

DANGER OF POLITICAL DOWRY IN INDONESIA: AN EARLY ANALYSIS OF CORRUPTION

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ABSTRACT

This article discusses the political dowry which is one of the causes or entrance of other corruption actions. Political justice cannot be justified, for whatever reason. This article uses normative legal research methods. The results of the study indicate that by giving political dowry to make candidates tend to commit acts of corruption because they have to find replacement money for political dowry fees. Not to mention if the candidate intends to advance again in the next period, more funds must be collected. Political justice is not only a matter of candidates who contribute to election funding, but also must be seen from the main objectives of democratic elections and the moral and integrity issues of election participants. The government has provided several solutions both to anticipate the prevention of misuse of the resources of vulnerable countries to be politicized for elections such as the licensing sector with the Government Regulation (PP) of the Indonesian Republic of Indonesia Regulation No. 24 2018 concerning Electronic Integrated Licensing Trying to get permission from Ministers, Governors, Regents and other officials authorized by law are transferred to Online Single Submission (OSS) Institutions. even so, the heavy duty still needs to be resolved by the organizing agency and the election supervisor to be able to explore and uncover the alleged politics of the dowry. All parties are aware that it is very difficult to prove the allegations of political dowry even though there are many who know that such practices do exist.

Keywords: elections; political dowry; corruption; political parties

A. INTRODUCTION

Indonesia is currently characterized by popular sovereignty manifested in parliamentary and presidential elections every five years. The political year of 2018, however, will not be much different from the past, the dynamics of the simultaneous regional head elections (Pilkada serentak) in 2018 and the presidential and vice presidential election in 2019 are still colored by issues that are relatively similar to the previous elections.

Indonesian elections are plagued by business dealings colored as politics.¹ These conditions result the violations of campaign regulations are on the rise as Indonesia's legislative election approaches, and most violations related to money in election activities. Approaching of the general election, there were many reports of political dowry, political transaction and money political gifts.

¹ Politics in Indonesia: It's Business As Usual, by Muhammad Beni Saputra on January 24, 2018 <https://thediبلوماس.com/2018/01/politics-in-indonesia-its-business-as-usual/>, accessed 14 May 2018.

Politics in Indonesia is expensive and in many parts of the country, there are at least four sources of expenditure that cause high political costs of elections. First, nomination fees (uang tiket) commonly referred to as "political dowry" the latest is the news about the giving of political dowry by a vice-presidential candidate Sandiaga uno who initially acknowledged the giving of dowry.² Second, campaign funds include campaign attributes, winning teams, and the use of electronic and printed media.³ Third, the cost of consultation and survey through various consulting agencies and survey institutions.⁴ Fourth, money politics that is still found by prospective regional heads includes giving money before the election known as "dawn attacks", donations to voters' pockets, and others. In addition, a substantial amount of funds is about the existence of witnesses on the day of vote counting.⁵

With so many transactions, elections are costly to candidates and they will recover funds where they can. Many big business entrepreneurs make use of this, they often transfer large sums of money to promising candidates. In return for financial assistance, candidates will promise business protection to the entrepreneur after being elected, this condition is suspected to be one of the root of corruption.⁶ Although violations of the use of money in money politics are contrary to the law, most parties and political figures still practice it. on the other hand Supporters of the campaign Receive their help gladly.

The issue of violations and abuse of the use of money in elections is not new in Indonesia's post-reform elections, especially now that political parties tend to be quite pragmatic and oriented towards winning candidates. The consequence is that political calculations

² <https://seword.com/politik/sandiaga-uno-akui-mahar-politik-begini-daftar-kasus-mahar-politik-di-tubuh-gerindra-EgYDUBah6>.

