

The Role of Bawaslu in Preventing Money Politics in the 2019 Legislative Election in Gorontalo City

Awang Dharmawan Ramadhan Pakaya¹ Kindom Makkulawuzar² Rusmulyadi³

Universitas Ichsan Gorontalo

Article Info

Article history:

Received : 13 December 2023

Published : 05 January 2024

Keywords:

Prevention

Money politic

Legislative

Info Artikel

Article history:

Diterima : 13 Desember 2023

Publis : 05 Januari 2024

Abstract

to ensure that the holding of general elections is not polluted by disgraceful acts, so that in addition to upholding the rule of law and raising the dignity of society from the habit of committing acts of money politics towards holding honest and fair general elections. The aim of the research is to determine the role of Bawaslu in preventing money politics in the 2019 legislative elections in Gorontalo City. This research uses normative legal research (normative law study) using normative case studies in the form of legal behavior products. The main point of study is law which is conceptualized as a norm or rule that is merely in society and becomes a reference for everyone's behavior. Bawaslu's role in the 2019 regional elections was carried out in accordance with Law No. 15 of 2011 concerning the Implementation of General Elections. Similar to what has been proven by the money politics violations that occurred in Gorontalo City in 2019, there were acts of promising and/or giving money or other materials to influence the holding of elections and/or elections in a structured, systematic and massive manner. Awareness about money politics must be based on shared awareness. Public Knowledge about Politics, of course, candidate pairs and the public must be able to change thought patterns that have an impact on social culture. Both candidate pairs and society must change their perspective. Not only giving, but also changing thought patterns which will later have a permissive impact.

Abstract

untuk menjamin pelaksanaan pemilihan umum tidak dikotori perbuatan tercela, hingga selain tegaknya aturan hukum dan terangkatnya martabat Masyarakat dari kebiasaan melakukan perbuatan money politic menuju terlaksananya pemilihan umum yang jujur dan adil. Adapun tujuan penelitian Untuk mengetahui Peran Bawaslu Dalam Pencegahan Money Politic Pada Pemilu Legislatif 2019 di Kota Gorontalo. Penelitian ini menggunakan penelitian hukum normatif (*normative law research*) menggunakan studi kasus normatif berupa produk perilaku hukum. Pokok kajiannya adalah hukum yang dikonsepsikan sebagai norma atau kaidah yang berlaku dalam masyarakat dan menjadi acuan perilaku setiap orang. Peran Bawaslu dalam pilkada pada tahun 2019 dijalankan sesuai dengan UU No.15 Tahun 2011 Tentang Penyelenggara Pemilihan Umum. Sebagaimana yang sudah dibuktikan dengan adanya pelanggaran politik uang yang terjadi di kota Gorontalo pada tahun 2019, terdapat melakukan perbuatan menjanjikan dan atau memberikan uang atau materi lainnya untuk mempengaruhi penyelenggaraan pemilihan dan atau pemilihan secara Terstruktur, Sistematis dan Masif. Kesadaran tentang politik uang harus dilandasi dengan kesadaran bersama. Pengetahuan Masyarakat Tentang Politik tentunya Pasangan calon dan masyarakat harus bisa mengubah pola pikir yang berdampak kepada budaya sosial. Baik pasangan calon maupun masyarakat harus mengubah cara pandang. Tidak hanya memberikan, tetapi juga mengubah pola pikir yang nanti akan berdampak permisif.

This is an open access article under the [Lisensi Creative Commons](https://creativecommons.org/licenses/by-sa/4.0/)

[Atribusi-BerbagiSerupa 4.0 Internasional](https://creativecommons.org/licenses/by-sa/4.0/)



Corresponding Author:

Awang Dharmawan Ramadhan Pakaya

Universitas Ichsan Gorontalo

Email : dharmawanawang222@gmail.com

1. INTRODUCTION

Pancasila is the basis of the state and the philosophy of the nation and state of the Republic of Indonesia which consists of 5 principles in it, as in the 4th principle which states that the people are led by wisdom in representative deliberations. The meaning of the 4th principle contains the meaning that democratic values must absolutely be implemented in the state. In this case, in electing a representative of the people in the unitary state of the Republic of Indonesia, a General Election is required.

One way or means to determine who represents the people is by holding a General Election. General Elections are the process of selecting individuals to occupy certain political positions or positions. These positions vary, from legislative, executive, to judicial positions. Generally speaking, general elections are actions carried out by a legitimate state to obtain a leader in a country.

In carrying out the General Election, of course what is expected is that the General Election will run smoothly according to the rules in the General Election. In order to achieve this, a General Election Supervisory Body was formed. As an independent state institution, Bawaslu was formed to regulate supervision procedures at each stage of the election, receive reports of election violations, and be tasked with preventing the practice of money politics based on Law Number 7 of 2017 concerning General Elections in article 101 letter c.

