

Money Politics on General Election 2019

Juniar Laraswanda Umagapi *¹

¹Parliamentary Analysis Center of the Indonesian House of Representatives, Jakarta, Indonesia

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Abstract

Money politics must be connected to the constellation of elections in Indonesia. There is no election without money and politics. This research aims to describe real-world examples of money politics during the 2019 election, cases of money politics that occurred in society and impacted democracy, and future recommendations for the government. Gellner & Waterbury, *Patrons and Clients in the Mediterranean Societies*, said money politics exists in a patron-client society when groups in power or with certain privileges give money or other gifts in return for the loyalty of their followers (clients). The money-politics system is not a system that only surrounds elections. Money politics started to happen even before the election took place. Furthermore, it is essential to know the sources of money for state officials. This study uses library research to elaborate on various kinds of literature in the form of books, journals, and other literature relevant to the article's theme and interviews. This article describes cases of money politics that occurred in the 2019 simultaneous elections. The culture of money politics that occurred and the legal loopholes in money politics became obstacles to enforcing money politics cases. Lastly, it is a conclusion if money politics is direct or does not impact the election result.

INTRODUCTION

In this study, money politics refers to the excessive use of money in cash, free lunches, gifts, free transportation, and the distribution of salt, t-shirts, hats, cell phones, sugar, clothes, matchboxes, and during the election campaign. The election process usually goes hand-in-hand with several campaigns where candidates are provided with a platform to advertise their policies and manifestos to their potential electorate. During this process, politicians use different techniques to ensure that they attract the attention of likely voters and ultimately win the election. Among the methods used is the use of money and ethnicity, in which politicians or their agents use money or race to influence the voting decisions of potential voters. Money politics during elections does not only cover distribution..¹

Gellner & Waterbury, *Patrons and Clients in Mediterranean Societies* said that money politics lives in a society situation that has the character of a patron-client

relationship when groups who are in power or have certain privileges provide money or other gifts in exchange for the loyalty of their followers (clients). Of course, here, the people in power or who have privileges are the potential candidates because, to nominate themselves as members of parliament, they are not random people. And the people who will become followers or those who vote are clients who must be rewarded to remain loyal followers and not run to other people.

According to Birch (2009), political corruption in elections is usually done through money politics. This would result in the "wrong" person winning. The resulting government became less representative and accountable. The reason is, elected politicians will not prioritize the interests of society. In addition, trust in them is also low.² Political corruption is more inclined toward abusing power or position in government. Meanwhile, election corruption can be in the form of buying votes with a sum of money in elections, promising particular jobs, coercion, intimidation, or other forms; Political corruption concerns the illegal pursuit or abuse of public office. Electoral corruption includes buying votes with money, promises of office or special favors, coercion, intimidation, and other forms.³

1 Bartels, L. (2000). Partisanship and voting behaviour. *American Journal of Political Science*, 41(1), 35-50 on Charles, Mwidima. (2021). Money Politics in Election Campaigns: The Power of "Money Politics" and "Ethnicity" in Voting Decisions in Tanzania. *Global Business and Management Research: An International Journal*. 13. 84-95.

* E-mail: juniar.umagapi@dpr.go.id
Address: Nusantara Building 1, 2nd Floor, Jl. Jend. Gatot Subroto, Senayan, Central Jakarta 10270, Indonesia

2 Birch, S. (2009). Electoral Corruption in Landman, T., & Robinson, N. (2009). *The sage handbook of comparative politics*. SAGE Publications Ltd, <https://dx.doi.org/10.4135/9780857021083.h.394>

3 Dressler, Joshua (2002). Why Keep the Provocation Defense: Some Reflections on a Difficult Subject. *Minnesota Law Re-*

The tendency of people today is transactional, where they will ask for incentives or reciprocity if asked to give their voting rights to specific candidates. In the election of several presidential candidates, the People's Representative Council and the Regional Representatives Council, simultaneously, money politics was seen in implementing direct elections, which were increasingly intensified as if they had become entrenched.⁴ A culture that has been very strong from generation to generation makes the root of the problem difficult to eliminate. Outreach, money politics, and black campaigns by slandering and spreading hoax news about rivals will affect political participation, especially the people.⁵

