The Role Of Bawaslu In Preventing And Prosecuting Campaign Violations Case Study Of The Prevention Of Money Politics In The Campaign

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Abstrak

Praktik politik uang merupakan salah satu ancaman paling fundamental terhadap integritas demokrasi dan keunggulan pemilu di Indonesia. Fenomena ini tidak hanya mendistorsikan rasionalitas pemilih, tetapi juga merongrong prinsip keadilan, transparansi, dan kesetaraan dalam kontestasi elektoral. Politik uang pada akhirnya melahirkan ketergantungan struktural masyarakat terhadap elite politik, terutama pada kelompok sosial yang memiliki kerentanan ekonomi, sehingga orientasi pemilihan tidak lagi bersandar pada visi, misi, maupun program kandidat. Penelitian ini diarahkan untuk mengkaji peran Badan Pengawas Pemilihan Umum (Bawaslu) dalam melakukan pencegahan dan penindakan terhadap politik uang selama masa kampanye, melalui evaluasi terhadap kerangka normatif Undang-Undang Nomor 7 Tahun 2017 serta strategi pencegahan yang mencakup pendekatan preemtif, preventif, dan represif. Hasil penelitian memperlihatkan bahwa, meskipun Bawaslu telah menginisiasi langkah-langkah edukatif, penguatan kesadaran hukum, dan penegakan peraturan, praktik politik uang tetap sulit diberantas karena keterbatasan bukti, lemahnya saksi, dan modus operandi yang dijalankan secara tersembunyi. Oleh sebab itu, optimalisasi fungsi pengawasan Bawaslu memerlukan peningkatan kapasitas kelembagaan, pembudayaan etika politik di masyarakat, serta harmonisasi regulasi untuk memastikan terselenggaranya pemilu yang berintegritas.
Kata Kunci: Politik uang, Bawaslu, kampanye, pemilu, pencegahan pelanggaran.

Abstract

The practice of money politics is one of the most fundamental threats to the integrity of democracy and the quality of elections in Indonesia. This phenomenon not only distorts voter rationality but also undermines the principles of justice, transparency, and equality in electoral contests. Money politics ultimately creates a structural dependence of society on political elites, especially in social groups with economic vulnerability, so that election orientation no longer relies on the vision, mission, or program of the candidate. This research aims to examine the role of the General Elections Supervisory Agency (Bawaslu) in preventing and taking action against money politics during the campaign period, through an evaluation of the normative framework of Law Number 7 of 2017 and prevention strategies that include preemptive, preventive, and repressive approaches. The results show that, although Bawaslu has initiated educational measures, strengthened legal awareness, and enforced regulations, the practice of money politics remains difficult to eradicate due to limited evidence, weak witnesses, and a covert modus operandi. Therefore, optimizing Bawaslu's supervisory function requires increasing institutional capacity, cultivating political ethics in society, and harmonizing regulations to ensure elections with integrity.
Keywords: *Money politics, Bawaslu, campaign, election, prevention of violations.*

A. Introduction

In the long history of the Indonesian nation, one of the fundamental principles that has become the foundation of state life is the principle of people's sovereignty. This terminology is conceptually inseparable from the existence of democracy. Democracy has its roots in the Greek words demos and cratos, which literally mean "power that is in the hands of the people". Demos depicts the people, while cratos refers to the government. Therefore, democracy is understood as a form of government that originates and is under the control of the people. Based on the interpretation of R. Kranenburg in his work Inleiding in de comparende staatsrechtwnschap, democracy which is composed of these two terms is interpreted as a way or mechanism of government by the people.[1] The practice of money politics has destructive implications for the

[1] Indah Nadilla, "Reformulation Of Simultaneous Election Policy As A Strategy To Prevent Money Politics In Campaigns," n.d., 111–30.

sustainability of democracy. This action undermines the principles of integrity elections, because the orientation of voters' political choices no longer relies on rational evaluation of the candidate's vision, mission, or program, but is triggered by the provision of material rewards.[2]

One of the most crucial obstacles in maintaining the purity of democracy in Indonesia is the practice of money politics which gradually reduces the principles of justice and transparency in the arena of electoral competition. This phenomenon arises when voter preferences are manipulated through the provision of material rewards or certain promises, thus providing direct benefits for candidates who have excess financial capacity, while at the same time desacralizing candidate opportunities that rely on the quality of ideas, programs, and personal integrity. The damaging consequences not only have an impact on the legitimacy of the election results, but also infect the public policy formulation process that risks being co-opted by the interests of a few parties.[3]

B. Methods

This research applies a qualitative approach using the library *research* method as the main analytical foundation. Research data was obtained from various authoritative sources, including laws and regulations, Bawaslu institutional documents, academic works, scientific publications, and previous studies relevant to the problems of money politics and election supervision mechanisms. The analysis is carried out through a descriptive-qualitative method, namely by presenting, interpreting, and evaluating data in a structured manner to produce a deep understanding of the role of Bawaslu in campaign violations prevention and enforcement activities, especially those related to the practice of money politics.

