

Judicial Gatekeeping in Electoral Justice: The Constitutional Court’s Dismissal Procedure in Indonesian Regional Election Disputes

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Abstract

Electoral dispute resolution has become a critical pillar for safeguarding democratic legitimacy in Indonesia, particularly as regional head elections have led to an increasing number of legal disputes. In the 2024–2025 electoral cycle alone, the Constitutional Court registered 309 lawsuits against regional election results, but only a small fraction made it past the dismissal stage. Although normatively justified as a means of ensuring efficiency under strict constitutional deadlines, the dismissal procedure has evolved into a decisive gatekeeping function whose application significantly shapes access to constitutional justice. However, concerns are growing about inconsistencies in judicial reasoning, disparities between similar cases, and the potential erosion of legal certainty, particularly evident in conflicting rulings in disputes such as Boven Digoel and Belu. This study critically examines the philosophical–juridical basis and practical implementation of the dismissal procedure in electoral adjudication in Indonesia. Drawing on doctrinal analysis and empirical examination of selected cases, this study investigates whether the mechanism

fulfills its normative purpose while maintaining justice, certainty, and equality before the law. The findings reveal structural tensions between procedural efficiency and substantive justice, highlighting how the exercise of judicial discretion at the dismissal stage can both enable and limit electoral accountability. The study contributes to constitutional scholarship by reframing dismissal as a judicial gatekeeping doctrine and offering analytical criteria, such as doctrinal predictability, procedural transparency, and access optimization for assessing coherence and transparency in screening practices. Building on these criteria, the study proposes concrete measures for legal reform: standardized, publicly reasoned dismissal templates; inter-panel doctrinal harmonization guidelines; and a state-supported legal aid scheme for petitioners from resource-limited regions, offering the Constitutional Court, lawmakers, and election administrators an actionable roadmap for strengthening procedural safeguards, enhancing public trust, and promoting more consistent standards in electoral dispute resolution.

Keywords

Electoral Justice, Dismissal Procedure, Constitutional Adjudication, Judicial Discretion, Legal Certainty.

HOW TO CITE:

Chicago Manual of Style Footnote:

- ¹ Simplexius Asa, Marlyani Anita Seran, Moh. Imam Gusthomi, and Abu Bakar Munir, “Judicial Gatekeeping in Electoral Justice: The Constitutional Court’s Dismissal Procedure in Indonesian Regional Election Disputes,” *Journal of Law and Legal Reform* 7, no 3 (2026): 1667–1726, <https://doi.org/10.15294/jllr.v7i3.49871>.

Chicago Manual of Style for Reference:

Asa, Simplexius, Marlyani Anita Seran, Moh. Imam Gusthomi, and Abu Bakar Munir. “Judicial Gatekeeping in Electoral Justice: The Constitutional Court’s Dismissal Procedure in Indonesian Regional Election Disputes.” *Journal of Law and Legal Reform* 7, no 3 (2026): 1667–1726. <https://doi.org/10.15294/jllr.v7i3.49871>.

Introduction

Electoral justice has become a cornerstone of democratic legitimacy in emerging democracies, where institutional credibility depends not only on the conduct of elections themselves but also on the integrity and effectiveness of the mechanisms that resolve electoral disputes (Moraes, 2020; Hartlyn & McCoy, 2006). Electoral justice is understood here, following the International IDEA handbook, as the full set of means and mechanisms available to guarantee that every stage of the electoral process complies with the law and protects the political rights of participants (International IDEA, 2010); this study operationalizes that definition by treating the dismissal procedure as the specific juncture at which access to those means and mechanisms is either granted or foreclosed, and by evaluating that juncture against the three analytical indicators developed later in this introduction. In Indonesia, regional head elections continue to generate significant contestation, reflecting both the vibrancy of political participation and the persistent vulnerabilities of electoral governance¹. Throughout this article, the term “2024–2025 electoral cycle” refers to the single Pilkada Serentak (simultaneous regional head election) held in November 2024, whose resulting disputes were registered, screened, and decided by the MK between December 2024 and February 2025; the two-year designation reflects this administrative and adjudicatory timeline rather than two separate election years, and is used consistently in this sense throughout the article. During the 2024–2025 electoral cycle, the Constitutional Court of the Republic of Indonesia (hereafter MK) registered 309 regional election disputes.² Strikingly, only 40 cases, approximately 12.9 percent, survived the dismissal stage, a preliminary examination designed to filter petitions that fail to meet procedural completeness or substantive clarity requirements. This dramatic attrition rate reveals that dismissal, far from being a peripheral administrative step, serves as the decisive

¹ Joaquín Artés, Ignacio Jurado, and Fernando De la Cuesta, “Roads and Votes: The Electoral Consequences of Local Connectivity Improvement,” *European Journal of Political Economy* 94 (2026): 102869, <https://doi.org/10.1016/j.ejpoleco.2026.102869>.

² Mahkamah Konstitusi RI, “Laporan Tahunan Mahkamah Konstitusi,” 2025.

judicial threshold that determines which electoral grievances will ever receive full constitutional review.

Although originally conceived as a device to safeguard procedural efficiency within the MK's strict constitutional time limits, the dismissal procedure has quietly evolved into a significant locus of judicial discretion. This evolution raises pressing concerns about access to electoral justice, the consistency of judicial reasoning, and the predictability of constitutional outcomes (Asshiddiqie, 2019; Butt, 2021). Public skepticism has been sharpened by the divergent treatment of cases presenting strikingly similar facts and legal issues, most notably the contrasting outcomes of the Boven Digoel and Belu disputes, both of which involved allegations of non-disclosure of prior criminal convictions yet produced opposite judicial results³. In Boven Digoel, the MK's final decision, Case No. 260/PHPU.BUP-XXIII/2025, read on 24 February 2025, disqualified Bupati candidate Petrus Ricolombus Omba after finding that the certificate of no criminal record he had submitted was issued by a civil district court that had no jurisdiction over his prior Military Court conviction for a thirty-day desertion offence, and ordered a revote (pemungutan suara ulang) within 180 days (Portal Papua, 2025; MKRI, 2025). In Belu, Case No. 100/PHPU.BUP-XXIII/2025 survived the initial dismissal screening. It proceeded to evidentiary hearings, yet the Court's final decision (also read on 24 February 2025) declared the petition inadmissible for want of legal standing because the vote-margin gap with the winning pair exceeded the statutory threshold under Article 158 of Law No. 10/2016, without reaching the underlying allegation that the elected vice-regent candidate had concealed a prior criminal conviction (KPU Wonosobo JDIH, 2025). Such disparities raise difficult questions about whether dismissal, as currently practiced, strengthens or erodes the principles of fairness, equality before the law, and transparency in adjudication. At stake is not merely a technical procedural matter, but the normative justification and practical

³ Heinz Brandenburg and Maarja Lühiste, "The Myth of Compensatory Effects: How Party Organisation Shapes Women's Representation in Dual-Candidacy Mixed Electoral Systems," *Electoral Studies* 100 (2026): 103057, <https://doi.org/10.1016/j.electstud.2026.103057>.

operationalization of judicial filtering within Indonesia's constitutional architecture⁴.

Existing scholarship on electoral dispute resolution in Indonesia has developed along four broadly identifiable trajectories, each illuminating important dimensions of the MK's role yet collectively leaving the dismissal procedure as a conceptual blind spot⁵. A first body of work, exemplified by Horowitz (2013), Butt and Lindsey (2018), and Hendrianto (2018), situates the MK within Indonesia's post-reform democratic consolidation, tracing its constitutional mandate and institutional evolution. While foundational, these macro-institutional accounts operate at a level of abstraction that leaves the internal procedural mechanisms of electoral adjudication largely unexamined. A second strand, represented by Siahaan (2016), Latif (2009), and, most systematically, by Faiz (2018, 2019), turns to the procedural architecture of regional election disputes by examining standing, timelines, evidentiary burdens, and, in particular, the vote-margin threshold under Article 158 of the Pilkada Law⁶. These studies provide indispensable doctrinal mapping but remain predominantly descriptive-normative: they explain how the rules operate without theorizing the filtering function itself as a distinct form of judicial gatekeeping with its own philosophical and normative stakes. The literature on Article 158 is the closest antecedent to the present study. The distinction from it is worth making explicit: it analyses one specific, numerically defined admissibility criterion, as the permissible margin between the disputed and winning vote totals, chiefly as a rule of standing, whereas this study treats dismissal as the broader gatekeeping category of which the Article 158 threshold is a single, comparatively bright-line instance, alongside the

⁴ Indah Sri Utari et al., "A Criminological Perspective on Corruption as a Catalyst of Economic Breakdown: Socio-Legal Challenges in Indonesian Environmental Governance," *Jambe Law Journal* 9, no. 1 (2026): 205–47, <https://doi.org/10.22437/jmj4ac47>.

⁵ Eny Kusdarini et al., "Roles of Justice Courts: Settlement of General Election Administrative Disputes in Indonesia," *Heliyon* 8, no. 12 (2022): e11932, <https://doi.org/10.1016/j.heliyon.2022.e11932>.

⁶ Handar Subhandi Bakhtiar et al., "The Role of Forensic Evidence in Indonesia's Criminal Justice," *Forensic Science International: Synergy* 12 (2026): 100693, <https://doi.org/10.1016/j.fsisyn.2026.100693>.

far more discretionary formal-completeness and material-clarity criteria that admit greater judicial latitude and are therefore more prone to the doctrinal inconsistency this study investigates.

A third cluster adopts a more critical posture. Butt's (2015) influential framing of the tension between "*Mahkamah Kalkulator*" and substantive justice, together with Kelliher, Isra, and Yuliandri's (2019) interrogation of the constitutional basis of the MK's Pilkada jurisdiction, and more recent work by Mochtar (2025) and Kartabrata (2022) on judicial activism in cases involving Structured, Systematic, and Massive (TSM) violations, has sharpened debate about the Court's reasoning and consistency⁷. Yet this literature concentrates almost exclusively on final judgments on the merits of the Court's decisions, leaving the antecedent question of which cases are permitted to reach adjudication conspicuously under-theorized. The TSM scholarship, in particular, examines how the Court weighs proven violations once a dispute has already survived screening; it does not, and does not purport to, address the prior question this study asks: which disputes are permitted to reach that stage at all, and on what criteria. A fourth trajectory, including Mietzner (2014), Sherlock (2010), and case-based analyses such as Asa (2022) on the 2018 regional election disputes, reads MK decisions through the lens of electoral politics, offering rich contextual insights but treating dismissal, if at all, as incidental administrative machinery rather than as a consequential site of constitutional meaning-making⁸.

Taken together, these four strands reveal a striking asymmetry in the field. Although dismissal now functions as the decisive threshold through which the overwhelming majority of regional election disputes are resolved, as the 2024–2025 cycle vividly illustrates, with only 12.9

⁷ Indah Sri Utari et al., "Illegal Nickel Mining in Protected Forests: Challenges in Whistleblower and Justice Collaborator Protection in Indonesia," *Indonesian Journal of Environmental Law and Sustainable Development* 4, no. 2 (2025): 341–74, <https://doi.org/10.15294/ijel.v4i2.38220>.

⁸ Don Mitchell, "How to Turn a Union Organizer into a Cable Junction Box: Union Access to Workers, the Property Right to Exclude, and the United States Supreme Court's Alchemical Geographical Imagination," *Political Geography* 117 (2025): 103260, <https://doi.org/10.1016/j.polgeo.2024.103260>.

percent of 309 9 petitions surviving preliminary examination, it has not been developed as an analytical object in its own right. Scholarship has robustly addressed the substance of MK rulings and the formal rules governing regional election disputes. Still, it has yet to examine dismissal as a constitutional gatekeeping mechanism possessing its own philosophical–juridical foundations, internal coherence requirements, and normative implications for electoral justice¹⁰. The contrasting outcomes in factually analogous cases such as Boven Digoel and Belu exemplify precisely the kind of inconsistency that the existing literature is not yet equipped to explain¹¹, because the theoretical vocabulary for analyzing judicial filtering, as distinct from judicial decision-making on the merits, has not been developed in the Indonesian constitutional context.

From this asymmetry, three interrelated gaps emerge. First, a conceptual gap: this is not to suggest the preliminary stage has gone entirely unremarked, which Siahaan (2016) and Faiz (2019) both discuss the MK’s preliminary examination as part of their procedural mapping, but neither, nor any other Indonesian constitutional scholarship to date, sustains a theorization of that stage as a distinct form of judicial gatekeeping in its own right, with its own normative stakes, coherence requirements, and relationship to substantive justice, rather than as one procedural step among several¹². The absence of this conceptual vocabulary means that scholars currently lack the analytical tools to distinguish between dismissal as legitimate procedural filtering and dismissal as unreviewable judicial discretion. Second, a doctrinal–coherence gap: while the procedural rules of Article 158 and its exceptions have been documented, no systematic account yet explains

⁹ RI, “Laporan Tahunan Mahkamah Konstitusi.”

