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THE ROLE OF THE ELECTION SUPERVISORY BODY IN TACKLING MONEY POLITICS IN THE 2024 SERANG DISTRICT REGIONAL HEAD ELECTION

¹Risca Vanesa, ¹Hasuri

Faculty of Social, Political and Legal Sciences, Universitas Serang Raya, Serang, Banten

Correspondent email: caavaness@gmail.com, majalah.assaadah@gmail.com

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Abstract

This Money Politics exists because of the obsession of leaders elected by the people to have government authority. Because it is contrary to the principles of the election itself, money politics damages democracy. So, this study will look at how Bawaslu's efforts to prevent and handle money politics in the 2024 Regional Head Elections. The urgency of this study is the threat and impact of money politics on society which can damage democracy and integration in general elections. The research method used is normative juridical which is taken through legal library materials. The results of this study are the role and strategy of Bawaslu in preventing money politics, by educating the public about the threats and impacts of money politics, and the conditions of money politics in the Regional Head Elections in Serang Regency. Thus, Bawaslu has an obligation to take preventive measures so that money politics does not occur in the next general election.

Keywords: Bawaslu: Money Politics, Pilkada.

A. INTRODUCTION

Indonesia is a unitary state that adheres to a democratic system in state life. Where the administration of government from the people, by the people and for the people because sovereignty is in the hands of the people and carried out entirely by the People's Consultative Assembly.¹ From this article, it is clear that Indonesia is a state of law that recognizes that the people are in charge.

Every citizen has the right to freedom to directly choose their own leaders without coercion. People can use their voting rights in general elections (Pemilu) or regional head elections commonly referred to as (Pilkada).

Indonesia is currently conducting regional head elections (hereinafter referred to as pilkada) in 2024 by conducting a political election process to elect Governors at the Provincial level, Regents / Mayors at the Regency / City level according to the candidates who nominate and will be directly elected by the people. The filling of the position of regional head at the Provincial level is the same as filling the position of regional head at the Regency / City level, which is directly elected by the people.

A democratic election must ensure fairness, honesty and protection for the people who vote. Every citizen who participates in the election must be protected from fear, fraud, and other fraudulent practices.

Pilkada is a means to demonstrate and recognize the rights of their representatives to run the government, because regional head candidates, political parties, and the people are the main actors in determining who will serve during the stipulated term of office. Through regional elections, it is expected that qualified regional leaders will be elected in accordance with the will of the people. However, in its implementation, one of the "parties of democracy" is a lot of cheating behavior, dishonesty, lies in the campaign and even fooling the public by giving money or goods ahead of the election.

Indonesia has been conducting direct elections since 2004. One of the records of elections, both regional and presidential elections, is the existence of a political disease that is difficult to eliminate, namely money politics. Money politics is an act of influencing others by providing a reward or it can be said as an act of buying and selling votes so that voters are influenced in determining their votes in the general election process.

Money politics in general elections may have become a hereditary tradition or a patent disease that is difficult to eliminate. Money politics is often used to gain power. One of the factors that cause people to vote for candidates who provide more funds is the low level of education and community welfare.

Money politics is growing rapidly in society in various regions. This dirty practice encourages people to give their votes to candidates who practice money politics. Some people use their voting rights not because of analysis, but because they are paid. This dirty practice can produce bad leaders, damage the nation's paradigm, or even create political dynasties in the regions. So, there is an election organizer called Bawaslu (general election supervisory body) to oversee the election.

¹ Article 1 paragraph (2), Constitution of the Republic of Indonesia 1945.

Bawaslu as a state institution responsible for conducting election supervision also has the task of encouraging the growth of participatory supervision, including accrediting election monitoring institutions. Bawaslu has the task of preventing and taking action against elections, as well as disputes over the election process in accordance with Article 93 letter b of Law Number 7 of 2017 concerning Elections.

