Digital System Innovation to Strengthen the Constitutional Court in Managing Simultaneous Election Disputes Indonesia

Tarmudi [a] ✉, Geofani Milthree Saragih [b] (iD), Fauzan Ghafur [c],
Indana Zulfah [b], Zean Via Aulia Hakim [b]

[a] Faculty of Law, Universitas Ibnu Chaldun Jakarta
[b] Faculty of Law, Universitas Sumatera Utara, Indonesia
[c] Faculty of Business Administration, State Polytechnic of Medan

✉ Corresponding email: tarmudi.hukum@gmail.com

Abstract

This study examines the overburdening of the Constitutional Court (MK) due to the high volume of regional head election (pilkada) disputes, which has led to case backlogs, reduced legal efficiency, and increased state expenditures. Although institutions like Bawaslu and PTUN also have authority to resolve these disputes, many cases are submitted directly to

MK, bypassing other mechanisms. Using a normative juridical method that includes legal analysis, historical context, comparative law, and case studies, the research evaluates previous dispute resolution practices and proposes a digitalization-based reform. Key challenges identified include procedural inefficiencies, high costs, and a lack of institutional coordination. The current system is viewed as suboptimal, with many disputes producing outcomes that fail to satisfy parties involved. To address these issues, the study proposes a digital platform aimed at streamlining the resolution process through integrated case registration, document submission, and inter-agency coordination. This system would reduce MK's caseload, cut operational costs, and enhance transparency and accountability via real-time monitoring. By reinforcing the roles of Bawaslu and PTUN, the platform could help redistribute dispute resolution authority more effectively. The study concludes that digital transformation offers a viable solution to improve the efficiency, fairness, and cost-effectiveness of pilkada dispute resolution in Indonesia.

I. Introduction

Democracy is a political system based on the power of the people, as stipulated in Article 1 paragraph (2) of the 1945 Constitution of the Republic of Indonesia.[1] The implementation of democratic principles requires guidance from legal instruments to strengthen the concept of the

---

[1] Naya Amin Zaini, "Penegakan Hukum Pilkada Serentak 2024 Di Indonesia," *JPeHI (Jurnal Penelitian Hukum Indonesia)* 5, no. 1 (2024).

rule of law or legal sovereignty (nomocracy).[2] Both aspects of democracy as a political system and nomocracy as a legal principle are interrelated and form an integral whole.

Simultaneous regional elections held throughout Indonesia are one of the main pillars in the national democratic system, which aims to elect regional leaders who are representative and responsive to the needs of the community.[3] However, the implementation of simultaneous regional elections faces a number of major challenges, especially in terms of dispute resolution.[4]

After the issuance of the Constitutional Court Decision Number 85/PUU-XX/2022, the authority of the Constitutional Court in handling disputes over regional head elections has officially been recognized as a permanent authority.[5] This decision confirms that the Constitutional Court, as the highest judicial institution in Indonesia, now has an unalterable responsibility to resolve disputes over regional head election results.[6] Previously, this authority had become an area of competition between the Constitutional Court and the Supreme Court, which caused legal uncertainty in terms of handling election disputes.[7] With this decision, the Constitutional Court now has clear and permanent authority

[2]   Janedjri M Gaffar, "Efforts to Increase the Quality of Democracy: The Realities of Implementing Democracy and Nomocracy in Indonesia That Become Obstacles," *International Journal of Business, Economics and Law* 24, no. 1 (2021).

[3]   Muhamad Irfan Al Azis and Siti Fatimah, "Implikasi Demokrasi Pilkada Serentak 2024 Dan Polarisasi Politik Islam," *Siyasah Jurnal Hukum Tatanegara* 3, no. 2 (December 27, 2023): 234–46, https://doi.org/10.32332/siyasah.v3i2.8227.

[4]   Ari Nur Utomo and Malik Akbar Mulki Rahman, "Model Pilihan Penyelesaian Sengketa Hasil Pilkada," *Al-Ijtima`i: International Journal of Government and Social Science* 8, no. 2 (April 30, 2023): 119–32, https://doi.org/10.22373/jai.v8i2.2461.

[5]   Geofani Milthree Saragih, "Kewenangan Penyelesaian Sengketa Pemilihan Kepala Daerah Pasca Putusan Mahkamah Konstitusi Nomor 85/PUU-XX/2022," *Jurnal Hukum Caraka Justitia* 2, no. 2 (January 9, 2023): 129, https://doi.org/10.30588/jhcj.v2i2.1380.

[6]   Alfret Ananias Bani, Nurianto Rahmat Soepadmo, and Ida Bagus Anggapurana Pidada, "Kewenangan Mahkamah Konstitusi dalam Penyelesaian Sengketa Hasil Pilkada Langsung," *Jurnal Hukum, Politik dan Humaniora* 1, no. 3 (2024).

[7]   Fazlar Rusyda Kamila, "Badan Peradilan Khusus Penyelesaian Perselisihan Hasil Pilkada Perspektif Negara Demokrasi Konstitusional," *Journal Iuris Scientia* 2, no. 2 (July 27, 2024): 55–65, https://doi.org/10.62263/jis.v2i2.37.

to resolve disputes related to the election results of governors, regents and mayors, thus providing legal certainty and simplifying the process of resolving election disputes at the regional level. This decision is expected to reduce overlapping authority and increase efficiency in resolving disputes over regional head elections, as well as ensuring that every election process is carried out fairly and in accordance with applicable legal provisions.

The Constitutional Court (MK), as the institution primarily responsible for handling election disputes, often faces a backlog of cases. With the increasing number of disputes over election and local election results in 2024, the Court's workload may affect its performance in carrying out its function as the guardian of democracy, especially given the limited number of constitutional judges and limited time to resolve cases.[8] Therefore, in addition to the need for an alternative model for resolving disputes over election results in 2024, it is also important to consider alternative models for resolving disputes over regional head election results in 2024 by the Constitutional Court. This phenomenon causes a negative impact on legal effectiveness and increases the financial burden that must be borne by the state. In recent years, the number of election disputes brought directly to the Constitutional Court has increased, In recent years, there has been a noticeable rise in the number of election disputes filed with the Constitutional Court, as reflected in the Court's annual reports and case statistics. This trend has contributed to an increased workload, potentially impacting the Court's performance and capacity in resolving cases efficiently.

One of the main causes of the accumulation of cases at the Constitutional Court is the suboptimal dispute resolution procedure.[9]

---

[8] Bani, Soepadmo, and Pidada, "Kewenangan Mahkamah Konstitusi dalam Penyelesaian Sengketa Hasil Pilkada Langsung."

[9] Tri Susilo, "Desain Lembaga Peradilan Sengketa Pemilihan Kepala Daerah di Indonesia Untuk Mewujudkan Keadilan Demokrasi dan Keadilan Konstitutional," *AL-MANHAJ: Jurnal Hukum dan Pranata Sosial Islam* 5, no. 1 (2023).

Regional election disputes should first be processed through other institutions such as the General Election Supervisory Agency (Bawaslu)[10] and the State Administrative Court (PTUN),[11] before finally being submitted to the Constitutional Court. However, cases are often brought directly to the Constitutional Court without going through the prescribed preliminary process. This practice not only burdens the Court with an excessive number of cases but also results in a slow resolution process and high costs for the state. These delays in dispute resolution not only delay justice for the parties involved but also potentially reduce public confidence in the legal system and dispute resolution institutions.

On the other hand, MK faces various challenges in handling the increasingly complex simultaneous regional election disputes. Inefficiencies in the legal process, high dispute resolution costs, and coordination challenges between MK, Bawaslu, and PTUN have been identified in various academic studies and official reports as key obstacles to the timely and effective resolution of election disputes. This lack of coordination between institutions often leads to process redundancy and duplication of effort, which in turn exacerbates the backlog of cases and impedes efficient resolution. Given these challenges, it is important to identify solutions that can improve the dispute resolution system and reduce the burden on MK.

