



ANALYSIS OF THE EFFECTIVENESS OF THE CAMPAIGN OF THE SINGLE CANDIDATE OF THE REGIONAL HEAD IN INFLUENCING THE VOTE (STUDY OF THE ELECTION OF REGENT AND DEPUTY REGENT OF SERDANG BEDAGAI)

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ABSTRACT

Elections play a strategic role in building democracy and guaranteeing the rights of the people. One of the main features of democracy is elections that face various challenges in the process, especially in this case regarding the effectiveness of the campaign of a single candidate for regional heads in influencing votes. The legal arrangements for the election campaign for Regional Heads with a single candidate are regulated in the General Election Commission Regulation Number 15 of 2023 concerning General Election Campaigns which regulates the General Election Campaign which includes, the implementation of the Campaign, General Election Campaign materials, Campaign methods, news and broadcasting, Election Campaigns, prohibition of Election campaigns, coordination with ministries/local government agencies, the Indonesian National Army, and the Indonesian National Police in the implementation of General Elections, socialization and political education. The implementation of the Regional Head Election campaign with a single candidate is an important stage to introduce regional head candidates to the public and convince voters to vote for them.

Keywords: Effectiveness, Campaign, Regional Head.

ANALISIS EFEKTIVITAS KAMPANYE CALON TUNGGAL KEPALA DAERAH DALAM MEMPENGARUHI SUARA (STUDI PEMILIHAN BUPATI DAN WAKIL BUPATI SERDANG BEDAGAI)

ABSTRAK

Pemilu memainkan peran strategis dalam membangun demokrasi dan menjamin hak-hak rakyat. Fitur utama demokrasi salah satunya adalah pemilu yang menghadapi berbagai tantangan dalam prosesnya terutama dalam hal ini mengenai efektivitas kampanye calon tunggal kepala daerah dalam mempengaruhi suara. Pengaturan hukum kampanye pemilihan Kepala Daerah dengan calon tunggal diatur dalam Peraturan Komisi Pemilihan Umum Nomor 15 Tahun 2023 Tentang Kampanye Pemilihan Umum yang mengatur tentang Kampanye



*Jurnal Ilmiah Metadata, ISSN :2723 -7737, Vol.7 No.1, Edisi Januari 2025
Published : 01-01-2025, Page : 345-357*

Pemilihan Umum yang meliputi, pelaksana Kampanye, materi Kampanye Pemilihan Umum, metode Kampanye, pemberitaan dan penyiaran, Kampanye Pemilu, larangan kampanye Pemilu, koordinasi dengan kementerian/lembaga pemerintah daerah, Tentara Nasional Indonesia, dan Kepolisian Negara Republik Indonesia dalam penyelenggaraan Pemilihan Umum, sosialisasi dan pendidikan politik. Pelaksanaan pelaksanaan kampanye Pemilihan Kepala Daerah dengan calon tunggal adalah tahapan penting untuk memperkenalkan calon kepala daerah kepada masyarakat dan meyakinkan pemilih untuk memilih mereka.

Kata Kunci: Efektivitas, Kampanye, Kepala Daerah.

INTRODUCTION

The democracy embraced in Indonesia is Pancasila democracy and has undergone developments and tests between government periodizations. However, it cannot be denied that some of the main values of constitutional democracy are quite clearly implied in the 1945 Constitution of the Republic of Indonesia. The principle of democracy provides a way or method of decision-making. This principle demands that everyone should have an equal opportunity to influence government actions. This principle is realized through a system of representation (people's representatives) which has a role in the formation of laws and control over the government.

The legality and legitimacy of government in a modern democratic system is a very important factor. A government must be formed based on the provisions of the constitution and the law, so that it can be said to have legality. The government must also be *legitimate* in the sense that in addition to *being legal*, it must also be trusted. Every democratic government that claims to come from the people, is required to be in accordance with the results of *the general election* as a staple pillar in the modern democratic system. Therefore, general elections (elections) are an absolute requirement for a democratic country, namely to exercise the sovereignty of the people.

Elections are essentially a means available to the people to exercise their sovereignty and are democratic institutions. Elections are a process that provides opportunities for the people to elect people to occupy certain political positions both in the legislative branch of power and in the executive branch. In the legislative branch, the people's representatives sit in the House of



Jurnal Ilmiah Metadata, ISSN :2723 -7737, Vol.7 No.1, Edisi Januari 2025
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Representatives (DPR) and in the Regional Representative Council (DPD) and there are also in the Regional House of Representatives (DPRD), both at the provincial level and at the district and city levels. In the executive branch, the leaders who are directly elected by the people are the President and Vice President, the Governor and Deputy Governor, the Regent and Deputy Regent, and the Mayor and Deputy Mayor.

