

The Effectiveness of the Prohibition of Money Politics on the Community as Recipients in the 2024 Legislative General Election in Bone Bolango Regency

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ABSTRACT

The practice of money politics is still a serious problem in the implementation of General Elections in Indonesia, including in the 2024 Legislative General Election in Bone Bolango Regency. Money politics involves not only election participants as givers, but also the public as recipients, which is legally prohibited and can be sanctioned. This study aims to analyze the effectiveness of the regulation of the prohibition of money politics on the public as recipients in the 2024 Legislative General Election in Bone Bolango Regency. The research method used is empirical legal research with a qualitative approach. The data was obtained through interviews with election organizers, supervisory officials, and the voting community, and supported by secondary data in the form of laws and regulations and election supervision documents. The results of the study show that normatively the regulation of the prohibition of money politics has been clearly regulated in the Election Law, but in its implementation it has not been effective. This is due to low legal awareness of the public, economic factors, a permissive political culture towards money politics, and weak enforcement of sanctions against recipients. This study concludes that the effectiveness of the regulation of prohibition on money politics on the recipient community still needs to be improved through strengthening political education, participatory supervision, and consistent law enforcement to realize elections with integrity.

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1. INTRODUCTION

General elections are one of the main pillars in the democratic system that functions as a means of realizing people's sovereignty in determining the direction of government and political representatives. In the context of a democratic legal state, elections are not only interpreted as a procedural process to elect the people's representatives, but also as a constitutional mechanism to ensure that power is exercised based on the will of the people in a free, fair, and responsible manner. The Constitution of the Republic of Indonesia through Article 22E paragraph (1) of the 1945 Constitution of the Republic of Indonesia expressly emphasizes that general elections are held directly, publicly, freely, secretly, honestly, and fairly, so that all stages of elections should reflect substantive democratic values and ensure the integrity of the political process.

However, in the practice of holding elections in Indonesia, one of the classic problems that continues to recur and is difficult to eradicate is the practice of money politics. Money politics has become a phenomenon that is rooted in every election momentum, both

legislative elections, presidential elections, and regional head elections. This practice not only harms the principles of honesty and fairness in elections, but also has the potential to undermine the quality of democracy because people's political choices are no longer based on the vision, programs, and capacities of candidates, but on material transactions that are momentary. This condition shows that procedural democracy often runs without being accompanied by substantial democracy oriented towards the long-term public interest.

Normatively (*das sollen*), the electoral legal system in Indonesia has paid serious attention to efforts to prevent and enforce the practice of money politics. Law Number 7 of 2017 concerning General Elections expressly regulates the prohibition of money politics, both in the form of giving money, goods, and certain promises that aim to influence voter choice. This arrangement not only places election participants, campaign teams, or certain parties as legal subjects, but also recognizes the voting community as part of the legal relationship in election crimes, especially when the public consciously accepts gifts intended to affect their voting rights. Thus, election law does not only focus on the giver actor, but also on the recipient as part of the chain of election violations.

The regulation of the prohibition of money politics reflects the will of the law (*das sollen*) to create elections with integrity and justice. The law is designed as a social control instrument that aims to shape the political behavior of the community so that it is more rational, independent, and not easily influenced by short-term pragmatic interests. From the perspective of election criminal law, the prohibition on the recipients of money politics is intended to have a deterrent effect and encourage the growth of public legal awareness that any action related to elections has serious legal consequences. Therefore, the effectiveness of legal regulation is not only measured by the existence of written norms, but also by the extent to which these norms are able to influence people's behavior in the practice of political life.

However, when viewed from empirical reality (*das sein*), the existence of these legal norms is not fully in line with the conditions that occur in the field. In various election implementations, including the 2024 Legislative General Election in Bone Bolango Regency, the practice of money politics is still found in various forms and modus operandi. The provision of cash, basic necessities, social assistance under the guise of concern, and certain promises ahead of voting day are still strategies used by certain parties to gain political support. In many cases, the public as the recipient does not view the action as a violation of the law, but rather as part of the election "tradition" that has been going on for generations.

Table 1. Data on Money Politics Violations in the Regency Bone Bolango

No.	Year	Findings/cases	Location
1.	2023	Alleged violations of the distribution and installation of banners/billboards that include Campaign Props (APK) and Envelopes	Suwawa District
2.	2024	Alleged Election Crime Violations by Giving Cooking Oil to Campaign Participants and White Envelopes	Tilongkabila District, Tapa, South Suwawa, Bolango Ulu, Bone Raya

This factual condition illustrates that despite the clear rule of law, implementation on the ground often faces obstacles, both due to the permissive local political culture towards

the awarding of gifts or incentives, and due to the limited supervision carried out by the authorities. In this case, it shows the reality that Money Politics still exists and affects the integrity of elections in Bone Bolango Regency.