Artificial intelligence (AI)-based digital system innovation is emerging as a potential solution to overcome these problems.[12] This digital

---

[10] Alif Anandika Putra and Abdul Kahar Maranjaya, "Peran Bawaslu Dalam Penyelesaian Sengketa Proses Pemilu," *Jurnal Ganec Swara* 17, no. 1 (March 4, 2023): 326, https://doi.org/10.35327/gara.v17i1.404.

[11] Widyati Wiwid and Arif Wibowo, "PTUN Di Tengah Arus Demokratisasi (Meningkatkan kepercayaan masyarakat terhadap PTUN)," *AL-SULTHANIYAH* 12, no. 1 (March 11, 2023): 12–26, https://doi.org/10.37567/al-sulthaniyah.v12i1.1671.

[12] Suncana Roksandic, Nikola Protrka, and Marc Engelhart, "Trustworthy Artificial Intelligence and Its Use by Law Enforcement Authorities: Where Do We Stand?," in *2022 45th Jubilee International Convention on Information, Communication and Electronic Technology (MIPRO)* (2022 45th Jubilee International Convention on Information, Communication and Electronic Technology (MIPRO), Opatija, Croatia: IEEE, 2022), 1225–32, https://doi.org/10.23919/MIPRO55190.2022.9803606.

system is designed to enhance the efficiency of case file processing and screening, with the potential integration of AI technology to assist in assessing case eligibility. While the extent of AI's role in the judiciary remains a developing area, this study also discusses relevant scholarly literature that explores how AI can support—rather than replace—judicial functions. The system is envisioned to operate under human supervision to ensure that critical decisions remain in the hands of legal professionals, thereby minimizing the risk of bias and safeguarding judicial integrity. Furthermore, the use of AI in judicial systems is specifically addressed in the discussion section of this journal, providing a deeper analysis of its potential, limitations, and the importance of human oversight.[13] With the implementation of this system, cases that do not meet the criteria can be filtered out early, thereby reducing the Court's workload and ensuring that only significant cases are processed further. The system is expected to speed up the dispute resolution process, reduce operational costs, and increase transparency and accountability through real-time monitoring and recording.[14]

Although empirical evidence is limited, the idea that a digital system can improve coordination between the Constitutional Court (MK), the Election Supervisory Agency (Bawaslu), and the State Administrative Court (PTUN) is logically supported by the common outcomes observed in other sectors, where digital integration has enhanced inter-agency collaboration by providing real-time access to case data, standardizing document formats, and facilitating more efficient information sharing. With this system, it is hoped that the Constitutional Court will no longer be the only institution handling election disputes, but can work together with other institutions in a more integrated dispute resolution system.

---

[13] Paweł Marcin Nowotko, "AI in Judicial Application of Law and the Right to a Court," *Procedia Computer Science* 192 (2021): 2220–28, https://doi.org/10.1016/j.procs.2021.08.235.

[14] Francesco Contini, "Artificial Intelligence and the Transformation of Humans, Law and Technology Interactions in Judicial Proceedings," *Law, Technology and Humans* 2, no. 1 (May 8, 2020): 4–18, https://doi.org/10.5204/lthj.v2i1.1478.

This innovation aims to create an election dispute resolution system that is more efficient, transparent, and fair, as well as reducing the financial burden borne by the state. Thus, this digital system is expected to provide an effective and sustainable solution in overcoming the challenges of resolving election disputes in Indonesia.

This research applies normative juridical methodology (which is also referred to as doctrinal research method)[15] which includes analysis of laws and regulations, legal principles, legal history, comparative law, and case studies.[16] This study consists of two main parts that complement each other. The first section discusses the institutions and mechanisms involved in resolving disputes over regional head elections in Indonesia, examining the processes in place and their effectiveness. Meanwhile, the second part focuses on the problems faced in handling simultaneous regional election disputes, and offers digitalization-based solutions. The research reveals various weaknesses in the previous system of local election dispute resolution, such as the slow process and high costs borne by the state, and urges the need to utilize cutting-edge technology in law, especially artificial intelligence (AI), to ease the burden. It was found that many election disputes were directly referred to the Constitutional Court (MK) without going through the initial process at Bawaslu or PTUN, causing a backlog of cases that disrupted the efficiency and effectiveness of the court. The current process is considered suboptimal and often results in decisions that are unsatisfactory to the parties involved. In addition, the study also identified a number of significant challenges in the handling of simultaneous regional election disputes, including inefficiencies in the legal process, high settlement costs, and a lack of coordination between relevant institutions.

---

[15]   Zainuddin Ali, *Metode Penelitian Hukum* (Jakarta: Sinar Grafika, 2015).

[16]   Jonaedi Efendi and Johnny Ibrahim, *Metode Penelitian Hukum Normatif Dan Empiris* (Depok: Kencana, 2018).

This study uses a qualitative approach with a normative juridical method (also known as doctrinal legal research), aimed at examining the structure, principles, and implementation of legal norms related to regional head election (pilkada) dispute resolution in Indonesia. The normative juridical method was applied through the analysis of legislation, legal doctrines, constitutional principles, historical development of electoral dispute resolution, comparative legal frameworks, and selected case studies. Law in this context is seen as a normative system that also reflects institutional behavior in adjudicating election disputes. The research is structured into two interconnected parts: the first examines institutional authority and mechanisms in resolving pilkada disputes, while the second identifies practical issues in handling simultaneous regional election disputes and formulates digital-based reform proposals.

This legal research relies on document-based data collection, including primary legal sources such as the Constitution, laws (e.g., Law No. 10 of 2016), and Constitutional Court decisions; secondary sources including legal commentaries, journal articles, and expert opinions; and tertiary sources from academic databases and legal news portals. The analysis was conducted using qualitative descriptive methods, consisting of norm interpretation, legal comparison, and case-based evaluation. The process includes the classification of legal materials, comparative assessment of practices in other countries, and extraction of doctrinal issues from selected rulings of the Constitutional Court. To maintain analytical validity, the study applied triangulation of legal sources and perspectives, namely doctrinal, historical, and comparative triangulation. This helped ensure the robustness of legal reasoning and strengthen the academic foundation of the proposed digital transformation in pilkada dispute resolution.

Effective, efficient, and transparent public services are one of the key indicators in achieving good governance [17]. The local government, through the *Dinas Penanaman Modal dan Pelayanan Terpadu Satu Pintu* (DPMPTSP) of Kendal Regency, plays a strategic role in optimizing public services to enhance regional competitiveness and attract investment. In addressing the complexities of bureaucracy and the increasing public demand for fast and transparent services, DPMPTSP Kendal has implemented various digital and systematic innovations to improve service quality.

These innovations are not only aimed at simplifying bureaucratic processes but also ensuring that all services provided are easily accessible to the public and business actors. By adopting a technology-based approach, DPMPTSP Kendal seeks to create public services that are more responsive, accountable, and participatory. This service transformation reflects the implementation of good governance principles, particularly in terms of transparency, efficiency, accountability, and information openness to the public.

The various innovations implemented by DPMPTSP Kendal can be categorized into several types, including service digitalization, geospatial information systems, business partnership platforms, and the simplification of licensing procedures through technology. The following section provides a detailed overview of these innovations.

II. The Emergence of Regional Head Election Disputes in Indonesia

---

[17] Yu Keping, "Governance and Good Governance: A New Framework for Political Analysis," *Fudan Journal of the Humanities and Social Sciences* 11, no. 1 (2018): 1–8, https://doi.org/10.1007/s40647-017-0197-4.

