

Legal Review of Election Money Politics In Indonesia

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Abstract

The Money politics has long been a major concern in the context of general elections in Indonesia. From a legal perspective, the practice of money politics has serious implications for the integrity and fairness of the electoral process. Through a comprehensive legal review, this article investigates the legal framework governing money politics in the 2024 Indonesian elections. By analyzing existing regulations, implementation challenges, and law enforcement efforts, this article presents a clear picture of the status of money politics in the Indonesian legal system. The conclusion highlights the importance of proactive measures to strengthen law enforcement, raise public awareness, and improve the electoral system to maintain integrity and fairness in future elections.

I. Introduction

The eneral elections constitute a fundamental pillar of a democratic system, serving as the primary mechanism through which the will of the people determines the direction of the state. Through elections, citizens exercise their political rights and participate directly in the governance process . However, alongside this democratic ideal, a serious challenge has emerged that threatens the integrity of electoral processes themselves, namely the pervasive practice of money politics. In the context of Indonesian elections, money politics—where candidates or political actors offer financial or material incentives to voters in exchange for electoral support—has become an increasingly troubling phenomenon.

Indonesian democracy continues to face structural and cultural challenges, one of the most persistent being the normalization of money politics. This practice, which involves the bribery of voters through the distribution of money or goods to influence electoral choices, stands in direct contradiction to democratic principles such as fairness, equality, and free political participation. The prevalence of money politics not only undermines electoral integrity but also distorts political representation and weakens public trust in democratic institutions. Despite continuous efforts by the government and electoral management bodies, particularly the General Elections Commission (KPU), to regulate and suppress money politics through legal instruments, its persistence indicates significant limitations in both regulatory design and enforcement capacity. As Indonesia approaches the 2024 General Election, a comprehensive re-evaluation of the existing legal framework governing money politics becomes increasingly urgent.

General elections (*Pemilu*) function as the principal means by which citizens are involved in governance and leadership selection for a defined political term. This process is grounded in the doctrine of popular sovereignty, whereby ultimate authority resides with the people. While elected officials are entrusted with exercising a portion of this sovereignty, such delegation does not eliminate the people's continuing role in supervising and influencing governmental conduct. Popular sovereignty may be exercised directly or indirectly, including through political parties, civil society organizations, and community groups that monitor the performance of public officials. However, this democratic structure becomes severely compromised when the transfer of political power is mediated through transactional practices such as vote buying or money politics.

The dominance of transactional electoral practices effectively converts political participation into a market-based exchange, eroding the normative foundations of democratic legitimacy. When votes are purchased rather than freely given, electoral outcomes no longer reflect genuine public preferences but instead mirror the financial capacity of candidates or political elites. This condition poses a serious threat to democratic accountability and governance quality, as

elected representatives may prioritize recouping political investments rather than serving public interests.

This study therefore seeks to examine the legal foundations prohibiting money politics in Indonesia, assess the effectiveness of existing regulations, and identify structural and practical obstacles to their implementation. A deeper understanding of the legal framework and enforcement challenges surrounding money politics is essential for formulating strategic policy responses aimed at safeguarding electoral integrity and fairness in future elections, particularly the 2024 General Election. As noted by Khairazi (2015), money politics is a practice whereby candidates seek electoral influence by offering monetary or material benefits to voters, either privately or publicly, with the objective of securing political support. One of the primary objectives of money politics is the systematic accumulation of votes through material inducement rather than political persuasion (Hariyani, 2015). The persistence of such practices has contributed to declining public trust in political actors and legislative candidates, exacerbating societal cynicism toward democratic processes and institutions.

On closer inspection, money politics fundamentally contradicts and undermines the three primary objectives of holding elections. First, elections are intended to strengthen democratic political structures by ensuring that political power is derived from the genuine will of the people. Second, elections aim to realize a process that is fair and honest. Third, elections are designed to be conducted in an effective and efficient manner (Seran, 2016). The pervasive practice of money politics directly negates these objectives, as it enables electoral corruption to infiltrate and subvert democratic processes. When electoral outcomes are determined by financial transactions rather than political preferences, democracy is reduced to a commodified process devoid of substantive legitimacy.