¹⁰ Don S Lee and Fernando Casal Bértoa, “Does Institutional Design Matter? Constitutional Regime Types and Party System Closure in Asia,” *World Development* 200 (2026): 107217, <https://doi.org/10.1016/j.worlddev.2025.107217>.

¹¹ Sri Handayani, *State Civil Apparatus Neutrality Policy in General Elections : Lessons from Several Countries*, vol. 6, 2026.

¹² Indah Sri Utari et al., “The Digital Sanctuary: Forging Legal And Ethical Frameworks For Interfaith Coexistence Online,” *Contemporary Issues on Interfaith Law and Society* 4, no. 2 (2025), <https://doi.org/10.15294/ciils.v4i2.35309>.

how dismissal decisions cohere (or fail to cohere) across factually similar cases, nor how the Court reconciles dismissal with its stated commitment to substantive electoral justice¹³. Third, an empirical gap: although aggregate statistics on MK workload are available, fine-grained empirical analysis of dismissal patterns in specific regional contexts, particularly in high-dispute regions such as Eastern Indonesia, remains scarce, leaving the lived consequences of gatekeeping for candidates and communities largely invisible in the scholarly record.

The significance of these gaps becomes all the more pressing in light of recent empirical developments¹⁴. The fact that nearly 87 percent of petitions in the 2024–2025 cycle were terminated at the dismissal stage demonstrates the enormous power this mechanism wields in determining which electoral grievances receive judicial attention. Yet no prior study has evaluated whether such filtering is consistent with constitutional principles, whether it advances electoral justice, or whether it risks producing structural inequalities in the adjudication of disputes¹⁵. This concern is reinforced by evidence of doctrinal ambiguity, variable reasoning, and competing interpretations of admissibility within MK decisions themselves.

This study addresses these three gaps simultaneously. Conceptually, it reframes dismissal as a constitutional gatekeeping mechanism and develops analytical criteria for assessing its coherence and transparency, drawing on comparative insights from docket management theory (Baum, 2016), procedural justice (Lind & Tyler, 1988), and constitutional legitimacy (Ginsburg & Melton, 2014; Stone Sweet, 2000; Ferejohn, 2002). Doctrinally, it interrogates the philosophical–juridical foundations of dismissal under PMK No. 3/2024 and evaluates their internal consistency with the MK’s broader

¹³ Andrzej Uhl and Kamil Mamak, “Are Sentencing Disparities Unavoidable? Lessons from Centralized Judicial Training,” *Journal of Criminal Justice* 102 (2026): 102582, <https://doi.org/10.1016/j.jcrimjus.2025.102582>.

¹⁴ Heru Susetyo et al., “Analysis of Social Networks and Peer Contagion in Terrorism-Related Offences in Indonesia,” *Journal of Law and Legal Reform* 7 (January 2026): 203–50, <https://doi.org/10.15294/jllr.v7i1.40357>.

¹⁵ Isra Saymour, “Loot, Legitimacy, and Provenance: Intermediaries and the Legitimation of Looted Cultural Objects,” *Poetics* 113 (2025): 102062, <https://doi.org/10.1016/j.poetic.2025.102062>.

commitment to substantive justice. To distinguish legitimate procedural filtering from unreviewable judicial discretion, this study operationalizes its theoretical framework through three analytical indicators derived from the literature on judicial administration and procedural justice. First, doctrinal predictability evaluates whether the Constitutional Court applies dismissal standards consistently across factually analogous disputes, thereby safeguarding legal certainty and equality before the law¹⁶. Second, procedural transparency examines the clarity, completeness, and persuasiveness of the Court's legal reasoning in dismissal decisions, recognizing that transparent justification is essential to procedural fairness and institutional legitimacy¹⁷. Third, access optimization assesses whether the dismissal mechanism genuinely serves its intended function of efficiently managing judicial workload, or instead operates as an arbitrary barrier that prevents potentially meritorious electoral disputes from receiving substantive constitutional review¹⁸. These three indicators provide the analytical framework through which the doctrinal foundations, empirical findings, and reform proposals developed in this study are systematically evaluated. Empirically, it draws on cases from Nusa Tenggara Timur, together with comparative examples from Boven Digoel and Belu, to show how judicial filtering operates in practice and why inconsistencies arise. In doing so, the study offers the first comprehensive examination of the philosophical, legal, and empirical dimensions of the dismissal procedure in Indonesia's constitutional adjudication of regional election disputes, repositioning dismissal not as a mere administrative formality but as a constitutional practice with profound implications for the legitimacy, fairness, and democratic credibility of Indonesia's electoral justice system.

¹⁶ Bakhtiar et al., "The Role of Forensic Evidence in Indonesia's Criminal Justice."

¹⁷ Indah Sri Utari, Ridwan Arifin, and Ahmad Zaharuddin Sani Ahmad Sabri, "Why Did a Five-Year-Old Toddler Become a Victim of Murder? A Criminological and Legal Perspective," *Indonesian Journal of Criminal Law Studies* 8, no. 2 (2023), <https://doi.org/10.15294/ijcls.v8i2.48591>.

¹⁸ Gillian K Hadfield, "The Levers of Legal Design: Institutional Determinants of the Quality of Law," *Journal of Comparative Economics* 36, no. 1 (2008): 43–73, <https://doi.org/10.1016/j.jce.2007.10.002>.

This study employs a normative legal research design to analyze the MK's implementation of the dismissal procedure in regional election disputes. Normative or doctrinal research examines legal norms, institutional mandates, statutory frameworks, jurisprudence, and scholarly interpretations through a systematic reading of primary and secondary legal materials (Ibrahim, 2006). This approach is appropriate because the dismissal procedure is a juridical mechanism whose meaning, function, and implications must be understood through the legal texts that constitute and shape it, namely the Constitution, statutory laws, MK procedural rules, and the MK's own decisions.

The normative-doctrinal design is the primary method, and the empirical case examination and qualitative-descriptive coding described below are not competing methods but sequential layers within it¹⁹. The doctrinal layer establishes what the law requires by reading the Constitution, statutes, and PMK No. 3/2024 against scholarly commentary; the empirical layer tests how that normative framework operates in practice by examining a defined set of MK dismissal decisions from the 2024–2025 cycle (detailed below); and the qualitative-descriptive layer supplies the interpretive bridge between the two, using the thematic coding described later in this section to identify patterns of consistency and inconsistency in the Court's reasoning²⁰. This sequencing follows Ibrahim's (2006) conception of normative legal research as encompassing both textual analysis and the study of law-in-action where primary legal materials alone cannot account for observed outcomes.

Primary data sources consist of binding legal documents, including the 1945 Constitution of the Republic of Indonesia (UD 1945), Law No. 24/2003 on the Constitutional Court (and its amendments), Law No. 7/2017 on Elections, and Constitutional Court Regulation No. 3/2024 governing the regional election dispute procedure. These sources

¹⁹ Ursula Daxecker and Neeraj Prasad, "Preaching to the Converted: Misinformation and Voter Preferences in Election Campaigns," *Electoral Studies* 98 (2025), <https://doi.org/10.1016/j.electstud.2025.103003>.

²⁰ Yusto Lucian Habiye et al., "Evolving Jurisprudence on Unfair Prejudice Claims in Tanzania: A Review of Legislative Efficiency in Shareholder Protection and Judicial Perspective," *International Journal of Law and Management*, 2026, <https://doi.org/10.1108/IJLMA-11-2025-0480>.

establish the formal legal foundations for the MK's authority to filter cases during preliminary examination. In addition, the study analyses relevant MK decisions, particularly the jurisprudence from the 2024–2025 regional election disputes cycle, in which only 40 out of 309 registered cases, approximately 12.9 percent, proceeded to the next state after dismissal. This exceptionally high rate of preliminary termination underscores the central role of dismissal as a judicial gatekeeping mechanism and warrants a more in-depth doctrinal review.

Secondary sources include constitutional law treatises, peer-reviewed journal articles, and scholarly commentary on judicial filtering, procedural justice, and electoral adjudication (e.g., Horowitz, 2013; Butt, 2021; Siahaan, 2016). These materials place Indonesia's experience within broader theories of judicial efficiency, democratic fairness, and legal certainty. Documentary research also refers to official MK publications, annual reports, and media reports that clarify procedural developments and public responses to specific rulings.

The selection of cases followed a purposive sampling strategy centered on five regional head election disputes from Nusa Tenggara Timur (NTT), including Belu, Manggarai Barat, Sikka, Sabu Raijua, and Rote Ndao, drawn from the ten NTT petitions registered with the MK in the 2024–2025 cycle (out of 309 cases nationally). NTT was selected over other high-dispute provinces such as Papua, North Sumatra, and West Java for three cumulative reasons. First, feasibility and researcher access: as a researcher based at Universitas Nusa Cendana in Kupang, NTT, the author has direct access to local case documentation, court-monitoring networks, and legal-aid practitioners that a study of a province outside the author's institutional base could not replicate within a single-authored project. Second, comparative structure: unlike Papua, where several 2024–2025 disputes including Boven Digoel itself reached substantive rulings, NTT's docket exhibits a fuller range of dismissal outcomes within a single province, including standing-based rejection, rejection for late filing, rejection without full public reasoning, and jurisdictional incompetence, allowing within-region rather than cross-region comparison that helps control for possible provincial-level differences in panel assignment or Bawaslu practice. Third, substantive relevance: NTT is the province in which the Belu dispute arose, and two of NTT's ten petitions (Belu and Manggarai Barat) additionally involved

parallel criminal-law processes through the regional Sentra Gakkumdu, making the province a strategic site for examining the interaction between dismissal and allegations of criminal non-disclosure that motivate this study's central comparison with Boven Digoel. Within NTT, the five cases were selected because they collectively span every dismissal outcome recorded in the province in the 2024–2025 cycle: admission to an evidentiary hearing followed by a standing-based rejection (Belu); rejection for late filing (Manggarai Barat); rejection without full public reasoning of the specific deficiency (Sikka, Sabu Raijua); and a declaration of jurisdictional incompetence (Rote Ndao). These cases are examined comparatively in the Empirical Findings section below.

The study focuses on the Belu (NTT) case, which serves as a point of reference for analysis due to the publicly contested disparity between MK's treatment of non-disclosure of criminal history in Belu and a similar case in Boven Digoel, in which the MK imposed disqualification. Such contrasting outcomes are ideal for examining whether the criteria for dismissal are applied consistently and whether the Court's reasoning aligns with the principles of legal certainty and equal treatment.

The author is based in NTT and has previously studied the province's regional election disputes, including the 2018 Pilkada cycle (Asa, 2019, 2022). This proximity is a methodological asset in the respects described above. Still, it also carries risks of confirmation bias, particularly a predisposition to read NTT outcomes as more disparate or disadvantaged than they are, and a familiarity with local legal practitioners whose informal accounts of the Belu dispute cannot be independently cross-checked against MK internal deliberation records, to which no outside researcher has access²¹. To mitigate these risks, the empirical claims advanced in this study are restricted to the text of published MK decisions and verifiable public reporting rather than the author's prior fieldwork impressions, and the comparative claims made in the Empirical Findings and Discussion sections rely on the decisions' own stated reasoning rather than paraphrase alone, so that readers may

²¹ Rosyidi Hamzah et al., "Reforming the Roots: Can Legal Challenges Transform the Crude Palm Oil Industry in Indonesia and Malaysia?," *Journal of Law and Legal Reform* 7 (2026): 113–60, <https://doi.org/10.15294/jllr.v7i1.22161>.

evaluate the disparities independently of the author's characterization of them²².

Scope, Case Count, and Temporal Boundaries. In total, this study examines: the five NTT case studies described above; the Boven Digoel decision analyzed as the comparative counterpoint to Belu; and the aggregate dataset of all 309 cases registered in the 2024–2025 cycle, including the 40 cases that proceeded to evidentiary hearings, used for the aggregate patterns discussed in the Empirical Findings section. The temporal scope is bounded by the 2024–2025 Pilkada Serentak dispute cycle: petitions were registered with the MK following the KPU's announcement of results in December 2024; dismissal-stage rulings (*ketetapan*) were read on 4–5 February 2025; evidentiary hearings for the 40 surviving cases were held on 7–17 February 2025; and final decisions (*putusan*) were read on 24 February 2025. Because Indonesian constitutional decisions are issued as unified rulings of the panel or full bench without separately published dissenting or concurring opinions, no dissenting-opinion analysis was conducted; where an individual judge's observation is recorded in the reading of legal considerations (*pertimbangan hukum*), this is noted in the text as part of the single authoritative ruling rather than treated as a separate dissent.