A culture like this is inseparable from the 2019 simultaneous elections, where political competition is evident. Money politics has been apparent during the campaign process because the campaign process has created many opportunities to practice money politics, even until the political contestation ends after the election results are determined. This research aims to show the impact of money politics on society on election results and the culture of money politics in Indonesia. Hopefully, this can become a reference for better changes in the Indonesian political system. Then the research question arises: What were the cases of money politics like during the 2019 simultaneous elections? What causes money politics to occur, and whether money politics will affect the election results? This explanation will be discussed in more detail in this article's results and discussion section.

METHODS

This study uses the library research method to elaborate on various kinds of literature in the form of books, journals, and literature that is relevant to the theme of the writing. This library method was chosen because it wanted to combine the findings of the same theme as preliminary studies with the latest research studies.

Initial data collection was carried out through a literature study followed by data collection using interview techniques and data collected from several direct studies with experts in the selected regional objects. Using the interview method with experts can provide other insights to answer research questions on the types of money politics that occur and how money politics affects election results and becomes part of the election itself and what causes money politics to happen, and what are the solutions and recommendations for money politics problems in elections. Because experts are involved in organizing elections, they have their thoughts on this issue of money politics.

The data that was successfully collected was compiled and sorted to answer existing research questions. Data

view. 1712. <https://scholarship.law.umn.edu/mlr/1712>

4 Kherid, M. N. (2021). *Evaluasi Sistem Pemilu di Indonesia 1955-2019: Sebuah Perspektif Pluralisme Hukum* (Vol. 1). PT. Rayyana Komunikasindo

5 Simon, J., Hanum, F., & Suardi, S. (2018). *Pengaruh Sosialisasi Terhadap Pencegahan Politik Uang, Kampanye Hitam Dan Peningkatan Partisipasi Politik Masyarakat Pada Pemilihan kepala Daerah Didesa Bulu Cina*. Publik, 3 on Septiadi Muhammad Andi et all (2021). *The Imperative Power of Election Law on Money Politics*. *Jurnal Sosial and Humaniora* Volume 11,p.2

analysis was performed using qualitative methods. Using qualitative methods provides sharp analytical results to answer research questions and objectives. From the results of the literature study and interview results, essential points can be drawn to conclude the research questions above and produce results and discussion.

RESULTS AND DISCUSSION

Money Politics Cases

Money politics is an activity that is already very thick in Indonesian politics. Money politics will always occur in every political contest in Indonesia. Money politics hurt Indonesian democracy. Over time, money politics will be considered a natural action for the general public because it will always happen, and some people are even waiting for it. Until now, there has been no proper solution to stop the practice of money politics.

Referring to Aspinall and Berenschot's study on the context of democracy in Indonesia, it is said that patronage relations and clientelism strategies dominate various election competitions at the national or local level. "The aspect of political kinship that we mean is related to political dynasties, political families, or political clans that have proven to be strong at the local level. Meanwhile, the clientelism aspect emphasizes more on how the candidates make material transaction efforts in mobilizing their support in elections."⁶

The influence of money politics in the 2019 election was also asked about the figures or elites who were the respondents. As a result, 83 percent of respondents to the figure survey considered that voters consider gifts of money, goods, or services from legislative candidates or political parties they receive when voting. However, there were 17 percent who stated that this was not considered.⁷

The meaning of 83 percent shows that most people recognize that money politics is integral to the election. Society no longer sees money politics as something taboo but as something that exists as a tool to introduce potential candidates to the broader community. But if you see corruption cases committed by officials, they think using people's money for their interests is wrong. However, the public should know that bribes or giving money to get the people's vote is also the first step to massive corruption if you already have a position.

Giving a reward to someone is a form of maintaining the loyalty of their followers so that they continue to vote in elections. With their followers' votes, certain groups can get certain privileges to become representatives of the people and get abundant facilities with that position.

