

## Al Gore V. George W. Bush dalam pemilihan presiden Amerika 2000: Persengketaan hasil pemilihan umum di Florida

Napang, Marthen, author

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### Abstrak

Pemilihan umum tahun 2000 di Amerika Serikat telah terlaksana. Tetapi terdapat beberapa masalah yang menjadi pokok bahasan dalam tesis ini, yaitu: mengapa partisipasi para pemilih dalam pemilihan presiden di Amerika relatif terbatas hanya sekitar 50% - 55 % dari suara pemilih, mengapa partai yang memenangkan kursi presiden tidak menjamin partai tersebut mempertahankan kemenangan sebelumnya di Kongres: DPR (The House of Representative) dan Senat, Mengapa Presiden terpilih Amerika dengan dukungan a plurality (Majority electoral college) belum tentu merebut dukungan a majority (popular votes) atau mengapa kandidat yang memperoleh dukungan populer votes tidak terpilih sebagai presiden Amerika, dan apakah makna penyelesaian sengketa politik hasil pemilihan presiden 2000 di Mahkamah Agung Negara Bagian Florida dan Mahkamah Agung Federal Amerika (U.S. Supreme Court) ? Pembahasan dilakukan berdasarkan pendekatan kualitatif yang didukung pendekatan kuantitatif, dengan mengandalkan kesahihan informasi dan data kepustakaan.

Pemilihan dilakukan sebagai perwujudan dari sistem demokrasi konstitusional yang dianut Amerika Serikat. Sistem demokrasi konstitusional memberi pengertian bahwa kebebasan, perwakilan, dan pembatasan kekuasaan pemerintah bersandar pada demokrasi dan konstitusi. Demokrasi menggambarkan pemerintahan yang dibentuk adalah pemerintahan berdasarkan aturan mayoritas (majority rule). Sedang konstitusi menyatakan pembatasan pada kekuasaan demokrasi, dalam batasan bahwa suara mayoritas yang memerintah tidak akan meluas menindas minoritas. Dalam demokrasi partisipasi politik merupakan suatu cara seseorang menyatakan, menentukan, atau mengungkapkan kemampuan dirinya menciptakan nilai-nilai kemanusiaannya dalam sebuah pemilihan. Pemilihan diselenggarakan secara teratur dan berkelanjutan dengan aturan-aturan: winner takes all, the single-member district system, the plurality and majority rule, the Electoral College.

Dalam pemilihan umum tahun 2000, dilakukan pemilihan presiden yang diikuti oleh kandidat Presiden George W. Bush dari Partai Republik dan Al Gore dari Demokrat yang memperebutkan 538 suara elektoral, dengan partisipasi 105.326.325 rakyat pemilih. Juga diadakan pemilihan 435 anggota DPR (the House of Representative) yang diikuti oleh 835 kandidat, dan 34 Senator yang diikuti oleh 75 kandidat.

Ternyata kubu Al Gore mengklaim hasil penghitungan suara para pemilih di Florida, yang saat itu juga merupakan negara bagian yang paling terakhir merampungkan penghitungan suara. Sehingga terjadi persengketaan di Pengadilan. Setelah melalui beberapa tahap persidangan termasuk oleh Mahkamah Agung Florida, akhirnya Mahkamah Agung Federal memutuskan sengketa hasil penghitungan suara ini, dan George W. Bush dinyatakan terpilih sebagai Presiden Amerika ke-43.

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Al Gore V. George W. Bush in U.S. President Campaign 2000: Conflict of General Election Result in Florida

The 2000 General Election in United State has been held. But there were some problem that became the main topic in this thesis, i.e. : why the participation of voters in president election in United State relatively limited only range for 50%-55% of voters, why the party who was winning the president chair were not guaranteeing that party to maintain its former victory in Congress; The House of Representative and Senate, Why the selected American President with the support of plurality (Majority electoral) was still not certain to gain majority support (popular votes), or why did the candidates who had gain popular votes support was not selected as the American President, and what is the mean of resolution for politic conflict of the 2000 general election result at the Supreme Court of Florida State and at the U. S. Supreme Court? The discussion was held based on qualitative approach, by counting on the legality of information and literature data.

Election was held as manifestation of the constitutional democracy system, which was believed in United States. It provides a comprehension that the government's freedom, representative, and authority limitation was lie on democracy and constitution. Democracy described the formed government as government based on majority rule. Whereas, the constitution stated that in limitation of democracy power, the governing majority vote will not expand and oppress the minority. Democracy of politic participation is a certain method to state, determine, or express his ability about creating his humanity values i n one election. United State organized the election regularly and continuously by rules of: winner takes all, the single-member district system, the plurality and majority rule the Electoral College.

On the general election in the 2000 years, the president election were participated by the candidate of Republican Party, President George W. Bush and Al gore of the Democrats Party, which was struggling for 538 Electoral Votes. Also, the election of 435 House of Representative members, which were participated by 835 candidates, and 34 Senators which was participated by 7 5 candidates. It turned out t hat t he Al Gore entrenchment claimed the vote enumeration of the electors in Florida, which in that time was also the last state in completing its vote enumeration. Then there were accusations in the court. After passing several stages of court session including by the Florida Supreme Court, and finally the Federal Supreme Court decide that in this dispute of vote enumeration result, George W. Bush was declared as the 43nd American President.