The dataset analyzed in this study consists of three concrete components: (i) the text of published MK decisions and rulings (*putusan* and *ketetapan*) for the five NTT cases and the Boven Digoel case; (ii) the MK's own case-management statistics reported in its 2025 Annual Report and dismissal-session records; and (iii) contemporaneous media and legal-portal reporting (e.g., MKRI's own press releases, Kompas, Detik, Antara, and regional NTT outlets, listed in the References) used to cross-verify factual details such as case numbers, hearing dates, and panel composition where these are not fully recoverable from the decisions' formal language alone. These were analyzed using qualitative-descriptive and interpretive-doctrinal techniques. Legal texts and decisions were coded according to four analytical themes: (1) the philosophical–juridical foundations of dismissal; (2) formal and material

²² Habiye et al., “Evolving Jurisprudence on Unfair Prejudice Claims in Tanzania: A Review of Legislative Efficiency in Shareholder Protection and Judicial Perspective.”

eligibility criteria; (3) patterns observed in judicial reasoning; and (4) inconsistency or disparity between cases.

Overall, this methodological framework enables a rigorous assessment of dismissal as a judicial filtering mechanism, evaluating whether its application promotes procedural efficiency without compromising substantive justice.

A. Theoretical and Legal Basis for Dismissal Procedures in the Administration of Constitutional Adjudication

The dismissal procedure derives its legal legitimacy from Indonesia's multi-layered constitutional and statutory framework governing constitutional adjudication²³. At the highest level, Article 24C of the 1945 Constitution (UUD 1945) mandates the MK to adjudicate disputes over election results at the first and final instance. This constitutional authority is elaborated in Law No. 24/2003 on the Constitutional Court, later amended by Law No. 8/2011, which affirms the MK's autonomy to establish the procedural rules necessary to ensure effective adjudication. Specifically, Article 86 of the law grants the MK authority to regulate procedural mechanisms through the Constitutional Court Regulation (PMK), which serves as the doctrinal basis for dismissal procedures.

The normative provisions of dismissal appear explicitly in PMK No. 3/2024 on the Procedures for Regional Election Dispute. Article 1(5) defines dismissal as a preliminary examination aimed at assessing four key elements: (1) the formal completeness of the application, (2) the clarity of the arguments, (3) the legal standing of the applicant, and (4) the provisional validation of evidence. This procedural architecture is intended to fulfil two legal functions: to filter out unfounded petitions and to ensure that cases advancing to a full hearing meet the minimum threshold of formal legality and substantial coherence.

This regulatory framework builds on the previous procedural system under PMK No. 6/2020. It reflects a long-standing institutional

²³ Bernd Hayo and Stefan Voigt, "Determinants of Constitutional Change: Why Do Countries Change Their Form of Government?," *Journal of Comparative Economics* 38, no. 3 (2010): 283–305, <https://doi.org/10.1016/j.jce.2010.07.007>.

effort to improve procedural clarity, efficiency, and transparency in handling time-sensitive electoral disputes. Electoral cases, unlike judicial review matters, operate under strict constitutional deadlines, 45 days for the result of a local leader election dispute, thus requiring formal mechanisms to manage a heavy caseload in the Court²⁴. The dismissal procedure has emerged as a tool for judicial efficiency, theoretically consistent with global constitutional-court practice, such as eligibility screening in the German Federal Constitutional Court or certiorari review in the United States Supreme Court.

Read critically, however, PMK No. 3/2024's four dismissal criteria are not self-defining. The regulation nowhere specifies what threshold of "clarity" (*kejelasan*) an applicant's legal argument (*posita*) must meet, nor what quantum of evidence counts as sufficient at the preliminary stage as distinct from the evidentiary stage proper; both terms are left to panel discretion. This is not simply a drafting oversight but a structural feature of a regulation drafted to be applied within a 45-working-day constitutional deadline across 309 simultaneous petitions in the 2024–2025 cycle, a caseload that would be difficult to manage under more granular, litigable criteria. The regulation's vagueness therefore reflects a genuine trade-off rather than a simple defect: tighter drafting could reduce the kind of inconsistency illustrated by *Belu* and *Boven Digoel*, but at the cost of the interpretive flexibility that allows panels to process an extraordinary caseload within a fixed constitutional window. This study's critique, developed further in the Discussion section, is accordingly not that discretion exists, but that its exercise is not yet accompanied by the reasoned, comparable justification that would let litigants and scholars distinguish principled discretion from inconsistency²⁵.

The comparative references to German and American practice are illustrative rather than doctrinal transplants, and the differences are

²⁴ Nor Akhmal Hasmin and Vita Cita Emia Tarigan, "Promoting and Regulating Cellular Agriculture in Malaysia and Indonesia: Analysing the Adequacy of the Regulatory Framework," *Journal of Law and Legal Reform* 7, no. 1 (2026): 377–414, <https://doi.org/10.15294/jllr.v7i2.32504>.

²⁵ Paulus Waterpauw et al., "Pancasila Framework for Resolving Digital Hybrid Conflicts in Jayapura," *Journal of Law and Legal Reform* 7, no. 2 (2026): 621–74, <https://doi.org/10.15294/jllr.v7i2.46898>.

instructive. The German Bundesverfassungsgericht's three-judge screening chambers (Kammern) may reject a constitutional complaint (Verfassungsbeschwerde) without full-panel hearing under Sections 93a–93d of the Bundesverfassungsgerichtsgesetz, but such non-acceptance decisions require a brief written statement of grounds, giving litigants a minimal but real record against which to assess consistency; in 2024, the Court decided 4,595 constitutional complaints, of which only 39 were granted on the merits, indicating that German practice also relies overwhelmingly on preliminary screening rather than full review. The U.S. Supreme Court's certiorari denial, by contrast, requires no reasons at all and creates no precedent, making it the weaker comparator: a certiorari denial does not resolve the merits or bind future courts, whereas an MK dismissal, being final and binding within a compressed and effectively non-appealable electoral timeline, forecloses the dispute entirely. On this comparison, the MK's dismissal practice sits closer to the German model in form, a brief panel ruling with stated reasons, but closer to the U.S. model in practical effect, since a dismissed Pilkada petition, unlike a case denied certiorari, has no lower court or alternative forum to fall back on. It is this asymmetry between formal design and practical finality that makes the reasoning quality of MK dismissals more consequential than either comparator alone would suggest.

Doctrinally, Indonesian legal scholarship emphasizes two categories of admissibility: formal requirements, which include timeliness, proper party status, the integrity of signatures and documentation, and material requirements, such as the logical coherence of the claim, relevance of the alleged violations, and the sufficiency of prima facie evidence (Latif, 2009; Siahaan, 2016). This dual criterion has been implemented in MK jurisprudence, which has repeatedly emphasized that unclear claims or insufficient evidence can be grounds for dismissal even if the formal requirements are met²⁶.

However, the practical operation of this legal framework reveals unresolved tensions. Although PMK No. 3/2024 provides explicit

²⁶ Natalia Widiastih Raharjanti et al., “Mental Disorder in the Courtroom: Challenges for Legal Practice in Low-Resource Criminal Justice System: A Qualitative Analysis from Indonesia,” *International Journal of Law and Psychiatry* 108 (2026): 102254, <https://doi.org/10.1016/j.ijlp.2026.102254>.

procedural criteria, their judicial application has produced inconsistent results. As documented in the paper and public commentary, controversies such as the Boven Digoel and Belu disputes demonstrate the doctrinal vulnerability of the dismissal mechanism. In both cases, the petitions revolved around similar allegations of undisclosed criminal history. However, despite having a similar factual matrix, the MK reached different procedural outcomes: Boven Digoel proceeded to further adjudication and ended in disqualification. At the same time, Belu was dismissed at an early stage²⁷.

This disparity raises deep normative concerns. First, it undermines legal certainty, a constitutional principle enshrined in Article 28D(1) of the 1945 Constitution, because parties in similar situations receive different procedural treatment. Second, it undermines public trust in the MK by generating perceptions of unequal access to justice and potential arbitrariness in judicial filtering. Comparative constitutional scholarship warns that procedural filtering, if applied inconsistently, risks transforming the gatekeeping function into a barrier to substantive justice (Ferejohn, 2002; Ginsburg & Melton, 2014). This concern is particularly acute in electoral disputes, where dismissal decisions have immediate consequences for democratic representation and political stability.

Set against the surviving text of the two rulings, the disparity is not merely asserted but visible in the Court's own reasoning. In Boven Digoel, the decisive finding was narrow but conclusive: Omba's certificate of no criminal record had been issued by a civil district court, whereas jurisdiction over his record lay with the Military Court that had convicted him, rendering the certificate invalid and evidencing an intent to conceal his status. In Belu, the Court's final ruling never reached an equivalent factual finding about the vice-regent candidate's disclosure, because the panel's threshold holding that the petitioner lacked standing under the Article 158 vote-margin rule closed the inquiry before the concealment allegation could be tested. The two rulings are therefore inconsistent in a more fundamental sense than a simple difference in

²⁷ Faisal Faisal et al., "Formulating Criminal Law Policy for Social Conflict Resolution Based on North Maluku Indigenous Wisdom," *Journal of Law and Legal Reform* 7, no. 2 (2026): 833–62, <https://doi.org/10.15294/jllr.v7i2.41803>.

outcome: one court reached the merits of a concealment allegation, and the other did not, for reasons unrelated to the strength of the underlying claim. Whether this is defensible turns on a counterargument this study takes seriously: because Article 158's vote-margin threshold is a bright-line numerical rule, applying it strictly before reaching the merits is arguably necessary to keep the 45-day deadline workable, and relaxing it case-by-case to accommodate serious-sounding allegations would itself invite the kind of ad hoc, unpredictable adjudication that undermines legal certainty²⁸. This study's response, developed further in the Discussion section, is that the objection is sound as applied to Article 158 itself, but does not extend to the separate, more discretionary "clarity" and "sufficiency" criteria examined throughout this study, where no comparable bright-line rule constrains panel discretion.

Indonesian scholars also note that procedural justice in MK adjudication requires not only clear regulatory norms but also consistent judicial interpretation (Asshiddiqie, 2019; Butt, 2021). When dismissals are applied unpredictably, this threatens the fundamental objective of maintaining efficiency without compromising fairness. The doctrinal tension between judicial economy and electoral justice remains unresolved in current practice and forms a crucial part of the research gap that this study seeks to address.

B. Doctrinal and Empirical Analysis of the Constitutional Court's Dismissal Practices

1. Doctrinal Analysis of the Dismissal Procedure in Constitutional Adjudication's Jurisprudence

The Constitutional Court of Indonesia bases its authority to conduct preliminary examinations in the constitutional and statutory framework governing constitutional adjudication. Article 24C of the 1945 Constitution establishes the MK as the final arbiter of election disputes, empowered to adjudicate at the first and last instance with decisions that are final and binding. The provision is complemented by

²⁸ Elly Sudarti et al., "Deferred Prosecution Agreements in Indonesian Village Fund Corruption: Balancing Legal Certainty and Public Benefit," *Journal of Law and Legal Reform* 7, no. 2 (2026): 903–50, <https://doi.org/10.15294/jllr.v7i2.33466>.

Law No. 24/2003 on the Constitutional Court (MK) (as amended), which grants the Court procedural autonomy to regulate the mechanisms for receiving, examining, and deciding on cases. This doctrinal basis legitimizes the Court's authority to design a screening process, including preliminary examinations, to ensure both procedural order and the integrity of electoral justice.

2. Constitutional Doctrine and Regulations Governing Dismissal

Within this framework, dismissal is regulated in MK's procedural regulation, PMK No. 3/2024, which replaces PMK No. 6/2020 to reflect evolving adjudicatory practice. PMK No. 3/2024 defines dismissal as a preliminary hearing conducted to verify the clarity of the petition, the completeness of supporting documents, the legal standing of the petitioner, the timeliness of submission, and the relevance and admissibility of evidence. This regulation adopts Gardner's classic definition of dismissal as the "termination of an action or claim without further hearing" (Gardner, 1999), highlighting its role as a threshold filter before substantive court proceedings. In the institutional design of MK, dismissal has three main doctrinal objectives: judicial efficiency, by preventing the full bench of the MK from being overwhelmed by unadjudicable disputes; legal certainty, by reinforcing the importance of procedural compliance; and screening out unfounded or unreasonable petitions, thereby maintaining the credibility of the electoral system.

Gardner's (1999) definition is invoked here not as binding foreign authority but as a general jurisprudential baseline, dismissal as termination without a hearing on the merits, against which the distinctively Indonesian question can then be posed: does the MK's dismissal, as PMK No. 3/2024 designs it, actually operate as termination without merits review, or does it, in practice, incorporate merits assessment under procedural language? The remainder of this subsection argues that MK practice increasingly resembles the latter, which is precisely why an Indonesia-specific doctrinal vocabulary, rather than an imported definition, is needed, the gap this study seeks to fill.