C. Result And Discussion

The practice of money politics that has emerged in Indonesia empirically has adverse consequences. This phenomenon is reflected in the shift in people's orientation in making political choices. Initially, voters made choices based on moral considerations, conscience, and the alignment between the candidate's visions and missions and the substantive issues faced by society. However, with the presence of money politics, these preferences are reduced to the selection of candidates who are able to provide financial rewards or other forms of material. This shift in perspective cannot be separated from the contribution of political parties and politicians, who in a number of cases use money politics as an instant strategy to increase the electability of candidates. Such practices not only tarnish the principles of democracy, but also spread a pattern of political learning that is wrong for the public.[4]

From a sociological perspective, the practice of money politics has the potential to have negative consequences that can damage a country's future prospects, because it ignores ethical principles in political life. This condition makes people more vulnerable to sacrificing the quality of their democratic participation in order to gain momentary material gains.[5] The practice of money politics is often directed at groups of people who are under economic pressure, making them more easily exploited in political contests. The condition of financial urgency makes them more likely to receive compensation given by candidates and political parties. Such a situation not only negates the freedom to make political choices, but also strengthens the relationship of economic dependence between citizens and political elites. As a result, people's electoral decisions are no longer based on an assessment of a candidate's vision, mission, or program design, but are solely influenced by the

[2] Ayatullah Hadi1; Riansyah2; Muhamad aslan3; Scarlett O'Neill 4; Firmansyah Samring5, "ANALYSIS OF THE IMPLEMENTATION OF THE FUNCTION OF PREVENTING MONEY POLITICS BY ELECTION SUPERVISORY INSTITUTIONS IN LEGISLATIVE ELECTIONS" 1 (2024): 175–85.

[3] Achmad Farid Maulana and Herdy Pratama Susantyo, "Prevention of Money Political Practices Based on Bawaslu Regulation Number 20 of 2018," *RIGGS: Journal of Artificial Intelligence and Digital Business* 4, no. 3 (2025): 3550–55, https://doi.org/10.31004/riggs.v4i3.2259.

[4] Tengku Mabar Ali, "Weaknesses of Election Crime Regulation in an Effort to Prevent and Overcome the Practice of Money Politics" 05, no. 02 (2024): 32–42.

[5] Gibson Romando Pakpahan and Hisar Siregar, "The Role of Election Supervisory Agencies in Preventing Money Politics," *Journal of Media Informatics (JUMIN)* 6, no. 2 (2025): 1136–41.

short-term economic incentives they receive.[6] In the campaign stage and the calm period, Law Number 7 of 2017 stipulates that subjects who can be sanctioned for giving money are limited to the implementers, participants, or campaign teams. However, when entering the voting phase, the scope of the subject is expanded to "everyone". The difference in formulation results in parties who are outside the classification of implementers, participants, or campaign teams cannot be reached by legal provisions when practicing money politics at the campaign stage or during the quiet period.[7]

The practice of money politics is difficult to eradicate because it has taken root as a complex culture to be overcome. In its implementation, law enforcement of these actions often encounters obstacles due to the absence of adequate evidence, lack of witnesses, and the use of modus operandi that is designed in a covert manner so that it becomes a public secret that is difficult to dismantle judicially. Money politics is ultimately seen as a practice that clearly damages the joints of democracy.[8] According to Zvika Neeman and Gerhard O. Orosel, there are three main reasons that make the practice of money politics qualify as an illegal act. First, money politics creates disproportionate advantages for individuals with greater financial capacity, thus creating injustice and violating the principle of equality. Second, voting rights are the collective property of all citizens and cannot be treated discriminatory. Third, there are concerns that the practice of buying and selling votes will encourage pseudo-efficiency in the electoral process which actually undermines democratic values. In line with that, Cass Sunstein emphasized that if votes can be traded, it will give rise to distortions about the fundamental purpose of voting, what values it wants to be realized, and potentially turn political concepts into something corrosive (Chandra & Ghafur, 2020).[9] The juridical regulation regarding the practice of money politics in Law Number 7 of 2017 concerning General Elections includes a number of provisions that explicitly prohibit the occurrence of manipulative political transactions in the election stage. These provisions are formulated to maintain the integrity, honesty, and transparency of the implementation of elections, so that the entire process of political contestation takes place fairly and free from distortion of interests. The articles that regulate the prohibition of money politics are contained in Article 278 paragraph (2), Article 280 paragraph (1) letter j, Article 284, Article 286 paragraph (1), Article 515, and Article 523 of Law Number 7 of 2017.[10]

D. Conclussion

The practice of money politics remains a substantial threat to the quality of democracy and electoral integrity in Indonesia. This phenomenon distorts voter rationality and erodes the principles of fairness and transparency in the electoral arena, especially since these practices are commonly targeted at economically disadvantaged groups. In the context of election supervision, Bawaslu plays a strategic role through a preemptive, preventive, and repressive approach that is in line with the normative provisions in Law Number 7 of 2017. However, the effectiveness of supervision is often constrained by the lack of evidence, limited witnesses, and patterns of actions carried out behind closed doors. Therefore, increasing the institutional capacity of Bawaslu, expanding people's political literacy, and harmonizing regulations are important prerequisites to ensure that elections take place with integrity and are free from transactional practices.

