

**POLITICAL MONEY IN THE IMPLEMENTATION OF  
ELECTION IN INDONESIA****Afifa Rangkuti**

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**ABSTRACT**

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*Political money are a forms of abuse, politik money can be done by granting the form of money or goods such as food to the people in order for them to vote for the party concerned a tau may also mean vote-buying in the political process and power and the act of handing out money either privately or by a party to influence the voter's vote. The method used in this paper is normative juridical legal research. In Law No. 7 of 2017 concerning Elections Article 1 point 1 that Elections are a means of people's sovereignty to elect members of the DPR, DPD members, the President and vice-president and to elect members of the DPRD which are carried out directly, publicly, freely, confidentially, honestly and fairly. in the unitary state of the Republic of Indonesia based on Pancasila and the 1945 Constitution. Thus, elections are an important means for the people in the life of the state, namely by electing their representatives who in turn will control the wheels of government . However, in reality, few people are aware of the importance of the community's role in elections. As a result, it is difficult to prove the practice of money politics , thus making the candidates who will be elected freely practice money politics with the aim of getting the most votes in the implementation of the election .*

**Keywords: Political Money , Implementation, Election.****Journal History**

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## INTRODUCTION

### Term *Money*

*Political* (Political) is using the money to the MEP (Member of the Executive Council) influence particular decision or a form of gifts or promises bribe someone and good that the person is not exercise their right to vote and that he may exercise this right in a certain way at the time of the election, in this case, money is used as a tool to influence someone in making decisions. With the existence of this money politics, the resulting decision is no longer based on ideals regarding whether or not the decision is good, but solely based on the will of the money giver, because the person concerned has benefited. Politics this money is the fruit of a violation. Money politics can be done by giving in the form of money or goods such as basic necessities to the community so that they can vote for the party concerned.<sup>1</sup> Interpreted as buying and selling votes in the political process and power and the act of distributing money either privately or by parties to influence the voter's vote (*voters*). What is meant by general election is a means of people's sovereignty to elect members of the DPR, DPD members, the President and vice president and to elect members of the

DPRD which is carried out directly, publicly, freely, secretly, honestly and fairly within the unitary state of the Republic of Indonesia based on Pancasila and the Constitution of 1945.

General election is a means of exercising people's sovereignty which is carried out directly, publicly, freely, in secret, honest and fair in the Unitary State of the Republic of Indonesia based on Pancasila and the 1945 Constitution of the Republic of Indonesia. So that all election implementation processes must be carried out according to the principles of direct, general, free, secret, honest and fair elections. Therefore, the implementation of elections in Indonesia should follow the principles contained therein.<sup>2</sup>

Thus the election is an important means for the people in the life of the state, namely by choosing their representatives who in turn will control the wheels of government. The results of the general election, which was held in an atmosphere of openness with freedom of expression and freedom of association, were considered to reflect rather accurately the aspirations and participation of the people. However, the general election is not the only benchmark and besides that it must also be

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<sup>1</sup> Indra Ismawan, *Money Politics: Pengaruh Uang Dalam Pemilu (cet. ke-1)* (Yogyakarta: Media Presindo, 1999), p. 68.

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<sup>2</sup> Eka N.A.M Sihombing, Pemberlakuan "Parliamentary Threshold" dan Kaitannya dengan Hak Asasi Manusia, *Jurnal Konstitusi*, Vol. 1, No. 1, Juni (2009), p. 31.

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complemented by measurements of other activities that are more sustainable in nature, such as party activities, *lobbying* and so on. This money politics case is not the first time this has happened in the regional elections, for example in Polewali Mandar. Previously in the 2017 gubernatorial election and the 2018 regional head election in several regions in Indonesia, this money politics case also occurred.<sup>3</sup>

The practice of *money politics* in elections is very diverse. Among the forms of activities that are considered money politics include: a Distribution of donations in the form of goods or money to party cadres, cheerleaders, certain groups or groups, b Making donations from conglomerates or entrepreneurs for the interests of certain political parties, with illegal concessions, c Misuse of state authority and facilities for the benefit of and or inviting sympathy for certain political parties, for example misuse of JPS funds or misuse of KUT cheap credit and others.<sup>4</sup>

## METHOD

Marzuki in Eka NAM Sihombing (2019) states that the

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<sup>3</sup> Miriam Budirdjo, *Dasar-Dasar Ilmu Politik* (Jakarta: PT Gramedia Pustaka Utama, 2008), p. 461.