The General Election Supervisory Body or more often called Bawaslu is a General Election supervisory institution deliberately established to supervise the stages of holding General Elections, receive complaints, handle cases of administrative election violations and is tasked with preventing the practice of money politics in accordance with the provisions of the applicable law. The General Election Supervisory Body, in carrying out its duties in the General Election, must carry out supervision as best as possible, especially as the run-up to the General Election is characterized by the practice of money politics. The practice of money politics is often found in the community and the General Election Supervisory Agency environment ahead of the legislative General Election which is carried out by political party candidates who want to occupy positions in the legislative body, before the General Election day.

Basically, a legislative institution is an institution or council that has the duty and authority to create and formulate the Constitution in a country. Apart from that, the legislative institution is also termed a legislative institution, which in Indonesia is run by the Regional Representative Council (DPD), the People's Representative Council (DPR), and the Regional People's Representative Council (DPRD) as well as the People's Consultative Assembly (MPR). . As explained in Law Number 7 of 2017 concerning General Elections in article 101 letter c, Bawaslu is tasked with preventing the practice of money politics in Regency/City areas.

Therefore, one of the tasks of Regency/Municipal Bawaslu is to prevent the practice of money politics by political party candidates ahead of General Election Day, by carrying out supervision as best as possible. Especially before the legislative general election, a problem that is often encountered is the widespread practice of money politics.

The General Election Supervisory Body (Bawaslu), as a state institution responsible for supervising General Elections, also has the task of encouraging the growth and development of participatory supervision, including carrying out accreditation of Election monitoring institutions, and is tasked with preventing the practice of money politics based on the Law. Number 7 of 2017 concerning General Elections in article 101 letter c.

In the city of Gorontalo in 2019, there were people who were involved in the general election, usually lured by a certain amount of money to enliven the campaign held by the political party. The money is usually used for transportation, Lelah money and food money,

with the hope that the masses who come during the campaign will vote for them later. In this case, a phenomenon usually occurs where community figures usually influence voters according to the candidate's orders. It cannot be denied that people nowadays want to take part in campaigns for free. Some people ask for money for food and payment to take part in big campaigns and so on.

2. RESEARCH METHOD

This type of research is normative legal research using normative case studies in the form of legal behavior products. The subject of the study is law which is conceptualized as a norm or rule that applies deeply society and becomes a reference for everyone's behavior. So normative legal research focuses on positive law inventory, legal principles and doctrine, legal discovery in cases in concerto, legal systematics, and level of synchronization, legal comparison and legal history..

3. RESEARCH RESULTS AND DISCUSSION

The Role of Bawaslu in Preventing Money Politics in Legislative Elections

Role is a dynamic aspect in a position (status), if someone carries out their rights and obligations in a position then that person has carried out their role. Basically, role and position (status) are interrelated and interconnected, because there is no role without position (status) and vice versa, there is no position without role. Every human being has a diverse role in life, from the family environment, community to office holders in a country. This then means that roles are opportunities that are obtained from society to carry out actions for the society itself.

1. Money politic

In social structure, status and role are two elements that have important meaning in the social system. Where the social system regulates reciprocal relationships between individuals and individuals, individuals and community groups, and groups and groups in social life. Carrying out duties as described in Law Number 7 of 2017 concerning General Elections in article 101 letter c Bawaslu is tasked with preventing the practice of Money Politics in the City area. Therefore, one of the tasks of the City Bawaslu is to prevent the practice of money politics by political party candidates who want to occupy legislative body positions in 2019, especially in the Gorontalo City area.

Table 1. Findings/Reports of Political Money Violations Handled by Bawaslu of Gorontalo City in 2019

No.	Alleged Political Money		Treatment Results		Decision Inkrah
1	Report	4	Stopped	3	1
2	Findings	2	Forward	1	
3	Registration	4	SP3	0	
4	No registration	2			

Gorontalo City Bawaslu Data Source for 2019

From the cases of money politics violations above, in 2019 there were 4 reports of alleged money politics, 2 findings, 4 were registered and 2 cases were not registered. And from the results of the handling carried out by the Gorontalo City Bawaslu, 3 cases were discontinued due to a lack of evidence to support money politics violations, while 1 case was continued and even a decision was made.

Political parties have a very strategic position and role in every democratic system. Parties play a very strategic liaison role between government processes and citizens. Many even argue that political parties are what actually determine democracy. Therefore, parties are a very important pillar to strengthen the degree of institutionalization in every democratic political system.

In reality, political parties are often used as political vehicles for a group of ruling elites or to satisfy their own "lust" for power. Political parties only function as tools for a few lucky people who succeed in tricking the people's vote to force the enactment of certain public policies. In every election, it cannot be denied that in the implementation of elections, fraud often occurs, whether carried out by individual election organizers or election participants.

2. Public Knowledge About Politics

According to Soekanto, role is a dynamic aspect of position (status). If someone carries out the rights and obligations in accordance with his position, then he is carrying out a role. The Gorontalo City Election Supervisory Agency (Bawaslu) carries out supervision, outreach regarding General Elections, political education for voters, surveys or opinion polls about Elections, and quick counting of Election results is a dynamic obligation of their position as implementers of General Elections.

There is a lot of money politics in the fraud that occurs in the field during elections, because our society tends to be permissive towards money politics, permissive in this sense, sometimes our people ask, although not all of them "what can we get?" previously. Well, candidates also sometimes teach people to be pragmatic, this is what we have to fight together, together we build our morals, from the side of the election participants, from the side of the election organizers and also from the voters, we must really be aware that this is really true people's sovereignty, that voting is not based on giving (money politics).

