura & Andora, 2022). The High Court, as a *judex facti* examining *prima facie evidence*, is given full authority to assess whether such abuse of authority and violations of neutrality have a qualitative impact on the vote count, so that the sanction of disqualification or an order for a re-vote can be imposed without being obstructed by the numerical calculations of Article 158 of the *Pilkada* Law.

In line with the pillar of the Electoral Justice System that emphasizes equality of arms and due process of law, this reconstruction model provides a tiered channel of legal remedies that does not exist in the Constitutional Court system. The absolutely final and binding nature of Constitutional Court decisions often extinguishes the right to legal remedy for parties harmed by errors in the judges' reasoning (Asshiddiqie, 2021). Under the Supreme Court Election Chamber model, candidate pairs who are dissatisfied with a High Court decision are given the right to file an internal cassation appeal to the Supreme Court Election Chamber. To prevent legal uncertainty that disrupts the stages of regional government, the procedural law of the Supreme Court Election Chamber is equipped with a very strict time-limit system. The adjudication process at both the High Court level and the cassation level in the Supreme Court Election Chamber is confined to a strict and measurable number of working days, so that all result disputes can be decided with final and binding force (*inkracht*) before the scheduled inauguration of the elected regional heads. This fast-track litigation scheme balances the need to uphold substantive justice with the demand for fair legal certainty (Siregar, 2021).

The transfer of authority over *Pilkada* result disputes to a Special Chamber in the Supreme Court brings a major restorative impact on the Indonesian constitutional architecture as a whole.

With the Constitutional Court relieved of the burden of hundreds of regional *Pilkada* cases, it can be returned fully to its essential function and dignity as the guardian of the constitution and a court of human rights. The Constitutional Court can devote its entire institutional capacity to reviewing the conformity of statutes with the 1945 Constitution, resolving disputes over the authority of state institutions, and safeguarding citizens' constitutional rights without being distracted by the whirlpool of practical political conflict at the local level (Harijanti & Satriawan, 2023). This reconstruction of the Pilkada result dispute resolution model, grounded in Dignified Justice, harmonizes in an integrated way the pillar of legal structure through the institutionalization of the Supreme Court Election Chamber and the High Courts, the pillar of legal substance through the deconstruction of Article 158 and the use of *prima facie evidence*, and the pillar of legal culture through judicial activism oriented toward Pancasila values. This model answers the urgent problem at hand by providing an effective legal remedy, ending the practice of pseudo-justice, and ensuring the realization of electoral justice that respects the dignity and worth of popular sovereignty.

3. Conclusion

Based on the discussion, it can be concluded that the current model for resolving disputes over *Pilkada* results is suffering from systemic failure. This stems from the rigidity of the threshold in Article 158 of Law Number 10 of 2016 and from an institutional mismatch, in which the Constitutional Court has been degraded into a "calculator court," producing pseudo-justice that reduces the essence of voter sovereignty. This rigid formalism in the dismissal process systematically closes the door to the pursuit of material truth regarding substantive violations, such as money politics, Structured, Systematic, and Massive (*TSM*) fraud, and the clash of norms on abuse of authority and bureaucratic neutrality as regulated in the Regional Government Law in conjunction with Constitutional Court Decision Number 136/PUU-XXII/2024. Therefore, the ideal *de lege ferenda* reconstruction model proposed is the transfer of jurisdiction over *Pilkada* result disputes to the Supreme Court through the establishment of a Special Chamber for Electoral Justice, in which the High Court acts as *judex facti* that qualitatively tests material truth through the assessment of *prima facie* evidence. This model not only provides an effective legal remedy and restores the dignity of the Constitutional Court as *judex juris*, but also guarantees the realization of electoral justice grounded in the Dignified Justice Theory, in order to honor the dignity and worth of popular sovereignty.

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