

Against The Practice of Money Politics: An Analysis of The Potential For Bribery Prevention In The Conduct of Elections

Suryaningsi Suryaningsi^{1*}, Novita Amelia Putri²

^{1,2} Pancasila and Citizenship Education Study Program, Faculty of Teacher Training and Education, Mulawarman University, Indonesia

Email: suryaningsi@fkip.unmul.ac.id^{1*}, novitaameliaputri18@gmail.com²

ABSTRACT

This article examines the prevalence of money politics during local elections in Samarinda City, offering a comprehensive analysis of Article 187A from the 2017 Election Law. The objective is to assess the impact of money politics on electoral integrity and democratic principles, alongside evaluating the efficacy of Article 187A in mitigating these challenges. Employing a qualitative approach with a case study design, the research integrates interviews with officials from the East Kalimantan Election Supervisory Agency and direct observation of money politics cases in Samarinda City. The findings reveal that money politics compromises election integrity and undermines democratic ideals. Despite the potential of Article 187A to address these issues, its implementation encounters significant hurdles. In conclusion, rigorous measures are imperative to combat money politics and enforce electoral laws, ensuring fairness and integrity in the electoral process. The research underscores the necessity for enhanced implementation of Article 187A and heightened public awareness to counteract the influence of money in elections.

Keywords: Legal Politics, Corruption, Elections, Bribery, Law Enforcement.

INTRODUCTION

Elections are the heart of democracy in a country, being the main mechanism that allows the people to elect leaders who will realize their aspirations and provide opportunities for citizens to choose their leaders and representatives freely and fairly (García-Ponce et al., 2021). Through elections, leaders obtain a mandate from the people to carry out visions and policies that reflect the wishes and needs of the community (Musticho et al., 2023). However, in practice, elections are often colored by various violations and fraud, one of which is electoral bribery. Electoral bribery is a serious threat to the integrity of elections because it can undermine the principles of democracy and justice (Suryaningsi & Tharuna, 2020).

The practice of money politics has become one of the serious threats to the integrity of elections and democratic processes in various countries, including in Indonesia (Suryaningsi et al., 2016). In Samarinda City, this phenomenon is also the main concern in overseeing the smooth and fair general elections. In an effort to deal with the practice of money politics, Election Law No. 7 of 2017 mandates Article 187A as a legal instrument that aims to prevent and overcome this phenomenon. Fraudulent practices in elections are often the main trigger for election disputes, which then become an integral part of the cycle of election stages (Huntington, 2017; Rose-Ackerman, 2017). Article 187A in Election Law No. 7 of 2017 in Indonesia is one of the legislative efforts to handle and prevent the practice of electoral bribery. This article aims to uncover in depth the threat of electoral bribery through an analysis of Article 187A of the Election Law. Elections are often tainted by fraud, such as electoral bribery, which can trigger electoral disputes. In an effort to prevent this condition, a special judicial institution was formed to handle corruption crimes, including electoral bribery. This aims to ensure more efficient law enforcement and maintain the integrity of the democratic process (M & Kandar, 2022).

Research on Money Politics has been widely carried out in various state contexts. News of corruption cases in various countries continues to emerge without clear signs of resolution, while corrupt practices are becoming more widespread and worrying (Alias & Suryaningsi, 2022). For example, a study by (Erlina, 2023) The practice of electoral bribery not only erodes the essence of democracy, but also raises public doubts about the integrity of electoral institutions. The wave of corruption cases involving the elite of political parties significantly affects voter confidence. Meanwhile, research by (Eko Sujadi, Muhd. Odha Meditamar, Hengki Yandri, 2022) Exploring the various forms of electoral bribery and prevention strategies that have worked in developing countries, it is revealed that corruption prevention does not only rely on law enforcement, but also improves public services. In Indonesia, a study conducted by (Ulum & Kusumo, 2023) The complexity of enforcing the law against electoral bribery highlights the challenges that must be faced. To overcome this, close cooperation between law enforcement agencies and civil society is needed. Measures such as improving accessibility, the capacity of law enforcement officers, transparency, and the smart use of technology are key. Thus, it is hoped that the community can obtain fairer and equal legal protection (Dewi et al., 2024; Erika, 2021; No et al., 2022; Rahmawati et al., 2024; Suryaningsi et al., 2024).

