



**Analisis Putusan Mahkamah Konstitusi Republik Indonesia
Nomor: 02/PHPU.BUP-XXIII/ Tentang Perkara Perselisihan
Hasil Pemilihan Umum Bupati dan Wakil Bupati Pasaman
Perspektif Hukum Islam**

***Analysis of the Constitutional Court of the Republic of Indonesia
Decision Number 02/PHPU.BUP-XXIII/ Regarding the Dispute
over the Election Results for the Regent and Vice Regent of
Pasaman: An Islamic Legal Perspective***

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ABSTRAK

Penelitian ini menganalisis Putusan Mahkamah Konstitusi (MK) Nomor 02/PHPU.BUP-XXIII/2025 tentang sengketa hasil Pemilihan Bupati dan Wakil Bupati Pasaman Tahun 2024 dalam perspektif hukum positif dan hukum Islam (fiqih siyasah). Permasalahan berawal dari Calon Wakil Bupati pasangan nomor urut 1, Anggit Kurniawan Nasution, yang tidak memenuhi syarat formil pencalonan berdasarkan Pasal 7 ayat (2) huruf g UU No. 10 Tahun 2016. Sebagai mantan terpidana kasus penipuan, yang bersangkutan menggunakan Surat Keterangan Tidak Pernah Dipidana yang kemudian dibatalkan pengadilan serta tidak mengumumkan statusnya kepada publik. MK mengabulkan sebagian permohonan Paslon 02 dengan mendiskualifikasi Anggit, membatalkan keputusan KPU terkait penetapan pasangan calon dan hasil pemilihan, serta memerintahkan Pemungutan Suara Ulang (PSU) tanpa keikutsertaannya. Dalam perspektif hukum positif, putusan tersebut mendukung integritas dan kepastian hukum pemilu. Dalam fiqih siyasah, putusan sejalan dengan prinsip amanah, keadilan, dan kemaslahatan umat serta konsep kepemimpinan al-Māwardī yang menekankan kejujuran dan integritas pemimpin.

Kata Kunci: Putusan Mahkamah Konstitusi, Perselisihan Hasil Pemilu, Bupati Pasaman, Hukum Islam

ABSTRACT

This study analyzes Constitutional Court (MK) Decision Number 02/PHPU.BUP-XXIII/2025 regarding the dispute over the 2024 Pasaman Regent and Deputy Regent election results, examining it through the lenses of positive law and Islamic law (fiqih siyasah). The issue arose because the Deputy Regent candidate on ticket number 1, Anggit Kurniawan Nasution, failed to meet the formal candidacy requirements stipulated in Article 7, paragraph (2), letter g of Law No. 10 of 2016. As a former convict in a fraud case, he had utilized a "Certificate of No Criminal Record" that was subsequently revoked by the court, and he had failed to disclose his status to the public. The Constitutional Court partially granted the petition filed by candidate pair number 2 by disqualifying Anggit, annulling the General Elections Commission (KPU) decisions regarding the candidate pair's certification and the election results, and ordering a Re-vote (PSU) excluding him. From the perspective of positive law, the ruling upholds the integrity and legal certainty of the election. In terms of fiqih siyasah, the decision aligns with the principles of amanah (trustworthiness), justice, and the public interest (maslahah), as well as al-Māwardī's concept of leadership, which emphasizes the honesty and integrity of a leader.

Keywords: Constitutional Court Ruling, Election Result Dispute, Regent of Pasaman, Islamic Law

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INTRODUCTION

Democracy is a form of government in which all citizens possess equal rights regarding decision-making processes that can impact their lives. It is indisputable that democracy represents the best principle and system within the realms of politics and governance. Thus, democracy is defined as government by the people, wherein supreme authority rests with the populace and is exercised directly by representatives chosen through a system of free elections. According to Nimatul Huda, democracy serves as the most appropriate and ideal foundational system for all political and modern organizations.