Bawaslu is also tasked with preventing the practice of money politics in the Regency / City area.² One of Bawaslu's responsibilities is to eliminate the practice of political money during the election, because its function is to ensure clean, fair and orderly elections. And Bawaslu plays an important role in terms of supervision and has the authority to eliminate political money in the implementation of elections. Although it has been regulated in law, there are still many people or direct election campaign participants who use political money to win.

Money politics in various regions is rampant because of the lack of public understanding about it. besides that, money politics can occur because of the needs of the community both in the form of money and goods. So, citizens, especially the people of serang district, actually take advantage of the benefits of money politics to help their lives. Money politics seems to be allowed and violates existing legal provisions.

Serang Regency, as one of the regions in Banten Province, is also not immune from the problem of money politics. Every election, there are various money politics practices that lead to injustice in political competition and harm the democratic process itself.

The impact that occurs due to money politics is that there is no freedom of choice because people's votes are bought either by force or not. So, it can result in choosing the wrong leader which can harm the community and result in injustice because of the unfair victory of the leader. On the other hand, this can make people feel that there is no democracy. So, Bawaslu Serang Regency needs to create a strategy to prevent money politics. This aims to create clean and healthy regional elections that provide justice and freedom of choice to the people of Serang Regency.

This research was conducted with the aim of solving the formulation of problems regarding the role of Bawaslu in preventing money politics, the threat of money politics for the community, and the conditions of money politics in the Regional Head Election in Serang Regency.

Various descriptions above with various problems in the elections that took place in all regions in Indonesia, the author is interested in conducting research on the Role of Bawaslu in Overcoming Money politics in the 2024 Serang Regency Pilkada. Because, the holding of democratic regional elections must guarantee honest, fair elections and protection for the people who vote.³

B. RESEARCH METHODS

The type of research used is normative juridical or legal research method conducted by examining library legal materials, written regulations, or secondary data.⁴ Because

² Article 101 letter (c), Law Number 7/2017 on General Elections.

³ Law of the Republic of Indonesia Number 7 of 2017 concerning General Elections.

⁴ Soerjono Soekanto and Sri Mamudji, "Normative Legal Research An Overview," in *Brief, Jakarta: CV. Rajawali* (Jakarta: Raja Grafindo Persada, 2019), 14.

the problems researched and studied focus on juridical subjects, the research is based on rules, regulations, legislation, legal theories, and opinions of legal experts. In normative legal research, law is defined as rules or norms that serve as the basis for human behavior that is considered appropriate. This research compares library materials with secondary data from library materials, which makes it categorized as normative research.

C. RESULTS AND DISCUSSION

Bawaslu's Role in Preventing Money Politics

Based on Law No. 7/2017 on Elections, Bawaslu is tasked with increasing community participation in election supervision. Public participation is very important in general elections because it provides legitimacy for the government for the next five years and produces people's votes that reflect the majority of their will. As per the laws and regulations, every citizen has the right to participate in the electoral process so citizens should utilize this right. In addition, the institutions responsible for organizing elections, especially the Election Supervisory Agency (Bawaslu), are responsible for the level of public participation.⁵

Basically, Bawaslu's function is to educate and cooperate with the community about the existing provisions in the general election and the prevention of violations committed so that the general election can run according to the existing provisions in order to run smoothly.⁶ One important aspect of elections is community participation in overseeing elections. The more community participation and contribution in overseeing the organization of elections, the less fraud will occur. Each community forum that has been formed is one form of effort to help the community oversee the fraud that occurs.

This dirty practice encourages people to vote for candidates who practice money politics. Political elites gain power in an unfair way through money politics.⁷ Some people use their voting rights not because of analysis, but because they are paid.⁸ This dirty practice can produce bad leaders, damage the nation's paradigm, or even create political dynasties in the regions. As a result, it is inevitable that money politics can occur during elections.⁹ So, there is an election organizer called Bawaslu to oversee the election.