These studies form the basis for the scientific novelty statement in this article. Although many studies have discussed Money Politics, an in-depth analysis of the implementation of Article 187A in the Indonesian context is still limited. This research will fill the gap by providing a comprehensive analysis of

the effectiveness of Article 187A in dealing with the threat of Money Politics. Rampant money politics practices have the potential to erode confidence in electoral integrity and the foundations of democracy (Santoso, Dri; Samsudin, Titin; Hasan, Ahmadi; Imron, Ali; Usman, Rachmadi; Suryaningsi, Suryaningsi; Uhmar, Masyithah; Lawang, 2023). The impact of money politics on Indonesian democracy is truly devastating. This practice not only has the potential to usher in less qualified leaders to power seats, but also triggered a surge in electoral costs and a soaring level of corruption in the political system (Anwar & Boediningsih, 2024; Arqon et al., 2024).

This article offers scientific novelty with a focus on an in-depth analysis of Article 187A of the Election Law in Indonesia as a legislative milestone in dealing with the threat of Money Politics. This article not only regulates sanctions for recipients, but also for the givers of electoral bribes during the campaign stage (Darma et al., 2024). In contrast to previous studies that have dealt more generally with regard to electoral bribery globally, this study makes specific contributions in the context of law and practice in Indonesia. In addition, this article also examines how the implementation of the article interacts with local political dynamics and challenges in law enforcement (Santoso, Dri; Samsudin, Titin; Hasan, Ahmadi; Imron, Ali; Usman, Rachmadi; Suryaningsi, Suryaningsi; Uhmar, Masyithah; Lawang, 2023).

The problems raised in this study are: How effective is the implementation of Article 187A of the 2017 Election Law in dealing with the practice of money politics in Samarinda City? The hypothesis put forward is that although Article 187A has been designed to prevent money politics, its implementation still faces challenges that reduce its effectiveness. As such, this article is expected to make a significant contribution to the literature on electoral bribery and help improve the integrity of elections in Indonesia. The practice of electoral bribery not only threatens the integrity of elections in Indonesia, but also interferes with the democratic process as a whole. To address this, it is important to establish a special judicial institution and strengthen government oversight. A strong supervisory role from the government is urgently needed to improve the participation and quality of elections in the future (Darmawan & Najicha, 2023).

RESEARCH METHODS

The research method uses a qualitative approach with a case study research design to understand the implementation of Article 187A of the 2017 Election Law in Samarinda City as well as the dynamics of law enforcement against the practice of money politics. The main research subjects are officers and members of the East Kalimantan Election Supervisory Agency who serve in the region, with the addition of other key informants who have relevant experience. Data were collected through in-depth interviews using pre-compiled interview guidelines. In

addition, data was also obtained from direct observation of cases of money politics practices in Samarinda City. Data analysis was carried out qualitatively with a thematic approach to identify patterns and themes that emerged in the context of the implementation of Article 187A and the dynamics of money politics in the region.

RESULTS AND DISCUSSION

The findings of the investigation report highlight two main pieces of information, namely allegations of implicit directives to the head of the RT by city officials, as well as allegations of money politics to influence the election results. Voice recordings reinforce this information, demonstrating the practice of collecting votes in exchange for money, which affects the integrity of the democratic process.

The 2024 election faces complex challenges with simultaneous elections and long stages. The KPU and Bawaslu are responsible for the smooth process, political participation, and maintaining the principle of fair and transparent elections. The Bawaslu tagline "Together with the People We Supervise Elections, Together with Bawaslu We Uphold Election Justice" has become a solid slogan branding as an election supervisory institution to be able to persuade the public. The important role of Bawaslu in elections is based on its authority regulated in Article 95 of the Election Law. The article details the authority of Bawaslu in supervising the implementation of the election as a whole (Nasution et al., 2023; Nur Hayati, 2022; Tambun et al., 2023)