In a democracy, elections play an important role as the main instrument for electing politicians who will hold public office.[18] This process involves political parties that serve as the main link in nominating candidates who will contest the election.[19] Political parties play a central role as they are tasked with selecting individuals who are deemed worthy of representing the interests of society. Through elections, these candidates can be measured by the public whether they are in accordance with the hopes and aspirations of the community. Thus, the selection process carried out by political parties provides a guarantee that the candidates promoted have gone through a screening that represents the interests of the people.[20]

As Indonesia's democratic system developed, the authority to resolve disputes over election results emerged in response to the complexities and challenges of ensuring fairness and validity of election results.[21] This authority is the result of the evolution of the legislative system that is increasingly adapted to the needs of society in running a more transparent and fair democracy. The aim is not only to maintain political stability, but also to protect the constitutional rights of every citizen, particularly in ensuring that election results reflect the true voice of the people.[22]

---

[18] Hakeem Onapajo and Dele Babalola, "Nigeria's 2019 General Elections – a Shattered Hope?," *The Round Table* 109, no. 4 (July 3, 2020): 363–67, https://doi.org/10.1080/00358533.2020.1788765.

[19] Irman Putra and Arief Fahmi Lubis, "The Constitutionality of the Presidential Threshold Provisions in Indonesian Election Law: A Juridical Review of Law No. 7/2017 on General Elections," *West Science Law and Human Rights* 1, no. 03 (2024).

[20] David Cutts et al., "Brexit, the 2019 General Election and the Realignment of British Politics," *The Political Quarterly* 91, no. 1 (January 2020): 7–23, https://doi.org/10.1111/1467-923X.12815.

[21] Benni Erick and M. Ikhwan, "Mekanisme Penyelesaian Sengketa Pemilihan Umum di Indonesia," *Jurnal Analisis Hukum* 5, no. 2 (September 25, 2022): 203–19, https://doi.org/10.38043/jah.v5i2.3763.

[22] Dewi Iriani et al., "Citizen Guarantees in Determining National Leaders Through Elections and Democratic Integrity," *Jurnal Dinamika Hukum* 23, no. 1 (February 20, 2023): 53, https://doi.org/10.20884/1.jdh.2023.23.1.3231.

Factors that cause disputes over election results can be categorized into two broad groups, namely internal and external factors.[23]

Internal factors of disputes over election results are as follows:

a. Differences of Opinion

This disagreement occurs due to differences in interpretation or understanding of the General Election Commission (KPU) regulations regarding vote counting procedures. Each party may have a different interpretation of the applicable rules, which can lead to conflict.

b. There is a Party that Feels Aggrieved

Conflict can arise when one party feels aggrieved by another. In an electoral context, this usually relates to claims that the vote count has been rigged or incorrectly conducted, causing dissatisfaction amongst the participants.

c. Electoral Officer Negligence

Electoral management officials sometimes have insufficient knowledge or are unwilling to learn about the technical rules of election administration. This negligence can lead to errors in the conduct of the election, which in turn leads to disputes.

d. Manipulation of Vote Counts

Manipulation of vote counts and voter lists is carried out to control the outcome of an election in accordance with the wishes of a particular party. This practice encompasses a variety of ways to change the vote count from what it should be, creating injustice and conflict.

External factors of disputes over election results are as follows:

a. Mass Media Coverage

---

[23] Fitra Mutiara Al Hasna, "Tinjauan Terhadap Penyebab Sengketa Perselisihan Tentang Hasil Pemilihan Umum di Indonesia," *Ethics and Law Journal: Business and Notary* 2, no. 1 (January 27, 2024): 273–78, https://doi.org/10.61292/eljbn.129.

Social media and mass media reports that are not necessarily true often play an important role in shaping the political atmosphere. Allegations of bias against the KPU in favor of certain parties can spread widely and influence public opinion and create tension.

b. Differences in Interests

Differences of interest relate to individuals or groups using all means to win elections, including maintaining their power and legitimacy. This can create conflict between parties with different goals and ambitions.

c. Money Politics

Money politics involves giving money to people to influence them to vote for a particular candidate. This practice undermines the integrity of elections and creates injustice, as voters' decisions are influenced by financial rewards rather than candidates' policies and qualities.

d. Threats or Intimidation

Threats or intimidation are used to frighten people by spreading terror. This tactic aims to make small communities who feel afraid will obey the orders of terrorists, including in terms of voting for certain candidates. This creates an atmosphere of fear and disrupts a healthy democratic process.

Disputes over election results can be caused by internal and external factors that interact with each other in the democratic process. Internal factors such as differences of opinion regarding election rules, aggrieved parties, officer negligence, and vote manipulation create injustice that triggers conflict. On the other hand, external factors such as inaccurate media coverage, differences in political interests, money politics, and threats or intimidation exacerbate the situation, influence the outcome of elections, and create tensions between communities. The combination of these two types of factors shows that the challenges of organizing fair and

democratic elections are complex, requiring concerted efforts to maintain electoral integrity and avoid potential disputes.

III. Authorized Institutions in Resolving Regional Head Election Disputes in Indonesia

There are several institutions that have the authority to resolve disputes over regional head elections in Indonesia, which will be examined separately in the subsections below.

General Election Supervisory Agency (Bawaslu) in Handling Regional Head Election Disputes

The authority of the General Election Supervisory Agency (Bawaslu) in handling disputes over election results in Indonesia has a very crucial role in maintaining the integrity and validity of the democratic process.[24] Based on Law No. 7/2017 on Elections, Bawaslu has the main responsibility in overseeing and enforcing the general election law.[25] Bawaslu's supervisory structure covers various levels, starting from the Provincial, Regency / City, District, and Field Election Supervisors (PPL) at the Kelurahan / Village level. Bawaslu's authority in handling election violations after the determination of national vote results includes receiving reports and handling alleged violations, which include examination, investigation, decision-making, and reporting.[26] Handling of this violation is adjusted to the characteristics and types of violations in accordance with applicable laws and regulations.

---

[24]   Dedi Ramdani, "Analisis Peranan BAWASLU Dalam Penegakan Hukum Pemilu Serentak 2024," *Jurnal Pusat Studi Pendidikan Rakyat* 3, no. 1 (February 27, 2023): 167–74, https://doi.org/10.51178/jpspr.v3i1.1244.

[25]   Hananto Widodo and Dicky Eko Prasetio, "Penataan Kewenangan KPU dan Bawaslu dalam Melakukan Pengawasan dan Menangani Sengketa Proses Pemilu," *Perspektif Hukum* 21, no. 2 (2021): 17–38, https://doi.org/10.30649/ph.v21i2.93.

[26]   La Hudia and Marten Arie, "Kewenangan Bawaslu Dalam Penanganan Pelanggaran Pemilu Oleh Aparatur Sipil Negara," *Syattar* 2, no. 1 (2021).

In the legal context, Bawaslu's authority includes resolving disputes involving election participants as well as between participants and election organizers, in accordance with Article 466 of Law Number 7/2017. Often, Bawaslu's decision on administrative violations related to errors in the recapitulation of vote count results of election participants can conflict with the settlement of cases in the Constitutional Court.[27] One of Bawaslu's important authorities is to oversee the performance of the General Election Commission (KPU), including at every stage of the election.[28] For example, if a campaign violation occurs, Bawaslu is authorized to monitor whether the KPU has followed up on the violation. If the KPU does not take action, Bawaslu can recommend to the Election Organizer Honor Council (DKPP) to examine the KPU for alleged ethical violations.[29]

The Authority of the State Administrative Court (PTUN) in Handling Regional Head Election Disputes

Legal efforts to resolve disputes through the State Administrative Court (PTUN) are regulated in detail in Law Number 7 Year 2017 on General Elections, especially in Article 470. This article stipulates that election process disputes brought to the PTUN involve problems in the state administration of elections between candidates for members of the DPR, DPD, provincial DPRD, regency / city DPRD, political parties participating candidates for elections, as well as pairs of candidates with KPU, Provincial KPU, and Regency / City KPU, arising from decisions of

---

[27] Abdhy Walid Siagian, Rozin Falih Alify, and Muhammad Syammakh Daffa, "Tinjauan Yuridis Kewenangan Badan Pengawas Pemilihan Umum Dalam Menangani Pelanggaran Administrasi Pemilihan Umum Pasca Penetapan Suara Nasional Oleh Komisi Pemilihan Umum," *Jurnal APHTN-HAN* 1, no. 2 (n.d.).