<sup>4</sup> Elvi Juliansyah, *PILKADA: Penyelenggaraan Pemilihan Kepala Daerah dan Wakil Kepala Daerah*, (Bandung: Mandar Maju, 2007), p. 32.

normative juridical legal research method is a method that uses an approach that is based on the main legal material by examining theories, concepts of legal principles, norms, rules of legislation, court decision, agreement. The nature of the research used in this paper is prescriptive, adhering to the characteristics of legal science as an applied science, the prescriptions given in legal research activities must be able and possible to be applied (Marzuki, 2011). Therefore what is produced by legal research, even if it is not a new legal principle or a new theory, is at least a new argument.<sup>5</sup> Ibrahim in Eka NAM Sihombing, Cynthia Hadita, and Muhammad Yusrizal Adi Syaputra, The method used in this study is the normative juridical law research method. The normative research, must use a statutory approach (statute Approach, this is because what will be researched are various rules of law. Taking the term Dworkin, this kind of research is also referred to as doctrinal research.<sup>6</sup>

## DISCUSSION

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<sup>5</sup> Eka N.A.M Sihombing, Eksistensi Paralegal dalam Pemberian Bantuan Hukum bagi Masyarakat Miskin (The Existence of Paralegals in Providing Legal Aid to the Poor), *Jurnal Ilmiah Penegakan Hukum*, Vol. 6, No. 1, June(2019).

<sup>6</sup> Eka N.A.M Sihombing, Cynthia Hadita and Muhammad Yusrizal Adi Syaputra, "Legal Securities Against Covid-19 Patient Privacy Data in Indonesia" 4, no. 1 (2019): 275–282.

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**Factors Cause Politics of Money Election in Indonesia.**

The cause of the implementation of the practice of money politics namely election participants (candidates for legislative members and the public as voters. One of the reasons why legislative candidates practice money politics is that they are afraid of not competing with other candidates. Candidates who are just competing are still looking for a form of dawn attack. They have the potential to do money politics. The candidates who have run in the previous election are certainly more experts in money politics and will certainly repeat the same thing.

There are several reasons why many people are involved in *money politics*, including:<sup>7</sup> It's a tradition, *Money politics* is not the values taught by our ancestors, but *money politics* seems to have become ingrained and become a tradition, especially for groups of people who have a lot of money. If you look at history, the culture of *money politics* has often been encountered since the days of colonialism. The invaders bribed the indigenous officials to get what they wanted. That bad habit turned out to

be imitated. Worse, it's even continued until now

Thirst of Victory, Humans can be dazzled by the glory ranging from wealth, power and even position. In order to get it, people are willing to do anything and even take the "backward" way if necessary, namely by giving something in the form of money or other objects so that their intentions can be carried out. The most trivial thing and we often encounter is the practice of bribery carried out by traffic violators to the police who arrest them so that their cases do not fall into court. Another example is the matter of getting a position. Not infrequently the candidates for regional heads are willing to spend a lot of money to buy people's votes. Then if it continues like this, how will democracy in Indonesia be upheld.

Solly Lubis in Hadita (2020) The theory of power, Laski argues, along with Marx, namely that every association of life requires coercive instruments, thus claiming the continuation of a permanent production relationship, because if it were not so then the association of life would not be able to claim its livelihood. By Plato in his book "Politeia" Thrasymachos statement noted, that justice is the interest of the powerful who demanded the arrangement to the power that is there, it means that the law and the

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<sup>7</sup> Leo Agustino, *Pilkada dan Dinamika Politik Lokal*, (Yogyakarta: Pustaka Pelajar, 2009), p. 43.

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interests  
of the ruling is one.<sup>8</sup>

Supportive Environment, It is no longer a secret that the practice of *money politics* or *risywah* (bribes from small institutions to high-ranking state officials is an organized network. The environment that is most vulnerable to bribery cases is the courts, of course the judges are the targets of bribery. Sometimes if the defendant does not have the initiative to give bribes, the judges who are not "clean" actually offer the defendant. Not even Rarely do defendants fear that their sentence will be even more severe if they do not accept the offer.

Laws That Can Be Purchased, Law in Indonesia is a law that money can buy. It doesn't mean that the law is wrong, but that it is the enforcers who make the law ineffective for people who have a lot of money. By bribing the judges or even the army guards with the lure of a sum of money, the defendants could enjoy a luxurious life even though they were imprisoned. Moreover, the sentence can be shortened and immediately breathe free air.