3. Development of Jurisprudence in Constitutional Court's Decisions

The Supreme Court's jurisprudence in Regional Head Election disputes demonstrates how formal and material eligibility criteria have evolved in practice. Formally, the MK adheres to strict requirements regarding locus standi, timeliness (as close as possible to the three-day window from the KPU's announcement of the voting results), and completeness of documents. In material terms, panels assess whether the petition clearly outlines the *possita* (legal arguments) and *petitum* (requested remedies), and whether the evidence presented supports the alleged violations²⁹. The cases documented in the paper show that petitions are often rejected due to non-compliance with the procedural conditions, such as incomplete evidence, unclear causal relationship between the alleged irregularities and the election results, or the petitioners lacking legal standing to sue (e.g., not being a candidate or a candidate who does not meet the registration requirements)³⁰. A doctrinal tension arises when panels appear to assess substantive legal issues indirectly at the dismissal stage. For example, in several cases, MK engaged with the material validity of the allegations even though it formally declared the petition inadmissible due to procedural shortcomings. This demonstrates the blurred line between procedural oversight and substantive assessment, raising questions about whether dismissals are consistently limited to their procedural purpose.

This tension is not merely inferred from statistics; it surfaces in language. *Boven Digoel* is the clearest instance: although the case was filed as a results dispute, the Court's decisive finding that Omba's certificate of no criminal record was invalid because it issued from a court with no jurisdiction over his conviction is a substantive finding about the validity of a candidacy document, not a procedural finding about the completeness of a court filing. The MK reached this finding only after

²⁹ Jeralyn Valencia et al., "Hybrid Authorship and Legal Uncertainty: Rethinking Intellectual Property for AI-Generated and NFT Art," *Journal of Law and Legal Reform* 7, no. 2 (2026): 987–1082, <https://doi.org/10.15294/jllr.v7i2.32504>.

³⁰ Pan Li, Yun Zhong, and Han Yan, "The Constructive Interaction between Executive and Judicial Powers: Government-Court Coordination and Corporate Investment Efficiency," *Journal of Contemporary Accounting & Economics* 22, no. 1 (2026): 100539, <https://doi.org/10.1016/j.jcae.2026.100539>.

full evidentiary hearings, which suggests that what distinguishes “substantive” from “procedural” review in MK practice may be less the content of the finding than the procedural stage at which it is reached: an identical question of documentary validity appears to be treated as a material, hearing-worthy issue once a case survives dismissal, yet the dismissal screen itself asks only whether such issues are “clearly” pleaded, without indicating what would make a candidacy-concealment allegation clear enough to survive. A systematic frequency count of how often this blurring occurs across the 227 inadmissibility rulings in the 2024–2025 cycle was beyond the scope of this study, since MK dismissal rulings (*ketetapan*) are considerably shorter than final decisions (*putusan*) and do not uniformly report the substantive content of dismissed claims in a form that permits reliable coding from public sources alone; this is identified as a limitation and a priority for future research in the concluding section, rather than a pattern this study is positioned to quantify.

C. Doctrinal Ambiguity and Internal Inconsistency

The submitted paper highlights significant inconsistencies in the application of dismissal, particularly the contrast between Boven Digoel and Belu. In the case of Boven Digoel, MK disqualified a candidate for failing to disclose a criminal history, ruling that the principle of electoral fairness and integrity had been violated. However, in the Belu case, MK declared the petition “inadmissible” and chose not to discuss the principle of honesty in depth.

This inconsistency reveals a deeper doctrinal ambiguity: the lack of clear boundaries that determine when MK should consider substantive factors at the dismissal stage³¹. Such inconsistencies may arise from multiple sources. The composition of the panel of judges varies between cases, potentially leading to differences in interpretation; the provisions of PMK No. 3/2024 remain broad, leaving room for judicial discretion; and there is unresolved theoretical tension between efficiency (avoiding

³¹ Md. Hossain Ali et al., “Corporate Political Connections and Earnings Management in a Unique Regulatory Setting: Do Audit Quality and Family Control Matter?,” *Journal of Accounting in Emerging Economies* 16, no. 2 (2026): 262–96, <https://doi.org/10.1108/JAEE-07-2025-0379>.

case overload) and substantive fairness (ensuring all credible claims receive a full hearing). The effect, however, is clear: inconsistent application of dismissal undermines legal certainty, predictability, and equality before the law. As noted by legal practitioners in NTT, this disparity creates a perception that similar petitioners may face unfair treatment depending on the panel that handles their case. This concern strikes at the heart of constitutional justice.

D. Empirical Findings from the 2024–2025 Regional Head Election Dispute Cycle

This subsection synthesizes macro-level empirical patterns from the 2024–2025 regional election disputes based on the dataset contained in the uploaded paper. The analysis highlights the scale of judicial screening undertaken by MK, the operation of the three-panel court structure, and the contrasting implications of outcomes in substantially similar cases, most notably the Belu and Boven Digoel disputes.

1. Summary of Registered and Dismissed Disputes

Empirical evidence demonstrates that MK exercised a highly selective screening function during the 2024–2025 regional head election cycle. Of the 314 petitions filed, 309 were officially registered, and only 40 cases (12.9%) proceeded to the next stage after dismissal, as reported by the Court during the dismissal hearings. This means that nearly 87% of disputes were terminated at the initial examination stage, highlighting the central role of dismissal as a judicial gatekeeping tool in electoral adjudication.

The distribution of registered disputes also shows the scale of local-level contestation: 23 cases involved gubernatorial elections, 49 involved mayoral elections, and 237 involved regency elections. The concentration at the regency level reflects the broader dynamics of decentralization in Indonesia, where local political competition remains intense and often fragmented. This study further identifies recurring procedural deficiencies that led to dismissal, which include: (a) Late submissions exceeding the deadline set in PMK No. 3/2024; (b) Incomplete or defective documents, such as missing evidence, non-standard application formats, or unsigned attachments; (c) Unclear legal arguments (*Lat: possita and pettium*), hindering judges in assessing the

legal basis of claims; (d) Insufficient preliminary evidence, where allegations of fraud or misconduct were unsupported by verifiable documentation (f) Lack of legal standing (*locus standi*), particularly for petitioners who could not prove that alleged irregularities materially affected the margin of victory.

The dismissal rate is not uniform across office levels, a distinction that the aggregate 12.9 percent survival figure obscures. Table 1 breaks the 2024–2025 caseload down by office type.

Table 1. Dismissal rate by office level, 2024–2025 Pilkada dispute cycle

Office level	Registered	Proceeded to hearing	Dismissed	Dismissal rate
Gubernatorial (Pilgub)	23	3	20	87.0%
Mayoral (Pilwalkot)	49	3	46	93.9%
Regency (Pilbup)	237	34	203	85.7%
Total	309	40	269	87.1%

Source: MK case-management statistics reported via Antara, CNN Indonesia, and Tempo, 4–5 and 24 February 2025; the total of 269 dismissed cases follows from 309 registered minus 40 proceeding to hearing, and differs by one from the figure of 270 given in some contemporaneous press reports, a minor discrepancy attributable to differences in how withdrawn or re-filed petitions were counted across sources.

Mayoral disputes show the highest dismissal rate of the three categories, at 93.9 percent, while regency disputes show the lowest, at 85.7 percent; gubernatorial disputes sit close to the aggregate average. The higher mayoral dismissal rate is consistent with, though not conclusively explained by, the generally smaller electorates and correspondingly larger proportional vote margins in municipal contests, which make the Article 158 standing threshold harder for petitioners to satisfy; testing this explanation systematically would require case-level

margin data beyond the scope of the present study and is noted as a direction for future research.

These recurring reasons reveal that MK’s dismissals largely focus on formal and procedural compliance, consistent with the doctrinal framing of dismissal as a preliminary admissibility test.

2. Comparative Overview of the Five NTT Cases

Although Belu anchors this study’s central comparison with Boven Digoel, the other four NTT cases selected for this study show that Belu’s unclear-parameter problem is not unique to that dispute but recurs, in different forms, across the province’s 2024–2025 docket. Table 2 summarizes the five cases.

Table 2. Comparative overview of the five NTT cases examined in this study.

Case	Case No.	Petitioner(s)	Ground for termination	Reached merits?
Belu (Bupati)	100/PHPU. BUP-XXIII/2025	Pair No. 2	Lack of standing – Art. 158 vote-margin threshold (after evidentiary hearing)	No
Manggarai Barat (Bupati)	n/a in public reporting	Mario Pranda–Richard Sontani	Late filing – lodged 6 Dec 2024, 3 days after the 3 Dec 2024 KPU announcement	No
Sikka (Bupati)	294/PHPU. BUP-XXIII/2025	Suitbertus Amandus–Robertus Ray	Inadmissible (tidak dapat diterima); specific deficiency not detailed in public reporting	No

Sabu Raijua (Bupati)	300/PHPU. BUP- XXIII/2025	Simon Tome– Dominikus Dadi Lado; Yohanis Uly Kale–Leonidas V.C. Adoe	Dira Inadmissible (tidak dapat diterima); specific deficiency not detailed in public reporting	No
Rote Ndao (Bupati)	111/PHPU. BUP- XXIII/2025	Vicoas T.B. Amalo–Bima Th. Fanggidae	Declared outside MK’s jurisdiction (bukan kewenangan)	No

Sources: MK case listings and contemporaneous regional reporting from Detik Bali, Kompas Regional, Bawaslu NTT, and MKRI, February 2025).

Two patterns emerge. First, none of the five NTT cases reached the merits of the petitioners’ substantive allegations: Belu and Manggarai Barat were terminated on clearly stated, verifiable formal grounds (vote margin and filing date, respectively), while Sikka and Sabu Raijua were terminated with only the conclusory formula “tidak dapat diterima” reported publicly, without the specific deficiency being identified in available reporting, precisely the “unclear parameters” problem Belu is used to illustrate, recurring in cases that received even less public reasoning than Belu did. Second, Rote Ndao illustrates a distinct, more fundamental gatekeeping mode: a declaration that the MK lacks jurisdiction altogether, thereby foreclosing the dispute without any assessment of formal completeness or material clarity. Read together, the five cases suggest that “dismissal” as this study uses the term is not a single procedural gate but at least three functionally different ones, standing, timeliness, and jurisdiction, that share only their common effect of terminating the dispute before its substance is examined, reinforcing this study’s argument that a unified gatekeeping framework, rather than piecemeal doctrinal treatment of each threshold separately, is needed to evaluate their cumulative fairness.

3. Patterns of Judicial Screening Across Panels

Because electoral disputes must be resolved within 45 working days, MK employs a three-panel system, with each panel comprising three constitutional judges. The paper emphasizes that this structure is intended to ensure procedural efficiency within strict constitutional time limits. Although this paper does not measure inter-panel variation, the panel structure raises empirical and normative questions about consistency of the screening thresholds. Initial observations from the 2024–2025 disputes shows several trends: (a) Cases with well-documented numerical discrepancies or clear procedural violations by local electoral commissions are more likely to survive dismissal, indicating that the judiciary tends to proceed when concrete documentary evidence is presented; (b) Claims alleging violation without supporting evidence, particularly those involving moral or ethical allegations, are consistently dismissed; and (c) regions with complex political dynamics showed somewhat elevated dismissal rates relative to the national average.

In Nusa Tenggara Timur specifically, of the ten Pilkada disputes registered with the MK in the 2024–2025 cycle, only Belu proceeded past the dismissal stage to an evidentiary hearing, a regional survival rate of 10.0 percent against the national survival rate of 12.9 percent (40 of 309). While the gap is modest and the regional sample is small, it gives a precise quantitative basis for the impression, previously asserted in earlier drafts of this study without supporting figures, that NTT's disputes fare somewhat worse at the dismissal stage than the national pool as a whole.

The potential for differences among panel approaches highlights the need for stronger doctrinal harmonization, especially given the role of the dismissal procedure in determining which disputes receive full judicial consideration.

4. Case-Based Illustration: NTT Disputes and Contrasting Decisions

A striking illustration of doctrinal inconsistency arises from comparing the Belu (Case No. 100/PHPU.BUP-XXIII/2025) and Boven Digoel (Case No. 260/PHPU.BUP-XXIII/2025) cases, both decided by the MK on 24 February 2025 and both involving candidates failing to disclose previous criminal convictions. In Boven Digoel, MK disqualified the candidate and ordered a re-vote, finding that the omission of this information constituted a material violation that

undermined electoral integrity. In contrast, in the Belu dispute, MK declared the petition “inadmissible” at the dismissal stage, despite similar factual circumstances, including allegations of concealment of criminal history³².