[28] Rahman Yasin, "Hak Konstitusional Warga Negara Dalam Pemilu," *Jurnal Bawaslu Provinsi Kepulauan Riau* 4, no. 2 (2022).

[29] Firda Arifatuzzahrah and Irham Bashori Hasba, "Kepastian Hukum Putusan Dewan Kehormatan Penyelenggara Pemilu Terhadap Pelanggaran Kode Etik Penyelenggara Pemilu," *JURNAL USM LAW REVIEW* 7, no. 1 (January 2, 2024): 70, https://doi.org/10.26623/julr.v7i1.7997.

these institutions.[30] These disputes can arise in various situations, such as disputes between KPU and political parties that do not pass verification, disputes between KPU and candidate pairs that do not pass verification, or legislative candidates who are dropped from the permanent candidate list. For example, disputes between the KPU and political parties regarding the decision to determine political parties participating in the election are regulated in Article 173, disputes between the KPU and candidate pairs regarding the decision to determine candidate pairs are listed in Article 235, and disputes between the KPU, Provincial KPU, and Regency / City KPU with legislative candidates regarding the decision on the permanent candidate list are described in Article 256 and Article 266.

The procedure for resolving election process disputes through the PTUN is further elaborated in Article 471 of the Election Law. A lawsuit against an electoral process dispute can be submitted to the PTUN after administrative steps at Bawaslu have been taken, in accordance with Article 471 paragraph (1) of the Election Law and Article 2 paragraph (2) of PERMA Number 5 of 2017. In general, the authority of the PTUN includes handling allegations of administrative violations in the implementation of elections or regional elections.[31]

The Authority of the Supreme Court (MA) in Handling Regional Head Election Disputes

Prior to the changes stipulated in Constitutional Court Decision Number 85/PUU-XX/2022, disputes over regional head elections were governed by Law Number 32/2004 on Regional Government, which stipulated the Supreme Court as the institution authorized to handle

---

[30] Jabaruddin Jabaruddin, "Penyelesaian Sengketa Tahapan Pemilihan Umum Kepala Daerah Dan Wakil Kepala Daerah Melalui Pengadilan Tata Usaha Negara," *Lakidende Law Review* 1, no. 1 (April 23, 2022): 15–26, https://doi.org/10.47353/delarev.v1i1.2.

[31] Sinda Eria Ayuni, Ismawati, and Dian Utami Ikhwaningrum, "Urgensi Pembentukan Badan Peradilan Khusus Sebagai Upaya Penyelesaian Sengketa Hasil Pemilihan Kepala Daerah," *INNOVATIVE: Journal Of Social Science Research* 4, no. 3 (2024).

disputes related to the election of Governors and Deputy Governors.[32] The changes listed in Article 106 of Law Number 12/2008 on the Second Amendment to Law Number 32/2004, states that disputes over regional head election results involve objections to election results decided by the regional head election organizers (KPU/KIP).

According to this provision, there are several important rules regarding objections to regional head election results.[33] First, a candidate pair that feels aggrieved can only file an objection to the Supreme Court within a maximum of three days after the election results are announced. Second, the objection can only cover vote count results that affect the election results of candidate pairs. Third, the objection must be filed through the high court for governor and deputy governor elections, and through the district court for district/city head elections. Fourth, the Supreme Court is required to decide the dispute within a maximum of fourteen days after receiving the objection request from the relevant court. Fifth, the Supreme Court's decision is final and binding. Sixth, the Supreme Court can delegate its authority to the High Court to handle disputes over the vote count results of district and city regional elections. Seventh, the High Court's decision is also final. However, after the issuance of Constitutional Court Decision Number 85/PUU-XX/2022, the handling of regional election disputes officially became the authority of the Constitutional Court.[34]

Discourse on the Establishment of a Special Election Judicial Body

---

[32] Baharuddin Riqiey, "Kewenangan Mahkamah Konstitusi Dalam Memutus Perselisihan Hasil Sengketa Pilkada Pasca Putusan Mahkamah Konstitusi Nomor 85/PUU-XX/2022," *JAPHTN-HAN* 2, no. 1 (January 31, 2023), https://doi.org/10.55292/japhtnhan.v2i1.59.

[33] El Renova Ed Siregar and Adya Paramita Prabandari, "Dinamika Hubungan Antara Mahkamah Agung Dan Mahkamah Konstitusi: Perspektif Konflik Dan Kolaborasi," *JURNAL USM LAW REVIEW* 7, no. 2 (June 8, 2024): 729, https://doi.org/10.26623/julr.v7i2.8833.

[34] Saragih, "Kewenangan Penyelesaian Sengketa Pemilihan Kepala Daerah Pasca Putusan Mahkamah Konstitusi Nomor 85/PUU-XX/2022."

The establishment of Specialized Election Courts aims to meet the increasingly complex needs for justice in society and strengthen election-related law enforcement, with a primary focus on ensuring electoral integrity.[35] The Tribunal is designed to deal with electoral law matters in an efficient and simple manner, so that the dispute resolution process can be expedited and the integrity of the election maintained.[36] The existence of a special court for simultaneous regional elections is a legal effort to protect the constitutional rights of citizens and election participants, and provide a clear legal framework for parties who feel aggrieved in the organization of regional elections, thus ensuring legal certainty in a democratic country. This step also aims to accelerate the resolution of various violations that occurred during the stages of the election.

The legal basis for the establishment of a special election judicial body is regulated in Law No. 10/2016, which is an amendment to Law No. 1/2015 on the Stipulation of Government Regulation in Lieu of Law No. 1/2014 on the Election of Governors, Regents, and Mayors. However, through the Constitutional Court Decision Number 85/PUU-XX/2022, Article 157 paragraph (1), paragraph (2), and paragraph (3) in the Election Law was deleted, which resulted in the establishment of a special judicial body for elections being unconstitutional in Indonesia. Nevertheless, the existence of a special judicial body is still considered important because the problems in the Election / Pilkada include various aspects, such as ethical violations of organizers, administrative violations, disputes between participants, disputes between participants and organizers, criminal acts, and state administrative disputes.[37] The Election

---

[35] Hani Nurul Syifa and Cholida Hanum, "Analisis Putusan Mahkamah Konstitusi No. 85/Puu-Xx/2022 Tentang Badan Peradilan Khusus Pemilu Perspektif Maslahah Mursalah," *TANFIDZIY Jurnal Hukum Tata Negara dan Siyasah* 3, no. 1 (2024).

[36] Mohammad Syaiful Aris, "Pembentukan Peradilan Khusus Penyelesaian Hasil Pemilihan Kepala Daerah dalam Pelaksanaan Pemilu Serentak Nasional," *Media Iuris* 5, no. 3 (October 31, 2022): 473–506, https://doi.org/10.20473/mi.v5i3.34154.

[37] L. M. Ricard Zeldi Putra, La Ode Muhram, and Mashendra Mashendra, "Peraturan Pemerintah Pengganti Undang-Undang Sebagai Dasar Pembentukan Lembaga Peradilan Khusus Pemilihan,"

Law also regulates these violations, including organizers' codes of conduct and administrative violations, which are handled by Bawaslu and the PTUN. Therefore, while the Constitutional Court has a significant role to play, it does not yet cover the full range of aspects required to comprehensively resolve electoral disputes.

The Authority of the Constitutional Court (MK) in Handling Regional Head Election Disputes

Article 24C paragraphs (1) and (2) of the 1945 Constitution stipulate that one of the authorities of the Constitutional Court is to decide disputes regarding the results of elections.[38] Initially, the authority to handle disputes over election results was vested in the Supreme Court. However, based on Constitutional Court Decision Number 072/073/PUU-II/2004, this authority was then transferred to the Constitutional Court.[39] In 2013, the Constitutional Court changed its stance through Decision Number 97/PUU-XI/2013 and stated that they were no longer authorized to decide disputes over the results of Pilkada disputes. This change occurred because the Constitutional Court considered that the election regime for members of the DPR, DPD, President and Vice President was different from the regional head election regime.[40]

The first legal basis that gave the Constitutional Court the authority to handle disputes over election results was Constitutional Court Decision No. 41/PHPU.DVI/2008, which expanded the meaning of elections by including regional head elections as part of the general election regime,

---

Sang Pencerah: Jurnal Ilmiah Universitas Muhammadiyah Buton 8, no. 4 (November 9, 2022): 975–84, https://doi.org/10.35326/pencerah.v8i4.2688.