Moreover, effective, efficient, and fair elections cannot be achieved in the presence of electoral corruption, including money politics. Such practices create the potential for electoral disputes and undermine public confidence in electoral outcomes. The misuse of financial resources in elections not only burdens public funds but also erodes democratic ideology across constitutional systems. In essence, the fundamental purpose of elections—to reflect popular sovereignty and public interest—stands in stark opposition to the logic of money politics, which prioritizes private gain over collective democratic values (Alkostar, 2008).

Public disengagement from political affairs further exacerbates the problem. Many citizens demonstrate apathy toward political participation and are reluctant to engage actively in the democratic process. A widespread perception persists that legislative candidates with substantial financial resources are more likely to be elected than those with the competence, integrity, or vision necessary to govern effectively. This materialistic orientation has increasingly shaped electoral behavior in contemporary society, where confidence in candidates is often built

on financial distribution rather than political ideas. Ideally, candidates should present clear visions, missions, and policy programs rather than relying on material inducements to secure public support. For this reason, money politics is expressly prohibited by law and stands in contradiction to democratic norms and legal principles.

In the Indonesian context, legal instruments have been enacted to curb money politics and protect electoral integrity. Law No. 10 of 2016, for instance, aims to prevent practices that undermine the fairness and credibility of elections. Similarly, Law No. 8 of 2012 contains several provisions regulating money politics in legislative elections for the DPR, DPD, and DPRD. These provisions prohibit campaign organizers, candidates, and campaign teams from offering or distributing material rewards to voters, particularly during the quiet period, with the intention of influencing electoral choices. The law further criminalizes acts intended to prevent voters from exercising their voting rights, manipulate voter preferences, or direct voters toward specific candidates or political parties, emphasizing the seriousness with which money politics is treated within the legal framework.

Despite these regulatory efforts, enforcement remains problematic. Addressing money politics violations is essential to producing public officials who are free from corruption, uphold honesty, and respect the fundamental principles of elections. The urgency of identifying rational and socially acceptable solutions to this problem is undeniable, particularly given the injustice that arises when candidates with substantial financial resources defeat those with limited means. Empirical findings indicate that procedural limitations further weaken enforcement. According to Qodir (2016), the short timeframe available for filing complaints with the Election Supervisory Body (Bawaslu)—often only two weeks to one month—results in many violations going unreported or unresolved. Additionally, the constitutional design of election administration constrains Bawaslu and the General Elections Commission (KPU) to largely formal legal authority, limiting their capacity to address substantive violations effectively.

The resurgence of door-to-door campaigning, as observed in the 2019 elections, poses additional challenges and is likely to reappear in the 2024 elections. Such private and individualized campaign methods are difficult to monitor, as they occur outside formal campaign structures and often take place within voters' homes. These conditions create fertile ground for transactional exchanges between candidates and voters, increasing the likelihood of covert money politics. Empirical data further illustrate the severity of the problem. Abdurrohman (2021) reports that between 19.4% and 33.1% of voters were involved in money politics during the 2019 elections, placing Indonesia among the countries with the highest prevalence of vote-buying practices. Supporting this finding, Purnamasari (2019) notes that research conducted by the Indonesian Institute of Sciences (LIPI) revealed that approximately 40% of respondents

admitted to receiving money from candidates, while 37% acknowledged receiving compensation and intended to vote accordingly. These findings indicate that money politics has become normalized within the electoral process, with serious implications for political accountability and representation.