Weak Faith, Weak faith will automatically make a person far from

God Almighty. This is the main factor that causes someone to easily commit and accept bribes. Putting aside the fact that what they did was a sin. No fear at all about it. Because if they did, they would never do *money politics*, let alone do *money politics*, because doing so could drag them to hell. That is why the culture of *money politics* is still lasting in this country.

Poor Society, As we know the poverty rate in Indonesia is quite high. Poverty is a condition where there is an inability to fulfill basic needs such as food, clothing, shelter, education, and health. Poverty can be caused by the scarcity of basic necessities, or the difficulty of accessing education and employment. This poor condition seems to force and pressure some people to immediately get money.<sup>9</sup> *Money politics* has also become an arena for people to fight for money. Those who receive money sometimes do not think about the consequences that will be received, namely acts of bribery and buying and selling votes which are clearly against the law. The most important thing is that they earn money and can make ends meet.

Low Public Knowledge About Politics, Not everyone knows what politics is, how it takes shape,

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<sup>8</sup> Cynthia Hadita, Regional Autonomy Political Politics Of Regional Liability Reports To Regional Representatives In The Implementation Of Local Government, *Nomoi Law Review*, Volume 1, Issue 1, May 2020, p. 93.

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<sup>9</sup> Amrullah Ahmad, dkk, *Dimensi Hukum Islam Dalam System Hukum Nasional*, (Jakarta: Gema Insan Press, 1999), p. 146.

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and what it brings out of politics. This is all normal because there is no learning about politics in schools or the people themselves who are really indifferent to politics in Indonesia. So that when there is a political party such as an election, the community will be indifferent to the election. Don't know the party, no problem. Do not know the candidates for legislative members, no problem. Maybe not even taking part in the election is not a problem. This condition has led to the rise of money politics. People who are indifferent to elections easily accept gifts from election participants. Money politics is also considered not a problem for them. They will not think far ahead that the money given will one day be "drawn" back by the legislative candidates who will later be elected as members of the legislature. They do not realize that there is a political game that actually harms themselves.

Culture, Giving to each other and if you get a fortune should not be rejected, that's the expression that seems to have been embedded in the Indonesian nation. Money and all forms of money politics from election participants are considered as fortune for the people that should not be rejected. And because it has been given, the community must automatically give something to the election participants, namely by voting, becoming a success team, and even participating in the success

of money politics in order to win the election participants. This was solely done as an expression of gratitude and a sense of community's return to the candidates who gave money. Culture, all forms of money politics from election participants are considered as fortune for the community that should not be rejected. As a reward, the community must also give something to the election participants, namely by voting, becoming a successful team, and even participating in the success of money politics in order to win the election participants. In this case, culture, which is actually true and good, has deviated and been misunderstood by the community.<sup>10</sup> In this case, culture, which is actually true and good, has deviated and been misunderstood by society. Give each other no more in terms of truth but for a deceit. Traditional societies that still uphold this culture are easy targets for legislative candidates to carry out money politics without being suspected.

#### **Elements of Money Politic Practices in Elections .**

The elements in the practice of *money politics* in elections are, among others :<sup>11</sup>

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<sup>10</sup> H. Nursyahid HN, *Undang-Undang RI Tahun 1999 Tentang Parpol dan Pemilu* (cet. ke-1) (Jakarta: Panca Usaha, 1999), p. 20.

<sup>11</sup> Abdullah Bin Abdul Muhsin, *Jariimatur-Rasyati Fisy-Syarri'atil Islamiyyati*, (terj. Muchotob Hamzah dan

1. Recipients of money or assets (bribes are people who receive something from other people in the form of assets or money or services so that they carry out requests for bribes, even though it is not justified by law and syara /religious teachings , either in the form of actions or not doing anything -what. In general, people who accept bribes are officials who are related to the problems faced by the bribe giver. However, it also does not rule out the possibility that the recipient of a bribe is not an official, such as a friend or perhaps someone with a lower status.
2. The giver of money or property (bribe is a person who gives up property or money or services to achieve his goals. The bribe givers are generally those who have an interest in the bribe recipient. These interests can be due to legal problems, for winning elections and others. This bribe giver takes bribes because he wants to be the winning party, so he tends to do everything he can to win.
3. Bribery in the form of money or property given. The assets that are used as objects for bribes vary, ranging from money, cars, houses, motorbikes and others. Any election campaigner who intentionally promises or gives money or other materials to influence choices or influence people to vote for them.<sup>12</sup> Act is

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Subakir Saerozi) (Jakarta: Gema Insani, 2001), p. 11.