In the conduct of state affairs in Indonesia, various aspects are regulated—including the governance structure—to ensure harmony within the nation. To uphold the rule of law, the country holds elections—specifically general elections and regional head elections—which differ significantly from one another. General elections involve the selection of members for the House of Representatives (DPR), the Regional Representative Council (DPD), and Regional Houses of Representatives (DPRD), as well as the President; conversely, regional head elections involve the selection of Governors, Regents, and Mayors, along with their respective deputies. These are distinguished because they are governed by different laws, involving differences in candidacy procedures, duties and authorities, administrative requirements, and other aspects. However, in practice, the public often equates the purpose and nature of general elections with regional head elections because the voting process—casting a ballot at a Polling Station (TPS)—is identical, leading to misconceptions regarding the terminology used. Consequently, the bodies responsible for addressing violations in either type of election are the same: the General Elections Commission (KPU) and the Election Supervisory Body (Bawaslu). While general elections and regional head elections are similar activities, they are governed by different regulations and distinct terminology.

In the current evolution of Indonesia's constitutional system, the scope of elections has expanded to include regional head elections—commonly referred to as *pemilukada* thereby incorporating them into the electoral framework. The inclusion of regional head elections within the electoral regime is expected to yield constitutional implications that strengthen the supremacy of Indonesia's constitutional democracy. Conducting these elections through a direct popular vote aligns with the provisions of Article 22E of the 1945 Constitution.

In accordance with the mandate of the 1945 Constitution of the Republic of Indonesia, Indonesia is a unitary state in the form of a republic. A logical consequence of being a unitary state is the establishment of the Indonesian state government as the national government, which subsequently establishes regional administrations in accordance with statutory regulations. Regional governments are authorized to regulate and manage their own governmental affairs based on the principles of autonomy and the-duty-of-assistance (*tugas pembantuan*), and they are granted the widest possible autonomy. Granting the widest possible autonomy to regions aims to accelerate the realization of public welfare through improved services, empowerment, and community participation. Furthermore, within the strategic context of globalization, this extensive autonomy is expected to enable regions to enhance their competitiveness while upholding principles of democracy, equity, justice, special status, and distinctiveness, as well as leveraging regional

potential and diversity within the system of the Unitary State of the Republic of Indonesia.

The year 2005 marked the implementation of direct regional head elections, granting the public the right to choose their regional leaders directly. With this shift, local governments assumed a greater role as bearers of the people's mandate in managing and leading their respective regions. The book *Dinamika Politik Pilkada Serentak* (The Political Dynamics of Simultaneous Regional Elections)—published in 2017 by the Research Center of the House of Representatives' (DPR RI) Expertise Agency—outlines the rationale behind the importance of direct elections. First, direct elections were expected to break the cycle of oligarchy that frequently characterized the selection of regional leadership candidates by Regional People's Representative Councils (DPRD). Previously, selection by a handful of council members often served only the interests of the political elite, effectively barring the public from choosing their own leaders.

The implementation of decentralization necessitates a division of governmental affairs between the central government and regional governments. This division is based on the premise that there are certain governmental affairs that remain entirely within the authority of the central government. Regional head elections (Pilkada) represent an implementation of political decentralization—the transfer of power and authority to regional governments to manage governmental affairs within their own jurisdictions, including the direct election of their regional leaders.

Regional head elections (Pilkada) represent a tangible manifestation of Indonesia's democratic system, granting the people the right to directly elect their leaders. This is grounded in Article 18, Paragraph (4) of the 1945 Constitution of the Republic of Indonesia, which stipulates that governors, regents, and mayors—serving as the heads of provincial, regency, and city regional governments, respectively—are to be elected democratically. This principle is further reinforced by Article 22E, Paragraph (1), which establishes that elections must be conducted based on the principles of being direct, general, free, secret, honest, and fair. Regional head elections are comprehensively regulated by Law No. 10 of 2016, which covers everything from candidate eligibility requirements to the sanctions applicable to candidates; these regulations aim to uphold the integrity and morality of the candidates and maintain public trust in the leaders to be elected.

Secondly, direct regional elections are expected to improve public welfare and enhance community participation in selecting local leaders. Through direct elections, the public has the opportunity to choose the candidate pair they deem best suited to champion their interests. In other words, this process creates space for citizens to play an active role in local democracy. Thirdly, direct elections facilitate a leadership selection process grounded in the needs and aspirations of the community, rather than one dictated by top-down decisions made by elites. Direct elections provide an opportunity for leaders who genuinely enjoy public support to take office, rather than those merely selected by specific elite groups. Leaders elected through direct elections tend to be more responsive to the public's aspirations, as they are directly accountable to their constituents for their performance. They are more attuned to regional needs and focus more on programs that deliver direct, positive impacts on the community, such as improvements to healthcare facilities and the provision of quality education.