The consequences of such practices extend beyond elections themselves. Legislators elected through money politics tend to exhibit lower accountability and weaker representation, as their political legitimacy is rooted in financial transactions rather than public trust. This condition risks producing governance characterized by corruption, poor public services, and weakened institutional capacity. Over time, such governance failures may contribute to declining human development indicators, rising unemployment and poverty rates, and the erosion of public welfare—outcomes fundamentally at odds with the constitutional purpose of government (Abdurrohman, 2021). Several structural factors contribute to the persistence of money politics. First, there exists a significant distance between political parties and society. Surveys conducted by political research institutions indicate that a large proportion of the population does not feel affiliated with any political party, reflecting a deep gap between citizens and political organizations (Hariyanto, 2021). This lack of political attachment makes voters more susceptible to material inducements. Second, educational attainment plays a crucial role, as higher levels of education tend to correlate with greater political awareness and resistance to money politics. Finally, relatively low living standards render segments of the population vulnerable to short-term material incentives, which often become the primary motivation for participation in money politics (Sugiharto, 2016)..

Furthermore, as previously discussed, the widespread tolerance of money politics among the public is closely linked to its persistence and expansion within Indonesia's democratic processes. Democratic practices in Indonesia extend to the grassroots level, including village head elections, creating multiple arenas in which money politics may occur. Over time, money politics has become a normalized practice, perceived by many as an acceptable or inevitable component of electoral competition. This normalization is reinforced by limited public awareness of the long-term risks posed by money politics to democratic governance and political accountability. Psychologically, many voters do not perceive money politics as deviant behavior that must be avoided, which in turn fosters societal tolerance and passive acceptance of such practices (Rifai, 2023).

The normalization of money politics poses a serious threat to the democratic system aspired to by the Indonesian people. When electoral participation is driven by material inducements rather than political conviction, democracy risks being reduced to a transactional mechanism devoid of substantive public deliberation. Consequently, efforts to eradicate money politics cannot rely solely on law enforcement institutions. Instead, they require the active involvement of all levels of society, including civil society organizations, community leaders, political

parties, and voters themselves. Public participation and political education are therefore essential components of any comprehensive strategy to combat money politics and strengthen democratic values (Hariyanto, 2018).

Beyond the provision of legal and political mechanisms to address money politics, the seriousness and commitment of the government and political parties play a decisive role in managing and preventing the recurrence of this practice in elections held every five years. Weak political will and pragmatic tolerance toward vote buying further entrench money politics as an electoral strategy. One of the most detrimental consequences experienced by society when elected legislative candidates engage in dishonesty or abuse power for personal or organizational gain is the erosion of public capacity to hold representatives accountable. In such circumstances, citizens often feel deprived of moral and political authority to express dissent, as electoral legitimacy has already been compromised by transactional exchanges. In reality, money politics fosters clientelism, which creates unequal and asymmetrical relationships between the public and political elites. Through clientelistic practices, voters become dependent clients rather than autonomous political actors, while those in power consolidate authority through material distribution rather than democratic accountability. This imbalance leaves the public structurally powerless to resist or challenge ruling elites, perpetuating cycles of dependency and exploitation. Over time, such conditions undermine public interest, as authority and political resources are privatized and detached from their original purpose of serving collective welfare. The entrenchment of clientelism thus represents a fundamental distortion of democratic governance and poses long-term risks to constitutional democracy and social justice.

2. Research Method

This research examines normative legal issues, starting with the form of analysis of applicable regulations and then Analyzing using a legal and conceptual approach [15]. This research uses library sources as a data collection method. Legal difficulties are resolved through the use of legal documents, which can be in the form of primary legal materials such as statutory regulations or secondary legal sources such as scientific publications and journals. Documents presenting material related to the management of money politics, including books, magazines, newspapers, and other supporting regulations, were then collected by recording , quoting, summarizing, and then analyzing them. These legal documents were systematically analyzed based on logical legal reasoning .

Technically , the data analysis in this study was conducted using an interactive model developed by Miles and Huberman. This model consists of three interrelated stages : data reduction, data presentation , and conclusion drawing. [16]. The aim of this research is to deepen understanding of how legal and political policies, including strategies, implementation and execution, are used to prevent

and combat the practice of money politics. This study assesses whether a topic complies with legal requirements that establish an acceptable level of excellence. It is also qualitative in nature because it is based on legal validity. In this context, this study examines the application of legal rules or norms governing the 2024 elections .