³ <https://rumahpemilu.org/pilkada-mahal/>

⁴ The search for Kompas R & D shows something similar. The cost of provincial-level voter surveys ranges from Rp. 100 million to Rp. 500 million. The cost of political advertising for governor candidates through various mass media ranges from Rp. 1 billion to Rp. 5 billion per month. The cost of imaging the figure of a candidate for governor reached Rp 20 billion. <https://www.antikorupsi.org/id/news/konsultan-politik-biaya-politik-makin-mahal>

⁵ Processed from Political Corruption Outlook 2018: Corruption Threats Behind 2018 and 2019 Elections https://antikorupsi.org/sites/default/files/outlook_korupsi_politik_2018_110118.pdf

⁶ ICW researcher Donald Fariz said the prepaid and postpaid systems are usually carried out between regional head candidates and entrepreneurs whose business activities want to be secured politically. Regional Head Candidates who need a cash injection will accept the employer's offer to get a cash injection and will be repaid instead the regional head when it is definitely selected by streamlining a number of licenses for companies that have supported <https://www.cnnindonesia.com/pilkadaserentak/nasional/20180314205850-32-283043/modus-prad-an-pascabayar-pengusaha-dengan-calon-di-pilkada?>

to win candidates are priority and become a burden that must be issued by candidates for election. In following political contestation, it is inevitable for candidates to follow the entire mechanism of the election in a "democratic" manner, both internal party mechanisms and external mechanisms in accordance with the rules that apply in the law. The mechanism for selecting candidates for regional heads within the party is often difficult to monitor and lack transparency because it is internal or merely a formality. So that this opens up opportunities for "buying and selling" transactions between party elites and prospective candidates to be carried by the party.

When a candidate decides to run as a regional head, they have to pay "ticket money". Ticket money goes to the political party they wish to run for. The amount that must be provided of the transaction depends on the office the candidate is running for. Gerindra Party chairman Prabowo Subianto suspected

asked La Nyalla Mattalitti for RP40 billion (US\$2.8 million) in exchange for nominating Mattalitti in the 2018 East Java gubernatorial race.⁷ The candidate has to pay extra if they want to run in a specific electoral district. Then same the issue of other ticket money as presented by Dedi Mulyadi, retired police officer Brig. Gen. (ret) Siswandi, and John Kristi.⁸ Vice Governor Sandiaga Uno was accused of paying IDR1 trillion (around US\$70 million) in political dowry to secure his nomination as Prabowo Subianto's running mate. Sandiaga has finally publicly denied the political dowry allegation and asked that the media not to blow it out of proportion.⁹

Political dowry, a phrase that is not right is actually true. The term "dowry" comes from Arabic, mahr, transliterated into Indonesian into a dowry that means "mandatory giving in the form of money or goods from the bridegroom to the bride when the marriage contract is held;

⁷ EDITORIAL: Costly democracy, <http://www.thejakartapost.com/academia/2018/01/16/editorial-costly-democracy.html>, accessed 9th June 2018.

⁸ Cash politics is commonplace across the political spectrum. The Prosperous Justice Party (PKS) has billed itself as an anti-corruption party. It has also asked for illegal payments from its candidates. PKS dropped Brig. Gen. Siswandi as its candidate for the election for Cirebon mayor. He had refused to pay the party the money the party asked for. All parties deny asking for illegal payments. There have been many high-profile testimonies from those who made donations. <https://www.aseantoday.com/2018/02/indonesias-war-on-cash-politics/>, accessed 17 June 2018.

⁹ VP candidate Sandiaga Uno on IDR1 trillion political dowry allegation: 'very untrue' <https://coconuts.co/jakarta/news/vp-candidate-sandiaga-uno-idr1-trillion-political-dowry-allegation-untrue/>, accessed 27 July 2018.

dowry" (KBBI online).¹⁰ Political dowry atau "mahar politik" in this case can be interpreted as a special gift in the form of money given to buy recommendations by decisions for certain political parties, with the intention that political parties nominate those elected in general elections, this kind of thing for candidates for Governor, members legislative, presidential and vice presidential candidates. Cost occurs throughout the entire nomination process until the election, divides the system into three levels pre-candidacy, candidate determination, and post election.

The practice of Political dowry allegedly is one of the reasons that makes the nomination process by political parties take a long time. Many parties take injury time to register their candidates for the KPU. This is allegedly related to the attractiveness of how much the dowry issued by each candidate, so that candidates with the least dowry can cancel nominated in the final seconds. This condition must certainly be criticized and become an important momentum to see that there are serious problems in the electoral mechanism that make the appeal of politics strengthened which can

ultimately lead to corrupt practices. In response, almost all political parties refused to recognize the practice of giving dowry as revealed.