<sup>12</sup> Jeremy Pope, *Strategi memberantas Korupsi dan Elemen Integritas*

carried out by the executors, participants and/or election campaign officers. When viewed substantively, this regulation on money politics is indeed full of weaknesses in both the Political Parties, the Election Law, the Presidential Election Law and the Regional Government Law (Pilkada. There are still gaps to be explored because sometimes these gifts are packaged in the form of donations to mosques, Islamic boarding schools, and infrastructure assistance to the community, sports competitions such as leisurely walks with prizes or door prizes, and cheap markets with very cheap basic food prices.<sup>13</sup>

### **Overview of *Political Money* in the Implementation of Elections Based on the Law .**

*Money politics* is a dirty practice that destroys elections, and of course destroys democracy as a building supported by elections themselves. *Money politics* is a crime in democratic life. A crime with a very wide impact. A crime that creates a chain of corrupt behavior and demoralization in political life. Politics built with the dirty practice of *money politics* will always bring dirty politicians.<sup>14</sup> The legal basis for money politics can be

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*Nasional*, (Jakarta: Yayasan Obor Indonesia, 2002), p. 77.

<sup>13</sup> *Ibid.*, p. 78.

<sup>14</sup> Sintang Silaban, *Tindak Pidana Pemilu* (Jakarta: Pustaka Sinar Harapan, 1992), p. 57.

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seen in Article 73 paragraph 3 of Law no. 3 of 1999 reads: "Whoever at the time of holding a general election according to this law by giving or promising to bribe someone, either so that that person does not exercise only to vote or so that he exercises his rights in a certain way, shall be punished with a maximum imprisonment of three years. The punishment is also imposed on voters who accept bribes in the form of giving or promising to do something. Whereas in Law No. 7 of 2017 concerning Elections, it does not mention *money politics* but about election violations in this Law, it is regulated in the fourth book, chapter 1, Articles 454 to Article 460 regarding election violations. Because *money politic* is also one of the election violations.

*Money Politics* is also included as a crime, where there are 5 Articles of the Criminal Code regarding criminal acts of Crimes Against the Implementation of State Obligations and Rights that have to do with general elections. Sentencing is carried out on legislative candidates who are proven to have committed *money politics* during elections. This is contained in Article 89 of Law Number 8 of 2012 concerning General Elections for Members of the People's Representative Council, Regional Representative Council, and

Regional People's Representative Council. Furthermore, Article 139 paragraph (2) of the Republic of Indonesia Law Number 12 of 2003 concerning the General Election of Members of the People's Representative Council, Regional Representative Council, and Regional People's Representative Council. In the Criminal Provisions, it is stated that: Any person who intentionally gives or promises money to someone so as not to use his/her voting rights, or chooses certain election participants or uses his/her voting rights in a certain way so that his/her ballot paper becomes invalid, is threatened with a minimum imprisonment of 2 (two months or a maximum of 12 (twelve months and/or a fine of at least Rp. 1,000,000 (one million rupiah or a maximum of Rp. 10,000,000 (ten million rupiah. The law clearly regulates *money political* actions including criminal acts and clearly also sanctions for the perpetrators. For the implementation of the current election were held simultaneously, on Election incorporated and regulated in Law No. 7 of 2017 on General Elections in the book into four chapters 1 about election violations at the start of Article 454 to Article 465. But to Realistically considered yet effective. Because there are still many cases of *Money Politic* practices that occur in the field, but

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have not been *brought to justice*. Law Undang Election yet firm against money politics because it has not been able to ensnare the candidates legally. Although the practice of money politics run / carried out by the candidate to be selected, but it is very difficult to membuktikannya. Seperti what was said by Riyas Rashid initiators of Autonomy that *Money Politics* like disguise, only sound, but to prove who is doing very hard. Because after all, the recipient of money from the candidate to be elected will not dare to open his mouth, due to the law that regulates, the giver and the recipient both commit corruption and are threatened with imprisonment.