3. Results and Discussion

Definition of Money Politics

Money politics is inextricably linked to electoral corruption in all its forms, and any corrupt activity during an election is referred to as money politics. Money politics is categorized into three areas: vote buying, vote brokering, and political corruption. These areas range from clientelism to fraud and from vote buying to political corruption [8]. This means, based on the meaning of the phrase, money politics refers to the practice of vote buying and related issues such as *vote buying* , *vote brokering* , and others. This begins during the nomination process and continues through the campaign period and election day. Money politics takes two forms. First, legislative candidates distribute cash directly to voters. Second, indirectly, by distributing materials with high exchange and utility value. As stated in Election Regulation No. 7 of 2017, the term "money politics" does not explicitly mention it. The law explains that providing money and other materials refers to any election-related activity related to vote buying [5]. There are at least four important aspects that need to be emphasized in the context of money politics. First, the practice of vote buying. Second, the existence of vote brokers or individuals/organizations acting on behalf of candidates to distribute cash or goods. Third, the exchange of goods or cash for ballots . Fourth, the electorate itself as a target of vote-buying practices.

In money politics, as previously mentioned, there is a practice known as vote buying, which refers to corrupt acts generally given as gifts or rewards, particularly in the form of cash, jewelry, or promises, with the aim of influencing the future decisions of the electorate. Vote buying is an unethical practice that involves one person persuading another with financial benefits in an attempt to influence that person's decision. Regarding vote buying, according to Qodir (2016), it is when politicians or candidates give cash or other consumer products to the public in exchange for their votes [7]. The electorate, or here the public, feels compelled to support the party or politician who has given them something. This practice undermines the integrity and fairness of the democratic process, because political decisions should be based on rational considerations and the interests of the community, not on financial or material rewards. *Vote buying* is often considered a form of corruption in politics and violates the principles of a healthy democracy. Many countries have laws and regulations prohibiting the practice of *vote buying* and impose sanctions on perpetrators.

Regarding the extent, timeliness, and legality of vote buying, Hariyanto (2021) classifies several features that distinguish it from other election mobilization tactics. First, the electorate, or in this sense the public, gains material benefits through various

methods of direct patronage, which can extend to entire cities or neighborhoods. Politicians or their staff decide who will receive the gifts and have a specific purpose for buying votes. Second, consider the timing. Vote buying is the second tactic used to influence elections. This often occurs in the final hours or days before voting, but can also occur on election day. Third, vote buying is illegal in terms of legality. Patronage remains ambiguous, although allocation and pork barrel practices are considered legal. However, vote buying is almost always prohibited [11]. Additionally, there are *vote brokers*, also known as vote brokers. A vote broker is an individual or group of individuals whose job is to represent a candidate by providing cash or products to influence the electorate. Typically, vote brokers are members of the campaign team. However, they are often not registered with the General Elections Commission (KPU) as an official team. Vote brokers are typically categorized into three groups. First, political, ethnic, religious, or other commitments that form the basis of support for politicians by activist brokers. Second, brokers who seek to make a quick buck, especially during the campaign. Third, brokers who exploit insider information to gain an advantage [17].

Targets of Money Politics

The next issue concerns the primary targets of money politics itself. Based on an empirical study on money politics in Indonesian elections, Muhtadi (2013) identifies several interrelated factors that contribute to the persistence of vote-buying practices. These factors can be broadly categorized into six dimensions: economic conditions, societal mentality, law enforcement effectiveness, patterns of social interaction and roles, understanding of religious values, and comprehension of democratic principles. Together, these dimensions create a structural environment that allows money politics to flourish, particularly during election periods.