Regardless of whether or not there is a dowry, there are things that must be addressed by political parties due to not being transparent in financial management. This then makes the issue of the existence of dowry appear in political contestation. This political dowry was initially asked to the candidates under the pretext of campaign costs, but later developed into political bargaining which led to a position capitalization.¹¹ This process then makes the party choose cadres or candidates with a measure of how much funds can be paid. Such practice has an impact on society where it is difficult for people to get candidates for regional heads who are in line with expectations when only measured by the amount of funds that can be paid.

Discussing dowry cannot be separated from discussing fraud in the process of organizing elections which must be carried out democratically. The process of holding a democratic election is marked by legal certainty in the

¹⁰ Agus Sutisna, *Memilih Gubernur, Bukan Bandit! Demokrasi Elektoral dan Pilgub 2017 di Tanah Jawa*, Penerbit Deepublish (Grup Penerbit CV Budi Utama), Yogyakarta, 2017.

¹¹ Artikel ini telah tayang di *Tribunnews.com* dengan judul *Petaka Mahar Politik*, <http://www.tribunnews.com/tribunners/2018/01/26/petaka-mahar-politik?page=3>. Editor: Samuel Febrianto, accessed 9 August 2018

arrangement of each stage of the election which is formulated based on the principles of democratic elections. Many things must be evaluated based on the previous election so as not to repeat the mistakes and get a better form of elections. The practice of money fraud in elections brings serious consequences for the nation. The implication of money politics is extraordinary, it affects how the country will be run.

In addition, it is necessary to continue the realization of the integrity of the process and results of the election and the system for resolving violations and electoral disputes fairly. Political dowry has undermine the noble purpose of the election, because the owner of the money has been in control of democracy, and the people will be presented with candidates for the prescribed leader. The transactional and corrupt spaces have long-term consequences, such as the many heads of regions who abuse their power for corruption. So do not be surprised why many elected regional heads are ultimately involved in various corruption scandal. The system has to be improved because this kind of corrupt system is very expensive for good and potential people. It will be almost

impossible for Indonesia to elect independent, viable candidates without such reform.

Based on this, it is necessary to evaluate the arrangements for the provision of funds or financial assistance for political parties, if it is regulated, what is the effectiveness of the arrangement? and how is law enforcement against violations? Can organizers, supervisors and law enforcement process it completely? and how solutions are offered to reduce the practice of political dowry.

B. Discussion

1. Arrangement of Giving Funds to Political Parties

Political transactions run in daily political activities especially at the moment of election between candidates and citizens. However, political transactions run non-programmatically, are closed, violate the law (corrupt), and ignore the long-term interests of citizens. Candidates try to buy citizen support through short-term transactions such as giving money, goods and short-term populist programs. David Easton,¹² found that political life as a system of activities

¹² David Easton Known for Political systems theory Uploaded by Rika Nur Rahmatika http://www.academia.edu/26895604/David_Easton_Known_for_Political_systems_theory, accessed 8 July 2018.

that are interconnected and influence the way of making policy (policy decision), and the implementation of authoritative decisions in a country. Relationships and mutual influence between institutions are then referred to as political systems that are influenced by the external environment.¹³ Looking at the political events above, several questions need to be reorganized to overcome the problems of political life.

The law which is generally accepted is quite adequate, after going through a long series of rules about the current election there is Law No. 1 of 2015 concerning the Stipulation of Government Regulations in Lieu of Laws (Perppu) Number 1 of 2014 concerning the Election of Governors, Regents, and Mayors into law as amended by Law Number 8 of 2015 and Law Number 10 of 2016. This legal framework is indeed outside of Law Number 7 of 2017 concerning General Elections which regulates the election of the president, members of the DPR, DPD, and DPRD.

Within the legal framework, the prohibition on the practice of political dowry as well as legal sanctions when

committing violations has been regulated. This is an improvement considering that in the past, this practice was not touched by the law so that it only became a conversation without being able to be monitored, let alone being dealt with decisively. Political dowry is like an issue above the sky, which we know as gratitude-money to the Central Party Organizer in order to get a recommendation paper to complete the requirements for the district head registration to be given to political parties. Soundly we can hear the term of political dowry but there is no single proof concerning its existence. That is the sad story of individual nomination process. Because the individual candidates were unable to pay the dowry and finally they just moved forward with identity card and signature.