Communities that receive *Money Politics* silence indicates that the public participate in the general election less and less in accordance with Undang-undang imposed. Public participation in elections has been regulated by Law Number 8 of 2012 concerning General Elections for Members of the People's Representative Council, Regional Representative Council, and Regional People's Representative Council. In Article 246 number 2 part c regarding public participation in the General Election, the public can do so by *submitting a report* to the competent authorities regarding the occurrence of *Money Politics*. In fact, there are still few people who realize the

importance of the community's role in elections. As a result, it is difficult to prove the practice of *money politics*, making the candidates who will be elected freely carry out these practices with the aim of getting votes in the election.

Public participation in the General Election may submit reports to the Election Supervisory Body, Provincial Panwaslu or Regency/Municipal Panwaslu. This is regulated in Article 249 point 1 same with 3 Law of the Republic of Indonesia Number 8 Year 2012 concerning Election conjunction with Article 454 paragraph 1 up to 8 Law No. 7 of 2017 concerning elections. In Law No. 8 of 2012 Article 249 which contains the following:

1. Bawaslu, provincial Panwaslu, regency/municipal Panwaslu, sub-district Panwaslu, Field Election Supervisors and Overseas Election Supervisors receive reports of election violations at each stage of the election administration.
2. The report as referred to in paragraph (1) may be submitted by: a. Indonesian citizens who have the right to vote; b. election observers; or c. Election Contestants.
3. The report as referred to in paragraph (1) shall be submitted in writing to Bawaslu, provincial Panwaslu, Regency/Municipal

Panwaslu, sub-district Panwaslu, Field Election Supervisor and Overseas Election Supervisor.

People who are entitled to submit reports are citizens who have the right to vote and in their reports write the name and address of the complainant, the time of the incident, and his description as authentic evidence in the report. In Law Number 11 of 1980 concerning the Criminal Act of Bribery, P origin (2 and (3 states that what is meant by a bribe or bribe is the original P (2 giving or promising something to someone with the intention of persuading that person to act. doing something or not doing something in their duties, which is contrary to the authority or obligation that concerns the public interest. Article (3 accepts something or a promise, while he knows or can reasonably suspect that the giving of something or a promise is intended so that he does something or does not do something in his duties, which is contrary to his authority or obligation that concerns the public interest. In order Pembrantasan corruption, the Government has established a framework of juridical form of the Law of the Republic of Indonesia Number 20 of 2001 as an amendment to the Law of the Republic of Indonesia Number 31 of 1999 on Pemb e rantasan Corruption (Law PTPK 2001 Jo. 1999 bribery is a term contained in the Act as one of the gifts or promises (*giften* /

*beloften* given or received includes active bribery and passive bribery there are 3 essential elements of the criminal act of bribery, namely accepting gifts or promises, relating to the power attached to the position and contrary to their obligations or duties.<sup>15</sup>

### **Similarities and Differences in Money Politics in Islamic Law and Positive Law.**

As for equality in principle *Money Politic* (Political U ang and bribery have the same meaning . Bribery or money politics in Islamic law is called *R isywah*. Miscellaneous *R isywah* or bribes he ntarannya is Political Money or *Money Politic* . The equality provisions in H ukum Islam and the Positive Law of both are:

#### **a. The principle of legality .**

The first equation lies in the principle of legality. In Islamic law or positive law, both apply the principle of legality. In Islamic law, the principle of legality is stated in the letter Al-Isra verse :15 While according to Positive law, this principle of legality is contained in Article 1 of the Criminal Code,

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<sup>15</sup> Indra Ismawan, *Money Politics Pengaruh Uang Dalam Pemilu*, (Yogyakarta: PenerbitMedia Presindo,1999), p. 4.

namely, no act may be punished but on criminal provisions in the existing law earlier than the act .

### **b. Conditions**

Related legal provisions of Islamic law and positive law have in common is equally assume *Money Politics* or *Risywah* in elections it haram or prohibited, and if there is a break would be threatened with legal world (*Ta'zir* and *diakherat* (torture . So in Islamic law as well as positive provisions on *Money Politic* or *Risywah* it is forbidden or not allowed. Because it is detrimental to the state and the economy against and the perpetrators get sanctions and punishments for their actions.<sup>16</sup>

The difference contained in the Hukum Islam and the Positive Law of keduannya namely:

#### **a. Proof .**

In Islamic law and positive law, the criteria are the same, but the difference is in the reporting of

recipients of money politics , whether reported or not, it will be considered as *risywah* . Whereas in positive law, if a person or official commits money politics if it is not reported, then there is no sanction for him and if it is reported, the perpetrator of money politics will be subject to sanctions according to the provisions in the regulation.