Fourth, a primary objective of direct regional elections is to minimize the practice of money politics, which frequently occurred in elections conducted by Regional People's Representative Councils (DPRD). While direct elections are not entirely free from the influence of money, they are expected to foster greater transparency and public participation, thereby reducing the potential for detrimental political transactions. Fifth, direct regional elections are also expected to enhance the political legitimacy of local executives. This strengthened legitimacy supports political stability and the effectiveness of local governance. With leaders directly elected by the people, local governments are expected to operate more effectively in carrying out their duties and improving public welfare.

On November 27, 2024, Indonesia held simultaneous regional elections involving 545 regions—comprising 37 provinces, 415 regencies, and 93 cities. These elections are frequently marred by violations, disputes, and challenges regarding results—issues that, if not properly addressed, threaten to undermine electoral legitimacy and erode public trust in democracy. Certain patterns of violations typically underpin these disputes over election results; primary causes often include administrative infractions—such as the General Elections Commission's (KPU) lack of diligence in verifying candidacy documents or the use of forged documents—as well as procedural violations by election organizers. Furthermore, substantive violations—including vote-buying, vote manipulation, and a lack of neutrality among officials—also serve as grounds for filing disputes regarding election results with the Constitutional Court (MK).

In this context, while the Constitutional Court plays a pivotal role in addressing post-election violations, its jurisdiction is limited to the adjudication of election results rather than violations occurring during the candidacy phase. Conversely, Bawaslu—the election oversight body—faces limitations in addressing strategic administrative violations prior to the certification of results, rendering it less effective in ensuring the overall integrity of the electoral process. Consequently, there is an urgent need to reform election laws to equip Bawaslu with robust adjudicative capacity to decisively resolve violations at an early stage. Without such strengthening, strategic violations will continue to serve as loopholes that undermine Indonesia's electoral democracy. A reformulation of election laws is essential to establish an effective early-remedy system by empowering institutions like Bawaslu to take action against violations before they impact election outcomes.

Such reforms must encompass enhanced transparency and accountability across all stages of the electoral process, aligning with findings that sustained information openness strengthens electoral accountability. Furthermore, lessons from the Omnibus Law highlight the importance of considering institutional quality holistically to ensure reforms are not merely piecemeal and do not fail to address the root causes of the issues. Consequently, overhauling the electoral system cannot be limited to procedural adjustments; instead, it must drive a systemic transformation grounded in substantive justice and institutional effectiveness.

The 2024 regional elections serve as a crucial moment for further analyzing the Constitutional Court's ruling patterns in handling election result disputes. These elections were marked by significant legal dynamics, particularly regarding the resolution of disputes over regional head election results at the Constitutional Court. Out of 310 registered petitions, rulings were issued in only 26 cases, with the majority resulting in a re-vote (PSU) at all or some polling stations. This data

indicates that only about 8.4% of the total petitions successfully met the formal and substantive thresholds required for adjudication by the Constitutional Court.

One such instance occurred during the 2024 Pasaman Regency regional head election, which was the subject of Constitutional Court Decision No. 02/PHPU.BUP-XXIII/2025. This decision has drawn attention because it directly addresses the issue at hand. In the 2024 Pasaman election, inconsistencies in the interpretation of candidacy requirements revealed a lack of alignment between statutory regulations and their practical implementation. This situation not only creates legal uncertainty for voters but also risks undermining public confidence in the integrity of the democratic process. When election management bodies—such as the KPU and Bawaslu—and election participants hold conflicting views regarding the rules, legal disputes become inevitable.

The issue arose when the Petitioner (Candidate Pair No. 02) revealed that the elected vice-regent candidate, Anggit Kurniawan Nasution, had previously been convicted of fraud, as established by South Jakarta District Court Judgment No. 293/Pid.B/2022. The central issue in the case—addressed in Constitutional Court Decision No. 02/PHPU.BUP-XXIII/2025—was the failure of Anggit Kurniawan Nasution (the vice-regent candidate for Candidate Pair No. 01) to meet formal candidacy requirements; although he was a former convict, he had obtained and utilized a "Certificate of No Criminal Record" from the South Jakarta District Court. This document was subsequently revoked by the court because it was proven to be erroneous, given that the individual had indeed been convicted under Judgment No. 293/Pid.B/2022/PN Jkt.Sel.