Among these factors, economic constraints constitute the most fundamental driver of money politics. Persistent economic hardship within segments of society has historically created spaces in which transactional political behavior becomes both rational and socially tolerated. Limited access to stable income and economic security encourages opportunistic behavior, including the acceptance of money or goods from political actors in exchange for electoral support. In this context, money politics is not merely perceived as an electoral violation but rather as a temporary coping mechanism to address immediate economic needs (Muhtadi, 2013).

When economic vulnerability consistently underpins social life, efforts to prohibit and eradicate money politics face significant obstacles. Vote buying tends to re-emerge repeatedly because it satisfies the short-term interests of both parties involved. On the one hand, candidates require votes to secure legislative positions, particularly in highly competitive elections such as those held in 2024. On the other hand, voters receive material benefits that may temporarily alleviate their economic difficulties. This reciprocal exchange creates a mutually reinforcing cycle that normalizes money politics as an informal electoral practice rather than an illegal act.

Economic factors are also closely linked to educational disparities. Limited economic resources often restrict access to quality education, resulting in low levels of political literacy among certain segments of the electorate. Individuals with inadequate education may lack sufficient understanding of democratic principles, electoral integrity, and the long-term consequences of money politics. As a result, they may fail to recognize vote buying as a form of electoral corruption that undermines their own political rights. Instead, money politics is perceived as an acceptable or even expected component of elections. This condition further entrenches money politics as a habitual practice repeated across electoral cycles, including the lead-up to the 2024 elections.

Beyond economic and educational factors, weak public oversight and limited access to accurate political information contribute to the persistence of money politics. In many cases, voters are not adequately informed about electoral regulations, reporting mechanisms, or the broader implications of electoral violations. The absence of effective civic education and community-based monitoring allows money politics to operate with minimal resistance. Consequently, political actors are incentivized to continue engaging in vote buying, as the perceived risks of legal sanctions remain low compared to the potential electoral gains.

Moreover, societal mentality and patterns of social interaction play a crucial role in shaping the targets of money politics. In closely knit communities, social norms emphasizing reciprocity and obligation can blur the line between social assistance and political inducement. Gifts distributed by candidates are often interpreted as acts of generosity rather than electoral manipulation, particularly when delivered through trusted intermediaries such as community leaders or social networks. This social acceptance further weakens moral resistance to money politics and expands its reach within society.

Taken together, these factors indicate that the primary targets of money politics are not merely individual voters but broader structural vulnerabilities within society. Economic insecurity, low educational attainment, limited political awareness, and weak social oversight collectively create fertile ground for vote-buying practices. As long as these conditions persist, money politics is likely to remain embedded in the electoral process, posing a continuous threat to democratic consolidation and electoral integrity. Addressing money politics therefore requires not only legal enforcement but also structural reforms aimed at improving economic welfare, expanding political education, and strengthening public participation in electoral supervision.

Money Politics in Election Regulations

Money politics may become more prevalent due to a number of issues and legal gaps that arise during the election process. Weaknesses in the election system, regulations, and oversight allow money politics to flourish. This problem arises. will result in violations. Legal issues can escape legal scrutiny due to regulatory loopholes. For example, the Election Law regulates financial donations only for organizers,

candidates, or their respective campaign teams during the campaign and quiet periods.

The scope of those who donate is broader, including "everyone" during the electoral voting process. This could potentially impact individuals involved in money politics during both the campaign and quiet periods, who are not included in the categories of organizers, candidates, or their respective campaign teams during the campaign period.

Election campaign implementers are individuals assigned by political factions or legislative candidates to carry out campaign activities. They include political faction administrators, legislative candidates, and campaign teams. Election-related disputes and election violations are two major issues in election management. Administrative, criminal, and ethical violations are all included in election violations. Meanwhile, there are two categories of election result disputes: first, result disputes and second, non-result issues. Campaign implementers are regulated in Law Number 7 of 2017 concerning Elections, as explained in Article 269 paragraph (1) and Article 270 paragraphs (1), (2), and (3). These articles explain the definition, duties and responsibilities, requirements, and prohibitions for campaign implementers. Article 84 explains how to deal with money politics. This article has several limitations, namely that it only applies to campaign implementers, does not apply to parties outside of campaign implementers, and does not apply during the campaign period and the quiet period [5].