### **b. Legal sanctions**

The difference in terms of legal sanctions is where Islamic law has a threat of punishment given by Allah SWT when it is in the afterlife, as well as moral sanctions, namely his actions to the community so that the perpetrator does not repeat his actions because he is ashamed of his actions. Whereas in positive law the legal provisions are only in the form of world punishments, namely imprisonment and fines. The impact of corruption on the economy and national development is generally viewed as negative. Corruption can hinder the growth and development of healthy entrepreneurs, and in addition, professional personnel are underutilized or underutilized in

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<sup>16</sup> Mat Supriasyah, *Money Politic Dalam Pemilu Menurut Pandangan Hukum Islam Dan Undang-Undang, Skripsi tidak diterbitkan, Jurusan Jinayah Siyasah Fakultas Syariah UIN Raden Intan Lampung*. Lampung. 2017. p. 69.

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terms of potential for economic growth.<sup>17</sup>

## **Impact of Money Politic Practices in Elections**

### **a. Personal Impact**

It is undeniable that *money politics* or *risywah* is a chronic disease that can undermine a person's identity. Thus, because of the actions of *money politics* or *risywah* (bribes/bribes, both the giver and the recipient can injure the highest moral foundation, namely al-'Adl (justice and a person. While the good and bad character of a person becomes a measure of his faith *ihsan* (doing good).

### **b. Impact on the Economy**

In the economic context, the behavior of giving and receiving bribes which is part of this corruption act can hamper the economic growth of a country. From the results of research conducted by Paolo Mauro, economically the existence of *money politics* will disrupt the transmission mechanism of income and wealth so that the emergence of corruption will lead to the emergence of showing

that *risywah* or *money politics* is negatively related to economic growth and destroys existing investments. This means that if corruption increases, domestic investment will be disrupted and economic growth will decline. Mauro (1997) also points out that a high level of bribery will reduce government spending, especially in the areas of social security and public welfare payments. This will have an impact on the poor supply of public goods and services (both quality and quantity).<sup>18</sup>

### **c. Impact on Society**

Of course, *money politics* actions carried out by many parties will cause chaos in the order of life in society and the state. It is not surprising that Islam forbids bribery and is harsh on all those involved in the practice. Thus, because the spread of the practice of bribery in the community means rampant corruption and injustice, in the form of laws without the principle of truth or indifference to ruling with the truth, prioritizing what should be ended and ending

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<sup>17</sup> Surachmin, Suhandi Cahaya, *Strategi dan Teknik Korupsi*, (Jakarta: Sinar Grafika, 2015), Ed. 1, Cet. 4, p. 86.

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<sup>18</sup> M. Nurul Irfan, *Korupsi Dalam Hukum Islam* (edisi ke-2) (Jakarta: Departemen Agama RI, 2009), p. 185.

what should be prioritized, also rampant opportunism mentality in society, not the mental responsibility for carrying out obligation child. Besides, *money politics* also has the potential to create conflicts of hatred and hostility among members of the community. Because in essence, *money politics* is only a tool for those who hold policies to oppress the weak. On the other hand, those who hand over their wealth to the recipients of these bribes, give their property very forcefully .

#### **d. Impact on Legislative Candidates**

The implications for the legislative candidates themselves, if they had chosen because of the success of money politics they do, as well as the impact of the defeat of the legislative candidates who failed in money politics which they did. For legislative candidates who fail, the impact is that if they lack faith, they may go crazy, or their psychology will be disturbed, because we can find many legislative candidates who are crazy because they failed to occupy legislative seats. Apart from lack of votes, not a few legislative candidates failed because they were proven to have committed violations, like the proverb they had fallen on

the ladder too, had spent a lot of money but were not elected and finally caught, as a result the hospital was the end of their struggle. From the law perspective, there is an impact if the legislative candidates doing the money politic, as we know in Indonesia, there are Bawaslu that can over this problem.

Along with the rise of *money politics* that is developing in political life in Indonesia today, bad things that injure values and ethics in national politics cannot be avoided anymore. Therefore, it is important to take an action that can erode the violation of democracy . Here are alternative solutions to minimize money politics in society:

1. Instilling the values of faith in God Almighty from an early age.
2. Participate in maintaining order and smooth implementation of the general election for all parties.
3. Sanctions or strict penalties for candidates who ran in the general election if it is known to use money politics ( *M oney P olitic* .
4. Increase political socialization to the community.
5. Changing the culture of society into a culture of discipline, hard work, optimism and not giving up quickly to fate.