The practice of money politics and political influence occurs in general elections, it can be seen that this phenomenon not only damages the integrity of elections, but also interferes with the democratic principles that should underlie the process. When the practice of money politics is used to influence voters in an unethical way, it can lead to polarization and unhealthy alignment in society. Money politics often occurs in various types of elections, even at the village head level. In fact, there have been cases where regional officials have used RT chairmen for political purposes. For example, in the case mentioned above, the practice of money politics can be used to attract support from certain groups based on ethnic, racial, religious, or regional identity, not based on political platforms or visions that should be the main consideration in the democratic process. In a healthy democracy, every citizen should have the freedom to vote without being swayed by external pressures or promises of material rewards. Therefore, serious handling of the practice of money politics and strict law enforcement against its violations is very important to ensure a fair and integrity democratic process (Atmojo & Pratiwi, 2022; Kholilurohman, 2024).

Furthermore, the response from the Chairman of the East Kalimantan Election Supervisory Agency (Bawaslu), Hari Dermanto, emphasized that

although officials are not prohibited from campaigning, violations occur when power is used for political purposes. This is in accordance with regulations that regulate administrative and criminal sanctions for violators. Hari also encourages the active participation of the public in reporting election violations to Bawaslu, to ensure the fairness of the democratic process because election criminal violations can be committed by anyone, including individuals who should hold professionalism in regulating matters related to general elections. During the campaign stage and the quiet period, the Election Law (Law No. 7 of 2017) stipulates that the subjects who give money are only limited to implementers, participants, or campaign teams. However, during the voting stage, the subject of giving money is regulated more broadly, namely "everyone". This means that money politics actors outside the category of implementers, participants, or campaign teams will not be entangled when practicing money politics during the campaign stage and quiet period (Lati praja delmana, 2020; Taufik et al., 2023).

In addition, the negative impact of money politics practices was also discussed. Budiman, an academic, highlighted the loss of accountability and loss in political representation due to this practice. He compared it to a democratic system in developed countries where people support legislative candidates with donations of funds, which allows them to demand higher accountability. The practice of money politics undermines democracy and creates new problems in society and government. This impact interferes with the ongoing development of democracy and raises concerns about its influence on the implementation of elections by certain interests. (Indahningrum & lia dwi jayanti, 2020; Mustopa & Sarip, 2022).

The practice of money politics undermines the integrity of elections and affects the democratic process. The East Kalimantan Provincial Bawaslu plays its role in maintaining the integrity of the general election. As the front line, Bawaslu is not only tasked with supervising the course of the general election, but also countering potential violations. In the dynamics of democracy, the role of Bawaslu is crucial, ensuring that the general election process takes place in accordance with fair and transparent standards. With the main task of maintaining the quality of democracy, Bawaslu is an important guardian for the integrity of elections in Indonesia (Yuhandra et al., 2023). The implementation of Article 187A of the 2017 Election Law is crucial in dealing with this threat. An in-depth analysis of the practice of money politics in Samarinda City is needed to ensure the protection of a fair and integrity democratic process.

Fighting the practice of money politics is one of the biggest challenges in modern democracy, including in Indonesia. The practice of money politics undermines the integrity of elections and threatens the principles of justice and equality in the democratic process (Philp, 2017). To deal with this problem,

Indonesia has adopted various legal regulations, one of which is Article 187A of the Election Law. Here is an in-depth analysis of the implementation of the article.

Article 187A of the Election Law in Indonesia states that any person who knowingly promises or gives money or other materials to a voter, either directly or indirectly, to influence the voter's choice in an election, may be subject to criminal sanctions. The sanctions regulated in this article are imprisonment for a maximum of three years and a maximum fine of Rp 36 million. The main purpose of this article is to reduce and prevent the practice of money politics that often occurs in the run-up to elections. With strict sanctions, it is hoped that it can provide a deterrent effect to the perpetrators and create a fairer and cleaner election. This article is also important to increase public confidence in the election process and its results.

The enforcement of Article 187A requires cooperation between various institutions, including the Police, the Prosecutor's Office, and the Election Supervisory Agency (Bawaslu). Bawaslu has an important role in the supervision and receipt of violation reports. However, law enforcement often faces challenges, such as limited evidence, lack of public awareness to report, and political pressure.