According to the author, it is true that what was seen in the field during the election was that there was a lot of fraud that occurred, one of which was money politics. Why is that, because money politics can be said to be a way to make the candidate chosen win the election. In order to win elections, it is not uncommon for candidates and their success teams to spend large budgets to provide basic necessities or money to voters. This method can be easy and very helpful in winning votes in the election. However, money politics cannot be easily followed up, because every time it is determined that it is a violation that must be followed up, it must fulfill the elements and articles that are correct and in accordance with the provisions.

Bawaslu in Election Supervision is given a fairly broad scope of duties and authority in carrying out Election Supervision duties, starting from forming election supervision regulations, carrying out supervision during the election stages, following up on reports, to resolving election process disputes. Election supervision is given the privilege of being the only entry point in handling election violations. With a large scope of duties and authority, the State also provides facilities and a large budget.

Bawaslu's task in accordance with the mandate of the law is to supervise the entire implementation of elections and follow up on election violations. To carry out this task, Bawaslu creates a supervisory strategy. The monitoring strategy includes two things, namely prevention and action. What is meant by prevention here is carrying out early detection of potential violations, including socialization. The socialization carried out by Bawaslu from

time to time continues to develop and become more widespread compared to the age of Bawaslu itself.

Bawaslu carries out socialization so that citizens who have the right to vote know, understand and can carry out supervisory functions independently and can choose leaders who can provide professional work potential for the State. Understanding in supervision is also so that voters can report if they find violations in elections to create honest and fair elections and can increase the effectiveness of Bawaslu in preventing and following up on election violations.

The problem is that not all people want to participate actively and the public's understanding of voter participation so far is proven by voting on Election Day. But from Bawaslu's perspective, Bawaslu wants to involve broad community participation, one of which is being involved in supervising all stages of the implementation process, So not only are you present to vote, but from the start of the process you have participated in monitoring and the public really cares about the stages of the election.

People really don't care about supervision in elections, people generally come to the polling stations just to vote and watch the election process at the polling stations until the vote tallies are counted, but don't pay attention to what happens when the elections take place because they think their obligation is only to vote, right? their business. If the public participates in monitoring during the elections, it will make it easier for Bawaslu to enforce KPU regulations and its role as an Election Supervisory Body will be realized very well, disputes in the elections will be minimized and prevented.

It is important to underline an understanding of election supervision because it determines the orientation and direction of development of election supervision policies in the future. By strengthening the role of the community, election participants and election monitoring in the implementation of election supervision, the democracy that is built in Indonesia will become more substantial. Returning supervisory functions and duties to the community will also encourage the optimal realization of popular sovereignty. So, Bawaslu's role in enforcing KPU regulations will be optimal if the community's role is also involved in supervising the election stages, because the community is not only limited to using their voting rights at the polling stations, but also actively participates in ensuring the integrity of the election implementation process.

According to the author, a good system and the rules that have been set will not run smoothly if the system itself is not implemented and those involved in the system, such as the community, political elites, do not participate in implementing it, because if only Bawaslu enforces the regulations and supervises elections, it will not happen. there was fraud/violations but if the KPU, political elite, society and others who were interrelated did not take part in the election, the result would have been the same. KPU regulations will not be enforceable.

The role of society, political elites and supervisory institutions in participating in elections is not only because they want to speak out but are truly aware that elections are a people's party, a democratic party that must be run well to get good results and good leaders, so the election process it has to be good too.

4. CONCLUSION

Based on the results related to the role of Bawaslu in preventing money politics in the 2019 legislative elections in Gorontalo City, it is described as follows:

Bawaslu's role in the 2015 regional elections was carried out in accordance with Law No. 15 of 2011 concerning General Election Organizers. As has been proven by the money politics violations that occurred in the city of Gorontalo in 2019, there were acts of promising and/or giving money or other materials to influence the holding of elections and/or elections in a structured, systematic and massive manner. Awareness about money politics must be based on shared awareness. Public Knowledge about Politics, of course, candidate pairs and the public must be able to change thought patterns that have an impact on social culture. Both candidate pairs and society must change their perspective. Not only giving, but also changing thought patterns which will later have a permissive impact.

5. BIBLIOGRAPHY

- Abdul Bari Azed, *General Election Systems*, (UI Depok: Publishing Agency, Faculty of Law, University of Indonesia, 2000).
- Faljurrahman Jurdi, *Introduction to General Election Law*, (Jakarta: Kencana, 2018)
- L. Sumartini, *MoneyPolitics in Elections*(Jakarta: National Legal Justice Agency, Ministry of Justice and Human Rights, 2004).
- See Article 238, Law Number 8 of 2012
- Ni'matul Huda, and M. Imam Nasef.
- Syafa'at Anugrah, et al., eds., *Pancasila Education*, (Parepare: Sampan Institute, 2018). Thahjo Kumolo, *Political and Legal ElectionsSimultaneously*(Bandung, PT Mizan Publica, 2015).