The Belu ruling demonstrates the MK’s reliance on procedural grounds, concluding that the petition was insufficiently clear or did not meet the requirements for submission. However, the inconsistent doctrinal outcomes between these two cases create several troubling implications: (1) Injustice in judicial treatment, similar offences result in substantively different outcomes; (2) The threshold of evidence is unpredictable, as the level of evidence initially deemed sufficient in Boven Digoel is not accepted in Belu; and (3) Erosion of public trust as highlighted in contemporaneous legal commentary on the two rulings (Kompas.id, 2025), this disparity risks undermining the MK’s legitimacy as guardian of electoral justice.

The contrast in these cases reinforces the argument that dismissal, although doctrinally justified as a screening tool, may inadvertently produce inconsistencies that undermine legal certainty and equality before the law.

E. Evaluation of the Effectiveness and Impact of Dismiss Practices

The evaluation of the Constitutional Court’s (MK) dismissal practices must integrate doctrinal insights with empirical trends observed during the 2024–2025 regional head election dispute cycle³³. Although dismissal is normatively justified as a means of achieving procedural efficiency, the evidence suggests that its practical implementation raises profound questions about substantive electoral justice, legal certainty, and democratic legitimacy. This section critically assesses the extent to

³² Indah Sri Utari et al., “Legal Protection for Children as Victims of Economic Exploitation: Problems and Challenges in Three Major ASEAN Countries (Indonesia, Vietnam and Philippines),” *Lex Scientia Law Review* 7, no. 2 (2023), <https://doi.org/10.15294/lesrev.v7i2.68301>.

³³ Ija Suntana and Tedi Priatna, “Four Obstacles to the Quality of Constitutional Law Learning in Indonesia,” *Heliyon* 9, no. 1 (2023): e12824, <https://doi.org/10.1016/j.heliyon.2023.e12824>.

which the dismissal procedure fulfils its intended objectives, or whether, in practice, it produces negative effects that undermine constitutional guarantees.

1. Effectiveness in Achieving Procedural Efficiency

From a procedural-efficiency perspective, dismissal undoubtedly serves as an administrative filter that allows the MK to manage an extraordinarily heavy caseload within the constitutionally mandated time limit (45 working days). Of the 314 petitions filed, 309 were registered, and only 40 cases (12.9%) proceeded to evidentiary hearings

This dramatic decline demonstrates³⁴ that dismissal reduces the burden on the courts by concentrating judicial resources on disputes that meet minimum procedural and substantive standards. Similar efficiency considerations underlie the initial eligibility screening process in other jurisdictions, such as the German Federal Constitutional Court and the U.S. Supreme Court's certiorari process (Stone Sweet, 2000; Baum, 2016).

Whether the MK's 87.1 percent dismissal rate is unusually high is best answered by comparison, and the clearest available comparator is Germany. In 2024, the Bundesverfassungsgericht decided 4,595 individual constitutional complaints and granted only 39, a rejection rate at or before the merits stage exceeding 99 percent, substantially higher than the MK's 87.1 percent. In this comparison, the MK's screening is, if anything, less aggressive than Germany's, which cautions against treating a high dismissal rate as self-evident excess. The comparison is nonetheless imperfect: the Verfassungsbeschwerde is a general-purpose rights complaint available at any time against a wide range of state action, whereas the dismissal of a Pilkada candidate operates within a single, non-repeatable 45-day electoral window in which a dismissed petitioner has no other forum. A reliable figure for the Korean Constitutional Court's election-dispute screening rate could not be verified from publicly available sources at the time of writing and is therefore not reported here; instead, it is estimated. Obtaining it is identified as a direction for future

³⁴ Harry Nugroho et al., "Who Will Advocate? The Impact of Decision 93/PUU-XX/2022 on Article 433 Civil Code Amendments for Disability Rights and Legal Protection," *Indonesian Journal of Advocacy and Legal Services* 7, no. 1 (2025): 95–120.

comparative research in the concluding section. The germane comparative conclusion this study draws is accordingly a qualified one: the MK's raw dismissal rate is not obviously anomalous by international standards, so the normative concern this study raises is not that dismissal screens out too many petitions in the aggregate, but that the criteria used to do so are less determinate, and the practical finality of a dismissal is greater, than in the clearest available comparator jurisdiction³⁵.

Efficiency is particularly critical in election disputes, where delays may jeopardize continuity of government and public order. The MK panel, divided into three groups of three judges, relies on dismissal to accelerate case management and prevent the full court hearings from being inundated with procedurally defective petitions³⁶. In this sense, dismissal strengthens judicial efficiency by eliminating cases with late submissions, incomplete documents, unclear petitum/posita, lack of locus standi, or insufficient evidence; however, efficiency alone cannot justify the full normative burden placed on dismissal. Risks arise when mechanisms designed for administrative screening begin to shape substantive outcomes, effectively determining which electoral disputes will never be judicially tested.

F. Risks to Substantive Electoral Justice

The main concern is that dismissal may prematurely end disputes involving credible allegations of electoral irregularity, thereby limiting access to justice³⁷. Empirical data show that many petitions were excluded not because the claims lacked merit, but due to failures in meeting exacting procedural requirements, some of which are ambiguously defined in PMK No. 3/2024 (e.g., requirements of "clarity" or

³⁵ Aaron Erlich, Nicholas Kerr, and Saewon Park, "Weaponizing Post-Election Court Challenges: Assessing Losers' Motivations," *Electoral Studies* 86 (2023): 102676, <https://doi.org/10.1016/j.electstud.2023.102676>.

³⁶ Aldehita Purnasanti Maulida et al., "Navigating Indonesia's Economic Crossroads: The Future of State-Owned Enterprises in a Transforming National Economy," *Indonesian Journal of Advocacy and Legal Services* 8, no. 1 (2026): 415–52, <https://doi.org/10.15294/ijals.v8i1.55219>.

³⁷ Tarik Abou-Chadi, "Electoral Competition, Political Risks, and Parties' Responsiveness to Voters' Issue Priorities," *Electoral Studies* 55 (2018): 99–108, <https://doi.org/10.1016/j.electstud.2018.08.012>.

“sufficiency” of evidence at the initial stage). This raises the classical tension in judicial gatekeeping: whether strict procedural requirements might unintentionally suppress substantively valid complaints (Lind & Tyler, 1988; Ferejohn, 2002).

Applied systematically rather than invoked in passing, Lind and Tyler’s (1988) procedural justice framework evaluates four elements of a decision-making process, including voice, neutrality, respect, and trustworthiness, and the Belu ruling can be assessed against each. On the voice element, the petitioner was permitted to file evidence and participate in evidentiary hearings before the case was closed, thereby satisfying this element formally. Still, because the closure came on a standing ground unrelated to the concealment allegation the petitioner had actually argued, the opportunity to be heard on the substance of the claim was never realized, which is a thinner form of voice than the framework contemplates. On neutrality, the Article 158 threshold is applied using a fixed numerical formula, which limits the scope for panel-specific bias in Belu’s outcome, even though this study’s broader comparison shows that other dismissal criteria are considerably more panel-dependent. In this respect, the ruling engaged directly with the standing calculation. Still, it did not engage at all with the concealment allegation, which a petitioner experiencing the decision is likely to read as the Court declining to take the substance of the complaint seriously, regardless of the doctrinal correctness of resolving the case on a standing-alone basis. On trustworthiness, the disparity with Boven Digoel, where a materially similar allegation was fully examined, is precisely the kind of visible inconsistency that Lind and Tyler identify as corrosive of a system’s perceived trustworthiness, independent of whether either individual ruling is correct on its own terms. Read alongside Baum’s (2016) account of docket management, the Belu outcome is also explicable as an artefact of caseload pressure: with 309 petitions to resolve inside a 45-day window, a bright-line threshold like Article 158 is administratively attractive precisely because it is inexpensive to apply, even where, as in Belu, it forecloses a substantively serious allegation. The tension this study identifies is therefore not that the MK misapplied Article 158, but that a docket-management logic optimized for throughput and a procedural-justice logic optimized for perceived fairness point in different directions in cases like Belu, and current

practice resolves that tension by default, in favor of throughput, rather than by a reasoned choice the Court makes visible to litigants.

The Belu dispute illustrates this risk. Despite substantive allegations, namely, that the deputy mayor candidate failed to disclose a prior criminal conviction, the petition was declared inadmissible at the dismissal stage, with the panel refusing to evaluate the substance³⁸. This outcome contrasts sharply with the Boven Digoel decision, where similar disclosures resulted in candidate disqualification and an order for a re-vote. When procedural filters prevent courts from reviewing allegations that could materially affect electoral results, dismissal ceases to function as a neutral administrative gatekeeper and instead becomes a determinant of outcome.

Moreover, dismissal can disproportionately burden applicants from resource-constrained areas or those without sophisticated legal teams. Strict documentation requirements and limited time frames are difficult to meet consistently, creating structural injustices that contradict the principles of democratic accessibility (Ginsburg & Melton, 2014). When justice depends on procedural perfection rather than substantive truth, the dismissal mechanism may inadvertently reinforce existing inequalities already present in the Indonesian electoral landscape.

This claim is plausible on its face and consistent with the Manggarai Barat case in this study's NTT sample, where a petition was dismissed for missing the three-day filing deadline. Still, it should be stated with an appropriate evidentiary caveat. No systematic data on petitioners' legal representation, budgets, or access to counsel across the 309 registered 2024–2025 disputes were available to this study, whether from the MK, Bawaslu, or bar association records; the claim that resource constraints drive part of the dismissal gap is therefore advanced here as a plausible inference consistent with the procedural grounds observed in the NTT sample (late filing, incomplete documentation), rather than as an empirically demonstrated finding. Testing it rigorously would require petitioner-level data on legal representation that is not currently

³⁸ Aman Sonkar, "Breathing Unequally: Climate Justice and the Right to Health," *Social Sciences & Humanities Open* 13 (2026): 102969, <https://doi.org/10.1016/j.ssaho.2026.102969>.

compiled by any public body, and is identified as a priority for future research in the concluding section.

A key doctrinal purpose of dismissal is to promote legal certainty by providing clear eligibility criteria. However, empirical evidence from the 2024–2025 cycle shows inconsistency in MK’s interpretation of these criteria, undermining predictability and equality before the law. The Belu and Boven Digoel decisions, despite involving similar facts regarding unclear criminal records, received divergent treatment. Such inconsistency shows that judicial discretion in applying the dismissal standard is not fully transparent or substantively coherent.

In constitutional adjudication, inconsistency poses two serious risks. First, erosion of legal certainty; The parties to the case cannot reliably anticipate how the eligibility requirements will be interpreted. This uncertainty contradicts the principles embedded in Law No. 24/2003 and PMK No. 3/2024, which aim to ensure uniform application of procedural thresholds. Second, decline in public trust. Public reactions to the Belu ruling, marked by claims of disparity and inequality, reflect a broader concern that dismissals may obscure rather than clarify the basis of judicial decision-making. For a court whose legitimacy rests on perceptions of neutrality and fairness, inconsistent dismissal outcomes risk diminishing public confidence in the electoral dispute-resolution process.

Ultimately, dismissal must balance efficiency with fairness. When inconsistencies emerge, or when substantive claims are filtered out without examination, dismissals threaten to undermine the Court’s constitutional role as the guardian of democratic legitimacy. For a developing democracy like Indonesia, the credibility of electoral justice institutions is fundamental; thus, ensuring the application of dismissals that is coherent, transparent, and normatively principled is inevitable.

G. Implications for Electoral Justice and Legal Certainty

Previous doctrinal and empirical analyses indicate that the MK dismissal practices during the 2024–2025 regional head election cycle have significant theoretical, normative, and practical implications for Indonesia’s electoral governance. Although the dismissal procedure is formally justified as a mechanism to achieve procedural efficiency under

strict constitutional deadlines, its implementation has yielded mixed results, raising profound questions about the fairness, transparency, and predictability of constitutional decisions. This section synthesizes the key implications in three interrelated domains: the integrity of electoral justice, the consistency and coherence of judicial reasoning, and the legitimacy of Indonesia's democratic system as a whole.

1. Implications for Fairness and the Integrity of Electoral Justice

Electoral justice is based on the fundamental principle that every electoral complaint, especially those concerning the right to vote or to be elected, must receive impartial, transparent, and reasoned adjudication (Moraes, 2020; Hartlyn & McCoy, 2006). In developing democracies, the legitimacy of electoral processes depends not merely on the mechanics of voting but also on the credibility of institutions responsible for resolving disputes. In Indonesia's constitutional architecture, the MK serves as the guardian of electoral integrity. However, the MK's preliminary dismissal mechanism, although formally a procedural filter, significantly influences which disputes are accessible to substantive adjudication³⁹. As empirical evidence in the uploaded paper shows, only 40 out of 309 disputes registered in the 2024–2025 regional head election cycle, approximately 12.9 percent, passed the preliminary examination. These figures highlight the extent of the Court's gatekeeping power and invite critical reflection on whether dismissal practices strengthen or weaken electoral justice.