When the ability of a candidate's funding is considered, space is opened to enter funding sources from outside parties, including the possibility of illegal financing. Because

6 Aspinall, E. & Berenschot, W. (2019). *Democracy for Sale: Elections, Clientelism, and the State in Indonesia*. First Edition. Cornell University Press. Ithaca

7 Purnamasari D.M (2019, August 29). *Survei LIPI: Masyarakat Memandang Politik Uang Bagian dari Pemilu, Tidak Dilarang*. <https://nasional.kompas.com/read/2019/08/29/05213291/survei-lipi-masyarakat-memandang-politik-uang-bagian-dari-pemilu-tidak?page=all>

se the candidates also do not believe in their abilities and level of popularity, material sacrifices in the form of money at the beginning, but in the end, they can all occupy the positions they want.

Money politics is one practice that can create political corruption. As the mother of corruption, money politics is the main problem and most often occurs in Indonesia. Money politics is the primary mouthpiece for creating a leader pro to personal and group interests. Money politics results in political costs for a leader when the election process becomes expensive. Of course, when a candidate is elected through a bribery process, they will think about how the capital will be reissued and not think about the people's interests.⁸

It is no secret in every election. It is no longer possible to hold elections without the intervention of money. At every stage of the election until the end, there are always reports of money politics, which is also quite large.

⁸ Pahlevi Moch Edward dan Amrullobbi Azka (2020). Pendidikan Politik dalam Pencegahan Politik Uang Melalui Gerakan Masyarakat Desa. *Jurnal Antikorupsi*, 6(1) KPK. file:///Users/juniarlaraswandaumagapi/Downloads/611-Dokumen%20Artikel%20Utama-2087-3-10-20200716.pdf h.142

Cases Sample

Article 182 and Article 240 of Law No. 7 of 2017 concerning elections. Requires candidates with ex-convict status to announce their position to the public publicly. KPU has revealed the number of candidates who are former corrupt. Everything was revealed through the KPU's social media to the newspapers. However, there is a lot of debate about the announcement of status to the public. Many people need to learn that the candidate is a former convict because the report is not too big and has an impact because it seems to cover it up. There is even debate about candidates for ex-corruptors who should not be able to run for office but return to the principle of everyone's human rights to be able to run for election.

It is challenging to demonstrate the propensity of election participants to engage in money politics against the general public. Legislative candidates are concerned about not being elected and need more confidence, so they practice money politics to add value to getting selected. The community is too easily lured because of their low educational and economic background. Some people also deliberately take advantage of legislative candidates to spend money. Because when else will they get money quickly? In

Table 1. Recapitulation of Alleged Violations of Money Politics in 25 Regencies/Cities, 13 Provinces

No	Location	Chronology of Events
1	District Banda Raya, Banda Aceh City, Aceh Province	Give rice, cooking oil with a business card
2	Malan Island Village, Peusangan District, Bireuen Regency, Aceh province	Distribution of Rp. 100,000 in each house.
3	Air Napal District, North Bengkulu Regency, Bengkulu Province	On Saturday, April 13, 2019, Rp. 1,400,000 was found, distributed to the public with a value of Rp. 50,000 per person to elect candidates for DPRD members.
4	Kisaran, Asahan District, North Sumatra Province	Distribution of Rp. 50,000 in cash and name cards for legislative candidates on Jl. Cokroaminoto at the food court on April 11, 2019
5	Tigabinanga District, Karo Regency, North Sumatra Province	The two perpetrators brought Rp. 190,000,000 in denominations of 20 thousand, 50 thousand, and 100 thousand to be distributed to the voters.
6	Siborang, Padangsidimpuan City, North Sumatra Province	Candidates hand out envelopes filled with cash on April 15, 2019
7	Bilah Hulu District, Labuhan Batu, North Sumatra Province	On April 13, 2019, someone was found inviting residents to vote for a candidate's sibling while simultaneously giving Rp.400,000 in cash
8	Padang Bolak District, North Padang Lawas, North Sumatra Province	The South Tapanuli Police secured evidence in the form of envelopes containing money and 82 candidate name cards.
9	Tanjung Harapan, Solok, West Sumatera Province	Someone gave Rp. 150,000 in front of the Tanjung Harapan KUA Office, Solok City. The money was given in the hope of electing a candidate.
10	Sindangkasih sub-district, Ciamis, Central Java Province	April 14, 2019, white envelopes containing money and campaign materials were distributed in the form of name cards with the image of the Party Logo, Party Name, Candidate Name, Candidate Serial Number, with the words "Please Pray and Support" and name cards in the form of wrong ballot specimens one Candidate.
11	Panyileukan District, Bandung City, West Java Province	The distribution of boom brand detergent powder attached with samples of ballot papers showing how to vote for candidates
12	Padaherang District, Pangandaran, West Java Province	The perpetrators distributed white envelopes containing Rp. 100,000 to two people
13	Lelea District, Indramayu, West Java province	Election supervisors found people wrapping groceries accompanied by specimens of DPR RI ballots in the name of P, and some of them had been distributed to the public.