[38] Geofani Milthree Saragih, Mexsasai Indra, and Dessy Artina, *Putusan Mahkamah Konstitusi Dalam Praktik Pengujian Undang-Undang Terhadap UUD'45* (Jakarta: Raja Grafindo Persada, 2023).

[39] I Made Sudira, "Kewenangan Mahkamah Konstitusi Dalam Menyelesaikan Sengketa Hasil Pemilihan Kepala Dan Wakil Kepala Daerah," *Aktual Justice* 8, no. 1 (2023).

[40] Christine S T Kansil and Namira Diffany Nuzan, "Kewenangan Mahkamah Konstitusi Dalam Menangani Perkara Perselisihan Hasil Pemilihan Umum 2024," *UNES Law Review* 6, no. 4 (2024).

and expanded its authority to hear election disputes. This authority was further strengthened by Decision No. 97/PUU-XI/2013, which added to the list of authorities of the Constitutional Court related to disputes over regional head election results. Previously, the Constitutional Court only had the authority to handle disputes over the results of the General Elections (PHPU) of the President and Vice President and Legislative Elections.[41] However, over time, the Constitutional Court was also given the authority to handle disputes over Regional Head Election Results (PHPKada), as stipulated in Article 236 C of Law Number 12 of 2008 concerning the Second Amendment to Law Number 32 of 2004 concerning Regional Government, which transferred the authority to resolve PHPKada disputes from the Supreme Court to the Constitutional Court.

In the context of dispute resolution related to election administration, there are two institutions that have an important position: Bawaslu and the State Administrative Court (PTUN). Both institutions handle electoral process disputes, but with different authorities. Bawaslu and PTUN have the authority to resolve disputes over the electoral process, while the Constitutional Court specifically handles disputes over election results. Decisions issued by Bawaslu, Provincial Bawaslu, and Regency / City Bawaslu, and PTUN related to election process disputes are final and cannot be appealed to the Constitutional Court. This is designed to provide legal certainty and efficiency in resolving election disputes, so that the legal process can be implemented immediately without delay. Thus, the role of Bawaslu and PTUN is very important in ensuring smoothness and fairness in the electoral process in Indonesia.

In Indonesia, several state institutions have the authority to resolve disputes over the results of general and regional elections, although the

---

[41] Ahmad Sadzali, "Peranan Mahkamah Konstitusi dalam Mewujudkan Demokrasi Substantif pada Pemilu 2024 melalui Penegakan Hukum Progresif," *As-Siyasi : Journal of Constitutional Law* 2, no. 2 (December 21, 2022): 193–218, https://doi.org/10.24042/as-siyasi.v2i2.14948.

Supreme Court and a special election judicial body do not currently exist. Nonetheless, there is an overlap of rules and authority between the Supreme Court and the Constitutional Court in handling disputes over election results that has been ongoing since 2005. This has led to legal uncertainty regarding the authorized institution, although this issue has been addressed through Constitutional Court Decision No. 85/PUU-XX/2022. However, several problems still arise regarding the implementation of the authority of the Constitutional Court in handling disputes over the results of general elections and regional head elections in Indonesia, as follows:

a. There are challenges to the results of general elections or regional head elections that are submitted directly to the Constitutional Court without going through Bawaslu, even though Bawaslu also has the authority to handle alleged election violations.

b. The main reason for the transfer of authority from the Supreme Court to the Constitutional Court is the high case load at the Supreme Court. However, with the simultaneous elections in 2024, the case load at the Constitutional Court will also increase, while the number of judges is limited.

c. After Constitutional Court Decision No. 85/PUU-XX/2022, there has been no change in legislation to permanently affirm the authority of the Constitutional Court to handle disputes over regional head elections. As a state of law, Indonesia is still influenced by positivistic views in the application of its law.

d. There has been no confirmation as to whether after Constitutional Court Decision Number 85/PUU-XX/2022, the PTUN can still handle disputes over the results of the Regent and Mayor elections.

e. In practice, there are still legal remedies taken after the Constitutional Court's decision without taking into account the decision, even though the Constitutional Court's decision is final and binding.

Responding to the problems that have arisen, especially in the context of simultaneous elections in 2024, the researcher proposes an idea to overhaul the authority of the Constitutional Court in handling disputes over election results in Indonesia. This authority redesign aims to increase the effectiveness of the Constitutional Court in resolving election disputes that are increasingly complex with a rapidly increasing volume of cases. In this case, the use of artificial intelligence (AI) is one of the key elements that can be applied to support the integration of the authority of dispute resolution institutions, including regional head election disputes (Pilkada).

The application of AI in the process of resolving Pilkada disputes will help speed up and simplify the flow of case resolution, enable fast and accurate data analysis, and ensure that the resolution process is more efficient and transparent. With AI, the Constitutional Court and related institutions can be integrated into one digital system capable of handling various disputes more systematically, reducing the risk of overlapping authority between institutions, and providing faster solutions to Pilkada disputes. This innovation is in line with the larger idea of strengthening democratic institutions through technology, so that the Constitutional Court can maintain its role as a pillar of justice in Indonesia's modern democratic system.

IV. Application of AI in Integrating the Authority of the Election Dispute Resolution Institution

The application of artificial intelligence (AI) in law enforcement, especially in the judiciary, is an increasingly relevant development in today's digital

era.[42] AI technology has shown its potential to support various aspects of the justice system, from data processing to more objective and efficient algorithm-based decision-making.[43] In the context of the courts, the application of AI can help ease the workload of judges, prosecutors, and other legal officers, while improving accuracy and speed in handling cases.

One of the key benefits of AI in the courts is its ability to quickly analyze large amounts of legal data.[44] In a court of law, especially in a country with a complex legal system like Indonesia, there are many legal documents, jurisprudence, and laws and regulations that must be considered in each case. AI can help organize and search legal references more effectively, provide recommendations to judges based on previous similar cases, and identify patterns in legal decisions that can be referenced.[45] This allows the court to process cases more quickly without compromising justice.

In addition, AI can also be applied in predicting the outcome of legal decisions. Through algorithmic analysis that utilizes data from thousands of previous decisions, AI is able to provide an overview of possible decisions based on the existing legal facts.[46] These predictions are not meant to replace the role of the judge, but rather as a tool that can provide a more objective view and assist in making fair decisions. The use

---

[42] Channarong Intahchomphoo et al., "References to Artificial Intelligence in Canada's Court Cases," *Legal Information Management* 20, no. 1 (March 2020): 39–46, https://doi.org/10.1017/S1472669620000080.

[43] O. Chernykh, "Problems of Legal Regulation of the Use of Artificial Intelligence Technologies in Court Procedures within the Framework of the Ukraine-Eu Action Plan," *Artificial Intelligence* 28, no. AI.2023.28(2)) (September 20, 2023): 27–31, https://doi.org/10.15407/jai2023.02.027.

[44] Ray Worthy Campbell, "Artificial Intelligence in the Courtroom: The Delivery of Justice in the Age of Machine Learning," *SSRN Electronic Journal*, 2023, https://doi.org/10.2139/ssrn.4425791.

[45] Tatyana Sushina and Andrew Sobenin, "Artificial Intelligence in the Criminal Justice System: Leading Trends and Possibilities," in *Proceedings of the 6th International Conference on Social, Economic, and Academic Leadership (ICSEAL-6-2019)* (6th International Conference on Social, economic, and academic leadership (ICSEAL-6-2019), Prague, Czech Republic: Atlantis Press, 2020), https://doi.org/10.2991/assehr.k.200526.062.