The recipients of money in the practice of money politics in Bone Bolango are not solely driven by the intention to break the law, but often because of the necessities of life and political culture that have been formed for generations. In many cases, people don't even feel guilty when they receive money from a particular candidate. For some residents, the gift is considered part of the social relationship between the candidate and the community. This kind of understanding shows that money politics has normalized at the grassroots level, so that it is no longer seen as a moral or legal violation.

Refers to the ideal legal norm or should be applied. Law Number 7 of 2017 clearly regulates the prohibition of the practice of money politics. The articles in this law state that any election participant, related party, or public involved in giving or receiving money or goods to influence voters can be subject to criminal and administrative sanctions. The goal is to maintain equality, transparency, and justice in elections, so that people's political decisions are not distorted by material interests.

The problem of receiving money in money politics is not only a matter of violating the law, but also a matter of morality and collective consciousness. People who receive money in elections actually contribute to weakening the foundation of democracy that is being built. Democracy that should be based on freedom of choice based on awareness and rational considerations has turned into a transactional democracy that is only concerned with momentary gains. If this condition continues to be left unchecked, it is difficult to expect the emergence of a leader who is truly committed to the interests of the people, because the election process has been tainted by the practice of buying and selling votes.

The 2024 Legislative General Election in Bone Bolango Regency is a relevant context to examine these problems in depth. As one of the regions that participated in simultaneous elections, Bone Bolango Regency faces challenges that are not much different from other regions, especially in terms of preventing and cracking down on the practice of money politics. Local social, economic, and political dynamics also influence how election law norms are understood and implemented by the community. Therefore, an empirical study of the effectiveness of the regulation of money political prohibition on the recipient community in this area is important to provide a real picture of the condition of election law enforcement at the local level.

regulation of the prohibition of money politics against the recipient community. On the one hand, the election law has clearly regulated prohibitions and sanctions for recipients of money politics as an effort to realize elections with integrity. On the other hand, practice in the field shows that these norms have not been able to effectively change people's political behavior. Therefore, this study aims to analyze the extent of the effectiveness of the regulation of the prohibition of money politics on the public as recipients in the 2024 Legislative General Election in Bone Bolango Regency, as well as identify the factors that affect its effectiveness.

2. RESEARCH METHODS

This research is a normative-empirical legal research, which is research that examines law not only as a norm written in laws and regulations (*das sollen*), but also as real behavior that lives and is applied in society (*das sein*). This approach was used to analyze the effectiveness of the regulation of prohibition on money politics on the public as a recipient in the 2024 Legislative General Election in Bone Bolango Regency.

3. RESULTS OF RESEARCH AND DISCUSSION

1. The Effectiveness of the Implementation of Money Politics Prohibition Arrangements on the Community as Recipients in the 2024 Legislative General Election in Bone Bolango Regency.

The effectiveness of the implementation of the prohibition of money politics on the public as a recipient in the 2024 Legislative General Election in Bone Bolango Regency can be analyzed using a normative-empirical approach, namely by comparing the goals desired by the electoral law norms (*das sollen*) with the reality of its implementation in the field (*das sein*).

Normatively, the prohibition of money politics is expressly regulated in Law Number 7 of 2017 concerning General Elections. Article 515 of the Election Law stipulates that:

"Any person who deliberately promises or gives money or other materials to voters not to exercise their right to vote or vote for certain election participants is sentenced to a maximum of 3 (three) years in prison and a maximum fine of Rp36,000,000.00 (thirty-six million rupiah)." That is why

In addition, the provisions regarding the prohibition of receiving political money by voters are also reflected in Article 523 paragraphs (1) to (3) of the Election Law, which basically stipulates that the giving of money or other materials during the campaign period, quiet period, and on voting day is an election crime. This provision implicitly places the public as the recipient in the position of a legal subject who is not justified in receiving the gift.

In the context of *das sollen*, the regulation is intended to maintain the principles of direct, public, free, confidential, honest, and fair elections (*luber and jurdil*), as well as to prevent distortion of the will of voters due to material influences. However, based on the results of empirical research, the implementation of these regulations in practice has not been fully effective.

At the empirical level, the practice of money politics in the 2024 Legislative General Election in Bone Bolango Regency is still found in various forms, both in the form of giving cash, basic necessities, and other forms of assistance associated with political support for certain legislative candidates. This practice is generally carried out ahead of polling day and targets voters who are economically vulnerable. This shows that legal norms that prohibit the political acceptance of money have not been able to significantly suppress people's behavior to refuse such gifts.