The requirements for regional head candidacy are stipulated in Article 7, paragraph (2), letter g of Law Number 10 of 2016. This provision mandates that a candidate must not have a prior criminal conviction—unless they have served their sentence, publicly disclosed their status, and a period of five years has elapsed since their release—in order to uphold integrity, prevent the abuse of office, and maintain public trust in democracy. These requirements are further clarified in General Election Commission Regulation (PKPU) Number 8 of 2024, which outlines administrative procedures and the candidate's obligation to submit documentation verifying the accuracy of their data, given that regional elections serve as both a political process and a mechanism for selecting regional leadership. A frequently arising issue concerns the candidacy of former convicts; the law asserts that individuals previously sentenced to five years or more of imprisonment may only run for office if they meet the requisite timeframe and make a public announcement in the mass media, supported by valid evidence and court documents.

In the dispute regarding the 2024 West Pasaman Regent and Vice-Regent election results, the Constitutional Court partially granted the petition filed by the candidate pair holding ballot number 2, ruling that Anggit Kurniawan Nasution failed to meet the eligibility requirements for the vice-regent candidacy—due to his status as a former convict and his failure to publicly disclose that status—and was therefore disqualified. The Court annulled West Pasaman General Elections Commission (KPU) Decrees No. 851, 600, and 604 of 2024 and ordered the nominating parties of the candidate pair holding ballot number 1 to replace their vice-regent candidate while retaining the regent candidate, Welly Suhery, S.T. Furthermore, the Court ordered a re-vote (PSU) to be held—excluding Anggit Kurniawan Nasution—no later than 60 days after the ruling was pronounced, subject to supervision by the Election

Supervisory Body (Bawaslu), coordination with the KPU at all levels, and security provided by the West Sumatra Regional Police and the Pasaman Resort Police. The remainder of the Petitioner's claims were rejected.

Islam is a religion whose teachings encompass every aspect of human life, offering a universal and comprehensive set of values—spanning social, economic, political, and legal spheres. Islamic leadership concepts and foundations are derived from the Qur'an and Hadith, with their substance having been exemplified by the Prophet Muhammad (PBUH) during his lifetime. Regarding the judicial reasoning in Constitutional Court Decision Number 02/PHPU.BUP-XXIII/2025—which addresses the status of the Candidate for Deputy Regent (Ballot Number 1), Anggit Kurniawan Nasution, S.Ikom., M.Sc., who was previously convicted of complicity in fraud—the Court holds that to ensure the emergence of leaders who are clean, honest, and possess integrity, all candidates without exception must fully satisfy the specific candidacy requirements and parameters stipulated by prevailing laws and regulations.

Islam views this issue through a moral and religious lens. Under the concepts of al-amānah (trustworthiness) and al-'adālah (justice), a leader must possess the qualities of honesty, fairness, and integrity. Scholars such as Al-Māwardī assert that a leader who is fāsiq (transgressive/unrighteous) or dishonest is unfit to lead the community, emphasizing the necessity of both capability and suitability for leadership. According to Imam al-Māwardī, a leader is chosen not merely for political strength, but also for their moral and intellectual fitness.

METHODS

This type of research is library research with a qualitative approach. Data was obtained through documentation. Documentation was conducted not only on books but also on several analyses and opinions from previous research related to the topic of this study. The analysis in this study is inductive, beginning with the presentation of specific statements and then drawing general conclusions.

RESULT AND DISCUSSION

Operative Part of the Constitutional Court of the Republic of Indonesia Decision Number 02/PHPU.BUP-XXIII/ Regarding the Dispute over the 2024 Pasaman Regent and Vice-Regent Election Results

The operative part of the Decision in Case Number 02/PHPU.BUP-XXIII/2025 regarding the dispute over the results of the 2024 election for the Regent and Vice Regent of Pasaman contains several points, namely:

1. Grant the Petitioner's petition in part;
2. Declare the disqualification of Anggit Kurniawan Nasution, S.Ikom., M.Sc. as a Candidate for Deputy Regent of Pasaman in the 2024 Pasaman Regent and Deputy Regent Election;
3. Declare null and void the Pasaman Regency General Election Commission Decree Number 851 of 2024 concerning the Determination of the Results of the 2024 Pasaman Regent and Deputy Regent Election, dated December 2, 2024;
4. Declare null and void the Pasaman Regency General Election Commission Decree Number 600 of 2024 concerning the Determination of Candidate Pairs for Regent and Deputy Regent of Pasaman in the 2024 National Simultaneous Elections, dated September 22, 2024;

5. Declare null and void the Pasaman Regency General Election Commission Decree Number 604 of 2024 concerning the Determination of Ballot Numbers and the List of Candidate Pairs Participating in the 2024 Pasaman Regent and Deputy Regent Election, dated September 23, 2024;
6. Order the political party or coalition of political parties that nominated/proposed the disqualified Deputy Regent Candidate, Anggit Kurniawan Nasution, S.Ikom., M.Sc., to propose a replacement for him as the Regent and Deputy Regent candidate pair, without replacing Welly Suhery, S.T. as the candidate pair in the 2024 Pasaman Regent and Deputy Regent Election;
7. Order the Respondent to conduct a Re-vote without the participation of Anggit Kurniawan Nasution, S.Ikom., M.Sc. ...as a candidate for Deputy Regent of Pasaman in the 2024 Pasaman Regent and Deputy Regent election, based on the Final Voters List, Transferred Voters List, and Additional Voters List identical to those used for the voting on November 27, 2024, for the 2024 Pasaman Regent and Deputy Regent election, in accordance with statutory regulations, to be carried out within a maximum period of 60 (sixty) days from the pronouncement of the a quo decision, and simultaneously establishing the result as the announcement of the vote tally from said Re-voting without the need to report back to the Court;
8. Ordering the General Elections Commission of the Republic of Indonesia to conduct supervision and coordination with the General Elections Commission of West Sumatra Province and the General Elections Commission of Pasaman Regency regarding the implementation of this decision;
9. Ordering the General Election Supervisory Body of the Republic of Indonesia to conduct supervision and coordination with the General Election Supervisory Body of West Sumatra Province and the General Election Supervisory Body of Pasaman Regency regarding the implementation of this decision;
10. Ordering the Indonesian National Police and its subordinate units—specifically the West Sumatra Regional Police and the Pasaman Resort Police—to provide security for the re-voting process in accordance with their respective authorities;
11. Rejecting the Petitioner's petition regarding all other matters.

Judicial Considerations in the Decision of the Constitutional Court of the Republic of Indonesia Number 02/PHPU.BUP-XXIII/ Regarding the Dispute over the 2024 Pasaman Regent and Vice-Regent Election Results

Regarding the Court's authority to resolve disputes over the results of regional head elections, it is essential for the Court to first clarify the phrase "until the establishment of a special judicial body" as found in Article 157, paragraph (3) of Law Number 10 of 2016. In this context, the authority to resolve such disputes is inseparable from the Constitutional Court's constitutional obligation—as a constitutional court—to ensure that the conduct of regional head elections does not violate the electoral principles of being direct, general, free, secret, honest, fair, and periodic.

Article 7, paragraph (2) of Constitutional Court Regulation Number 3 of 2024 concerning Procedural Law for Disputes over Election Results for Governors, Regents, and Mayors (PMK 3/2024) states: "The petition referred to in paragraph (1) shall be submitted no later than 3 (three) working days calculated from the announcement of the determination of the election vote results by the Respondent." The Court holds

that the Petitioner's petition was submitted within the applicable timeframe. Thus, the Petitioner's petition was filed within the period prescribed by laws and regulations.

The Petitioner obtained 49,126 votes, whereas the Related Party (the candidate pair securing the highest number of votes) obtained 51,828 votes; thus, the vote margin between the Related Party and the Petitioner is 51,828 votes – 49,126 votes = 2,702 votes (1.9%), or more than 2,155 votes. Consequently, the margin between the Petitioner's vote count and that of the candidate pair with the highest number of votes exceeds the threshold for filing a petition as stipulated in Article 158 paragraph (2) letter b of Law Number 10 of 2016.