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[6] Sugianto Dewi Safitri, M. Heriyanto, M. Agung Soleh, Yusuf Setyadi, "ANALYSIS OF POTENTIAL HUMAN RIGHTS VIOLATIONS IN THE CASE OF ELECTION MONEY POLITICS IN THE PERSPECTIVE OF LEGAL POLITICAL STUDIES" 4, no. 1 (2025): 134–43.

[7] Umi Khairiah, Ervina Sari Sipahutar, and Irwansyah Tanjung, "LEGAL CERTAINTY IN DETERMINING POLITICAL MONEY CRITERIA AHEAD OF THE 2024 ELECTION CAMPAIGN" 3, no. 2 (2024).

[8] Journal of Law and Social Sciences, "Optimizing the Supervisory Function in the Stages of the 2024 Election in Realizing Good Governance Journal of Law, Social Sciences and Economics" 2, no. 1 (2024): 1–6.

[9] Adrian Pratama et al., "AGAINST THE CASE OF MONEY POLITICS IN THE 2024 ELECTIONS" 5, no. 1 (2024): 266–78.

[10] Ainun Najib Siti Yuliana Novitasari, Fathorrahman, "Election Law Enforcement on the Practice of Money Politics in Democracy Indonesia. In the concept of democracy, the government of a country is a democratic government, namely the implementation of general elections (elections). Elections are a Means in the Case State" 2, no. 1 (2025): 369–81.

E. References

Ali, Tengku Mabar. "Kelemahan Regulasi Tindak Pidana Pemilu Dalam Upaya Mencegah Dan Menanggulangi Praktik Politik Uang (Money Politic)" 05, no. 02 (2024): 32–42.

Dewi Safitri, M. Heriyanto, M. Agung Soleh, Yusuf Setyadi, Sugianto. "ANALISIS POTENSI PELANGGARAN HAM PADA KASUS POLITIK UANG (MONEY POLITICS) PEMILU DALAM PERSPEKTIF KAJIAN POLITIK HUKUM" 4, no. 1 (2025): 134–43.

Hukum, Jurnal Ilmu, and Ilmu Sosial. "Optimalisasi Fungsi Pengawasan Dalam Tahapan Pemilu 2024 Dalam Mewujudkan Good Governance Jurnal Ilmu Hukum , Ilmu Sosial Dan Ekonomi" 2, no. 1 (2024): 1–6.

Khairiah, Umi, Ervina Sari Sipahutar, and Irwansyah Tanjung. "KEPASTIAN HUKUM DALAM PENETAPAN KRITERIA MONEY POLITIK MENJELANG KAMPANYE PEMILU 2024" 3, no. 2 (2024).

Maulana, Achmad Farid, and Herdy Pratama Susantyo. "Pencegahan Praktik Politik Uang Berlandasan Peraturan Bawaslu Nomor 20 Tahun 2018." *RIGGS: Journal of Artificial Intelligence and Digital Business* 4, no. 3 (2025): 3550–55. https://doi.org/10.31004/riggs.v4i3.2259.

Nadilla, Indah. "REFORMULASI KEBIJAKAN PEMILIHAN SERENTAK SEBAGAI STRATEGI PENCEGAHAN POLITIK UANG DALAM KAMPANYE," n.d., 111–30.

Pakpahan, Gibson Romando, and Hisar Siregar. "Peran Badan Pengawas Pemilu Dalam Mencegah Politik Uang (Money Politic)." *Jurnal Media Informatika (JUMIN)* 6, no. 2 (2025): 1136–41.

Pratama, Adrian, Universitas Muhammadiyah, Sumatera Barat, Arif Fadhlurrahman, Universitas Muhammadiyah, Sumatera Barat, Angga Arniya Putra, et al. "TERHADAP KASUS POLITIK UANG DALAM PEMILU TAHUN 2024" 5, no. 1 (2024): 266–78.

Samring5, Ayatullah Hadi1;Riansyah2; Muhamad aslan3; Sigit karma saputra4;Firmansyah. "ANALISIS IMPLEMENTASI FUNGSI PENCEGAHAN POLITIK UANG OLEH LEMBAGA PENGAWAS PEMILU DALAM PEMILU LEGISLATIF" 1 (2024): 175–85.

Siti Yuliana Novitasari, Fathorrahman, Ainun Najib. "Penegakan Hukum Pemilu Terhadap Praktik Politik Uang Di Indonesia Demokrasi . Dalam Konsep Demokrasi , Pemerintahan Suatu Negara Merupakan Pemerintahan Demokratis Ialah Terlaksananya Pemilihan Umum (Pemilu). Pemilihan Umum Adalah Sarana Dalam Negara Kes" 2, no. 1 (2025): 369–81.