

**THE LEGAL CONSEQUENCES OF SINGLE CANDIDATE IN
THE REGIONAL ELECTION**

UNDERGRADUATE THESIS



**This undergraduate thesis is submitted as one of the requirements to obtain
the degree of Bachelor of Laws
at the Faculty of Law Universitas Muhammadiyah Yogyakarta**

Name : Mega Purnama Humaira
Student Number : 20140610458
Faculty : Law
Major : International Program for Law and Sharia
Field of Study : Constitutional Law

FACULTY OF LAW
UNIVERSITAS MUHAMMADIYAH YOGYAKARTA
2018

DECLARATION OF RESEARCH AUTHENTICITY

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

I hereby declare that the undergraduate thesis under the title “**The Legal Consequences of the Single Candidate in the Regional Election**”, its content is truly the work of my own and I did not do plagiarism or quotation in ways that are inconsistent with the prevailing ethic in the scientific community. On this statement, I am ready to bear the risk/any sanction imposed to me in accordance with applicable regulations. If in the future it is found a breach of scientific ethics, I am willing to accept the sanctions.

Written by:

Name : Mega Purnama Humaira
Student Number : 20140610458
Faculty : Law
Major : International Program for Law and Sharia (IPOLS)
University : Universitas Muhammadiyah Yogyakarta

Yogyakarta, 6th December, 2018



Mega Purnama Humaira
Mega Purnama Humaira

MOTTO PAGE

“Pengalaman adalah sebuah proses hidup yang membutuhkan pengorbanan untuk sebuah kesuksesan”

-Mega Purnama Humaira

“Win doesn’t matter, the way we win matter!”

-Arista Indah Astuti

“Boleh kamu membenci sesuatu, padahal ia amat baik bagi kamu. Dan boleh jadi kamu mencintai sesuatu, padahal ia amat buruk bagimu. Allah Maha mengetahui sedangkan kamu tidak”

(Al-Baqarah: 216)

DEDICATION

This undergraduate thesis is dedicated to

My Lord, Allah SWT
Prophet Muhammad SAW

My Beloved Parents
Bapak Saefudin
Ibu Tuti Darwati

My Lovely Brother and Sisters
Adimas Garda Famila
Safira El Hanum

FOREWORD

Alhamdulillahirabbil'alamiin, all praises belong to Alloh , the Lord of the universe, the Most Gracious, the Almighty, who has given His blessing and guidance. Finally I could accomplish my undergraduate thesis under title “The Legal Consequences of The Single Candidate In The Regional Election”.

My sincere thanks are addressed to both advisors, Ibu Nanik Prasetyoningsih, S.H., M.H (Dr. Cand) and Bapak Iwan Satriawan, S.H., MCL., Ph.D who guided me with patient, wisdom, and compassion, and allow me to express my deepest gratitude to Bapak Nasrullah S.H., S.Ag., MCL and all lecturers at the Faculty of Law Universitas Muhammadiyah Yogyakarta who inspired me to reach my future. Million appreciations also given to Mba Isni (Qodriyah Isniyati, S.H.), Pak Maman, Bang Hary Abdul Hakim S.H, bang M. Hazyar Arumbinang S.H, and Kak Diana Setyowati S.H, and all staffs at the Faculty of Law at the Universitas Muhammadiyah Yogyakarta.

I would like to say thanks to special appreciation to my parents: Bapak Saefudin, Ibu Tuti Darwati. Your pray, love, support, guide and affection are being my strength all the way through my life. Thanks to my lovely brothers, sister, sister nephew, and my best friend, Adimas Garda Famila, Safira El Hanum, Dedeh Athifah, Yanti Kusuma S.Pd, Ns. Ana Apriana Murtianingsih S.Kep, Khusnatul Amalia, Andi Zamharira S.H,