The main implication concerns the premature termination of disputes that, on argument, contain substantive legal issues warranting further review. Cases such as the Belu dispute, where the petition alleged the non-disclosure of criminal history, a matter with direct implications for candidate eligibility, were terminated, in Belu's case at the final-decision stage on standing grounds, without the concealment allegation itself ever being examined, despite the petition's *prima facie* seriousness. Once dismissed, the petitioner has no further legal avenue for appeal, meaning the preliminary examination often serves as a *de facto* final judgment. This raises the risk that disputes with potentially significant implications for the election results never reach the examination stage,

³⁹ Bakhtiar et al., "The Role of Forensic Evidence in Indonesia's Criminal Justice."

thus failing to provide justice to petitioners or voters whose rights may have been affected. When procedural filters operate as substantive barriers, the constitutional promise of meaningful review becomes difficult to fulfil.

This concern must be weighed against a counterargument that this study takes seriously rather than assumes away: many dismissed petitions are genuinely frivolous, procedurally defective, or filed as a matter of course by losing candidates with little realistic prospect of success, and treating every dismissal as a suppressed meritorious claim would overstate the problem. This study does not have, and does not claim to have, evidence about the substantive merit of the roughly 227 petitions dismissed as inadmissible in the 2024–2025 cycle beyond the five NTT cases and Boven Digoel examined directly; the claim that some dismissed petitions “may contain credible allegations” is accordingly a claim about Belu specifically, where the underlying concealment allegation parallels one the Court found credible and disqualifying in Boven Digoel, rather than a general empirical claim about the dismissed population as a whole. Other explanations for the differing outcomes besides inconsistency are also worth stating explicitly: the two cases differ in procedural posture (Boven Digoel reached full evidentiary hearing on the merits; Belu was resolved on a standing threshold that, by the Court’s own doctrine, must be addressed before the merits are reached at all), and it is possible that Belu’s evidentiary record on the concealment allegation was in fact weaker, a possibility this study cannot rule out because the standing ruling meant that record was never tested in open proceedings. What the comparison supports, more modestly than a claim of proven inconsistency, is that Indonesia’s current dismissal architecture allows a serious factual allegation to go untested for reasons unrelated to its strength, which is a legitimate design concern regardless of which explanation for the Belu outcome specifically is correct.

The extensive use of dismissal also highlights questions about unequal access to electoral remedies. Although procedural requirements such as clarity of petition, completeness of documentation, and sufficiency of evidence serve an important governance function, they may inadvertently disadvantage candidates with limited legal expertise or resources. This study’s NTT sample is illustrative of the inequality between electorally well-supported actors, who often have access to

skilled legal teams, and candidates in less developed regions, including many districts outside Java, who may struggle to meet the technical burden of preparing petitions; no systematic data comparing petitioners' legal representation across the full 2024–2025 caseload were available to test this claim beyond the illustrative pattern in Manggarai Barat's missed filing deadline. It should be read as a plausible inference rather than a demonstrated finding, consistent with the caveat noted earlier in this study. This injustice risks contravening the constitutional guarantee of equality before the law set out in Article 27(1) and Article 28D(1) of the 1945 Constitution. When procedural gatekeeping (controls) disproportionately excludes those with lower institutional capacity, electoral justice becomes uneven, reinforcing structural inequalities rather than addressing them.

These dynamics highlight a deeper normative tension within Indonesia's constitutional adjudication system: the balance between procedural efficiency and democratic representation. The MK is constitutionally required to resolve electoral disputes within strict time limits, necessitating mechanisms to manage caseloads and maintain procedural order. However, comparative constitutional research warns that overreliance on preliminary screening may suppress legitimate complaints and erode trust in judicial institutions (Ginsburg & Melton, 2014; Ferejohn, 2002). Indonesia's experience reflects these concerns. When the grounds for dismissal appear overly formalistic or unclear, there is a perception that disputes are being rejected not on their merits but on technical grounds, diminishing public confidence in the Court's neutrality. This is especially problematic in the context of high-stakes elections, where judicial decisions influence political representation and determine the legitimacy of elected officials.

This problem is compounded by empirical inconsistencies in the MK's jurisprudence. As illustrated by the contrasting outcomes of the Boven Digoel and Belu cases, both involving comparable allegations of undisclosed criminal history, similar petitions have been treated differently by different judicial panels. In the Boven Digoel case, the Court ordered the candidate's disqualification and a re-election, whereas in Belu, the petition was rejected at an early stage. Such differences raise questions about the consistency of the doctrine's application among panels, the adequacy of regulatory guidance, and the judicial

philosophies underlying the dismissal decisions. This also challenges the principle of legal certainty, a constitutional value central to the rule of law. When petitioners cannot reasonably predict how the dismissal standard will be applied, the credibility of the dispute resolution framework is undermined.

The implications extend beyond individual cases. Judicial inconsistency and the premature dismissal of substantively relevant lawsuits collectively shape public perceptions of the Court's fairness and transparency. The legitimacy of the electoral court depends not only on the correctness of judicial outcomes but on their perceived impartiality and consistency⁴⁰. If the practice of dismissal appears opaque, arbitrary, or overly technical, the broader democratic project is threatened. Citizens may question whether the electoral process genuinely protects their political rights, while candidates may view the judicial process as inaccessible or biased. Over time, this may weaken compliance with court rulings, increase political tensions, and erode trust in democratic institutions.

The empirical trends observed in the 2024–2025 regional head election cycle highlight a critical need to rebalance efficiency and fairness. While dismissal remains a necessary procedural tool for managing caseloads, its application must be based on clear standards, consistent jurisprudence, and transparent reasoning. Strengthening these elements would not only reinforce legal certainty but also promote democratic legitimacy. Ensuring that dismissal functions as a procedural safeguard rather than a substantive barrier is essential to preserving the MK's constitutional mandate as the ultimate guardian of electoral justice. As the evidence suggests, without reforms to improve consistency, accessibility, and doctrinal clarity, the dismissal mechanism risks inadvertently perpetuating inequality in access to electoral remedies, thereby threatening Indonesia's democratic consolidation.

⁴⁰ Anthony Niblett, "Tracking Inconsistent Judicial Behavior," *International Review of Law and Economics* 34 (2013): 9–20, <https://doi.org/10.1016/j.irle.2012.10.003>.

2. Implications for Consistency, Predictability, and Legal Certainty

Legal certainty stands as one of the normative pillars of Indonesia's constitutional system, explicitly guaranteed under Article 28D(1) of the 1945 Constitution. For any procedural mechanism within constitutional adjudication to be valid, it must not only comply with formal requirements but also demonstrate consistency, certainty, and equality in its application⁴¹. These principles are especially important in electoral justice, where the legitimacy of public officials and the integrity of democratic competition depend on the stability and coherence of judicial reasoning. Although the MK's procedural regulations, particularly PMK No. 3/2024, set clear standards of admissibility, timeliness, legal standing, clarity of legal arguments, and sufficiency of evidence, the empirical and doctrinal findings presented in this paper reveal significant inconsistencies in the interpretation and application of these standards in various cases.

The most striking illustration of this inconsistency arises from the comparison between the Boven Digoel and Belu disputes. In Boven Digoel, allegations of undisclosed criminal record were treated as material violations warranting a firm substantive outcome, including the disqualification of candidates and an order for a re-election (PSU). In Belu, however, a nearly identical allegation was never reached at all: the Court's final ruling closed the case on a standing threshold before any substantive examination of the concealment claim could occur. The differing outcomes cannot be readily attributed to significant factual differences; rather, they point to differences in judicial interpretation or in admissibility thresholds among MK panels. This variability fundamentally erodes the certainty of the Court's dismissal mechanism: litigants cannot anticipate whether similar procedural deficiencies will result in dismissal or whether substantive issues will be allowed to proceed to a full hearing.

Table 3 sets the two rulings side by side on the specific dimensions the comparison requires: the factual matrix, the procedural posture at

⁴¹ Jacqueline Landess, "Civil and Constitutional Rights of Adjudicated Youth," *Child and Adolescent Psychiatric Clinics of North America* 25, no. 1 (2016): 19–26, <https://doi.org/10.1016/j.chc.2015.08.004>.

which each case was resolved, and the extent to which each court’s reasoning actually engaged the concealment allegation.

Table 3. Side-by-side comparison of the Boven Digoel and Belu rulings

Element	Boven Digoel (No. 260/PHPU.BUP-XXIII/2025)	Belu (No. 100/PHPU.BUP-XXIII/2025)
Underlying allegation	Candidate concealed a prior criminal conviction	Vice-regent candidate allegedly concealed a prior criminal conviction
Nature of conviction	Military Court conviction – 30-day desertion offence	Not judicially established – claim unreachable
Procedural posture	Proceeded to full evidentiary hearing	Proceeded to full evidentiary hearing, then decided on standing
Basis for termination	Merits – certificate of no criminal record held invalid	Threshold – vote-margin gap exceeded Art. 158 limit
Did the Court test the concealment claim?	Yes – found concealment intentional	No – standing ruling precluded merits review
Outcome	Disqualification; revote ordered within 180 days	Petition declared inadmissible; no relief
Decision date	24 February 2025	24 February 2025

Sources: MKRI, 2025; Portal Papua, 2025; KPU Wonosobo JDIH, 2025.

The comparison also raises a question this study addresses directly: what standard of review, if any, should govern appellate or scholarly assessment of a dismissal panel’s discretion? Because MK decisions in Pilkada disputes are final and binding with no further appeal, there is no

internal standard of review in the ordinary sense; the question is instead a normative one about how much deference commentary and future panels should extend to a prior panel's characterization of a threshold issue. This study takes the position that bright-line thresholds such as Article 158's vote-margin rule warrant a highly deferential, near-mechanical standard, since their value lies precisely in removing discretion; but that the more open-textured "clarity" and "sufficiency" criteria under PMK No. 3/2024 warrant a less deferential standard that requires panels to articulate why a given petition fails those criteria, given the absence of any external check on how that discretion is exercised. Table 3 illustrates why the distinction matters: Belu's termination on the bright-line Article 158 ground is, on this standard, more readily defensible than a termination on an unexplained finding of insufficient clarity would be, even though both produce the same practical result for the petitioner.

This uncertainty signifies more than technical inconsistency; it raises structural concerns about equality before the law. When petitioners in similar situations receive different procedural treatment, the principle of equality before the law enshrined in Article 27(1) of the Constitution is compromised. Procedural justice requires not only clear rules but also uniform application, and the observed inconsistencies reveal a gap between doctrinal intent and judicial practice. As Butt (2021) warns, inconsistencies in constitutional reasoning erode legal certainty and destabilize the institutional authority of the MK. In the context of electoral adjudication, where decisions carry direct political consequences, the risk is even greater: inconsistent dismissal practices may be perceived as arbitrary, politically dependent, or insufficient in legal principle.

This is a claim about perception, and it should be qualified as such: no public opinion survey or systematic analysis of media coverage of the Belu and Boven Digoel rulings was conducted for this study, and the claim rests instead on the disparity documented in Table 3 and on the fact that legal practitioners covering the disparity in national and regional outlets (Kompas.id, 2025) themselves characterized it in these terms. Confirming whether this characterization reflects broader public sentiment, rather than the views of the legal commentators quoted in press coverage, would require dedicated survey or media content analysis

research, which is identified as a direction for future research in the concluding section.

Equally troubling is the ambiguous boundary between procedural and substantive evaluation at the dismissal stage⁴². Although PMK No. 3/2024 strictly defines dismissal as a procedural filter, some panels appear to incorporate elements of substantive assessment in the initial review. In contrast, others limit their investigation to formal requirements. This doctrinal confusion creates uncertainty for applicants regarding the burden of proof required to pass the dismissal stage. If substantive considerations are introduced unexpectedly at this early stage, applicants cannot reasonably determine whether their claims will be evaluated on procedural completeness alone or prematurely assessed for substantive strength. The absence of a coherent judicial approach risks transforming dismissal into a discretionary rather than principled mechanism, potentially allowing substantive disputes to be closed without meaningful examination.

The cumulative effect of these inconsistencies is a weakening of jurisprudential coherence within the MK's election dispute. Stable jurisprudence requires the Court to articulate and apply consistent legal standards so that parties, lower-level electoral bodies, and the electorate in general can understand the limits of permissible and impermissible conduct. When the results of dismissal vary among cases with similar factual patterns, the MK's electoral jurisprudence becomes fragmented, reducing its normative authority. Moreover, inconsistent screening practices may distort electoral justice by privileging procedural formalism over substantive fairness, or by selectively widening or narrowing access to judicial remedies.