Regarding the Regional Head Election (hereinafter referred to as the Regional Elections), namely the election of Governors, Regents, and Mayors has been a long political journey marked by tug-of-war between the interests of the political elite and the public will, the interests of the central government and local governments, and the Regional Elections are included in the election regime or local government regime. In addition, whether regional heads are elected directly by the people or through the DPRD. The controversy of the Regional Elections is still a debate, considering that the 1945 Constitution of the Republic of Indonesia does not regulate it. Article 22 E of the 1945 Constitution of the Republic of Indonesia only regulates the election of the House of Representatives (DPR), the Regional Representative Council (DPD), the President, and the Vice President, and the Regional People's Representative Council (DPRD), which are elected through elections with the principles of direct, general, free, secret, honest, and fair.

This provision shows that the Regional Elections are not part of the electoral regime, because there is no article that regulates regional heads to be elected through elections. What is meant by the election regime is what is contained in Article 22E of the 1945 Constitution of the Republic of Indonesia, while regarding the election of regional heads and the technicalities of its implementation are not regulated in these provisions. Regional elections are only regulated through the provisions of Article 18 paragraph (4) of the 1945 Constitution of the Republic of Indonesia, and it is included in Chapter VI concerning Regional Government. Therefore, the election of regional heads is part of the local government whose all authority is handed over to the regions in accordance with the customs and origin of the region concerned.

RESEARCH METHODS

Based on the object of research which is a positive law, the type of research used in this study is normative juridical and empirical juridistic. As a normative juridical research, this research



Jurnal Ilmiah Metadata, ISSN :2723 -7737, Vol.7 No.1, Edisi Januari 2025
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is also carried out by analyzing the law *as it writes in the book* and the law *as it is decided by the judge through the judicial process* or often referred to as doctrinal research.

This research is descriptive analysis, namely "research that describes, examines, explains and analyzes laws and regulations related to the purpose of this research". The purpose of descriptive research is "to accurately describe the characteristics of a particular individual, condition, symptom or group, or to determine the frequency or spread of a symptom or the frequency of a particular relationship between symptoms and other symptoms in society". The main purpose of the analysis of legal materials is "to know the meaning contained by the terms used in the legal rules conceptually, as well as to know their application in practice".

RESULTS AND DISCUSSION

Article 1 paragraph (1) of the 1945 Constitution of the Republic of Indonesia states that, "The State of Indonesia is a Unitary State in the form of a Republic." A unitary state is only a form of democratic government, when the power and authority of the local government is exercised effectively in empowering the benefit of the people. The results of the amendment to the 1945 Constitution of the Republic of Indonesia have brought major changes to the Indonesian constitutional system. In Article 18 paragraphs (1) and (2) of Chapter VI concerning Regional Government states that, "The Unitary State of the Republic of Indonesia is divided into provincial and regional areas, the province is divided into districts and cities, each of which has a local government, which is regulated by law". The provincial, regency, and city governments regulate and manage their own government affairs according to the principle of autonomy and assistance duties.

The state of Indonesia as a unitary state in the form of a republic bases the implementation of government in the regions on the principle of decentralization. This basic principle gives birth to the meaning of autonomy, with the substance of the handover of authority in the implementation of local government. The Regional Government itself consists of the DPRD and Regional Heads as well as Deputy Regional Heads. Furthermore, Article 18 paragraph (4) of the 1945 Constitution of the Republic of Indonesia states that, "The Governor, Regent, and Mayor respectively as the head of the provincial, regency, and city local governments are democratically elected." This means that the 1945 Constitution of the Republic of Indonesia



Jurnal Ilmiah Metadata, ISSN :2723 -7737, Vol.7 No.1, Edisi Januari 2025
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guarantees that in the election of Regional Heads and their Deputies, they must continue to realize Democracy.

Decentralization is a principle that means handing over to the Regional Government part of the Government's affairs which will then be carried out by the regions themselves. Regional autonomy is a form of implementation of the principle of decentralization in government administration which is annulled by the Government as an answer to the demands of the community. Through a decentralized government, a democratic forum will be opened for local communities to play a role in determining their fate, as well as being oriented to the interests of the people through trusted, open and honest local government and not shirking responsibility as a prerequisite for the realization of an accountable government that is able to fulfill the principles of compliance in government.