The effectiveness of implementing money politics prohibition regulations can also be seen from the aspect of law enforcement. Based on the provisions of Article 476 paragraph (1) of the Election Law, Bawaslu has the authority to prevent and take action against election violations, including money politics. However, in practice, action against the community as recipients is relatively rare. Law enforcement is more focused on the giver, while the recipient community tends not to be processed legally.

The people in Bone Bolango Regency in general do not have an adequate understanding of the prohibitions and legal sanctions against the receipt of money politics. People tend to understand money politics as an offense committed by election participants or campaign teams, not by voters as recipients. This shows that legal norms as stipulated in the Election Law have not been fully internalized in the legal consciousness of the community.

In addition, the effectiveness of the implementation of the prohibition of money politics is also influenced by the socio-economic conditions of the community. Economic pressure and daily living needs encourage some people to be pragmatic in

responding to elections. The provision of money or goods is seen as a direct benefit that is more concrete than the threat of criminal sanctions as regulated in the Election Law.

It can be concluded that the effectiveness of the implementation of the prohibition of money politics on the public as a recipient in the 2024 Legislative General Election in Bone Bolango Regency is still not optimal. The existence of legal norms that prohibit the receipt of money politics has not been fully followed by a consistent level of public compliance and law enforcement.

2. Factors Inhibiting the Effectiveness of the Implementation of Money Politics Prohibition Arrangements

The factors that hinder the effectiveness of the implementation of the prohibition of money politics on the public as recipients in the 2024 Legislative General Election in Bone Bolango Regency cannot be separated from the work of the legal system as a whole. Based on the results of normative-empirical research, these obstacles are not only sourced from the aspect of written law, but also from the institutional structure of law enforcement, the legal culture of the community, and the socio-economic conditions that surround it. These factors are interrelated and cumulatively affect the low effectiveness of the implementation of the prohibition on money politics.

a. Legal Substance Factors

From the aspect of legal substance, although Law Number 7 of 2017 concerning General Elections has regulated the prohibition of money politics and the threat of criminal sanctions, the results of the study show that the formulation of legal norms has not fully provided legal certainty for the position of the public as recipients of money politics. The criminal provisions in Article 515 and Article 523 of the Election Law focus more on the act of promising or giving money or other materials, while the position of the voter as a recipient is not explicitly formulated in a special norm.

This condition has led to diverse interpretations among law enforcement and the public. The public tends to understand that the main subject of money politics violations is the legislative candidate or the campaign team as the giver, while the recipient is not considered a perpetrator of election crimes. This ambiguity causes legal norms to lose their binding power on the public as voters, so that the prohibition of accepting money politics does not function effectively as a guideline for behavior.

In addition, the substance of election law is still repressive and has not been fully supported by systematic prevention instruments. Criminal sanctions regulated in the Election Law are not balanced with adequate legal education mechanisms for the public, so the law tends to be present as a normative threat without a complete understanding at the grassroots level.

b. Legal Structure

The next inhibiting factor comes from the aspect of legal structure, especially the performance of election law supervisory and law enforcement agencies. Based on the results of empirical research, the Bawaslu of Bone Bolango Regency has carried out its supervisory function through socialization activities, surveillance patrols, and the receipt of community reports. However, the effectiveness of law enforcement against the practice of money politics, especially those involving the public as recipients, still faces various obstacles.

The limited number of election supervisory personnel, the size of the supervisory area, and the limited supervision time at certain stages are the main obstacles in detecting and proving the practice of money politics. In addition, proving money politics requires strong evidence and witnesses, while people who receive money tend

to be reluctant to report or provide information for fear of being involved in legal proceedings.

In practice, law enforcement against money politics is more focused on the giver, while the public as recipients is often positioned as witnesses or even not involved at all in the legal process. This pattern of law enforcement weakens the deterrent effect and creates the perception that the political acceptance of money will not cause serious legal consequences.

c. Legal Culture

The legal culture of the community is a very dominant inhibiting factor in the implementation of the prohibition of money politics. The results of the study show that the practice of money politics is still considered an integral part of the electoral process. Giving money or goods ahead of the vote is seen as normal and has become a recurring habit from one election to the next.

In the context of legal culture, society has not fully viewed money politics as an act that undermines democracy and violates the law. On the other hand, the receipt of money is often interpreted as a form of assistance or sustenance, without the awareness that the action is contrary to the principles of honest and fair elections. The low internalization of electoral law values causes the prohibition of money politics to be followed by changes in people's behavior.