[46] Analisa Morrison, "Artificial Intelligence in the Courtroom: Increasing or Decreasing Access to Justice?," *International Journal of Online Dispute Resolution* 6, no. 1 (August 2020): 76–93, https://doi.org/10.5553/IJODR/235250022020006001008.

of this technology is particularly useful in cases where there is a high caseload or in situations where the complexity of the law requires in-depth and systematic analysis.

However, the application of AI in courts also faces challenges. One concern that is often raised is ethical, especially in relation to potential bias in the algorithms used. An AI system is only as good as the data it is given. If the data fed into the system reflects past biases or injustices, AI risks producing recommendations that are also biased. Therefore, it is important for policymakers and technology developers to ensure that algorithms used in law enforcement are ethically designed, transparent, and accountable.[47]

Another challenge is how AI can affect human rights and access to justice.[48] Technology used in the legal system must still respect individual rights, including the right to a fair trial. This is where it is important to maintain a balance between the use of technology and basic legal principles, such as the independence of judges, transparency in the legal process, and accountability.

The application of AI in law enforcement, particularly in the judiciary, offers great opportunities to improve efficiency and fairness in legal proceedings.[49] However, these innovations must be implemented with care and ethical considerations so as not to compromise the fundamental principles of justice. With the right approach, AI can be a powerful tool in helping courts perform their duties better, speeding up case resolution, reducing backlogs, and maintaining the integrity of the justice system.

---

[47] Mehdi Ghasemi et al., "The Application of Machine Learning to a General Risk–Need Assessment Instrument in the Prediction of Criminal Recidivism," *Criminal Justice and Behavior* 48, no. 4 (April 2021): 518–38, https://doi.org/10.1177/0093854820969753.

[48] Frederik J. Zuiderveen Borgesius, "Strengthening Legal Protection against Discrimination by Algorithms and Artificial Intelligence," *The International Journal of Human Rights* 24, no. 10 (November 25, 2020): 1572–93, https://doi.org/10.1080/13642987.2020.1743976.

[49] Yevhen Leheza et al., "Foreign Experience and International Legal Standards for the Application of Artificial Intelligence in Criminal Proceedings," *Revista de La Universidad Del Zulia* 13, no. 36 (December 30, 2021): 276–87, https://doi.org/10.46925//rdluz.36.18.

In an effort to optimize the regional head election (Pilkada) dispute resolution process, the application of artificial intelligence (AI) technology offers significant potential. The integration of AI in the authority of Pilkada dispute resolution institutions can increase efficiency, transparency, and fairness in handling various disputes that arise. The use of AI is expected to not only speed up the dispute resolution process but also minimize the potential for human bias and error. There are several aspects that will be able to improve the effectiveness of handling regional head election disputes in Indonesia by maximizing the use of AI, namely as follows:

a. Dispute Rating and Classification System

One application of AI that can be applied in integrating the authority of Pilkada dispute resolution institutions is a dispute assessment and classification system. AI can be used to analyze and categorize various types of disputes based on their complexity and urgency.[50] By using machine learning algorithms,[51] AI systems can process historical data on Pilkada disputes to identify certain patterns, such as the most frequent types of disputes or optimal resolution times. This allows relevant agencies, such as the Constitutional Court (MK) and the Election Supervisory Body (Bawaslu), to prioritize cases that require immediate attention and adjust resource allocation more effectively.

b. Administrative Process Automation

AI can also play an important role in automating administrative processes related to election disputes. For example, document processing, filing, and case management can be automated using AI technologies, such as natural language processing (NLP)[52] and

---

[50] John Zeleznikow, "Using Artificial Intelligence to Provide Intelligent Dispute Resolution Support," *Group Decision and Negotiation* 30, no. 4 (August 2021): 789–812, https://doi.org/10.1007/s10726-021-09734-1.

[51] Harry Surden, "Machine Learning and Law," *Washington Law Review* 89 (2021).

[52] Mohan Raparthi et al., "Advancements in Natural Language Processing - A Comprehensive Review of AI Techniques," *Journal of Bioinformatics and Artificial Intelligence* 1, no. 1 (2021).

pattern recognition. AI can help in extracting important information from complaint documents, summarizing statements, and compiling reports automatically. This not only reduces the administrative workload for officers but also reduces the chances of errors that may occur due to manual processes.

c. Sentiment and Public Opinion Analysis

Using AI for sentiment and public opinion analysis related to Pilkada disputes can provide valuable insights. AI algorithms that analyze social media data, news, and public reviews[53] can help a dispute resolution body understand public perceptions of its decisions and processes. With this information, agencies can make decisions that are more transparent and responsive to public concerns. In addition, AI can assist in identifying trends or potential issues that may affect the electoral process or the dispute at hand.

d. Increased Transparency and Accountability

AI implementation can also improve transparency and accountability[54] in the election dispute resolution process. By using blockchain technology or AI systems that can track and record every step in the dispute resolution process, all actions can be easily monitored and checked.[55] This ensures that all decisions and processes can be clearly accounted for. In addition, AI algorithms designed with the principles of fairness and transparency can help reduce potential bias in decisions.

e. Policy Evaluation and Development

---

[53] Nirmal Varghese Babu and E. Grace Mary Kanaga, "Sentiment Analysis in Social Media Data for Depression Detection Using Artificial Intelligence: A Review," *SN Computer Science* 3, no. 1 (January 2022): 74, https://doi.org/10.1007/s42979-021-00958-1.

[54] Buomsoo Kim, Jinsoo Park, and Jihae Suh, "Transparency and Accountability in AI Decision Support: Explaining and Visualizing Convolutional Neural Networks for Text Information," *Decision Support Systems* 134 (July 2020): 113302, https://doi.org/10.1016/j.dss.2020.113302.

[55] Shantanu Pachahara and Chandan Maheshwari, "Dispute Resolution on Blockchain: An Opportunity to Increase Efﬁciency of Business Dispute Resolution?," *Conflict Studies Quarterly*, no. 39 (2022).

AI can be used to evaluate the effectiveness of existing policies and procedures in the resolution of Pilkada disputes. Through comprehensive data analysis, AI can identify weaknesses or shortcomings in existing policies and provide data-based recommendations for improvement.[56] With this information, policymakers can design and implement policies that are more effective and responsive to the dynamics that develop in the election process.

The integration of AI into the authority of the EDRB offers a range of benefits, from increased efficiency and transparency to reduced bias and human error. By utilizing AI technology, dispute resolution institutions can face challenges with a more modern and adaptive approach. However, it is important to ensure that the application of AI is done with ethical and privacy aspects in mind so that this technology can make a positive contribution to Indonesia's election dispute resolution system.

IV. Conclusion

In the face of the enormous challenges posed by election disputes and simultaneous regional elections in Indonesia, the application of artificial intelligence (AI) is an indispensable strategic step. With the large number of possible disputes to be handled by the Constitutional Court as well as the potential overlap of authority with other institutions such as Bawaslu, PTUN, and even the Supreme Court, AI can play an important role in improving the effectiveness of dispute resolution. AI enables more efficient dispute scoring and classification systems through machine learning algorithms to identify and prioritize cases. Automation of administrative processes using AI, such as natural language processing and pattern recognition, will reduce manual workload and errors. Analysis of

---

[56] Araz Taeihagh, "Governance of Artificial Intelligence," *Policy and Society* 40, no. 2 (April 3, 2021): 137–57, https://doi.org/10.1080/14494035.2021.1928377.

sentiment and public opinion through AI provides useful insights to understand public perceptions, while blockchain technology and AI improve transparency and accountability. In addition, AI can evaluate existing policies and provide data-driven recommendations for improvement. With the integration of AI, relevant institutions can handle election disputes more quickly, fairly, and responsively to evolving dynamics.

References

Al Azis, Muhamad Irfan, and Siti Fatimah. "Implikasi Demokrasi Pilkada Serentak 2024 Dan Polarisasi Politik Islam." *Siyasah Jurnal Hukum Tatanegara* 3, no. 2 (December 27, 2023): 234–46. https://doi.org/10.32332/siyasah.v3i2.8227.