To maintain the integrity of the process and election results, a mechanism is needed to accommodate and follow up all complaints, complaints and claims effectively, fairly and on time. Election legitimacy and public trust in democratic institutions depends on how the state responds and follows up

¹³ A Systems Analysis of Political Life By David Easton. (New York : John Wiley and Sons, Inc., 1965). Pp. xvi, 507.

on community complaints. A credible election process is the foundation for a government that has legitimacy. So, the issue of political dowry is not a trivial matter that can be ignored by organizers, election supervisors, and law enforcement because it can reduce public trust.

In Article 187 a, b, and c of Law Number 8 of 2015, contains two types of crimes related to money in the electoral process, namely money politics and political dowry, Article 187A reads as follows:

- (1) Anyone who intentionally commits an unlawful act promises or gives money or other material in return for Indonesian citizens either directly or indirectly to influence the Voters not to exercise their right to vote, exercise their right to vote in a certain way so that the vote is not legal, choose a particular candidate, or do not choose a particular candidate as referred to in Article 73 paragraph (4) shall be sentenced to a minimum of 36 (thirty six) months imprisonment and a maximum of 72 (seventy two) months and a fine of at least Rp 200,000,000,00 (two hundred million rupiah) and a maximum of Rp 1,000,000,000,00 (one billion rupiah).
- (2) The same crimes are applied to voters who intentionally commit unlawful acts to receive gifts or promises as referred to in paragraph (1).

This article prohibits promising or giving money or other material in return

for Indonesian citizens, either directly or indirectly, to influence voters not to exercise their right to vote, to exercise their right to vote in a certain way so that the vote becomes invalid, chooses a particular candidate, or do not choose a particular candidate. These provisions are often referred to as money politics. Not only the giver affected, the recipient is also exposed to the same criminal threat.

While in the current nomination stage, what is rife is the practice of "political dowry" in which people or institutions provide rewards to political parties or a combination of political parties in any form in the nomination process for governors, regents and mayors. Here is not explained for what the reward is, only referred to "in any form" and "in the nomination process". In practice, rewards are intended so that political parties or joint political parties are willing to propose someone for the nomination process, either as a candidate for governor, regent, or mayor. Not only is the giver affected by a criminal threat, the recipient, both from a political party and a combination of political parties, is also threatened with criminal sanctions even though there are differences in criminal sanctions, as stipulated in Article 187B as follows:

Members of a Political Party or a joint member of a Political Party who intentionally commits an unlawful act to receive compensation in any form in the process of nominating the Governor and Deputy Governor, Regent and Deputy Regent, as well as the Mayor and Deputy Mayor as referred to in Article 47 paragraph (1) shall be punished with criminal imprisonment of at least 36 (thirty six) months and a maximum of 72 (seventy two) months and a fine of at least Rp 300,000,000.00 (three hundred million rupiahs) and a maximum of Rp 1,000,000,000.00 (one billion rupiah).

In Article 187 C stated as follows:

Every person or institution that is proven intentionally committing an unlawful act in return for the nomination process of the Governor and Deputy Governor, Regent and Deputy Regent, as well as the Mayor and Deputy Mayor, the determination as a candidate, elected candidate pair, or as Governor, Deputy Governor, Regent, Deputy Regent, Mayor or Deputy Mayor as referred to in Article 47 paragraph (5), shall be sentenced to a minimum of 24 (twenty four) months imprisonment and a maximum imprisonment of 60 (sixty) months and a fine of at least Rp 300,000,000.00 (three hundred million rupiah) and a maximum of Rp 1,000,000,000.00 (one billion rupiah).

In addition to the implication of a criminal form, if the decision is legally binding, there are administrative sanctions, namely the cancellation as a candidate for governor, candidate for regent, candidate for mayor. Even if there are already selected appointments can also be canceled. Not only that, even if you have served, it can still be canceled in accordance with Article 47 of the same law. In the event that a political party or coalition of political parties is proven to receive compensation, they are prohibited from submitting candidates in the next period in the same area. Thus, sanctions from the practice of political dowry are very heavy.

In addition to being regulated in Law No. 8 of 2015, political dowry is also regulated in Law Number 7 of 2017 concerning Elections, prohibiting pairs of presidential-vice presidential candidates from giving money or rewards to political parties to become presidential or vice presidential candidates, regulated in Article 228, as follows:

- (1) Political parties are prohibited from receiving compensation in any form in the process of nominating the President and Vice President.
- (2) In the event that a Political Party is proven to receive compensation as referred to in paragraph (1), the Political Party concerned is

- prohibited from submitting candidates in the next period.
- (3) Political parties that receive compensation as referred to in paragraph (2) must be proven by a court decision that has obtained permanent legal force.
 - (4) Every person or institution is prohibited from giving compensation to Political Parties in any form in the process of nominating the President and Vice President.