No	Location	Chronology of Events
14	South Purwokerto District, Banyumas, Central Java Province	Someone admitted that he had received the candidate's name card and was given a Rp 100,000 denomination. The report was received after receiving SMS information from the public to Bawaslu
15	Karanggeneng District, Boyolali, Central Java Province	Someone visits voters, and then that person gives an envelope containing Rp. 100,000 with Serial No. 0L5420958, A pocket card with a picture of the candidate.
16	Mejorbo District, Kudus, Central Java Province	Kudus Bawaslu and the Gakumdu team found residents who received money and carried stickers/photos of candidates to vote during elections
17	Gebang District, Purworejo, Central Java Province	The candidate's wife distributes some money to supporters at her home
18	Pandarejo, Banyuwangi, East Java Province	There was a cash distribution of 50,000 rupiahs to a group of housewives in the complex. It is suspected that the giver of the money was the mother of one of the candidates for the Regency/City DPRD
19	Selong District, East Lombok, West Nusa Tenggara Province	Giving money to 14 voters with proof of money of Rp. 25,000 for each voter
20	Central Banjarmasin District, Banjarmasin, South Kalimantan Province	At 00.26 there was a case of distribution of money to residents. Then the Panwaslu of Central Banjarmasin District found out with OTT against the suspects
21	Salam Babris District, Tapin, South Kalimantan Province	KPPS distributed C6 along with the name cards of the candidates and 100 thousand in cash
22	Ujung Bulu District, Bulukumba Regency, South Sulawesi Province	On Saturday, April 13 2019 at 09.30 WITA Indah's mother allegedly gave Rp. 200,000 to Maya's mother including a candidate's ballot
23	Sigi Biromaru and Dolo Districts, Sigi, Central Sulawesi Province	Distribution of groceries and headscarves accompanied by campaign materials on the first day of 14 April 2019
24	Suwawa District, Boe Bolango, Gorontalo Province	Election supervisors followed up on public information regarding alleged money politics practices to voters in the amount of IDR 700,000. There is one voter who was also asked for proof by affixing his signature with a stamp.
25	Jayapura City, Papua Province	At the Horison Hotel floor 6 room 603, Sentra Gakumdu secured a perpetrator with evidence of 100 million in cash and a winning card in the name of the perpetrator

Source: Bawaslu (2019) "Masa Tenang, Pengawas Pemilu Tangkap Tangan 25 Kasus Politik Uang

practice, money politics is quite neat, so the Panwaslu has quite a hard time finding evidence in the field, and there is an expiration date for evidence. Kinship relations in local politics give rise to feelings of embarrassment.

Such a system does not only apply to prospective candidates; of course, this tradition starts with the political party system itself. Candidates can only stand-alone with the help of political parties. Political parties need campaign funds and funds to move the organization around the clock between two elections. Funds of this type are also not small because to maintain people's trust, political parties must continue to exist through various activities: office operations, political education, regeneration, public exposure (public exposure), as well as organizational consolidation involving management at the central, regional, and remote village levels. Initially, political funds, operational funds for political parties and campaign funds were obtained from contributions from political party members. The strong ideological relationship between members and political parties, as a means of ideological struggle, causes members to donate to political parties voluntarily. Mass-based parties, of course, get large funds even though the contribution value per member is small.⁹