From a democratic governance perspective, this doctrinal and empirical inconsistency poses risks that extend beyond the courtroom. Public trust in electoral justice depends not only on transparent decision-making but also on the perception that judicial processes are principled, predictable, and even-handed. When dismissal practices create uncertainty or appear to operate without clear justification, this

⁴² Luca Anderlini, Leonardo Felli, and Alessandro Riboni, "Legal Efficiency and Consistency," *European Economic Review* 121 (2020): 103323, <https://doi.org/10.1016/j.euroecorev.2019.103323>.

contributes to broader skepticism about the neutrality and reliability of judicial institutions. In a developing democracy such as Indonesia, where the courts play an increasingly central role in safeguarding electoral integrity, this erosion of trust can have profound implications for democratic legitimacy.

In this context, ensuring consistency and certainty in the application of dismissal standards is not merely a procedural concern but a constitutional necessity. Strengthening doctrinal clarity, harmonizing panel practices, and articulating more explicit guidelines on the division between procedural and substantive assessment are essential steps to restore legal certainty and strengthen public confidence in the integrity of the MK's electoral court.

3. Implications for Democratic Legitimacy and Public Trust

The legitimacy of democratic governance rests not only on the conduct of elections but also on the integrity and credibility of the dispute-resolution process. In Indonesia, the Constitutional Court plays a crucial role in safeguarding electoral accountability through its rulings on regional election disputes. However, as documented in the attached paper, the MK's extensive reliance on dismissal procedures during the 2024–2025 regional head election cycle has generated significant implications for public trust and democratic legitimacy. Because dismissal decisions effectively determine which disputes receive substantive judicial review and which are rejected at an early stage, the Court's (MK's) screening function becomes a powerful determinant of democratic outcomes.

Public perception of justice is central to this dynamic. However, this study documents it only indirectly, through legal commentary and media coverage rather than survey evidence (a limitation noted throughout this study and returned to in the concluding section)⁴³. Legal practitioners and regional media in Nusa Tenggara Timur gave sustained coverage to the MK's handling of the Belu dispute specifically, especially the allegation of an undisclosed criminal history; whether this reflects broader regional attentiveness to MK rulings generally, as opposed to

⁴³ Gigi Owen, "Equity and Justice as Central Components of Climate Change Adaptation," *One Earth* 4, no. 10 (2021): 1373–74, <https://doi.org/10.1016/j.oneear.2021.09.008>.

salience specific to this one high-profile case, cannot be established from the available evidence. What can be documented is that cases in which factually similar allegations are handled differently, such as the different outcomes of the Boven Digoel and Belu disputes, attracted public and professional scrutiny and raised questions, in that coverage, about the consistency of judicial reasoning. When the Court rejects petitions that appear to raise clear substantive concerns, some members of the public may interpret the decision as insufficiently reasoned (unfounded) or overly formalistic. Such perceptions undermine confidence in the institution's impartiality and reinforce concerns that electoral disputes are screened not on principled grounds (reasoning) but by opaque procedural thresholds. In the broader context of democratic consolidation, this erosion of perceived fairness carries significant risks.

Developing democracies depend on the credibility of their electoral dispute mechanisms to control political conflict, maintain institutional authority, and prevent disputes from escalating outside the legal forums (Hartlyn & McCoy, 2006). When the MK's practice appears unpredictable, inaccessible, or inconsistent, it risks weakening public confidence in the judiciary's ability to protect the integrity of elections. This dynamic can delegitimize electoral results, especially in competitive regions where losing candidates and their supporters may already question the fairness of the electoral processes. This claim, advanced in earlier drafts of this study without direct evidence, is better stated as a hypothesis consistent with the disparity documented above than as an established finding: it is plausible that in parts of Eastern Indonesia, MK decisions on cases like Belu are read locally as signals of institutional alliance or exclusion rather than as purely legal outcomes, given the intensity of regional media and legal-practitioner reaction to the Belu ruling, but confirming this would require the interview- or survey-based research identified as a priority in the concluding section, and it is not a claim this study's documentary sources can themselves establish.

The stakes of judicial gatekeeping are therefore profound. Dismissal is not a neutral administrative act; it is a substantive intervention into the democratic cycle. Many petitions submitted to the MK contain allegations which, if proven, could significantly alter the outcome of an election. Ending such disputes at an early stage without a thorough examination of the evidence means that potential violations

affecting the right to be elected or to vote may never receive judicial scrutiny. When the Court's reasoning is not clearly explained or when dismissal appears to be based on formal deficiencies rather than substantive considerations, the public tends to be skeptical about the institution's role as an impartial guardian of electoral justice.

The broader consequence is a threat to democratic legitimacy. As warned by Ginsburg and Melton (2014), judicial institutions must balance procedural efficiency with the democratic demands to ensure that all legitimate claims receive meaningful consideration. When gatekeeping mechanisms are perceived as arbitrary or excessively restrictive, this not only risks undermining the rule of law but also weakens the social contract that binds citizens to democratic institutions. In the Indonesian context, where regional politics can be highly competitive and socially fragmented, the MK's practice of dismissal may affect not only the legitimacy of individual election results but also the stability of local governance and the credibility of national constitutionalism.

Comparative experience gives this concern concrete content. Kenya's Independent Electoral and Boundaries Commission and its courts faced a sustained legitimacy crisis after the 2017 presidential election, when the Supreme Court's annulment of the result and the subsequent disputed rerun were followed by years of opposition claims that electoral dispute mechanisms were being applied selectively; the crisis illustrates how procedural inconsistency, once publicly documented, can outlast the individual case that triggered it and color perceptions of an entire dispute system⁴⁴. Thailand's Constitutional Court has faced a comparable pattern, with dissolution and disqualification rulings against some parties and politicians but not others in factually similar circumstances feeding a broader narrative of the Court as a partisan actor rather than a neutral gatekeeper, a narrative that has persisted across multiple election cycles. Neither comparison is offered as a claim that Indonesia's MK faces a crisis of the same magnitude; the institutional and political contexts differ substantially.

⁴⁴ Thalia Gerzso, "Judicial Resistance during Electoral Disputes: Evidence from Kenya," *Electoral Studies* 85 (2023): 102653, <https://doi.org/10.1016/j.electstud.2023.102653>.

The comparison instead illustrates the mechanism by which this study's concern could plausibly develop: in each case, it was not a single dismissal but a visible pattern of inconsistent treatment across similar cases that converted procedural disputes into a broader legitimacy problem for the court itself, which is the trajectory this study argues Indonesia's dismissal practice should be evaluated against before, rather than after, such a pattern becomes entrenched.

Ultimately, ensuring transparency, consistency, and reasoned justification in dismissal decisions is crucial to maintaining public trust in the MK. Judicial gatekeeping must be exercised with sensitivity to its democratic implications, recognizing that the Court's authority derives not merely from legal mandates but also from public confidence in its fairness and impartiality. The findings from this paper emphasize that strengthening the clarity and certainty of dismissal practices is indispensable to strengthening Indonesia's electoral justice system and consolidating democratic legitimacy.

4. Implications for Regulatory Reform and Judicial Practice

The combined doctrinal and empirical findings of this study indicate that the dismissal procedures play a far more consequential role in Indonesia's electoral justice system than is recognized in the current regulatory framework or scholarly discourse⁴⁵. Although intended as a mechanism to improve procedural efficiency and order, dismissal has evolved into a substantive gatekeeping tool that often determines the final resolution of electoral disputes. This increased importance demands a more coherent regulatory architecture and judicial practice to ensure that dismissal strengthens rather than weakens constitutional guarantees of fairness, equality, and legal certainty.

The key implication relates to the clarity and standardization of judicial reasoning. As documented in this paper and analyzed above, many dismissal decisions provide limited explanations of how eligibility criteria, such as clarity of the petitum, sufficiency of evidence, or legal

⁴⁵ Tianyi Zhang and Yuanli Pan, "Judicial System Reform, Agency Costs, and Audit Pricing," *Finance Research Letters* 85 (2025): 108129, <https://doi.org/10.1016/j.frl.2025.108129>.

standing, are assessed⁴⁶. This lack of clarity not only limits the parties' understanding of procedural shortcomings but also hinders the development of consistent jurisprudence. Comparative constitutional studies emphasize that transparent reasoning is essential for accountability, predictability, and the legitimacy of judicial screening mechanisms (Ginsburg & Melton, 2014; Ferejohn, 2002). In the Indonesian context, where the dismissal rate in the 2024–2025 regional head election cycle reached nearly 87 percent, the lack of clarity in judicial reasoning risks reinforcing the perception that dismissal is applied rigidly or unevenly.

The findings also underscore the need for greater uniformity among judicial panels. The structure of the MK, in which multiple panels adjudicate disputes concurrently under strict constitutional deadlines, creates a latent potential for differences in interpretation. The contrasting treatment of similar factual circumstances in the Boven Digoel and Belu cases illustrates how varying interpretive thresholds can produce inconsistent outcomes. Without institutional mechanisms to harmonize grounds for acceptance, such variation threatens the MK's constitutional mandate to provide predictable and equal treatment under Indonesian constitutional law (UUD 1945), art. 27(1); art. 28D (1). Tools such as internal peer review of draft dismissal decisions, regular panel coordination, or interpretation guidelines could significantly improve coherence.

Publicly available MK regulations do not disclose a standing mechanism for cross-panel peer review of draft dismissal rulings before they are read out; PMK No. 3/2024 assigns dismissal review to the panel hearing each case without describing any harmonization step between panels. The recommendation advanced here is accordingly for a genuinely new internal mechanism rather than better use of an existing one, and it does not require statutory amendment or a change to PMK No. 3/2024 itself: because it concerns the MK's internal case-management workflow rather than the external legal standards applied to petitioners, it could be adopted through an internal Court policy or

⁴⁶ Shira Rosenberg-Lavi, "From Closed Adoption to Post-Adoption Contact as Child Protection: A Judicial Typology Model," *Children and Youth Services Review* 187 (2026): 109085, <https://doi.org/10.1016/j.childyouth.2026.109085>.

Chief Justice circular, in the same manner that the three-panel dismissal structure itself appears to have been established administratively rather than by external regulation.

The third implication concerns disparities in applicants' capacity, particularly in regions with limited access to legal expertise. This paper shows that many petitions are rejected at the dismissal stage due to technical errors, incomplete documentation, or inadequate legal frameworks. While strict procedural compliance is essential to maintain order in an election dispute system constrained by tight deadlines, excessive formalities risk reinforcing structural inequalities. Electoral justice experts warn that overemphasis on procedural thresholds can disproportionately disadvantage weaker parties, ultimately undermining substantive justice (Hartlyn & McCoy, 2006). Capacity building, whether through state-provided legal aid, clearer MK guidance materials, or collaboration with professional associations, will help ensure that dismissal serves as a true test of procedural sufficiency rather than a barrier to access.

Of these three measures, clearer MK guidance materials and collaboration with professional associations (such as bar associations and university legal-aid clinics, several of which already operate in NTT and other outer-island provinces) could be implemented at comparatively low cost and without new legislation, through the MK's existing public outreach and case registration functions. A state-supported legal aid scheme is a substantially larger undertaking: it would most plausibly extend Indonesia's existing state legal aid framework under Law No. 16/2011 on Legal Aid, which already funds accredited legal aid organizations (*Organisasi Bantuan Hukum*) for other categories of litigants, to cover *Pilkada* dispute petitioners specifically. Doing so would require either a Presidential or ministerial regulation extending the scope of Law No. 16/2011's funding formula, together with a recurring budget allocation sized to the scale of each election cycle's caseload (in 2024–2025, potentially several hundred petitions); this study does not attempt to cost that allocation, and flags the absence of such a costing, together with the political feasibility of securing it within an election-cycle budget cycle, as a necessary next step for any legislator or ministry considering the proposal rather than as a gap in this study's argument for its desirability.

Finally, this study identifies an urgent need for doctrinal clarification regarding the boundary between procedural and substantive assessment at the dismissal stage. The paper reveals differing judicial tendencies: some panels conduct an initial substantive assessment, while others limit themselves to formal criteria. This ambiguity creates uncertainty for litigants and allows space for discretionary variations that are difficult to reconcile with the principles of legal certainty. A clearer doctrinal explanation is required to ensure that cases involving potentially decisive allegations, such as the non-disclosure of criminal records in regional elections, are not prematurely excluded from full court proceedings.

Unlike the internal peer-review proposal above, this doctrinal clarification concerns the external legal standard applied to petitioners, what “clarity” and “sufficiency” mean under PMK No. 3/2024, and would most appropriately be achieved through an amendment to PMK No. 3/2024 itself, since the Constitutional Court has the authority under Article 86 of Law No. 24/2003 to revise its own procedural regulations without requiring parliamentary legislation. No amendment to Law No. 24/2003 or Law No. 7/2017 is necessary for this specific reform, which considerably narrows the political feasibility hurdle compared with the legal aid proposal discussed above.