Upon carefully examining the Petitioner's arguments, the Respondent's response, the statements from the Related Party and the Pasaman Regency Bawaslu, the evidence submitted by each party, the testimony of experts and witnesses presented by the parties, and the legal facts revealed during the proceedings, the Court noted the Petitioner's argument regarding the fulfillment of candidate eligibility requirements—specifically the requirement that a candidate must not have been convicted of a crime by a court ruling that has attained permanent legal force, or, in the case of a former convict, must have openly and honestly disclosed their status to the public, as stipulated in Article 7 paragraph (2) letter g of Law No. 10/2016 and interpreted in the Court's rulings.

Regarding the issuance of Letter Number 338/WKPN.W10-U3/HK.01/XI/2024 dated November 20, 2024—concerning the revocation of the certificate stating no prior criminal conviction issued by the South Jakarta District Court for Anggit Kurniawan Nasution, S.Ikom., M.Sc.—the Court holds that, in order to secure leaders who are clean, honest, and possess integrity, the specific guidelines or limitations serving as candidacy requirements (as stipulated by prevailing laws and regulations) must be fully met by every candidate without exception. Furthermore, these limitations exist solely to safeguard the rights and freedoms of voters to elect a regional head who possesses adequate competence, integrity, and honesty. The honesty of election candidates can be demonstrated at the time of registration; therefore, regarding administrative candidacy requirements, candidates must complete the necessary documentation accurately and truthfully, as honesty serves as a key parameter in establishing a candidate's integrity. The Court is of the opinion that, regarding the legality and validity of the candidacy requirements for Anggit Kurniawan Nasution, S.Ikom., M.Sc. as a candidate for Deputy Regent in the 2024 Pasaman Regent and Deputy Regent Election, he must be declared as failing to meet the requirements and his candidacy as legally flawed.

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Regency/City KPU. Fifth, Election participants shall submit the petition to the Constitutional Court as referred to in paragraph (4) no later than 3 (three) working days from the announcement of the determination of Election vote count results by the Provincial KPU or the Regency/City KPU. Sixth, the submission of the petition as referred to in paragraph (5) shall be accompanied by evidentiary materials/documents and the Decision of the Provincial KPU or the Regency/City KPU

regarding the vote count recapitulation results. Seventh, in the event that the petition submitted as referred to in paragraph (5) is incomplete, the petitioner may amend and complete the petition within a maximum of 3 (three) working days from the receipt of the petition by the Constitutional Court. Eighth, the Constitutional Court shall issue a ruling on the Election result dispute case no later than 45 (forty-five) working days from the receipt of the petition. Ninth, the ruling of the Constitutional Court as referred to in paragraph (8) shall be final and binding. Tenth, the Provincial KPU and/or the Regency/City KPU are obliged to implement the ruling of the Constitutional Court.

Article 7, paragraph (2) of Constitutional Court Regulation Number 3 of 2024 concerning Procedural Law for Disputes over Election Results for Governors, Regents, and Mayors stipulates the following: First, petitions may be submitted to the Court either offline or online. Second, the petition referred to in paragraph (1) must be submitted no later than 3 (three) working days following the announcement of the determination of the election vote results by the Respondent. Third, the timeframe for the announcement of the determination of vote results referred to in paragraph (2) is calculated from the moment the Respondent determines the election vote results during an open plenary session attended by the parties. Fourth, the service hours for petition submission are from 08:00 WIB to 24:00 WIB on working days.

Regarding the failure to meet the requirements of Article 158 paragraph (2) letter b of Law No. 10/2016 mentioned above, the Petitioner argues—in essence—that the challenge is not limited solely to the vote tally dispute but extends to the official designation of the candidate pair and the final determination of the 2024 Pasaman Regent and Vice-Regent election results. According to the Petitioner, this arises because, shortly before the official designation of the Regent and Vice-Regent candidate pair, it was revealed that the Vice-Regent candidate, Anggit Kurniawan Nasution, S.Ikom., M.Sc. (running alongside Regent candidate Welly Suhery, S.T.), was a former convict who had never openly and honestly disclosed this fact to the public; consequently, he did not actually meet the formal requirements for registration as a Vice-Regent candidate. Article 158 paragraph (2) stipulates that participants in the elections for Regent/Vice-Regent and Mayor/Vice-Mayor may file a petition to annul the determination of vote tally results, subject to the following conditions: First, for regencies/cities with a population of up to 250,000 (two hundred and fifty thousand), a dispute regarding the vote tally may be filed if there is a margin of no more than 2% (two percent) of the total valid votes from the final tally determined by the Regency/City General Election Commission (KPU). Second, for regencies/cities with a population exceeding 250,000 (two hundred and fifty thousand) up to 500,000 (five hundred thousand), a dispute regarding the vote tally may be filed if there is a margin of no more than 1.5% (one point five percent) of the total valid votes from the final tally determined by the Regency/City KPU. Third, for regencies/cities with a population of more than 500,000 (five hundred thousand) up to 1,000,000 (one million) inhabitants, a dispute regarding the vote count may be filed if there is a difference of no more than 1% (one percent) of the total valid votes from the final vote count conducted by the Regency/City KPU. Fourth, for regencies/cities with a population of more than 1,000,000 (one million) inhabitants, a dispute regarding the vote count may be filed if there is a difference of no more than 0.5% (zero point five percent) of the total valid votes from the final vote count conducted by the Regency/City KPU.