Money politics, in any form, undermines the quality of elections in our country because it influences people not to use their conscience to vote according to their own beliefs and choices. The success of elections with high quality and integrity depends on

⁵ Wizarul Ma'arif Ma'arif, Sakir Sakir, and Fairuz Arta Abhipraya, "The Role of Bawaslu in Supervising the 2020 Tasikmalaya Regency Election," *Journal of Political Science and Government* 8, no. 1.

⁶ Riasri Haryani, "Optimizing the Authority of Bawaslu as an Election Supervisory Institution and Institution that Performs Judicial Functions according to the Election Law," *Binamulia Hukum* 12, no. 1.

⁷ Dendy Lukmajati, "The Practice of Money Politics in the 2014 Legislative Elections," *Politika* 7, no. 1 (2016).

⁸ Christy Messy Lampus, Marlien T. Lapijan, and Efvendi Sondakh, "The Phenomenon of Money Politics in the 2019 Legislative General Election in Wanea District," *Executive Journal* 2, no. 3 (2019): pp. 1-9.

⁹ Edward. Aspinall and Mada Sukmajati, *Money Politics in Indonesia: Patronage and Clientelism in the 2014 Legislative Elections*, PolGov (Research Center for Politics and Government, Department of Politics & Government, Fisipol UGM, 2015).

the responsibility of the election organizing body to consistently provide political education to the public and continue to perform maximum supervisory functions.¹⁰

Elections can be carried out in a clean and fair manner, if Bawaslu is increasingly strict in monitoring the practice of money politics ahead of the Simultaneous Regional Elections. This supervision is carried out by examining any indications that lead to money politics, including giving money or goods to voters in an effort to influence their choices.¹¹

Bawaslu is responsible for prevention by identifying and mapping potential vulnerabilities and election violations, coordinating, supervising, guiding, monitoring and evaluating the implementation of elections in coordination with relevant government agencies to increase public participation in election supervision. In the prosecution of election violations, Bawaslu is responsible for receiving, examining and reviewing allegations of election violations, investigating alleged election violations.¹²

Bawaslu Serang Regency carried out a strategy to prevent money politics in the 2024 Pilkada in Serang Regency by carrying out several stages, namely: 1) Socialization to the community and political parties, namely Bawaslu actively conducts socialization to increase the awareness of the community and political parties of the dangers of money politics. The purpose of this activity is to increase understanding of the importance of maintaining fair elections. 2) Anti-money politics patrols in the calm period, namely Bawaslu increases patrols in the calm period to stop the practice of money politics that often occurs before voting day. This step is expected to reduce the possibility of violations by the winning team or election participants. 3) Increasing the knowledge and abilities of the supervisory team, to prevent money politics, Bawaslu conducts training to increase the knowledge and abilities of the supervisors. 4) Cooperation with the Pilkada office, because the Pilkada office of the Serang Regency Government provides full support to Bawaslu and KPU to organize safe elections.

This cooperation includes cooperation in monitoring and enforcing regulations during the Pilkada process. Bawaslu Serang Regency is working hard to ensure that the 2024 elections take place honestly, fairly and free from political practices that rely on money.¹³ With the strategies carried out by Bawaslu, it can prevent money politics in the 2024 Pilkada.

The Threat of Money Politics to Society

The condition of Indonesian society includes the weak economy of the people and the declining quality of human resources, many people willingly accept these funds. In addition, candidates in legislative election campaigns give some money to the people in order to gain their support and win in the upcoming elections. There is no harm; there is time for campaigning and charity. Because "almsgiving" has no hidden purpose and

¹⁰ Irham Bugis, *Anti-Corruption Education* (Independent Election Awareness Committee, 2020).

¹¹ Burhanuddin Muhtadi, "The Power of Money Book," 2020.

¹² Romario Christian Falco Kuntag, Toar N Palilingan, and Dicky J Paseki, "Efforts of Bawaslu (General Election Supervisory Agency) in Eradicating Money Politics in Manado City," *Journal of Lex Administratum* 11, no. 3 (2023): pp. 1-10.