Overall, the findings of this study indicate that the practice of dismissal lies at the heart of Indonesia’s constitutional architecture for resolving electoral disputes. Far from being a mere procedural formality, dismissal shapes the contours of democratic participation by determining which complaints receive judicial attention and which are stopped at the door⁴⁷. This power of gatekeeping (screening) has profound constitutional implications. First, dismissal serves as a determinant of democratic representation. Because many electoral disputes involve allegations that could alter election outcomes, the early dismissal of a petition effectively protects those outcomes from further scrutiny. If dismissal is applied inconsistently or without transparent justification,

⁴⁷ Ali Md. Ayub, Ferdous Robayet Syed, and Haiqing Peng, “Breaking Barriers: The Admissibility of Forensic Evidence in US Courts and the Struggles with Cutting-Edge Science,” *Science & Justice* 65, no. 6 (2025): 101355, <https://doi.org/10.1016/j.scijus.2025.101355>.

the MK risks appearing indifferent to substantive irregularities, thereby diminishing its role as the guarantor of electoral justice.

Second, current dismissal practices reveal doctrinal ambiguities and inconsistencies that threaten constitutional legal certainty. Legal certainty requires that similarly situated parties receive similar treatment, but this document shows that panels take different approaches to similar factual circumstances. Without a coherent doctrinal framework to guide eligibility decisions, dismissals risk operating more as discretionary gatekeeping (screening) than principled constitutional adjudication, a concern echoed by Butt (2021) in a broader critique of uncertainty in MK reasoning.

Third, the legitimacy of the MK itself is closely related to how dismissals are perceived. In developing democracies, public trust in electoral dispute mechanisms is a foundation of political stability (Moraes, 2020; Hartlyn & McCoy, 2006). When dismissals are viewed as excessively formalistic, unevenly applied, or insufficiently explained, this can erode confidence not only in the judiciary but also in the democratic process as a whole. Documentation of public reactions in regions such as Nusa Tenggara Timur reflects the high political stakes of adjudicatory transparency.

Ultimately, the constitutional significance of dismissal lies in its dual nature: it is both a procedural instrument designed to ensure efficiency and a substantive filter that shapes the accessibility of electoral justice. To fulfil its constitutional promise, dismissal must be based on consistent reasoning, transparent standards, and sensitivity to democratic values. Strengthening doctrinal clarity, institutional coordination, and support mechanisms for litigants will not only enhance procedural justice but also strengthen the legitimacy of Indonesia's electoral institutions. A principled, coherent, and accountable dismissal system is indispensable for maintaining democratic credibility and ensuring that the MK remains a trusted guardian of electoral justice.

Conclusion

This study demonstrates that the Constitutional Court's dismissal procedure has evolved beyond a procedural screening mechanism into a powerful form of judicial gatekeeping that fundamentally shapes access

to electoral justice in Indonesia. Although dismissal is normatively justified as an instrument of judicial efficiency, the doctrinal and empirical findings indicate that its current implementation does not fully satisfy the three analytical indicators developed in this study: doctrinal predictability, procedural transparency, and access optimization.

First, the dismissal procedure exhibits insufficient doctrinal predictability because similar factual circumstances, particularly those illustrated by the contrasting *Belu* and *Boven Digoel* decisions, have resulted in materially different procedural outcomes without sufficiently coherent doctrinal justification. Such inconsistency weakens legal certainty and equality before the law. Second, the Court's dismissal practice demonstrates limited procedural transparency, as its reasoning frequently relies on broad procedural conclusions without providing sufficiently detailed explanations of how admissibility standards are applied. This limits the ability of litigants, scholars, and the public to understand the legal basis of dismissal decisions. Third, although dismissal clearly contributes to judicial efficiency, its implementation does not always optimize access, since strict procedural filtering may prevent potentially significant constitutional grievances from receiving substantive judicial examination. Consequently, dismissal increasingly functions not merely as a mechanism for managing the Court's docket but also as a determinant of access to constitutional justice itself.

Why has dismissal shifted from a procedural filter into a problematic gatekeeping tool? Not because PMK No. 3/2024 was poorly drafted, but because its open-textured "clarity" and "sufficiency" criteria were designed to absorb judicial discretion at exactly the moment- a 45-day window, 309 simultaneous petitions- when that discretion is hardest to monitor from outside the Court. Docket-management pressure (Baum, 2016) and the absence of any published reasoning requirement for dismissal comparable to the German model discussed above combine to convert what was meant as administrative triage into a largely unreviewable determination of which allegations Indonesian constitutional law will ever test.

What is the worst-case implication for electoral justice, on this study's empirical findings? It is not that dismissal screens out too many petitions, the comparison with Germany's own screening rate suggests the aggregate figure is not obviously anomalous, but that it can screen out

the right petitions for the wrong reasons, as Belu illustrates: a substantively serious allegation, materially identical to one the Court found disqualifying in Boven Digoel, went untested not because it lacked merit but because a threshold unrelated to that merit closed the case first. Generalised across a docket of hundreds of petitions decided under severe time pressure, the worst-case implication is a dismissal architecture that dispenses electoral justice unevenly while appearing, in its aggregate statistics, entirely orderly⁴⁸.

What legal reforms follow? Three, in order of institutional feasibility: first, an internal MK mechanism for cross-panel coordination on dismissal reasoning, adoptable by internal Court policy without legislative or regulatory change; second, an amendment to PMK No. 3/2024, within the MK's existing Article 86 rulemaking authority, that operationalizes "clarity" and "sufficiency" with reasoned examples rather than leaving them undefined; and third, a longer-term extension of state legal aid under Law No. 16/2011 to Pilkada petitioners, which is normatively desirable but fiscally and politically the most demanding of the three, and is offered as a direction for policymakers to cost and evaluate rather than as a reform this study claims is immediately achievable.

The findings demonstrate an urgent need to strengthen institutional harmonization within the Constitutional Court's dismissal practice. Greater doctrinal consistency can be achieved by developing standardized dismissal guidelines, clarifying admissibility parameters, and strengthening coordination among judicial panels in interpreting procedural requirements under PMK No. 3/2024. More comprehensive judicial reasoning should accompany every dismissal decision so that litigants and the public can clearly understand how legal standing, evidentiary sufficiency, procedural completeness, and admissibility standards have been assessed⁴⁹. Such reforms would enhance doctrinal

⁴⁸ Jóhanna Kristín Birnir et al., "The Patriarchy in the Parties: Voters, Parties and Women's Electoral Fortunes in the 2024 Legislative Election in Indonesia," *Electoral Studies* 95 (2025): 102938, <https://doi.org/10.1016/j.electstud.2025.102938>.

⁴⁹ Niina Kotamäki et al., "Strategies for Integrating Scientific Evidence in Water Policy and Law in the Face of Uncertainty," *Science of The Total Environment* 931 (2024): 172855, <https://doi.org/10.1016/j.scitotenv.2024.172855>.

predictability, improve procedural transparency, and reinforce the Constitutional Court's institutional legitimacy as the guardian of electoral justice.

This study also identifies significant disparities in litigants' capacity to satisfy the Constitutional Court's procedural requirements. Candidates and legal representatives from regions with limited institutional resources frequently encounter greater obstacles in preparing technically compliant petitions. To ensure that dismissal serves as a legitimate procedural safeguard rather than an exclusionary barrier, legal reform should strengthen structural equity by expanding legal assistance, standardizing petition templates, providing practical procedural guidance, and building institutional capacity for electoral participants. Improving equal access to procedural compliance would better align the dismissal mechanism with constitutional guarantees of equality before the law while preserving its legitimate administrative objectives.

Standardized petition templates carry a specific risk worth naming: a template designed around the most common formal deficiencies observed in this study, including late filing, incomplete documentation, unclear posita/petitum, could inadvertently discourage petitioners from pleading more complex or novel legal theories that do not fit the template's structure, effectively trading one form of access barrier for another. Any template adopted on this study's recommendation should accordingly be designed as a floor that guarantees formal compliance rather than a ceiling that constrains the substantive content of a petition, with explicit provision for free-text argument beyond the templated fields.

In addition, this study provides several contributions. At the theoretical level, this study offers a deeper understanding of judicial gatekeeping in electoral courts. The existing literature focuses largely on the authority of the MK, institutional developments, and substantive decision-making, often treating dismissal as a procedural technicality rather than as a doctrinal institution with constitutional consequences. By highlighting dismissal as a space for judicial discretion and normative reasoning, this study enriches the theoretical debate on judicial efficiency, procedural justice, and democratic accountability. This study bridges constitutional theory and the empirical realities of electoral

dispute resolution, illustrating how the philosophical tension between efficiency and substantive justice is reflected in judicial practice.

Positioned against the four trajectories surveyed in the introduction, this study's contribution is specific rather than general: it does not compete with Horowitz (2013), Butt and Lindsey (2018), or Hendrianto (2018) on the MK's macro-institutional development, nor with Siahaan (2016), Latif (2009), and Faiz (2018, 2019) on the procedural architecture of Article 158, nor with the TSM-focused critical literature on how the Court reasons once a case reaches the merits. It occupies the space those literatures leave open by treating the dismissal threshold itself before and analytically separate from all three, as the object of study, and by supplying the empirical apparatus (Tables 1–3) that this literature, reviewed in the introduction, has not previously assembled for the 2024–2025 cycle.

Doctrinally, the study provides a framework for evaluating dismissal practices through three analytical lenses: (1) constitutional foundations and procedural regulations, (2) jurisprudential consistency and interpretive coherence, and (3) empirical patterns of judicial screening throughout the electoral cycles⁵⁰. This multi-dimensional approach not only explains how dismissal is normatively justified but also exposes the gap between regulatory aspirations and actual judicial behavior. This framework can be used by academics, judges, and practitioners to critically evaluate the legitimacy and fairness of judicial screening mechanisms within Indonesia and comparable jurisdictions.

Looking forward, this study identifies several avenues for future research. One promising direction is a comparative analysis of judicial screening mechanisms in other constitutional courts, such as those in Korea, Germany, or South Africa, which could reveal best practices for balancing efficiency and fairness. Longitudinal studies tracking changes in MK's dismissal practices across different election cycles would also provide insight into whether doctrinal inconsistencies persist or evolve. Additionally, empirical research through interviews with judges, clerks, and litigants could deepen understanding of internal deliberative

⁵⁰ Aybek Yakubov et al., "Legal Protection for Individual Entrepreneurs Through Regulatory Reform in Uzbekistan," *Journal of Human Rights, Culture and Legal System* 6 (July 2026): 106–34, <https://doi.org/10.53955/jhcls.v6i2.1008>.

processes and institutional constraints that influence dismissal decisions. Academics can also explore the socio-political impact of dismissal practices in specific regions, analyzing how judicial behavior intersects with local power dynamics and public trust.

This study's conclusions should be read against three limitations inherent in its design. First, the analysis relies entirely on published MK decisions, MK case-management statistics, and public reporting; it had no access to the Court's internal deliberations, draft rulings, or panel discussions, and consequently cannot determine why a given panel resolved a case on one ground rather than another beyond what the published text states. Second, no interviews were conducted with MK judges, clerks, or litigants; the procedural-justice assessment of the *Belu* ruling in the Discussion section is accordingly an assessment of the ruling's text and effect, not of how petitioners or judges themselves experienced the process, which the future research agenda above identifies as a necessary next step. Third, this study's access to case files was limited to what MK, KPU, and Bawaslu made publicly available; case-level documents such as full evidentiary submissions, which might explain outcomes this study attributes to inconsistency, were not reviewed. These limitations do not, in this study's view, undermine the core finding that *Belu* and *Boven Digoel* were resolved on different procedural bases despite comparable underlying allegations; that finding rests on the two rulings' own published text, but they do bound how far this study's explanations for that difference, and its broader claims about panel-level inconsistency, can be pressed without the further research identified above.

Overall, the study concludes that dismissal practices play an important role in shaping Indonesia's electoral justice system. Improving the clarity, consistency, and procedural fairness of dismissal decisions is therefore essential to strengthening the rule of law and safeguarding democratic legitimacy. By revealing the strengths and weaknesses of the current framework, this research lays the foundation for a more principled, transparent, and accountable electoral court in the years to come.

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Acknowledgment

None.

Funding Information

None.

Conflicting Interest Statement

There is no conflict of interest in the publication of this article.

Publishing Ethical and Originality Statement

All authors declared that this work is original and has never been published in any form and in any media, nor is it under consideration for publication in any journal, and all sources cited in this work refer to the basic standards of scientific citation.

Generative AI Statement

None.