Article 7, paragraph (2), letter g of Law No. 10/2016 states: *"has never been a convicted person based on a court decision that has attained permanent legal force, or—in the case of a former convict—has openly and honestly disclosed to the public that the person concerned is a former convict."*

Leadership is a very important element in human life, especially when associated with a community or country. In a country, it is impossible to run normally and conductively without a leader. In the context of this kind of leadership, the leader will be used as a reference and follower. Because leaders have policies and orders that are full of vision, mission and goals, and ideally their goals are in line with the principles of goodness. If the matter of leadership is examined using the Al-Qur'an approach. So it can be found that in the Al-Qur'an we often find verses that talk about leadership. The term leadership in the Qur'an itself can be found in several terms, including: Ulil amri, khilafah and Imam. The verse that talks about these three terms can be found in the Word of Allah SWT as explained below: This means "and when news comes to them about security or fear, they then broadcast it, and if they hand it over to the Rasul and Ulul Amri among them, surely those who want to know the truth, will be able to find out from them (Rasulullah and Ulil Amri). If it were not for Allah's grace and mercy towards you, you would surely follow Shayton except for a small part of it. between you." (Q.S. An-nisa: 83).

The verse above can be seen very clearly, that the meaning of ulil amri is to show the meaning of power or leadership. Because ulil amri in this verse means the power to manage all general affairs (including politics and government). For this reason, Allah SWT commands you to obey it, even though there are limits to obeying the ulil amri. Where when disputes and debates occur, the Muslim community should return to Allah and His Messenger, namely the Qur'an and Sunnah.

The word of Allah which means "It is He who made you caliphs on the face of the earth. Whoever disbelieves, (the consequences of) his disbelief will befall himself. And the disbelief of those who disbelieve will only increase the wrath of their Lord and the disbelief of those who disbelieve will only increase their losses." (Q.S. Al-Fatir: 39). This means "We have made them leaders who guide us with Our commands and We have revealed them to them, to do good deeds, to offer prayers, to pay zakat, and only to Us do they always worship." (Q.S. Al-Anbiya: 73).

By addressing the concept of leadership across various surahs and verses, the Qur'an demonstrates the serious importance Islam places on the ideal qualities of a leader. Indeed, in several of the aforementioned verses, Allah SWT explicitly commands people to obey their leaders. However, the leaders who must be obeyed are those who are just and wise, and who guide others toward goodness. This is because the ideal leader in Islam is one who is virtuous, just, and wise—someone who serves as a role model for attaining well-being in both this world and the Hereafter. Leadership also entails a profound responsibility, as it constitutes a sacred trust (amanah) from Allah. The effectiveness of leadership depends on the quality of the leader themselves. Leadership involves two parties: the followers and the leader (imam). In Islam, the primary criteria for a leader are faith and piety (taqwa) toward Allah SWT.

CONCLUSION

The Constitutional Court of the Republic of Indonesia Decision Number 02/PHPU.BUP-XXIII—concerning the dispute over the 2024 Pasaman Regent and

Vice-Regent election results—aligns with Islamic law, which holds that a leader who must be obeyed is one who is just, wise, and guides others toward goodness. In Islam, the ideal leader is virtuous, just, and wise, serving as a role model for attaining well-being in both this world and the Hereafter. Leadership also entails immense responsibility, as it constitutes a sacred trust (*amanah*) from Allah; the effectiveness of leadership depends on the quality of the leader themselves.

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