

## ABSTRAK

### PERAN KEJAKSAAN DALAM PENYELESAIAN SENGKETA PEMILIHAN WALI KOTA BENGKULU TAHUN 2024

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Penegakan hukum merupakan fondasi utama dalam mewujudkan negara hukum yang adil dan demokratis. Dalam konteks Pemilihan Wali Kota Bengkulu Tahun 2024, muncul berbagai potensi sengketa yang menuntut penanganan hukum yang tepat dan adil. Berdasarkan Undang-Undang Nomor 11 Tahun 2021 tentang Kejaksaan, Dimana Kejaksaan sebagai lembaga penegakan hukum yang memiliki kedudukan strategis dalam demokrasi, khususnya melalui Jaksa Pengacara Negara (JPN) yang memberi bantuan hukum kepada Komisi Pemilihan Umum (KPU) di dalam persidangan Mahkamah Konstitusi (MK). Kewenangan Kejaksaan dalam konteks ini merupakan kewenangan atribusi yang diberikan secara langsung oleh undang-undang, sehingga setiap tindakan Kejaksaan dalam penyelesaian sengketa pemilihan harus berlandaskan pada asas legalitas dan prinsip negara hukum.

Penelitian ini berfokus pada dua permasalahan : (1) Bagaimanakah peran kejaksaan dalam penyelesaian sengketa pemilihan Wali Kota Bengkulu Tahun 2024 dan (2) Bagaimanakah hambatan kejaksaan dalam penyelesaian sengketa pemilihan Wali Kota Bengkulu Tahun 2024. Penelitian ini menggunakan metode pendekatan *yuridis normatif* dan *yuridis empiris* dengan teknik analisis deskriptif kualitatif. Teori yang digunakan meliputi teori kewenangan hukum. Narasumber penelitian mencakup Jaksa Pengacara Negara (JPN) Kejaksaan Negeri Bengkulu dan KPU Kota Bengkulu.

Hasil penelitian menunjukkan bahwa : (1) Kejaksaan memiliki peran penting dalam menjaga legalitas pilkada melalui penanganan berbagai pelanggaran, seperti sengketa administratif, pelanggaran etik, tindak pidana pemilu, hingga perselisihan hasil pemilihan. Dalam konteks penyelesaian sengketa pemilihan Wali Kota Bengkulu Tahun 2024 Kejaksaan melalui Jaksa Pengacara Negara (JPN) berperan aktif dalam memberikan pendampingan hukum kepada Komisi Pemilihan Umum (KPU) dan mewakili lembaga tersebut dalam sengketa di Mahkamah Konstitusi. (2) hambatan yang dihadapi Kejaksaan melalui Jaksa Pengacara Negara (JPN) dalam penyelesaian sengketa pemilihan Wali Kota Bengkulu Tahun 2024 mencakup perbedaan penafsiran hukum antar lembaga, kurangnya forum koordinasi, serta keterbatasan sumber daya. Kesimpulannya, Kejaksaan memiliki peran strategis dalam penyelesaian sengketa Pemilihan Wali Kota Bengkulu Tahun

2024 melalui kewenangan hukum yang diberikan secara atribusi oleh undang-undang, khususnya melalui fungsi Jaksa Pengacara Negara (JPN) dalam pendampingan hukum dan representasi di Mahkamah Konstitusi. Pelaksanaan kewenangan tersebut harus berlandaskan asas legalitas sebagai prinsip fundamental negara hukum. Namun, pelaksanaan kewenangan Kejaksaan masih menghadapi hambatan berupa perbedaan penafsiran hukum, kurangnya koordinasi antar lembaga, dan keterbatasan sumber daya, sehingga diperlukan penguatan koordinasi dan evaluasi kelembagaan agar kewenangan Kejaksaan dapat dijalankan secara optimal dalam mewujudkan keadilan elektoral.

**Kata Kunci : Kejaksaan, Sengketa Pilkada, Jaksa Pengacara Negara.**

## **ABSTRACT**

### ***THE ROLE OF THE PROSECUTOR'S OFFICE IN RESOLVING DISPUTES IN THE 2024 BENGKULU MAYORAL ELECTION***

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*Law enforcement is the main foundation for realizing a fair and democratic state based on the rule of law. In the context of the 2024 Bengkulu Mayoral Election, various potential disputes have arisen that require appropriate and fair legal handling. Based on Law Number 11 of 2021 concerning the Attorney General's Office, The Attorney General's Office is a law enforcement agency that has a strategic position in democracy, , particularly through the State Attorney (JPN) who provides legal assistance to the General Election Commission (KPU) in the Constitutional Court (MK) proceedings. The authority of the Attorney General's Office in this context is an attributive authority granted directly by law, so that every action taken by the Attorney General's Office in resolving election disputes must be based on the principle of legality and the rule of law.*

*This study focuses on two issues: (1) The role of the Attorney General's Office in resolving disputes in the 2024 Bengkulu mayoral election and (2) The obstacles faced by the Attorney General's Office in resolving disputes in the 2024 Bengkulu mayoral election. This study uses a normative juridical and empirical juridical approach with qualitative descriptive analysis techniques. The theories used include the theory of legal authority. The research sources include the State Attorney (JPN) of the Bengkulu District Attorney's Office and the Bengkulu City KPU.*

*The results of the study show that: (1) The Attorney General's Office plays an important role in maintaining the legality of regional elections by handling various violations, such as administrative disputes, ethical violations, election crimes, and election result disputes. In the context of resolving the 2024 Bengkulu mayoral election dispute, the Attorney General's Office, through the State Attorney (JPN), played an active role in providing legal assistance to the General Election Commission (KPU) and representing the institution in disputes before the Constitutional Court. (2) The obstacles faced by the Attorney General's Office through the State Attorney (JPN) in resolving the 2024 Bengkulu Mayor election dispute include differences in legal interpretation between institutions, a lack of coordination forums, and limited resources. In conclusion, The Attorney General's Office has a strategic role in resolving disputes in the 2024 Bengkulu Mayoral*

*Election through the legal authority granted by law, particularly through the function of the State Attorney (JPN) in providing legal assistance and representation at the Constitutional Court. The exercise of these powers must be based on the principle of legality as a fundamental principle of the rule of law. However, the exercise of the Attorney General's Office's powers still faces obstacles in the form of differences in legal interpretation, lack of coordination between institutions, and limited resources, so that strengthening coordination and institutional evaluation is needed so that the Attorney General's Office's powers can be exercised optimally in realizing electoral justice.*

**Keywords: Attorney General's Office, Regional Election Disputes, State Attorney.**