In addition, the existence of permissive attitudes in the social environment also strengthens the practice of money politics. When receiving money is considered commonplace and does not cause social sanctions, then the social pressure to obey the law becomes weak. This has an impact on the low legal compliance of the community against the prohibition of political acceptance of money.

d. Socio-Economic Community

Socio-economic factors are also the main obstacle to the effectiveness of the implementation of the prohibition on money politics. Based on the results of the research, some people in Bone Bolango Regency are in relatively vulnerable economic conditions. Limited income and high daily living needs encourage people to be pragmatic in responding to elections.

In these conditions, the provision of money or goods by election participants is seen as a direct benefit that can help meet short-term economic needs. Legal considerations and democratic values are often put aside due to the pressure of more urgent needs of life. This situation makes it difficult for election law to function effectively as a tool to control people's political behavior.

Overall, the factors that hinder the effectiveness of the implementation of the prohibition of money politics on the public as recipients in the 2024 Legislative General Election in Bone Bolango Regency show that the problem of money politics is not solely a normative legal issue, but a structural and cultural issue. Therefore, efforts to increase effectiveness cannot only rely on tightening criminal sanctions, but also require strengthening law enforcement, increasing public awareness and legal culture, and improving socio-economic conditions in a sustainable manner.

4. CONCLUSION

Based on the results of normative-empirical research, it can be concluded that the effectiveness of the implementation of the prohibition of money politics on the public as recipients in the 2024 Legislative General Election in Bone Bolango Regency is still not optimal. Although normatively the prohibition of money politics has been regulated in Law Number 7 of 2017 concerning General Elections, in practice this norm has not been able to suppress public behavior to reject the acceptance of money politics. The weak effectiveness

is caused by the lack of clarity in affirming the position of the community as a recipient in the substance of the law, the limitations of law enforcement by election supervisory institutions, the low awareness and legal culture of the community that is still permissive towards the practice of money politics, and socio-economic factors that encourage the pragmatic attitude of voters. This condition shows that there is a gap between *das sollen* and *das sein*, so efforts to prevent and counter money politics need to be carried out comprehensively through strengthening regulations, consistent law enforcement, and increasing public legal awareness to realize honest and fair elections.

5. BIBLIOGRAPHY

- Achmad Ali, *Menguak Teori Hukum (Legal Theory) dan Teori Peradilan*, Kencana, Jakarta, 2017
- Badan Pengawas Pemilihan Umum Republik Indonesia, *Indeks Kerawanan Pemilu 2024*, Bawaslu RI, Jakarta, 2023.
- Barda Nawawi Arief, *Masalah Penegakan Hukum dan Kebijakan Hukum Pidana*, Kencana, Jakarta, 2018.
- Heru Nugroho, "Budaya Politik dan Politik Uang dalam Pemilu", *Jurnal Sosiologi*, Vol. 18 No. 1, 2016.
- Jimly Asshiddiqie, *Pengantar Ilmu Hukum Tata Negara*, Rajawali Pers, Jakarta, 2016.
- Lawrence M. Friedman, *The Legal System: A Social Science Perspective*, Russell Sage Foundation, New York, 1975.
- Miriam Budiardjo, *Dasar-Dasar Ilmu Politik*, Gramedia Pustaka Utama, Jakarta, 2018.
- Ni'matul Huda, *Hukum Tata Negara Indonesia*, Prenadamedia Group, Jakarta, 2020.
- Ramlan Surbakti, "Pemilu dan Konsolidasi Demokrasi", *Jurnal Ilmu Sosial dan Ilmu Politik*, Vol. 12 No. 2, 2009.
- Soerjono Soekanto, *Faktor-Faktor yang Mempengaruhi Penegakan Hukum*, RajaGrafindo Persada, Jakarta, 2014.
- Satjipto Rahardjo, *Hukum dan Masyarakat*, Angkasa, Bandung, 2015.
- Topo Santoso, *Tindak Pidana Pemilu*, Sinar Grafika, Jakarta, 2019.
- Tjahjo Kumolo, *Politik Hukum Pemilu di Indonesia*, Kompas Media Nusantara, Jakarta, 2017.
- Undang-Undang Dasar Negara Republik Indonesia Tahun 1945
- Undang-Undang Nomor 7 Tahun 2017 tentang Pemilihan Umum.
- Zainal Arifin Mochtar, "Politik Uang dan Tantangan Penegakan Hukum Pemilu", *Jurnal Konstitusi*, Vol. 16 No. 1, 2019.