¹³ Zainal Abidin Rahwarin Darma, "The Dynamics of Money Politics in Regional Head Elections," *Yogyakarta: Student Library*, 2022, p. 119.

is given sincerely without reward, it can already be considered as money politics by certain agencies or parties.

Money politics is often used to describe events related to the use of money and goods in the electoral process. Rather than considering other factors such as candidate credibility, personality and political experience, it is expected that voters will favor a particular candidate by donating money or goods.¹⁴ Today, money politics is a problem that plagues and undermines democracy. Money politics is used in most elections at all levels. Monetary policy in elections and local elections is not new; it has existed since village-level elections. With an increasingly accommodating society, money politics is thriving.

The provision of money from candidates to council members involved in money politics can vary. The types are the bonding system, through the candidate's success team, through people around him, given directly by the candidate, and in the form of checks.

The implementation of money politics starts from the candidate nomination process, during the election period, until the day of voting and counting. Money politics consists of two types: the first is giving money to voters directly; the second is giving goods with high exchange and use value. "Voting directly to voters, distribution of money or goods, distribution of food or cement to build places of worship, dawn raids, and so on" are examples of more privileged money-related political practices.

Money-related politics is not impossible to eliminate. At the very least, we can reduce the likelihood of it occurring in every election or regional head election. So far, the implementation of money politics law has shown some shortcomings. There are many situational factors that influence this, such as the shortcomings of the law, the function of law enforcement, infrastructure limitations, the role of society, and cultural elements. All five elements of law enforcement interact with each other. Money politics should be carried out primarily by election organizers to identify potential dangers and monitor them.

Examples of money politics actions carried out in general elections by providing donations in the form of goods or money to cadres, fans, groups, or certain groups, obtaining donations from conglomerates or entrepreneurs for the benefit of certain political parties, and misusing state authority and facilities to support certain political parties.

The existence of unsanctioned money politics actually poses a great threat to society, because all people involved in the practice of money politics, both givers and receivers, will face severe punishment.¹⁵ Based on Article 187A paragraphs 1 and 2 of Law Number 10 of 2016 concerning Pilkada, individuals who are proven to have committed such violations are threatened with imprisonment of up to 72 months and a

¹⁴ Maria Imelda Maitza Zahra et al., "Analysis of the Application of Money Politics during the Democratic Period in Serang City, Banten Province," *Res Justitia Journal: Journal of Legal Science* 4 (2024): pp. 96-100.

¹⁵ KBRN, "This is the Threat for Givers and Recipients of Money Politics," 2024, <https://www.rri.co.id/banten/pilkada-2024/1101460/ini-ancaman-bagi-pemberi-dan-penerima-politik-uang>.

maximum fine of Rp1 billion.¹⁶ Bawaslu Serang Regency asks the public to avoid actions that could threaten democracy. Elections that are free from transactional practices are very important to apply the same criminal sanctions for givers and receivers in an effort to increase public awareness.¹⁷

Social threats can also be obtained if we support our choices fanatically and do money politics openly, it can cause divisions in the community and even families. Because of differences in choice, other voters can also report money politics because it is considered detrimental to that party.

Money politics by buying people's votes to elect prospective leaders, will have a big impact if they choose the wrong leader. So, in elections, people should choose leaders according to their choice without being influenced by anything, especially money politics.

The community is expected not to commit money politics, because it is considered to be detrimental and threatening to themselves, and the importance of Bawaslu to educate by conducting socialization to the community about the importance of avoiding money politics to give them a better understanding of the dangers faced if they are involved in money politics.

Money Politics in the 2024 Pilkada in Serang Regency

Based on Pancasila and the 1945 Constitution, the Regional Head Election (Pilkada) is a manifestation of democracy that aims to elect the Governor and Mayor/Regent directly, which is a form of formal democracy. Since 2005, Pilkada in several regions have experienced obstacles and led to various kinds of conflicts, both vertically and horizontally. Examples of these conflicts include a change in the purpose of Pilkada to become an arena for raising funds for political parties, fraud, money politics, high costs, low voter participation, and Pilkada disputes.