6. Choose based on conscience, based on the principles of overflow and fairness.
7. Prioritizing religion and ethics.
8. The existence of transparency both central government and under it .

With the alternative solutions mentioned above, it is expected to minimize money politics in society.

### **Effects of Money Politics on Democracy in Indonesia .**

Here are some of the consequences of the culture of *Money Politics* in the democratic system in Indonesia:

#### **a. Money Politics Demeans People's Dignity .**

Legislative candidates or certain parties who use Money Politics to buy people's voting rights have seriously demeaned the people's dignity. The voice and dignity of the people they value with money whose value will never be comparable to what they will get for the next 5 years. This process is a public dupe because the people are tricked into exploiting their voting rights only for their momentary interests. Degrading the dignity of the people occurs

because of the lack of respect for human rights. Legislative candidates give a sum of money hoping that the people who receive it will vote for them during the election, it is a violation of human rights. It is listed in the 1945 Constitution, Article 28E (2 reads: "*Everyone has the right to freedom of belief believing, express thoughts and attitudes, according to the heart nuranin yes* ".<sup>19</sup> On the basis that they have received money from the legislative candidates, in the end they have to choose a candidate that is not in accordance with their conscience, but because it is based on a return to the legislative candidates who have helped them in fulfilling their life needs.

#### **b. Money Politics is a trap for the people .**

Someone who uses Money Politics as a way to achieve his goals is actually setting up a trap to trap the people. in this case the people are not invited to jointly fight for the change agenda, but are oriented only to win the candidate alone. After the candidate is elected, there is nothing to fight for because the candidate will be busy for 5 years or a certain

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<sup>19</sup> UUD 1945, *Hasil Amandemen dan Proses Amandemen UUD 1945 Secara Lengkap* (Pertama1999-Keempat 2002), Sinar Grafika, Jakarta, Cetakan pertama, 2002, p. 21.

period to collect rupiah coffers in order to recover all the losses that have been poured out to bribe the voters.

**c. Money Politics Kills Political Cadreization .**

Political cadre will slowly be useless if there is money politics in elections. The candidate will not feel burdened by the voters because he considers his success in winning a political seat is the result of a vote-buying transaction. as a consequence the candidate will be preoccupied with maintaining his power in that position and will continue to advance as a candidate in the next period rather than fighting for the interests of the people. Political resources and funds that have been collected will be used for self-interest from period to period. This is where the erosion of the function of regeneration occurs because the candidate will not easily let go of the power he has achieved because there is no cadre he has prepared. We can find various evidences in various regions where a member of the legislature remains in that position for several periods, even dies in a position as an active member of the legislature.

**d. Money Politics will Lead to Corruption.**

The rampant corruption is a form of APBD deviation where there is cooperation between the executive and the legislature. The presence of the Legislature which has a control or supervisory function cannot function optimally. This point is related to the second point, where the motivation for corruption is to restore the losses that occurred during the campaign where the candidate used money politics to buy people's votes.

**e. Money Politics Kills Society Transformation**

The transformation or change of a society for the better will be hampered, if the democratic system is always dominated by Money Politics. The expected changes will be difficult to materialize because the candidate, when successful, will spend all his energy and thoughts to recover all the losses that have been incurred during the campaign, especially the losses incurred due to buying and selling votes within the framework of Money Politics. The Candidate will actually not feel burdened because he thinks that he has bought votes and the downturn in society is not his business.

The implementation of a fair election is very important, because the election itself is the main means

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for democracy, and at the same time the realization of the will of the people. If the implementation of the General Election is colored by fraudulent fraud in it, then the real will of the people will not be realized. Then the indirect goals or targets of the General Election in the form of civilizing and political institutionalization (including democracy will not be achieved.<sup>20</sup>

## CONCLUSION

Money politics is kind would irregularities that form in a way to give money to people so that they follow his wishes. Like *money politics* to buy people's voices. The community cannot be independent or clear to give their right to vote in elections. And *money politics* is very contrary to the ethics and religious norms that apply. *Money politics* can destroy honest political buildings. There are so many causes for *money politics*, including because people are still not ready to live in full democracy, besides that it is still not enforced. Law in Indonesia Along with the rise of money politics that is developing in political life in Indonesia today, bad things that injure values and

ethics in national politics can no longer be avoided. Thus it is important for the holding of an act that can either k Ikis democracy violations such . Politics of Money P emilukada in Indo nesia according to the constitutional law of Islam / jurisprudence siyasah is *jarimah ta 'zir*, because it is not regulated clearly in the *passages shar "i*, b aik al-Qur' an and as-Sunnah. A weld politics of money ( *money p olitic* digolon gkan as *jarimah ta 'zir*, k arena of *money politics* is a sin or masiat and acts harm the interests of public , as well as *money politics* is an act pela nggaran against the law . M aka laws and penalties for someone who mela kukan *money politics* is the government authority to determine.