In some cases, money politics perpetrators have been successfully tried and punished under Article 187A. However, there are also many cases that cannot be followed up due to a lack of evidence or witnesses willing to testify. Other challenges include increasingly sophisticated and hidden money politics practices, as well as limited Bawaslu resources in conducting supervision throughout Indonesia.

Political education to the public is very important to prevent money politics. People who are aware of their rights and obligations as voters tend to be more resistant to offers of money or materials from candidates (Schleiter & Voznaya, 2018). In addition, public participation in election supervision can increase the effectiveness of law enforcement. In an effort to improve the implementation of Article 187A, several improvement steps can be taken. Increase the capacity and resources of Bawaslu to conduct supervision more effectively. A sustainable political education program to increase public awareness and participation in rejecting money politics. Improving coordination between Bawaslu, the Police, and the Prosecutor's Office in law enforcement.

Utilizing information technology to facilitate reporting and collecting evidence of money politics. Consider increasing sanctions or the application of additional punishments of a social nature, such as a ban on politics for convicted offenders. Article 187A of the Election Law is an important legal instrument in an effort to combat the practice of money politics in Indonesia. The implementation of this article requires strong cooperation between law enforcement agencies, election supervisors, and active participation of the community. With firm

enforcement and continuous education efforts, it is hoped that cleaner, fairer, and more integrity elections can be created in Indonesia.

CONCLUSION

The practice of money politics in general elections in Samarinda City has a serious impact on the integrity of democracy and the electoral process. The implementation of Article 187A of the 2017 Election Law is crucial in dealing with this threat, with the Election Supervisory Agency (Bawaslu) having a very important role in supervising and enforcing the rules. Through interviews with the East Kalimantan Bawaslu and direct observation of money politics cases, we reveal the complexity and challenges in handling such practices. The conclusions of this study clarify the need for firmer measures in law enforcement to combat the practice of money politics, as well as the importance of active participation of the public in reporting election violations. The implication of these findings is the need for further reforms in the electoral system and law enforcement to ensure a fairer and more integrity democratic process in the future.

REFERENCE

- Alias, A. T., & Suryaningsi, S. (2022). Hukuman Mati Pelaku Tindak Korupsi dalam Perspektif Hukum dan Hak Asasi Manusia. *Nomos: Jurnal Penelitian Ilmu Hukum*, 2(4), 138-147. <https://doi.org/10.56393/nomos.v1i6.601>
- Anwar, H., & Boediningsih, W. (2024). Kebijakan Hukum Badan Pengawas Pemilihan Umum Kota Surabaya Dalam Menangani Normalisasi Politik Uang Pada Pemilihan Umum Serentak. *Jurnal Hukum Dan Kewarganegaraan*, 2(3).
- Arqon, M., Mustafa, D., Gogon, M., Hukum, F., & Merangin, U. (2024). Pencegahan Politik Uang di Indonesia. *Adagium: Jurnal Ilmiah Hukum*, 2.
- Atmojo, M. E., & Pratiwi, V. P. (2022). Mewujudkan Desa Anti Politik Uang pada Pemilu 2019 di Desa Temon Kulon Kabupaten Kulon Progo. *Jurnal Abdimas BSI: Jurnal Pengabdian Kepada Masyarakat*, 5(1). <https://doi.org/10.31294/jabdimas.v5i1.10829>
- Darma, Y. P., Susi Delmiati, & Fahmiron. (2024). Pertimbangan Hakim Menjatuhkan Pidana di Bawah Sanksi Minimum Kepada Terdakwa Tindak Pidana Pilkada Pada Tahapan Kampanye. *Unes Journal of Swara Justisia*, 7(4). <https://doi.org/10.31933/ujsj.v7i4.449>
- Darmawan, R. A., & Najicha, F. U. (2023). Upaya Menciptakan Pemilu Berintegritas Dengan Menyelaraskan. *Fakultas Teknologi Informasi Dan Sains Data Universitas Sebelas Maret, December*.
- Dewi, I. F., Suryaningsi, S., Asnar, A., Bahzar, M., Pardosi, J., & Jamil, J. (2024). Mengkonstruksi Pemahaman Santri Atas Kepedulian Pada Potensi Energi Batu Bara Berbasis Profetik Di Kalimantan Timur. *PRIMER: Jurnal Ilmiah Multidisiplin*, 2(1), 76-83. <https://doi.org/10.55681/primer.v2i1.312>
- Eko Sujadi, Muhd. Odha Meditamar, Hengki Yandri, M. E. S. (2022). Pencegahan korupsi melalui pendidikan karakter: Kebijakan dan praktik di Indonesia, Malaysia, dan Singapura. *Jurnal Pendidikan Karakter* 13(2):133-149, 133-149.