Article 280 and Article 286 paragraph (1) also contain regulations related to the prohibition of money politics. These regulations prohibit any organizer, candidate, or successful team of each candidate involved from giving or offering money or other goods in an effort to influence the electorate or election organizers. Village heads, state officials, structural officials, and functional officials in public office are prohibited by Article 282 from acting or deciding something that could influence voters in a way that benefits or harms one of the candidate pairs. Article 69 paragraph (1) letter j and Article 72 of the General Election Commission (KPU) Regulation Number 23 of 2018 concerning General Election Campaigns also prohibit money politics. [19]. The inadequacy of the law in this area has resulted in the practice of money politics before the cooling-off period, where parties who should not be influenced by money politics are actually involved in the practice.

The Election Law does not strictly limit recipients, but only prohibits acts of money politics related to the giver or promiser. Article 228 highlights that courts whose decisions have permanent legal force must impose administrative sanctions on political groups involved in political dowry practices during the presidential and vice-presidential nomination stage [5]. Furthermore, criminal sanctions related to political dowry practices are not explained in the General Election Law regulations. This indicates that political interests influence the debate and formulation of legislation, so that the contents of the Election Law do not meet expectations. Political factions now have a greater tendency to bargain and provide political dowries as a result of the establishment of the *presidential threshold*. A political oligarchy will be formed with the existence of the *presidential threshold*. This is in accordance with the view of Marli Hasnul

(2018), who suggested that restrictions on nominations should be further reduced because this will encourage the emergence of more candidates, thereby reducing the practice of nomination dowries. Restrictions on nominations can also be considered a restriction on citizens' rights [20].

Article 89 of the 2012 Law on the General Election of Members of the House of Representatives, Regional Representative Council, and Regional People's Representative Council stipulates that campaign organizers may be considered involved in vote buying if they provide material or monetary rewards in exchange for the electorate's choice to support or oppose a particular political faction [6]. According to this Article, to implement the laws and regulations regarding election violations during the pre-election period related to vote buying, the Election Supervisory Agency (Bawaslu) at the district/city level needs to seek verifiable evidence of vote buying transactions. However, if witnesses refuse to testify and there is little evidence of the results of vote buying transactions, it will be difficult to gather evidence of vote buying activities. Under these circumstances, it is impossible to prosecute vote buying violations that occur before the election. Bawaslu faces difficulties in finding witnesses willing to testify if there is concrete evidence of the provision of material or monetary gifts to the electorate.

The research findings based on the discussion above indicate that the articles studied fulfill the criminal section in this context, namely the element of violation in the election. Specifically, it is related to the components of election crimes fulfilled by Articles 273 to 321. Considering the fact that Law No. 8 of 2012 defines violations in the election, it can be concluded that there are specificities in terms of activities, actions, and criminal threats. Article 89 regulates sanctions for violations of the prohibition of campaigning with specific provisions that if in the implementation of the election campaign it is found that campaign participants promise or give money or other goods as compensation to election participants, either directly or indirectly, the violators can be subject to sanctions in accordance with the regulations contained in this law. These sanctions include: (a) preventing the use of voting rights, (b) influencing electors to use their voting rights so that the ballot paper becomes invalid, (c) influencing electors to choose one of the political factions participating in the election, (d) influencing electors to choose a particular candidate for member of the DPR, provincial DPRD, or district/city DPRD, and (e) influencing electors to choose a particular candidate for member of the DPD.