## REFERENCES

- Agustino, Leo, *Pilkada dan Dinamika Politik Lokal*, Yogyakarta: Pustaka Pelajar, 2009, p. 43.
- Ahmad, Amrullah, dkk, *Dimensi Hukum Islam Dalam System Hukum Nasional*, Jakarta: Gema Insan Press, 1999.
- Budirdjo, Miriam., *Dasar-Dasar Ilmu Politik*, Jakarta: PT Gramedia Pustaka Utama, 2008.
- Donald, *Menggugat Pemilu*, (Jakarta: Pustaka Sinar Harapan, 1997).

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<sup>20</sup> Donald, *Menggugat Pemilu*, (Jakarta: Pustaka Sinar Harapan, 1997), p. 84.

ISSN (Print) 2723-3413 - ISSN (Online) 2722-3663

- H. Nursyahid HN, *Undang-Undang RI Tahun 1999 Tentang Parpol dan Pemilu*, cet. ke-1, Jakarta: Panca Usaha, 1999.
- Hadita, Cynthia., Regional Autonomy Political Politics Of Regional Liability Reports To Regional Representatives In The Implementation Of Local Government, *Nomoi Law Review*, Volume 1, Issue 1, May 2020.
- Ismawan, Indra., *Money Politics: Pengaruh Uang Dalam Pemilu*, cet. ke-1, Yogyakarta: Media Presindo, 1999.
- Juliansyah, Elvi., *PILKADA: Penyelenggaraan Pemilihan Kepala Daerah dan Wakil Kepala Daerah*, Bandung: Mandar Maju, 2007.
- M. Nurul Irfan, *Korupsi Dalam Hukum Islam*, edisi ke-2, Jakarta: Departemen Agama RI, 2009.
- Muhsin, Abdullah Bin Abdul., *Jariimatur-Rasyati Fisyyahiyati*, terj. Muchotob Hamzah dan Subakir Saerozi, Jakarta: Gema Insani, 2001.
- Pope, Jeremy, *Strategi memberantas Korupsi dan Elemen Integritas Nasional*, Jakarta: Yayasan Obor Indonesia, 2002.
- Sihombing, Eka N.A.M., Cynthia Hadita and Muhammad Yusrizal Adi Syaputra, "Legal Securities Against Covid-19 Patient Privacy Data in Indonesia" 4, no. 1 (2019): 275–282.
- Sihombing, Eka N.A.M., Eksistensi Paralegal dalam Pemberian Bantuan Hukum bagi Masyarakat Miskin (The Existence of Paralegals in Providing Legal Aid to the Poor, *Jurnal Ilmiah Penegakan Hukum*, Vol. 6, No. 1, June, (2019).
- Sihombing, Eka N.A.M., Pemberlakuan "Parliamentary Threshold" dan Kaitannya dengan Hak Asasi Manusia, *Jurnal Konstitusi*, Vol. 1, No. 1, Juni (2009).
- Silaban, Sintang, *Tindak Pidana Pemilu*, Jakarta: Pustaka Sinar Harapan, 1992.
- Supriansyah, Mat, *Money Politic Dalam Pemilu Menurut Pandangan Hukum Islam Dan Undang-Undang, Skripsi tidak diterbitkan, Jurusan Jinayah Siyarah Fakultas Syariah UIN Raden Intan Lampung*. Lampung. 2017.
- Surachmin, Suhandi Cahaya, *Strategi dan Teknik Korupsi*, Jakarta: Sinar Grafika, 2015, Ed. 1, Cet. 4,
- UUD 1945, *Hasil Amandemen dan Proses Amandemen UUD 1945 Secara Lengkap (Pertama 1999-Keempat 2002)*, Sinar Grafika, Jakarta, Cetakan pertama, 2002.