Astri Istyawati S.H, Annisa Riani Artha S.H, Arista Indah Astuti S.H, Fathwa Putri Siagian S.H, Nur Alfin S.H, Muhammad Syarkowi S.H, Dean Adams S.H, Andi Rifki Mulana Effendy S.H, Arif Hartavian S.H, Reza Fahlev S.H i, Alya Kemala Munaf S.H, Hari Adipurna S.H, Faishal Aji Prakoso, Andi Tenri Abang HS S.H, Fatkhania Hamdah Fainusah, Miftha Humaira Labudju, Baiq Nuzulia Putri, Intan Zahra Husna'ul Aziza S.H, Kurnia Maharani Santoso, Nurul Alia S.H, Widya Aulia S.H, Gunanti Esa Purwandari S.H, Hafizd Swandaru, Ari Ginang Pratadina, Ivan Aditya Putra S.H, Ahmad Aziz, Ilham Akbar, Mela Elinia Apipah S.H, Lusita Yustiani S.H, Wiwied Nugrahaning AW S.H, Agung Nugroho S.H, Rahma Andayani S.H, Alyaning Widya SE, Tessa Adytia Sasmita, Kunto Wisnu Aji, Intan Eka Putri, HMI FH UMY, BEM FH UMY Periode 2016/2017, and BEM FH UMY Periode 2017/2018 service friends for their support, love, and my highest gratefulness to IPOLianS family, especially batch 2014 who give their motivation and inspiration for me to finish my undergraduate thesis.

Mega Purnama Humaira

TABLE OF CONTENTS

ABSTRACT.....	I
APPROVAL PAGE.....	ii
ENDORSEMENT PAGE.....	iii
DECLARATION PAGE.....	iv
MOTTO PAGE.....	v
DEDICATION PAGE.....	vi
FOREWORD.....	vii
TABLE OF CONTENTS.....	ix
LIST OF TABLE.....	xi
LIST OF STATUTE.....	xii
LIST OF ABBREVIATION.....	xiii
CHAPTER ONE – INTRODUCTION.....	1
A. Background of Research.....	1
B. Research Problem.....	5
C. Objectives of Research.....	5
D. Benefits of Research.....	5
CHAPTER TWO – LITERATURE REVIEW	7
A. General Election.....	7
1. Definition of General Election.....	7
2. The Purpose and Function of General Election.....	8
3. The System of General Election.....	10

4. The Democracy Process in General Election.....	13
5. The Simultaneous Election.....	17
B. Local Democracy.....	19
C. National and Local Election.....	21
D. Local Leadership and Autonomy.....	23
CHAPTER THREE – RESEARCH METHOD.....	26
A. Type of Research.....	26
B. Type of Data.....	26
C. Data Collection.....	27
D. Data Analysis.....	28
CHAPTER FOUR – FINDING AND ANALYSIS	29
A. The Legal Basis of Single Candidate	29
B. The Legal Consequences of Single Candidate on Local Election	37
1. Election of Single Candidate	37
2. The Winner and The Loser of Single Candidate in some Local Election	48
CHAPTER FIVE – CONCLUSION AND SUGGESTION.....	53
A. Conclusion.....	53
B. Recommendation.....	54
BIBLIOGRAPHY.....	55

LIST OF TABLE

Table. 1 Acquisition of Single Candidate Election Results in Indonesia

LIST OF STATUTES

Indonesia

The 1945 Constitution

Law Number 8 of 2015 on Regional Head Election

The Decision of Constitutional Court Number 100/PUU-XIII/2015 on

The decision of the Constitutional Court Number 14/PUU-XI/2013 on Judicial Review of Law Number 42 of 2008 on the Election President and Vice President

KPU Regulation Number 12 of 2015 on the Candidate of Governor and Vice Governor, Regent and Vice Regent, and/or Mayor and Vice Mayor

Regulation KPU Number 13 of 2018 on Amendments to the Election Commission

Regulation Number 14 of 2015 on the Election of Governors and Deputy Governors, Regents and Deputy Regents, and/or Mayors and Deputy Mayors with One Candidate Pair.

LIST OF ABBREVIATION

- DPR : *Dewan Perwakilan Rakyat* (People of Representative Assembly)
- DPRD : *Dewan Perwakilan Rakyat Daerah* (Regional of Representative Assembly)
- DPD : *Dewan Perwakilan Daerah* (Regional Representative Assembly)
- KPU : *Komisi Pemilihan Umum* (General Election Commission)
- PERPPU : *Peraturan Pemerintah Penganti Undang-Undang* (Government Regulation in Lieu of Law)