9 Sholikin Ahmad.2019. Mahalnya Ongkos Politik dalam Pemilu Serentak Tahun 2019. Jurnal Transformative Vol.5.No1.. Mei 2019. h.96

The Sanctions of Money Politics

Transactions for giving money are sometimes carried out by someone other than candidates directly but through intermediaries from the success team. There are various modes, such as through recitation events, wiridan, PKK for women in RT/RW at the village level, or social events packed with the presence of candidates. The most common excuse for giving money or goods is a substitute for transportation money. If the gift was used as a substitute for transportation and, when the distribution occurred, the candidate did not mention the vision or mission and did not make an invitation to vote for himself. In transportation distribution, it is difficult to be accused of money politics. This situation has made it difficult to carry out integrated law enforcement (Gakumdu) jointly between Bawaslu, the Police, and the Attorney General's Office because of the constraints on proving the law from the perspective of money politics. Another obstacle is the difficulty for the Election Supervisory Body to produce witnesses. In general, people who are aware of money politics are not willing to testify for fear of offending people they know.¹⁰ Just as the person who received the money was someone who knew the witness well, he was afraid it would affect relations with the community and important people in the area.

10 Delmana LP, et al (2020). "Problematica dan Strategi Penanganan Politik Uang Pemilu Serentak 2019 di Indonesia". Jurnal Tata Kelola Pemilu Indonesia. Vol 1 No 2, Mei 2020.p.5-6

Money politics lives in a social situation with a patron-client character when groups in power or with certain privileges (patrons) provide money or other gifts in return for the loyalty of their followers (clients).¹¹ The problem is that giving money during elections is not something that rarely happens; it even occurs often, so this tradition is a natural thing. Suppose potential candidates come to convey their vision and mission but need more or are empty-handed. In that case, it is considered that these potential candidates are representatives of people who are stingy and will not get the public's attention.

When conducting an FGD at a state university in Lampung regarding evaluating the 2019 simultaneous elections, it was said that the electoral system was an open list of candidates, which could be considered extra-liberalistic. The consequences of such an electoral system encourage allegations of the widespread use of money politics in the nomination process and competition between candidates. Legislative candidates are concerned about not being elected and are not confident in themselves, so they practice money politics to add value to getting selected. The people are too easily lured because of their relatively low educational and economic background; there are also people who deliberately take advantage of the candidates to spend money.¹²

Theoretically, several factors influence the size of money politics cases. One important factor that is believed to contribute to incidents of money politics is the design of political institutions, including extreme multiparty systems.¹³ As we know, post-Soeharto, Indonesia entered a multi-party era. In the 2019 legislative election, 16 national parties competed for 575 seats at the central level, up from 12 parties contesting in 2014, 38 parties in 2009, 24 parties in 2004, and 48 parties in 1999. At the same time, most parties are relatively new and need more political credibility. In general, parties also need to have ideological differentiation, so it is difficult for voters to distinguish one party from another. As a result, voter behaviour is determined more by the candidate's campaign strategy than by the party's platform.¹⁴

An important point for political parties, especially new parties that always emerge every election is how to beat or compete with parties that have been around for a very long time and already have a special place in the party dynasty. The new parties will try various ways so that their cadres can get votes and get into parliament.

Another political, institutional design that is con-

sidered to have contributed to the rampant buying and selling of votes is the electoral system. For example state that "*all else being equal, where electoral systems limit voters to a single choice among parties, as in closed-list proportional representation systems, candidates are more likely to rely on party centred strategies.*" In a closed proportional system where voters are only entitled to vote for a party, candidates tend to use party-based campaign strategies.¹⁵

Law No. 7 of 2017 concerning general elections, 278 paragraph 2, stipulates that during the calm period, executors, participants, and/or campaign teams for the Presidential and vice presidential elections are prohibited from promising or giving rewards to voters for a. not exercising their right to vote, b. selecting candidate pairs, c. selecting political parties participating in the election, d. selecting candidates for members of the DPR, Provincial DPRD and DPRD, e. elect certain members. Sanctions for violating these provisions are stipulated in Article 523 paragraph 2, i.e. every election campaign executor, participant and/or team who deliberately during the calm period promises or provides monetary or other material rewards to voters directly or indirectly is subject to imprisonment for a maximum of four years and a maximum fine of Rp. Forty-eight million, and if the practice of money politics on the voting day under Article 523 paragraph 3 will be punished with a maximum imprisonment of three years and a maximum fine of Rp. 36 million.