In essence, decentralization is a concept of *the theory of the area of division of power* that divides the power of the state vertically. In this context, power is divided between the central government on the one hand and the local government on the other, which is legally constitutional in the Framework of the Unitary State of the Republic of Indonesia (NKRI). The implications of the handover or delegation of regional authority are inseparable from the bond of unity of government at the center, which must be strictly regulated within the framework of the legal rule regarding the delegation of authority between the central government and local governments in the implementation of government.

The organizers of the local government are the local government, and the DPRD. In organizing the government, the central government uses the principles of decentralization, assistance duties, and deconcentration in accordance with applicable laws and regulations. Talking about Regional Government, then, talking about who fills the position of Regional Head as a Regional Government that runs Government affairs in the Region. The Regional Government consists of the Regional Head and the Deputy Regional Head. The Regional Head is assisted by one Deputy Regional Head. The Provincial Regional Head is called the Governor and the Deputy is called the Deputy Governor. Meanwhile, the head of the City Regency is called the regent/mayor and his deputy is called the Deputy Regent/Deputy Mayor.

The issue of filling positions for Regional Heads and Deputy Regional Heads is a crucial matter to be discussed because when talking about filling positions through elections, it will be faced



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with the principle of democracy involving citizens in it. The post-new order constitutional reform brought changes to the political instrument in Indonesia. Two important political instruments that become policies are democratic elections and regional autonomy and decentralization policies, where one of the fundamental steps in the decentralization policy is the implementation of local elections to elect regional heads. The implementation of national elections and local elections or regional elections is one of the indicators of the success of democracy in a transitional country like Indonesia.

Indonesia is one of the countries that is striving and realizing a democratic state as mandated by the constitution, where the democracy that is upheld is Pancasila democracy. One of the democratic practices is through general elections which are a momentum for leadership transition both at the central and regional levels. The implementation of decentralization in the political field has brought changes and political dynamics in the regions. National and regional leaders are no longer elected and appointed by centralistic executive and legislative powers, but are directly elected by the people as the highest authority holders in a democratic state.

Regional elections from the perspective of State Administrative Law are closely related to filling positions in the structure of local government organizations. This means how the process, mechanism and procedures are carried out to fill a position (*ambt*) with officials (*ambtdrager*). The Regional Elections are a people's democratic party in electing regional heads and their representatives from the proposals of certain political parties, political party coalitions or independently that have met the requirements. According to I Gde Pantja Astawa, regional autonomy is related to democracy, as a consequence that there must be procedures and mechanisms for filling positions democratically, especially in political positions. General Elections (Elections) at the local level are an important indicator for the running of government in the regions.

General elections as an *entry point* for democratization are the most widely referred view in studying the correlation between democracy and general elections. Elections are a mechanism that allows for a rotation of power based on public choice, the institutionalization of peaceful power struggles, and ultimately allows the people to control public policy.

It is this democratic political system that allows citizens' constitutional rights to be protected and guaranteed by the state, public policy based on the interests of the people, and power does



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not run outside of its authority. The intended election is not only formal, procedural, but also an instrument that instills the principles of freedom to compete and participate in voting and being elected.

Elections are a means of democracy used to elect people's representatives to sit as legislative members in the MPR, DPR, DPD and DPRD. The people's representatives will fight for the interests of the people and their regions. For the first time in 2019, the Presidential election was held simultaneously with the election of legislative members. General Elections are also a means of the exercise of people's sovereignty which is held directly, publicly, freely, secretly, honestly and fairly in order to produce a democratic state government based on Pancasila and the 1945 Constitution of the Republic of Indonesia. In accordance with Article 2 Paragraph (1) of the 1945 Constitution of the Republic of Indonesia, it states that "Sovereignty is in the hands of the people and is carried out according to the Constitution".

The meaning of sovereignty in the hands of the people is that the people have the sovereignty, responsibility, rights and obligations to democratically elect leaders who will form the government, to manage and serve all levels of society, to supervise the running of the government and the one who exercises the people's sovereignty is the people's representative institution called the parliament. In 2004, the Indonesian nation succeeded in holding legislative and presidential elections directly by the people, the implementation of which took place in an orderly and democratic manner. With this success, it has made the encouragement for the holding of the Regional Elections directly by the people. The people demand that the Regional Head or Deputy Regional Head be directly elected by the people. Therefore, the government responded by revising Law Number 32 of 2004 concerning Regional Government.