- Erika, Y. (2021). Kajian Deskriptif tentang Kesetaraan dalam Hak Asasi Manusia di Lingkungan Masyarakat. *Nomos : Jurnal Penelitian Ilmu Hukum*, 1(8), 323–333.
- Erlina, F. (2023). Dinamika Sistem Pemilu dan Demokratisasi Partai Politik di Indonesia Pasca Reformasi. *Kosmik Hukum*, 23(2), 200. <https://doi.org/10.30595/kosmikhukum.v23i3.16640>
- García-Ponce, O., Zeitzoff, T., & Wantchekon, L. (2021). Are voters too afraid to tackle corruption? Survey and experimental evidence from Mexico. *Political Science Research and Methods*, 9(4), 709–727.
- Huntington, S. P. (2017). Modernization and corruption. In *Political corruption* (pp. 253–264). Routledge.
- Indahningrum, R. putri, & lia dwi jayanti. (2020). Pengaruh Money Politic Dalam Pemilihan Anggota Legislatif Terhadap Keberlangsungan Demokrasi Di Indonesia. 2507(1), 1–9.
- Iqbal, M. (2020). Integritas Penyelenggara Pemilu Adhoc, Praktik Electoral Fraud Oleh Panitia Pemilihan Di Provinsi Sumatera Utara. *Electoral Governance Jurnal Tata Kelola Pemilu Indonesia*, 1(2). <https://doi.org/10.46874/tkp.v1i2.69>
- Kholilurohman, K. (2024). Praktik Politik Identitas Menuju Pemilu 2024 Dan Pengaruhnya Terhadap Demokrasi. *Legacy: Jurnal Hukum Dan Perundang-Undangan*, 4(1), 60–80., 117, 5–24.
- Lati praja delmana. (2020). Problematika Dan Strategi Penanganan Politik Uang Pemilu Serentak 2019 Di Indonesia. *Electoral Governance Jurnal Tata Kelola Pemilu Indonesia*, 1(2), 1–20. <https://doi.org/10.46874/tkp.v1i2.61>
- M, F., & Kandar, I. (2022). Praktik Tindak Pidana Korupsi Dalam Peradilan Indonesia Dan Upaya Pencegahan Korupsi Oleh Penegak Hukum Di Indonesia. *Khazanah Multidisiplin*, 3(1). <https://doi.org/10.15575/kl.v3i1.17170>
- Musticho, A. W., Salsabilla, I. A., Laila, R., & Sari, M. A. (2023). Peran Pemilih Pemula melalui Ruang Digital dalam Meningkatkan Partisipasi Masyarakat pada Pemilihan Umum 2024. *Verfassung: Jurnal Hukum Tata Negara*, 2(2). <https://doi.org/10.30762/vjhtn.v2i2.271>
- Mustopa, F. F., & Sarip, S. (2022). Fenomena Politik Uang (Money Politic) Pada Pemilu Tahun 2019 Di Kabupaten Ciamis. *Jurnal De Jure Muhammadiyah Cirebon*, 6(1), 35–49. <https://doi.org/10.32534/djmc.v6i1.3167>
- Nasution, A. I., Azaria, D. P., Fauzan, M., Abidin, F. R. M., & Alfarissa, T. (2023). Penguatan Fungsi Pengawasan Bawaslu Republik Indonesia dalam Penyelenggaraan Tahapan Kampanye Pemilu Serentak 2024. *Ajudikasi : Jurnal Ilmu Hukum*, 7(2), 229–256. <https://doi.org/10.30656/ajudikasi.v7i2.7666>
- No, V., Tahun, J., & Atas, H. (2022). Kajian Perlindungan Hukum Terhadap Data Pribadi Digital Anak Sebagai. *Nomos : Jurnal Penelitian Ilmu Hukum*, 2(3), 93–103.
- Nur Hayati, N. (2022). Urgensi Pelibatan Generasi Muda Dalam Pengawasan Partisipatif Untuk Pemilu Serentak Tahun 2024 Yang Demokratis. *Jurnal Keadilan Pemilu*, 2(1), 23–34. <https://doi.org/10.55108/jkp.v2i1.143>
- Philp, M. (2017). Conceptualizing political corruption. In *Political corruption* (pp. 41–58). Routledge.
- Rahmawati, Y., Suryaningi, S., & Majid, N. (2024). Penerapan Prinsip Keadilan