Ari Nur Utomo, and Malik Akbar Mulki Rahman. "Model Pilihan Penyelesaian Sengketa Hasil Pilkada." *Al-Ijtima`i: International Journal of Government and Social Science* 8, no. 2 (April 30, 2023): 119–32. https://doi.org/10.22373/jai.v8i2.2461.

Arifatuzzahrah, Firda, and Irham Bashori Hasba. "Kepastian Hukum Putusan Dewan Kehormatan Penyelenggara Pemilu Terhadap Pelanggaran Kode Etik Penyelenggara Pemilu." *JURNAL USM LAW REVIEW* 7, no. 1 (January 2, 2024): 70. https://doi.org/10.26623/julr.v7i1.7997.

Aris, Mohammad Syaiful. "Pembentukan Peradilan Khusus Penyelesaian Hasil Pemilihan Kepala Daerah dalam Pelaksanaan Pemilu Serentak Nasional." *Media Iuris* 5, no. 3 (October 31, 2022): 473–506. https://doi.org/10.20473/mi.v5i3.34154.

Babu, Nirmal Varghese, and E. Grace Mary Kanaga. "Sentiment Analysis in Social Media Data for Depression Detection Using Artificial

Intelligence: A Review." *SN Computer Science* 3, no. 1 (January 2022): 74. https://doi.org/10.1007/s42979-021-00958-1.

Baharuddin Riqiey. "Kewenangan Mahkamah Konstitusi Dalam Memutus Perselisihan Hasil Sengketa Pilkada Pasca Putusan Mahkamah Konstitusi Nomor 85/PUU-XX/2022." *JAPHTN-HAN* 2, no. 1 (January 31, 2023). https://doi.org/10.55292/japhtnhan.v2i1.59.

Bani, Alfret Ananias, Nurianto Rahmat Soepadmo, and Ida Bagus Anggapurana Pidada. "Kewenangan Mahkamah Konstitusi dalam Penyelesaian Sengketa Hasil Pilkada Langsung." *Jurnal Hukum, Politik dan Humaniora* 1, no. 3 (2024).

Campbell, Ray Worthy. "Artificial Intelligence in the Courtroom: The Delivery of Justice in the Age of Machine Learning." *SSRN Electronic Journal*, 2023. https://doi.org/10.2139/ssrn.4425791.

Contini, Francesco. "Artificial Intelligence and the Transformation of Humans, Law and Technology Interactions in Judicial Proceedings." *Law, Technology and Humans* 2, no. 1 (May 8, 2020): 4–18. https://doi.org/10.5204/lthj.v2i1.1478.

Cutts, David, Matthew Goodwin, Oliver Heath, and Paula Surridge. "Brexit, the 2019 General Election and the Realignment of British Politics." *The Political Quarterly* 91, no. 1 (January 2020): 7–23. https://doi.org/10.1111/1467-923X.12815.

Erick, Benni, and M. Ikhwan. "Mekanisme Penyelesaian Sengketa Pemilihan Umum di Indonesia." *Jurnal Analisis Hukum* 5, no. 2 (September 25, 2022): 203–19. https://doi.org/10.38043/jah.v5i2.3763.

Fitra Mutiara Al Hasna. "Tinjauan Terhadap Penyebab Sengketa Perselisihan Tentang Hasil Pemilihan Umum di Indonesia." *Ethics and Law Journal: Business and Notary* 2, no. 1 (January 27, 2024): 273–78. https://doi.org/10.61292/eljbn.129.

Gaffar, Janedjri M. "Efforts to Increase the Quality of Democracy: The Realities of Implementing Democracy and Nomocracy in Indonesia That Become Obstacles." *International Journal of Business, Economics and Law* 24, no. 1 (2021).

Geofani Milthree Saragih, Mexsasai Indra, and Dessy Artina. *Putusan Mahkamah Konstitusi Dalam Praktik Pengujian Undang-Undang Terhadap UUD'45.* Jakarta: Raja Grafindo Persada, 2023.

Ghasemi, Mehdi, Daniel Anvari, Mahshid Atapour, J. Stephen Wormith, Keira C. Stockdale, and Raymond J. Spiteri. "The Application of Machine Learning to a General Risk–Need Assessment Instrument in the Prediction of Criminal Recidivism." *Criminal Justice and Behavior* 48, no. 4 (April 2021): 518–38. https://doi.org/10.1177/0093854820969753.

Hananto Widodo and Dicky Eko Prasetio. "Penataan Kewenangan KPU dan Bawaslu dalam Melakukan Pengawasan dan Menangani Sengketa Proses Pemilu." *Perspektif Hukum* 21, no. 2 (2021): 17–38. https://doi.org/10.30649/ph.v21i2.93.

Hudia, La, and Marten Arie. "Kewenangan Bawaslu Dalam Penanganan Pelanggaran Pemilu Oleh Aparatur Sipil Negara." *Syattar* 2, no. 1 (2021).

Intahchomphoo, Channarong, André Vellino, Odd Erik Gundersen, Christian Tschirhart, and Eslam Shaaban. "References to Artificial Intelligence in Canada's Court Cases." *Legal Information Management* 20, no. 1 (March 2020): 39–46. https://doi.org/10.1017/S1472669620000080.

Iriani, Dewi, Muhammad Fauzan, Sri Hastuti Puspitasari, and Arief Budiono. "Citizen Guarantees in Determining National Leaders Through Elections and Democratic Integrity." *Jurnal Dinamika Hukum* 23, no. 1 (February 20, 2023): 53. https://doi.org/10.20884/1.jdh.2023.23.1.3231.

Jabaruddin, Jabaruddin. "Penyelesaian Sengketa Tahapan Pemilihan Umum Kepala Daerah Dan Wakil Kepala Daerah Melalui Pengadilan Tata Usaha Negara." *Lakidende Law Review* 1, no. 1 (April 23, 2022): 15–26. https://doi.org/10.47353/delarev.v1i1.2.

Jonaedi Efendi and Johnny Ibrahim. *Metode Penelitian Hukum Normatif Dan Empiris.* Depok: Kencana, 2018.

Kamila, Fazlar Rusyda. "Badan Peradilan Khusus Penyelesaian Perselisihan Hasil Pilkada Perspektif Negara Demokrasi Konstitusional." *Journal Iuris Scientia* 2, no. 2 (July 27, 2024): 55–65. https://doi.org/10.62263/jis.v2i2.37.

Kansil, Christine S T, and Namira Diffany Nuzan. "Kewenangan Mahkamah Konstitusi Dalam Menangani Perkara Perselisihan Hasil Pemilihan Umum 2024." *UNES Law Review* 6, no. 4 (2024).

Keping, Yu. "Governance and Good Governance: A New Framework for Political Analysis." *Fudan Journal of the Humanities and Social Sciences* 11, no. 1 (2018): 1–8. https://doi.org/10.1007/s40647-017-0197-4.

Kim, Buomsoo, Jinsoo Park, and Jihae Suh. "Transparency and Accountability in AI Decision Support: Explaining and Visualizing Convolutional Neural Networks for Text Information." *Decision Support Systems* 134 (July 2020): 113302. https://doi.org/10.1016/j.dss.2020.113302.

Leheza, Yevhen, Valentyn Len, Oleh Shkuta, Oleksiy Titarenko, and Nataliia Cherniak. "Foreign Experience and International Legal Standards for the Application of Artificial Intelligence in Criminal Proceedings." *Revista de La Universidad Del Zulia* 13, no. 36 (December 30, 2021): 276–87. https://doi.org/10.46925//rdluz.36.18.

Mohan Raparthi, Sarath Babu Dodda, Surendranadha Reddy Byrapu Reddy, Praveen, Thuniki, Srihari Maruthi, and Prabu Ravichandran6. "Advancements in Natural Language Processing - A

Comprehensive Review of AI Techniques." *Journal of Bioinformatics and Artificial Intelligence* 1, no. 1 (2021).