The provisions of Article 18 Paragraph (4) of the 1945 Constitution of the Republic of Indonesia which reads, "The Governor, Regent, and Mayor respectively as the head of the provincial, regency, and city local governments are democratically elected". There is a conscious opinion that states that the Direct Regional Elections are part of the electoral law regime and finally became a reality with the issuance of Law Number 22 of 2007 concerning the Implementation of Elections. The term Regional Elections changed to the General Election of Regional Heads and Deputy Regional Heads (Pemilukada), so that various elections in Indonesia increased, namely Legislative Elections, Presidential Elections, and Pemilukada. One of the indicators that



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Pemilukada is included in the legal regime of elections is the adoption of election principles, namely, direct, public, free, secret, honest, and fair as stated in Article 22E Paragraph (1) of the 1945 Constitution of the Republic of Indonesia. Direct General Elections in Indonesia have used generally accepted principles in the recruitment of public officials or open political officials. The purpose of the election is to select government leaders both in the executive (government) and legislature, as well as to form a democratic, strong government and obtain the support of the people in order to realize the national goals as mandated in the 1945 Constitution of the Republic of Indonesia.

According to Miriam Budiarjo, general elections are a way to elect people's representatives. Therefore, for a country that considers itself a democratic country, the general election must be held within a certain period. In the context of human beings as individual citizens, general elections mean the process of temporarily surrendering their political rights. This right is a sovereign right to participate in the administration of the state. Elections are needed as a mechanism to realize the principle of people's sovereignty. Through the people's elections, they not only choose the person who will be their representative in the government, but also choose the program that will become the state's policy in the next government. The principle of direct, public, free, secret, honest and fair is a principle in the implementation of elections that is not only binding on voters or election participants, but also on the election organizers themselves and even on the government as the 1945 Constitution of the Republic of Indonesia stipulates, elections must be held directly in a free, secret, honest, and fair manner.

Bagir Manan said that general elections held every five years are a time or momentum to show directly and clearly government by the people. It is during the general election that all candidates who dream of sitting as state administrators and also the government depend entirely on the will or desire of their people. Jenedry M. Gaffar, for modern democracies, elections are the main mechanism that must exist in the stages of state administration and government formation. Elections are the most tangible form of sovereignty in the hands of the people and the most concrete form of people's participation in the administration of the state. Therefore, the election system is important to be observed so that it is truly in accordance with the ideals of the state as mandated in the Preamble to the 1945 Constitution of the Republic of Indonesia, so that the government of the people, by the people, and for the people is expected to be truly



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realized through the arrangement of the system and the quality of the implementation of elections. This must of course be realized in the implementation of elections, which includes the implementation of the Presidential and Vice Presidential elections.

CONCLUSION

The legal arrangements for the election of Regional Heads with a single candidate are regulated in the General Election Commission Regulation Number 15 of 2023 concerning the General Election Campaign which regulates the General Election Campaign which includes, the implementation of the Campaign, General Election Campaign materials, Campaign methods, news and broadcasting, Election Campaigns, the prohibition of election campaigns, coordination with local government ministries/agencies, the Indonesian National Army, and the Indonesian National Police in the implementation of General Elections, socialization and political education.

The effectiveness of the implementation of the Regional Head Election campaign with a single candidate is an important stage to introduce the regional head candidates to the public and convince voters to vote for them. This campaign involves various activities that aim to convey the candidate's vision, mission, and work program to the public, as well as interact directly with voters. The campaign aims to convince voters by offering the vision, mission, and work program of the candidate's spouse. Campaigns can be carried out through various methods, such as limited meetings, distribution of campaign materials, installation of campaign props, campaign advertisements, and other activities regulated in laws and regulations. There are prohibitions in the campaign, such as using state facilities, involving state civil servants, and engaging in practices that are prohibited by laws and regulations.

The obstacles in the implementation of the Regional Head Election campaign with a single candidate are the existence of *money politics*, violations of ASN neutrality, and the existence of *Black Campaigns*. The efforts made by the Serdang Bedagai General Election Commission in scheduling campaigns with a single candidate in the Regional Elections are to continue to uphold integrity in the implementation of the Regional Elections, there must be a commitment both for the Regional Election participants and the implementation of community discipline to participate in the Regional Elections so that obstacles and challenges can be avoided. Bawaslu



holds the final responsibility for the supervision of the Campaign. The Election Supervisor conducts Campaign supervision according to their respective duties and authorities. The Election Supervisor reports the results of the Campaign supervision in stages according to its level consisting of periodic reports and final reports

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Jurnal Ilmiah Metadata, ISSN :2723 -7737, Vol.7 No.1, Edisi Januari 2025

Published : 01-01-2025, Page : 345-357

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