- Sosial Terhadap Hak Tenaga Kerja Perempuan di Pertambangan Batubara Samarinda. *SEIKAT: Jurnal Ilmu Sosial, Politik Dan Hukum*, 3(1), 51–62. <https://doi.org/10.55681/seikat.v3i1.1183>
- Rose-Ackerman, S. (2017). When is corruption harmful? In *Political corruption* (pp. 353–372). Routledge.
- Santoso, Dri; Samsudin, Titin; Hasan, Ahmadi; Imron, Ali; Usman, Rachmadi; Suryaningsi, Suryaningsi; Uhmar, Masyithah; Lawang, K. A. (2023). Quo vadis of islamic law in national law 1. *Russian Law Journal*, XI(3), 669–679.
- Schleiter, P., & Voznaya, A. (2018). Party system institutionalization, accountability and governmental corruption. *British Journal of Political Science*, 48(2), 315–342.
- Suryaningsi, S., Alim, S., Wingkolatin, W., & Jamil, J. (2016). *Pendidikan Kewarganegaraan*. Academica.
- Suryaningsi, S., & Tharuna, Q. M. (2020). *The Review of Corruption Eradication in Indonesia Basec on the Aspect of Juiddical, Morality, and Ideology of Pancasila*. 2(2), 93–106.
- Suryaningsi, S., Warman, W., Pardosi, J., Marwiah, M., Majid, N., & Marina, M. (2024). Peran Pos Bantuan Hukum Bagi Masyarakat Miskin Berbasis Nilai Keadilan di Pengadilan Agama Kota Samarinda. *PRIMER: Jurnal Ilmiah Multidisiplin*, 2(1), 66–75. <https://doi.org/10.55681/primer.v2i1.303>
- Tambun, F. J., Zebua, F. J. R., & Tambun, A. F. H. (2023). Komunikasi Antar Lembaga Dan Diseminasi Informasi Kpu Dan Bawaslu Dalam Mesukseskan Pemilu 2024. *CONTENT: Journal of Communication Studies*, 1(01). <https://doi.org/10.32734/cjcs.v1i01.11591>
- Taufik, Z., Putri Raodah, Atika Zahra Nirmala, Nunung Rahmania, Ayu Riska Amalia, & Rahmadani. (2023). Optimalisasi Peran Pemuda Sebagai Generasi Sadar Pemilu Dalam Menekan Jumlah Pelanggaran Pemilu. *Jurnal Abdi Insani*, 10(2). <https://doi.org/10.29303/abdiinsani.v10i2.973>
- Ulum, B. B., & Kusumo, M. I. C. (2023). Mengembangkan Strategi yang Berkeadilan untuk Meningkatkan Penegakan Hukum. *Indigenous Knowledge*, 2(1), 40–50.
- Yuhandra, E., Jalaludin Rifa'i, I., Akhmaddhian, S., Budiman, H., & Andriyani, Y. (2023). Efektivitas Fungsi Pencegahan Badan Pengawas Pemilihan Umum Dalam Melakukan Pencegahan Pelanggaran Pemilu. *Jurnal Ius Constituendum*, 8(1). <https://doi.org/10.26623/jic.v8i1.3015>