

ABSTRAK

Penelitian ini membahas tentang analisis yuridis terhadap pengaturan kampanye pemilihan umum di tempat pendidikan berdasarkan peraturan perundang-undangan serta pengaturan ideal. Penelitian ini dilatar belakangi dari ketentuan Pasal 280 ayat (1) huruf h Undang-Undang Nomor 7 Tahun 2017 tentang Pemilu yang secara tegas melarang penggunaan fasilitas pemerintah, tempat ibadah, dan tempat pendidikan untuk kampanye. Namun penjelasan pasal tersebut memberikan pengecualian bagi peserta pemilu yang hadir tanpa atribut kampanye atas undangan dari penanggung jawab fasilitas, sehingga menimbulkan *contradictio in terminis* dan ketidakpastian hukum. Penelitian ini menggunakan metode penelitian hukum yuridis normatif dengan pendekatan perundang-undangan, pendekatan konseptual, dan pendekatan kasus. Hasil penelitian menunjukkan bahwa Putusan Mahkamah Konstitusi No. 65/PUU-XXI/2023 memperbolehkan kampanye di tempat pendidikan sepanjang tanpa atribut kampanye dan atas izin penanggung jawab. Meskipun putusan tersebut memberikan kejelasan normatif, implementasinya menimbulkan kekosongan norma dalam Peraturan KPU No. 20 Tahun 2023 yang belum mengatur teknis pelaksanaan kampanye di tempat pendidikan secara rinci. Perlunya perumusan peraturan teknis yang lebih komprehensif agar pelaksanaan kampanye di tempat pendidikan tidak mencederai netralitas lembaga pendidikan dan tetap menjamin asas keadilan dalam pemilu.

Kata Kunci: *Kampanye, Kekosongan Norma, Metode Kampanye*

ABSTRACT

This study discusses a juridical analysis of the regulation of election campaigns in educational institutions based on existing legislation and the ideal regulatory framework. The research is grounded in the provisions of Article 280 paragraph (1) letter h of Law Number 7 of 2017 concerning General Elections, which explicitly prohibits the use of government facilities, places of worship, and educational institutions for campaign activities. However, the elucidation of this article provides an exception for election participants who attend without campaign attributes and upon the invitation of the person in charge of the facility. This creates a contradiction in terminis and leads to legal uncertainty. This study employs a normative juridical legal research method using statutory, conceptual, and case approaches. The findings indicate that the Constitutional Court Decision Number 65/PUU-XXI/2023 permits campaign activities within educational institutions, provided that participants are not wearing campaign attributes and have obtained permission from the responsible authority. Although the decision provides normative clarity, its implementation reveals a normative vacuum in PKPU Number 20 of 2023, which has yet to regulate the technical aspects of campaign implementation within educational institutions in detail. Therefore, a more comprehensive technical regulation is necessary to ensure that campaign activities do not undermine the neutrality of educational institutions and continue to uphold the principle of fairness in elections.

Keywords: *Campaign, Legal Gap, Campaign Method*