Any election campaign implementer who intentionally offers or gives money or other goods as a reward to the electorate, either directly or indirectly, as stipulated in Article 89 and Article 301 which explain the types of criminal acts in paragraph (1), can be subject to a maximum prison sentence of two years and a maximum fine of Rp. 24,000,000.00 (twenty-four million rupiah). The criminal penalty system is cumulative, meaning that the perpetrator faces a prison sentence and a fine simultaneously. Therefore, various events and causes that occur currently have a major impact on aspects that determine public legal awareness. Starting from the substance of the legal

norms themselves, the form of punishment, the behavior of those who enforce the law, and other elements that influence the law, and all of this will have a significant influence on the response that will be taken to the law. It is important to remember that changes are inevitable in the formalities and day-to-day operations of the bureaucracy with the passing or revocation of laws. This transformation is triggered by the existence of social, economic, and other factors that seek to influence policy [21].

Political Policy to Prevent and Supervise Money Politics During the 2024 Elections

As discussed in the identification of money politics targets, vote-buying practices in electoral contests do not always involve direct interactions between candidates and voters. Instead, many voters are approached by intermediaries, such as members of campaign teams, community leaders, or informal brokers who facilitate the distribution of money or goods on behalf of candidates. These intermediaries often operate within socially accepted forums and community-based activities, including *wiridan* (religious gatherings), PKK (Family Welfare Empowerment) meetings at the neighborhood (RT) or community (RW) level, religious study groups, and social gatherings (*arisan*) organized or attended by legislative candidates. Such settings provide a convenient and culturally embedded space for distributing material incentives while minimizing the risk of legal exposure.

The most commonly cited justification for distributing cash or goods in these contexts is transportation assistance. This practice is frequently framed as compensation for transportation costs incurred by participants attending campaign-related or social activities. Money politics is thus carried out under the guise of replacing or subsidizing transportation expenses, making it difficult to legally distinguish such practices from legitimate campaign activities. The challenge is compounded by the fact that candidates or their representatives often refrain from explicitly articulating their political vision, mission, or electoral promises, nor do they overtly solicit votes at the time of distribution. As a result, when cash or goods are presented merely as transportation support, it becomes legally problematic to categorize such actions as vote buying under existing regulations [22].

If such circumstances occur, identifying the distribution of transportation funds as an act of money politics becomes extremely difficult. The absence of explicit electoral messaging at the moment of distribution weakens the evidentiary link between the material benefit and the intention to influence voters' choices. Consequently, enforcement agencies face significant obstacles in proving the *mens rea* and causal relationship required to establish money politics violations. This evidentiary gap reflects a broader limitation in the legal definition and enforcement mechanisms governing vote-buying practices. Another critical challenge lies in the difficulty of obtaining witnesses. Bawaslu (the Election Supervisory Body) frequently encounters resistance from members of the public who are aware of vote-buying activities but are unwilling to testify. Social proximity, kinship ties, fear of social conflict, and concerns about retaliation discourage individuals from providing formal testimony. In many

cases, witnesses prefer to remain silent rather than jeopardize personal relationships or community harmony, further weakening enforcement efforts. One of the institutional weaknesses faced by Bawaslu is that, despite the widespread public perception and acknowledgment of money politics practices, the institution is unable to escalate cases to the police or prosecutors unless the allegations are supported by strong and admissible evidence. Such evidence includes the physical presence of money or goods, credible witness testimony, the clear identification of perpetrators, and the fulfillment of all legal elements required to constitute money politics. In practice, many vote-buying cases fail to proceed due to insufficient evidence, resulting in the dismissal of complaints at the enforcement stage.

The failure of vote-buying cases due to evidentiary limitations underscores the need for a more anticipatory and preventive policy approach. It is therefore essential to systematically identify patterns, vulnerabilities, and potential forms of money politics in the 2024 election by drawing lessons from previous electoral experiences. Mapping recurring practices, social settings, and distribution mechanisms can assist in strengthening early detection and supervision strategies. Based on these empirical realities, comprehensive political and legal policies are required to enhance the prevention and monitoring of vote-buying practices in the 2024 elections, ensuring electoral integrity and public trust in the democratic process.

