

ABSTRAK

Arba Sahlan **“Pemberhentian Hakim Mahkamah Konstitusi Oleh Dewan Perwakilan Rakyat” (Studi Kasus Pemberhentian Hakim Aswanto)** yang di bombing oleh Bapak **Dr. Sultan Alwan, S.H., M.H selaku dosen pembimbing I** dan **Ibu Sahla Marsaoly, S.H., M.H selaku pembimbing II**

Penelitian ini bertujuan untuk Untuk mengetahui dasar hukum Dewan Perwakilan Rakyat (DPR) melakukan pemberhentian hakim mahkamah konstitusi Untuk mengetahui prosedur pemberhentian Hakim Mahkamah konstitusi

Tipe penelitian ini menggunakan tipe penelitian hukum normatif, yaitu penelitian yang mempunyai objek meneliti tentang sistem, kaidah, dari peraturan perundang-undangan secara doctrinal (ajaran). Penelitian ini dilakukan melalui studi pustaka atau *library research*.

Hasil dari penelitian skripsi ini menjelaskan kesimpulan :(1) Praktik pemberhentian hakim mahkamah konstitusi yang dilakukan oleh Dewan perwakilan Rakyat (DPR) oleh hakim mahkamah konstitusi aswanto merupakan tindakan cacat secara hukum. tindakan sewenang-wenang dewan perwakilan rakyat merupakan tindakan nyata mobilisasi syarat kepentingan. Karena pemberhentian yang dilakukan oleh Dewan Perwakilan Rakyat (DPR) bertentangan dengan putusan mahkamah konstitusi nomor: 96/PUU-XVIII/2020, Peraturan Mahkamah konstitusi Nomor 4 Tahun 2012 Tentang Tata Cara Pemberhentian Hakim Mahkamah Konstitusi dan pasal 23 Undang-Undang Nomor 7 Tahun 2020 Tentang Mahkamah Konstitusi. alasan pemberhentian yang dilakukan Dewan Perwakilan Rakyat(DPR) terhadap hakim mahkamah konstitusi tidak beralasan hukum, seharusnya DPR tidak diperbolehkan memberhentikan hakim mahkamah konstitusi dalam kaca mata hukum. (2) Prosedur pemberhentian hakim mahkamah konstitusi telah jelas diatur dalam Peraturan Mahkamah Konstitusi Nomor 4 Tahun 2012 Tentang Tata Cara Pemberhentian Hakim Mahkamah Konstitusi dan pasal 23 Undang-Undang Nomor 7 Tahun 2020 Tentang Mahkamah Konstitusi. dalam pasal tersebut, terdapat 2 (dua) cara pemberhentian hakim mahkamah konstitusi (MK), yaitu pemberhentian terhormat dan pemberhentian tidak hormat. Seorang hakim mahkamah konstitusi dapat diberhentikan apabila didapati memenuhi salah satu dari kriteria.

Kata Kunci: (Studi Kasus Pemberhentian Hakim Aswanto)

ABSTRACT

Arba Sahlan "**Dismissal of Constitutional Court Judges by the House of Representatives**" (Case Study of Dismissal of Judge Aswanto) bombed by **Mr. Dr. Sultan Alwan, S.H., M.H as Supervisor I** and **Mrs. Sahla Marsaoly, S.H., M.H as Supervisor II**

This study aims to find out the legal basis for the House of Representatives (DPR) to dismiss Constitutional Court judges To find out the procedure for dismissing Constitutional Court Judges This type of research uses a normative legal research type, namely research that has an object of researching the system, rules, and regulations in a doctrinal manner (teachings). This research was conducted through library research. The results of this thesis research explain the conclusions: (1) The practice of dismissing Constitutional Court judges carried out by the House of Representatives (DPR) by Constitutional Court Judge Aswanto is a legally flawed act. The arbitrary actions of the House of Representatives are real acts of mobilizing interest requirements. Because the dismissal carried out by the People's Representative Council (DPR) is contrary to the decision of the Constitutional Court Number: 96/PUU-XVIII/2020, Constitutional Court Regulation Number 4 of 2012 Concerning Procedures for Dismissal of Constitutional Court Judges and Article 23 of Law Number 7 of 2020 Concerning the Constitutional Court. The reasons for the dismissal carried out by the People's Representative Council (DPR) against the constitutional court judges are not legally justified, the DPR should not be allowed to dismiss constitutional court judges in terms of law. (2) The procedure for dismissing constitutional court judges has been clearly regulated in Constitutional Court Regulation Number 4 of 2012 Concerning Procedures for Dismissal of Constitutional Court Judges and Article 23 of Law Number 7 of 2020 Concerning the Constitutional Court. In this article, there are 2 (two) ways to dismiss constitutional court (MK) judges, namely honorable dismissal and dishonorable dismissal. A constitutional court judge can be dismissed if he is found to meet one of the criteria.

Keywords: (Case Study of the Dismissal of Judge Aswanto)