Various aspects of life, including demographics and socioeconomics, voter behavior, clientelistic politics, monetary and electoral systems, are the main sources of the causes of money politics.¹⁸ First, in terms of demographics and socio-economics, it shows that factors such as education level, marginality level, population size, governing party and electability affect vote-buying. Second, matters relating to electoral behavior, including money politics, will affect party participants (incumbents and opposition) more than non-parties.¹⁹ Third, according to William, to fight the politics of clientalism,

¹⁶ Article 187A paragraph (1), Law of the Republic of Indonesia Number 10 of 2016 Concerning the Second Amendment to Law Number 1 of 2015 Concerning the Stipulation of Government Regulation in Lieu of Law Number 1 of 2014 Concerning the Election of Governors, Regents, and Mayors.

¹⁷ Article 187A paragraph (2), Law of the Republic of Indonesia Number 10 of 2016 Concerning the Second Amendment to Law Number 1 of 2015 Concerning the Stipulation of Government Regulation in Lieu of Law Number 1 of 2014 Concerning the Election of Governors, Regents, and Mayors.

¹⁸ Muhammad Firdaus Sirait, "Factors Affecting the Occurrence of Money Politic in General Elections," 2024, <https://kumparan.com/black-blue/faktor-faktor-yang-mempengaruhi-terjadinya-money-politic-dalam-pemilihan-umum-22uToOCtgVX>.

¹⁹ Gracella L M Kondoy, Nixon Stenly Lowing, and Sarah D L Roeroe, "The Role of Bawaslu in Preventing Money Politic during the Legislative Election Campaign in Manado City in 2024," *Journal of the Faculty of Law, UNSRAT*, vol. 12, 2024, <https://bawaslu.go.id/id/berita/Luncurkan>.

it is necessary to challenge the dynamics of the relationship between clientalism and politics.

Everyone should be responsible for preventing the slightest political action, including corruption and the fight against money politics, because in the current conditions, the tendency of people to vote for candidates who give money is still low. However, voters who vote according to their conscience still have a high percentage.²⁰

Serang Regency is rife with money politics because of the lack of public understanding about it. Besides that, money politics can occur because of the needs of the community both in the form of money and goods. So, citizens, especially the people of Serang Regency, actually take advantage of the benefits of money politics to help their lives. Money politics seems to be allowed and violates existing legal provisions.

In a written statement received on Monday (14/8/2023), the Head of Prevention and Community Participation of the Banten Province Bawaslu, Ajat Munajat, said, "Banten is ranked fourth nationally in the group of provinces prone to high money politics, photographed in the events of money politics in the previous elections that occurred in Serang City, Serang Regency, and Lebak Regency".²¹

Addressing money politics must be broad and involve all relevant parties, especially the EMB in the process. There is hope to reduce the practice of money politics by identifying possible risks and closely monitoring the election process. Nonetheless, law enforcement agencies, governments and communities must work well together to solve the problem.

Bawaslu Serang Regency has a role to carry out supervisory duties in the 2024 Pilkada by controlling and supervising the various stages listed in the General Election Commission (KPU) regulations, which explain the stages of organizing elections and non-elections. One of them is preventing money politics.

Money politics can also be understood as the giving of money or the promise of giving a certain amount of material to influence behavior or the use of authority.²²

During the election campaign in Serang Regency, the political situation became increasingly heated. Candidates did various ways to win, including using political money to influence people's choices.

General Election Commission Regulation (PKPU) Number 15 of 2023 allows various types of goods to be used as campaign materials. There is a limit to the amount of money that can be cashed in for each campaign item that is installed or distributed to the public. The highest amount is 100 (one hundred) thousand rupiah.²³

This is contrary to some people who understand politics, because campaigning is allowed with a set nominal amount. The people of Serang Regency will be very tempted

²⁰ Hifdzil Alim et al., "Nahdlatul Ulama's Jihad Against Corruption," *PBNU* 7 (2016): p.7

²¹ Bawaslu, "Bawaslu Mentions Banten as the 4th Most Prone Province to Money Politics in 2024," 2024, <https://news.detik.com/pemilu/d-6875403/bawaslu-sebut-banten-peringkat-4-provinsi-paling-rawan-politik-uang-di-2024/amp>.