The Election Law only regulates the prohibition of money politics to givers or people who make promises, while recipients are not strictly regulated. Article 228 of the Election Law requires court decisions to have permanent legal force as the basis for applying administrative sanctions to political parties that use political dowries to the president and vice president's nomination process. In addition, the Election Law does not regulate criminal sanctions related to political dowry. The election law indicates that the discussion and enactment of statutory regulations are conditional on political interests, so the substance of the Election Law is different than expected.¹⁶

With this rule, it is clear that there will be strict sanctions for the perpetrators of money politics. Still, because the punishments for those who accept them are not severe, people will think it is okay to accept bribes or money politics because they are not the ones who commit crimes. Of course, this understanding needs to be corrected. Because of this, dawn attacks are also very often carried out in calm times because, according to them, people's memory of who assisted before election day will have a greater impact on the voting results later. The public must know about these clear rules to reduce money politics.

One of the characteristics of a transactional and institutionally corrupt party is that it prioritizes electoral fulfilment and fills strategic positions in internal and external parties based on monetarism and imagery rather than giving wide breadth to the selection of integrity and individual capacities, ideas, and ideological-based programs. Ac-

11 Ernest Gellner and John Waterbury (eds.), *Patrons and Clients in Mediterranean Societies*, London, Duckworth and Co., 1977

12 Focus Group Discussion Legislative Analyst Setjen DPR-RI and lecture in University of Lampung, Bandar Lampung, on 7 August 2020.

13 Van de Walle, N. (2007). "Meet the New Boss, Same as the Old Boss? The Evolution of Political Clientelism in Africa." on Muhtadi Burhanuddin. (2019). "Politik Uang dan New Normal dalam Pemilu Paska Orde-Baru". *Jurnal Antikorupsi INTEGRITAS*, 5 (1), 55-74 e-ISSN/p-ISSN: 2615-7977/2477-118X. p.57

14 Vlaicu, R. (2016). Why Do Politicians Buy Votes? Ideas Matter. <https://blogs.iadb.org/ideasmatter/en/vote-buying-an-age-old-political-practice/>. Dalam Ibid h.57 access on 20 August 2022

15 Hicken, A. (2007a). How Do Rules and Institutions Encourage Vote Buying?. Dalam F.C. Schaffer (ed) *Elections for Sale: The Causes and Consequences of Vote Buying*. Colorado: Lynne Rienner Publisher, Inc

16 Delmana LP et al.op.cit.h.4

cording to the Charta Politika survey (January 18-25, 2019), Jakarta residents are still permissive towards the practice of money politics or giving gifts during campaigns. Dapil DKI Jakarta I (East Jakarta) is the region with the highest level of acceptance of the course of money politics (58.2%), even though the people of Jakarta are the centre of government whose people are expected to have more standards of ethical and moral verification of the practice of money politics compared to people in other regions.¹⁷

The electoral system certainly does provide its proportions of how easily money politics can occur. There is even an option to change the Indonesian electoral system so it does not use an open proportional system. However, if the money politics tradition is ingrained, of course, even if the electoral system changes, it will not significantly impact decreasing cases of money politic.

Gaps in the Law of Money Politics Practices

Legal Problems and Gaps that keep the practice of money politics going, namely in terms of oversight and regulations that apply. Money politics sanctions in Article 515 Law no. 7 of 2017, namely "Anyone who deliberately during voting promises or gives money or other materials to voters so that they do not use their right to vote or vote for certain election contestants or use their voting rights in a certain way so that their ballots are invalid, shall be punished with a crime maximum imprisonment of 3 (three) years and a maximum fine of Rp. 36,000,000.00 (thirty-six million rupiahs)". It is clear what is stated in the Election Law regarding penalties if proven to have committed an act of money politics.