Morrison, Analisa. "Artificial Intelligence in the Courtroom: Increasing or Decreasing Access to Justice?" *International Journal of Online Dispute Resolution* 6, no. 1 (August 2020): 76–93. https://doi.org/10.5553/IJODR/235250022020006001008.

Nowotko, Paweł Marcin. "AI in Judicial Application of Law and the Right to a Court." *Procedia Computer Science* 192 (2021): 2220–28. https://doi.org/10.1016/j.procs.2021.08.235.

O. Chernykh. "Problems of Legal Regulation of the Use of Artificial Intelligence Technologies in Court Procedures within the Framework of the Ukraine-Eu Action Plan." *Artificial Intelligence* 28, no. AI.2023.28(2)) (September 20, 2023): 27–31. https://doi.org/10.15407/jai2023.02.027.

Onapajo, Hakeem, and Dele Babalola. "Nigeria's 2019 General Elections – a Shattered Hope?" *The Round Table* 109, no. 4 (July 3, 2020): 363–67. https://doi.org/10.1080/00358533.2020.1788765.

Pachahara, Shantanu, and Chandan Maheshwari. "Dispute Resolution on Blockchain: An Opportunity to Increase Efﬁciency of Business Dispute Resolution?" *Conflict Studies Quarterly*, no. 39 (2022).

Putra, Alif Anandika, and Abdul Kahar Maranjaya. "Peran Bawaslu Dalam Penyelesaian Sengketa Proses Pemilu." *Jurnal Ganec Swara* 17, no. 1 (March 4, 2023): 326. https://doi.org/10.35327/gara.v17i1.404.

Putra, Irman, and Arief Fahmi Lubis. "The Constitutionality of the Presidential Threshold Provisions in Indonesian Election Law: A Juridical Review of Law No. 7/2017 on General Elections." *West Science Law and Human Rights* 1, no. 03 (2024).

Putra, L. M. Ricard Zeldi, La Ode Muhram, and Mashendra Mashendra. "Peraturan Pemerintah Pengganti Undang-Undang Sebagai Dasar Pembentukan Lembaga Peradilan Khusus Pemilihan." *Sang Pencerah: Jurnal Ilmiah Universitas Muhammadiyah Buton* 8, no. 4

(November 9, 2022): 975–84. https://doi.org/10.35326/pencerah.v8i4.2688.

Ramdani, Dedi. "Analisis Peranan BAWASLU Dalam Penegakan Hukum Pemilu Serentak 2024." *Jurnal Pusat Studi Pendidikan Rakyat* 3, no. 1 (February 27, 2023): 167–74. https://doi.org/10.51178/jpspr.v3i1.1244.

Roksandic, Suncana, Nikola Protrka, and Marc Engelhart. "Trustworthy Artificial Intelligence and Its Use by Law Enforcement Authorities: Where Do We Stand?" In *2022 45th Jubilee International Convention on Information, Communication and Electronic Technology (MIPRO)*, 1225–32. Opatija, Croatia: IEEE, 2022. https://doi.org/10.23919/MIPRO55190.2022.9803606.

Sadzali, Ahmad. "Peranan Mahkamah Konstitusi dalam Mewujudkan Demokrasi Substantif pada Pemilu 2024 melalui Penegakan Hukum Progresif." *As-Siyasi : Journal of Constitutional Law* 2, no. 2 (December 21, 2022): 193–218. https://doi.org/10.24042/as-siyasi.v2i2.14948.

Saragih, Geofani Milthree. "Kewenangan Penyelesaian Sengketa Pemilihan Kepala Daerah Pasca Putusan Mahkamah Konstitusi Nomor 85/PUU-XX/2022." *Jurnal Hukum Caraka Justitia* 2, no. 2 (January 9, 2023): 129. https://doi.org/10.30588/jhcj.v2i2.1380.

Siagian, Abdhy Walid, Rozin Falih Alify, and Muhammad Syammakh Daffa. "Tinjauan Yuridis Kewenangan Badan Pengawas Pemilihan Umum Dalam Menangani Pelanggaran Administrasi Pemilihan Umum Pasca Penetapan Suara Nasional Oleh Komisi Pemilihan Umum." *Jurnal APHTN-HAN* 1, no. 2 (n.d.).

Sinda Eria Ayuni, Ismawati, and Dian Utami Ikhwaningrum. "Urgensi Pembentukan Badan Peradilan Khusus Sebagai Upaya Penyelesaian Sengketa Hasil Pemilihan Kepala Daerah." *INNOVATIVE: Journal Of Social Science Research* 4, no. 3 (2024).

Siregar, El Renova Ed, and Adya Paramita Prabandari. "Dinamika Hubungan Antara Mahkamah Agung Dan Mahkamah Konstitusi: Perspektif Konflik Dan Kolaborasi." *JURNAL USM LAW REVIEW* 7, no. 2 (June 8, 2024): 729. https://doi.org/10.26623/julr.v7i2.8833.

Sudira, I Made. "Kewenangan Mahkamah Konstitusi Dalam Menyelesaikan Sengketa Hasil Pemilihan Kepala Dan Wakil Kepala Daerah." *Aktual Justice* 8, no. 1 (2023).

Surden, Harry. "Machine Learning and Law." *Washington Law Review* 89 (2021).

Sushina, Tatyana, and Andrew Sobenin. "Artificial Intelligence in the Criminal Justice System: Leading Trends and Possibilities." In *Proceedings of the 6th International Conference on Social, Economic, and Academic Leadership (ICSEAL-6-2019).* Prague, Czech Republic: Atlantis Press, 2020. https://doi.org/10.2991/assehr.k.200526.062.

Syifa, Hani Nurul, and Cholida Hanum. "Analisis Putusan Mahkamah Konstitusi No. 85/Puu-Xx/2022 Tentang Badan Peradilan Khusus Pemilu Perspektif Maslahah Mursalah." *TANFIDZIY Jurnal Hukum Tata Negara dan Siyasah* 3, no. 1 (2024).

Taeihagh, Araz. "Governance of Artificial Intelligence." *Policy and Society* 40, no. 2 (April 3, 2021): 137–57. https://doi.org/10.1080/14494035.2021.1928377.

Tri Susilo. "Desain Lembaga Peradilan Sengketa Pemilihan Kepala Daerah di Indonesia Untuk Mewujudkan Keadilan Demokrasi dan Keadilan Konstitutional." *AL-MANHAJ: Jurnal Hukum dan Pranata Sosial Islam* 5, no. 1 (2023).

Wiwid, Widyati and Arif Wibowo. "PTUN Di Tengah Arus Demokratisasi (Meningkatkan kepercayaan masyarakat terhadap PTUN)." *AL-SULTHANIYAH* 12, no. 1 (March 11, 2023): 12–26. https://doi.org/10.37567/al-sulthaniyah.v12i1.1671.

Yasin, Rahman. "Hak Konstitusional Warga Negara Dalam Pemilu." *Jurnal Bawaslu Provinsi Kepulauan Riau* 4, no. 2 (2022).

Zaini, Naya Amin. "Penegakan Hukum Pilkada Serentak 2024 Di Indonesia." *JPeHI (Jurnal Penelitian Hukum Indonesia)* 5, no. 1 (2024).

Zainuddin Ali. *Metode Penelitian Hukum.* Jakarta: Sinar Grafika, 2015.

Zeleznikow, John. "Using Artificial Intelligence to Provide Intelligent Dispute Resolution Support." *Group Decision and Negotiation* 30, no. 4 (August 2021): 789–812. https://doi.org/10.1007/s10726-021-09734-1.

Zuiderveen Borgesius, Frederik J. "Strengthening Legal Protection against Discrimination by Algorithms and Artificial Intelligence." *The International Journal of Human Rights* 24, no. 10 (November 25, 2020): 1572–93. https://doi.org/10.1080/13642987.2020.1743976.

***

DECLARATION OF CONFLICTING INTERESTS

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

FUNDING INFORMATION

ACKNOWLEDGMENT

HISTORY OF ARTICLE