²² Waslam Mukhsid, "Efforts of the Banyumas Regency Election Supervisory Committee in the Prevention of Money Politics Crime in the 201 Legislative General Election," *Journal of Legal Idea* 1, no. 2 (2015), <https://doi.org/10.20884/jih.v1i2.22>.

²³ Article 33 paragraph (7), General Election Commission Regulation Number 15 of 2023 concerning General Election Campaigns.

by the amount of money given as transportation money, or goods such as rice, oil, and other basic necessities which are below the nominal amount set. This is one of the factors that will cause money politics to occur.

Factors that influence the occurrence of money politics are: **The Habit Factor**. General elections in Indonesia are a means of conducting a corrupt democratic party. Although people are very enthusiastic about welcoming the democratic party, many commit violations, one of which is using political money in general elections. To win the general election, this political fund is used as a benchmark and attracts sympathy from some people.

Political money is usually given in the form of money or goods. Before the general election, many successful teams usually come to the community to give gifts to attract people's sympathy. In addition, giving gifts to the community to the successful team of a candidate is unknown to his or her competitors, usually done at night or over the phone. In addition, giving gifts to the community usually requires negotiation or bargaining between the successful team of one candidate and the community members. The community members make this bargain without further ado.

Economic factors, which are one of the factors that cause money politics in general elections in Serang Regency. The people of Serang Regency prefer candidates who give donations of money or goods to the community rather than candidates who only promise to give promises to buy daily necessities.

Lack of understanding of community politics. Money politics often occurs due to people's low political awareness. As good citizens, people should realize that taking part in elections is everyone's obligation to build a good democracy. However, it is unfortunate that most people in Serang Regency do not understand politics and government, so they only take part in the ongoing elections. This is very important because it determines the future of the government of Serang Regency, if a leader does not understand all aspects of government of course.²⁴

D. CONCLUSION

The role of the Election Supervisory Agency (Bawaslu) in preventing money politics has a significant impact on the integrity and fairness of the democratization process. Bawaslu has a great responsibility to ensure clean and fair elections, and it is vital that the community actively participates in supporting its work. Local governments, communities and Bawaslu must work together to create a healthy electoral environment.

Most of the people who are targeted by money politics have economic limitations and do not know what elections are, so they are very easily influenced and mobilized to vote for a particular candidate or political contestant. The losses experienced by the community in money politics are not losses that are experienced directly. Thus, people

²⁴ Ahmad Catur Adinugroho et al., "Dynamics of Money Politics in the Implementation of General Elections in Ponorogo Regency," *Perspektif* 11, no. 2 (2022): 615–24, <https://doi.org/10.31289/perspektif.v11i2.6016>.

do not realize that the losses that may occur are far greater than the benefits they get during political practices.²⁵

An analysis of money politics in the general election in Serang Regency, Banten Province, shows that it is not new to Indonesian politics. Although the Election Supervisory Agency (Bawaslu) and law enforcement organizations strive to tackle money politics, many factors affect their performance. Thus, during the next election or regional head election, it is crucial to ensure that elections are conducted with high integrity and honesty, and that money politics violations are strictly punished.

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²⁵ Lina Ulfa Fitriani, L Wiresapta Karyadi, and Dwi Setiawan Chaniago, "The Phenomenon of Money Politics in the Election of Legislative Candidates in Sandik Village, Batu Layar District, West Lombok Regency," *RESIPROKAL: Journal of Actual Progressive Sociological Research* 1, no. 1 (2019): 53-61, <https://doi.org/10.29303/resiprokal.v1i1.5>.

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