The matter of regulating money politics is also further regulated in Article 523 of Law No. 7 of 2017, during campaigns, quiet periods, and voting day; this practice is also prohibited and subject to criminal sanctions and fines. Article 523 paragraph (1) denies the existence of money politics during campaigns, with the subjects of criminal acts being executors, participants and campaign teams. Article 523 paragraph (2) prohibits money politics during the quiet period, with the issues of the crimes being executors, participants and campaign teams. Finally, Article 523 paragraph (3) prohibits money politics on voting day, with the case of the crime being every person.¹⁸

If the regulations in force still need to close the opportunity for certain people to carry out these illegal practices. There are still legal loopholes against the actors involved. There is a campaign stage and a quiet period as giving money is regulated in the Election Law (UU No. 7 of 2017) only executors, participants or campaign teams. The giving subject is broadly set to "everyone" at the voting stage. This subject will impact not being trapped by actors outside the executor category, participants or campaign teams when carrying out money politics during the campaign stages and the quiet period.

Money politics offences regulated in Article 523 are

distinguished by time. Article 523 paragraph (1) prohibits money politics during campaigns, Article 523 paragraph (2) prohibits money politics during the calm period, and Article 523 paragraph (3) prohibits money politics during voting day. Apart from being differentiated based on the time money politics was carried out, the formulation of money politics offences was also determined based on the intended subject (address norm). Article 523 paragraph (1) and Article 523 paragraph (2) are representations of qualitative offences. That is, the offences regulated by the two articles require certain qualities in the subject of the crime, be it position, authority, profession, occupation, or other specific conditions.¹⁹

On the other hand, Article 523 paragraph (3) includes the qualification of community delict, which means that this offence is intended for anyone regardless of certain qualities.²⁰ The separation based on the crime's time and the crime's subject in Article 523 of the Election Law raises new problems. This is because if there are subjects of criminal acts other than executors, participants and campaign teams who practice money politics during the campaign and quiet periods, these perpetrators cannot be punished under the Election Law. Only election organizers, participants and campaign teams are prohibited from engaging in money politics. If you look at the motive for practising money politics, anyone can do it to win one of the candidates. Not limited by executors, participants and campaign teams, especially if you have a kinship relationship but are not administratively included as a campaign team, things like this should be used as a reference for a law created for the benefit of all groups of people.

CONCLUSION

To answer the research question, Does money politics influence election results? The answer is yes if the success team and the candidates pay a very large amount of money to reach the community down to the regions by introducing the vision and mission with the help of that money. There are two types of people, namely those who don't care who is giving them money, they can vote for other candidates, but there are also people who think it is a form of concern for the candidates for them. Like the proverb that you don't know, you do not love them; of course, they know more about candidates who give them something than those who don't.

Money politics is indeed very troubling for the progress of our country's democracy; the level of public trust also affects the course of democracy in a country. It may be very easy to blame the political system of the Indonesian state but don't forget that many factors influence the high presentation of money politics in Indonesia, such as the culture and mindset of the people who still consider gifts from candidates to the public to be a natural thing because their votes are not free. Money politics is also a way to gain public trust in regional head candidates.

In the open proportional election system so far, candidates from one party have to compete with their party

17 Umbu TW Pariangu.(2019,April 9).Antidot Politik (us) Uang. Kompas

18 Raharja Ida Bagus and Setiabudhi I Ketut (2020). Pengaturan Politik Uang Dalam Perspektif Hukum Pidana Pemilihan Umum. Jurnal Kertha Wicara Vol. 9 No. 6. p.7

19 Zuleha (2017). Dasar-Dasar Hukum Pidana. Deepublish Sleman p.44 on Ibid p.7

20 Ibid

mates and candidates from other parties. They have to fight over the very limited number of partisan loyalist votes. Thus, vote buying usually occurs among voters who have yet to choose. Because such a system attacks the dawn of money politics, it often happens in quiet times because that is the best time to influence the people's voice.

The money politics system is not a system that only surrounds when elections take place. Money politics had started even before the election took place. Because it is very important to know the sources of money for state officials, the KPK must always provide updates on state officials' wealth to minimize sources of illegal funds. Strict sanctions for perpetrators of money politics can also create a deterrent effect for them.

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