Table 1
Summary of Issues to Consider and the Possibility of Money Politics in the 2024 Election

Election Stages	Weakness	Problems	Solution
Election Regulations	a. Law on Elections No. 7 of 2017	a. Certain legal topics may evade law enforcement. b. Not controlling the criminal consequences associated with political dowries.	Law No. 7 of 2017 must be revised by strictly limiting criminal penalties related to political dowries, and expanding the topics that can be covered in the practice of money politics.
Electoral Data Collection	Money politics is practiced through manipulated electoral data.	Intentional errors or fraud committed to influence votes in favor of a particular candidate.	a. Developing an integrated electoral data management process directly through the civil registry to increase electoral data accuracy. b. Improving the quality of the matching and research process.
Candidate Registration	There are opportunities for dowry in politics.	a. Political dowries and money politics within political factions are examples of election corruption. b. Bribery of election officials to meet candidate standards (corruption crimes and codes of ethics).	a. Modifying laws that impose discriminatory restrictions on a group. b. Avoiding and eliminating political dowries . c. Increasing the intelligence and reasoning of the electorate.
Campaign and Quiet Period	During the campaign and the quiet period, money politics occurred.	a. "Improper donations" of political capital b. Money politics and vote buying during election season	KPU regulations were amended to allow for forensic audits and campaign finance investigations.

Counting and Recapitulation Process	a. Money politics often occurs.	a. Vote buying and money politics against election organizers.	a. Improving the capabilities of officers responsible for election results
	b. Politics in vote counting is not regulated by the Election Law.	b. Administrative corruption in elections.	b. Improving organizational integrity in opposing money politics
General Election Coordinator	a. There are several cases where the code of ethics was violated.	Election organizers violated the code of ethics and committed criminal acts, such as accepting payments from political factions or certain candidates personally.	a. Improving supervision and competence within the KPU
	b. Lack of professionalism of the organizers' duties		b. Employing competent and independent implementers
			c. Implementers can become more professional through training.
			d. Assessing and improving the function of the PPID

Source: Data processed from various sources

4. Conclusion

Below are the conclusions that can be drawn from the evaluation and analysis that have been conducted and discussed in the previous chapter regarding "Legal Review of Money Politics During the 2024 Election Process in Indonesia": Examining several key issues covered in the legal analysis of money politics in the 2024 elections is crucial. First, laws related to money politics already exist in Indonesia and are periodically amended to prevent such activities. For example, amendments to Law No. 7 of 2017 on Elections specifically detail criminal penalties related to political dowries and expand the scope of issues covered by money politics. However, implementation and enforcement of the law remain major challenges, and concrete steps are needed to ensure its effectiveness. Second, money politics remains a serious threat to the integrity and fairness of the electoral process.

This practice undermines the essence of democracy by shifting political decisions, which should be based on the public interest, to those governed by financial or material rewards.

Third, public awareness of the dangers of money politics needs to be raised through

education and advocacy. The electorate needs to understand the importance of voting based on rational thinking and the public interest, rather than on financial or material rewards. Fourth, close cooperation is needed between the government, law enforcement agencies, electoral institutions, and civil society to actively combat money politics. This includes firm law enforcement against violators, public education on the consequences of money politics, and joint efforts to create a more transparent and accountable political environment. Therefore, to ensure integrity and fairness in the 2024 elections and future elections, a strong collective effort is needed to enforce the law, raise public awareness, and strengthen democratic institutions in Indonesia.

Fifth, the formulation of criminal offenses in the Criminal Code, which uses a general minimum penalty or an indeterminate penalty, is similar to the model used in the original *P a quo* to determine the penalty for money politics. This model should be modified in the future to use a minimum penalty or an arbitrary penalty. Sixth, the Election Law must include the involvement of the Corruption Eradication Commission (KPK) and the Financial Transaction Reports and Analysis Center (PPATK) to prevent fraud and manipulation of campaign finance reports and facilitate early detection of fraud perpetrated by political factions or candidates themselves. If money politics occurs, political factions must be held criminally liable. This is because election crimes establish corporations as subjects of offenses..

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