That is, for future presidential or vice presidential candidates who have been proven to provide political dowry, until now they can still participate in the election and not get administrative sanctions. Whereas for political parties or a combination of Political Parties if they receive compensation in the process of nominating an election, they are not allowed to submit candidates in the next period in the same area. Political dowry received by political parties is always claimed as funds or costs that must be prepared by the party when proposing a candidate. Political parties always argue that the costs must be spent quite a lot while they do not have enough money.

The government try to respond to these conditions, to overcome the high costs that must be incurred by political parties, the government has provided assistance to political parties. Initially Based on Government Regulation

(Peraturan Pemerintah-PP) Number 5 of 2009 concerning Financial Assistance to Political Parties, as amended by PP No. 83 of 2012 concerning Amendments to Government Regulation Number 5 of 2009 concerning Financial Assistance to Political Parties, every legal vote obtained by political parties received Rp. 108, -. In its development, the Government has now raised aid funds for political parties to 10 times to Rp 1,000/votes obtained with Government Regulation No. 1 of 2018.

If government subsidies through aid funds for the party are managed properly, it is sufficient to finance the operations of political parties . So that political parties no longer have to worry too much about financing issues and are expected to reduce the practice of giving dowry to political parties. The government also hopes that this regulation should be a driver of political parties to concentrate more on carrying out higher quality cadre. A good cadre will attract the public to vote, so that more aid is obtained.

2. High Political Costs

Regulation regarding political dowry, are quite a lot and have quite severe sanctions, but the question is why the practice is still ongoing?

Previously, it was necessary to understand what was the cause and fertility of the practice of political dowry. Beginning with the high costs that must be incurred by political parties, starting from the preparation period, attribute and campaign costs, witness costs, paying political parties, etc. which are estimated to be tens to hundreds of billions depending on area, population and wet or dry areas.¹⁴

The reason for the elites' monopoly in Indonesia's political sphere is obvious: politics in Indonesia is in practice similar to business. In order to win an election, a candidate cannot help but prepare large capital. To become a village head it costs 130-150 million rupiahs; becoming a member of the People's Representative Council (*DPR*) costs 1.18 to 4.6 billion rupiahs, a mayor is from 20-30 billion rupiahs, a regent is 75 billion rupiahs, a governor ranges from 100 to 400 billion rupiahs, and president costs up to 7 trillion rupiahs! These fantastic figures are certainly far from the reach of the majority of

Indonesians, whose average income is only 47 million rupiahs per year.¹⁵

Based on FITRA's research, the budget spent in district elections ranges from 5-28 billion, while the provincial elections range from 60-78 billion. Such a large value is not comparable to the official income that will be received by the governor for example, who only gets a salary of Rp 8.6 million/month or a total of 516 million during the five years in office.¹⁶ These are things that can trigger corruption and coalitions (bad conspiracy) to be a way to extract the people's welfare resources. With a large initial capital, the orientation of the power that is owned later is how to return the capital that was previously issued. Facing this fact made the Regional Head intending to run again, tempted to commit corruption. The ease with which the regional head is tempted to commit corruption is due to a number of factors including power monopoly, policy discretion and weak accountability.

¹⁴ Artikel ini telah tayang di Tribunnews.com dengan judul Petaka Mahar Politik, <http://www.tribunnews.com/tribunners/2018/01/26/petaka-mahar-politik?page=4>. Editor: Samuel Febrianto, accessed 18 august 2018

¹⁵ <https://thediplomat.com/2018/01/politics-in-indonesia-its-business-as-usual/>, accessed 7 September 2018

¹⁶ This article has been published on Kompas.com with the title "Modus Korupsi 32 Kepala Daerah yang Sudah Ditangkap KPK", <https://nasional.kompas.com/read/2018/08/05/10101301/modus-korupsi-32-kepala-daerah-yang-sudah-ditangkap-kpk> Penulis : Dylan Aprialdo Rachman, accessed 19 August 2018

Responding to these conditions, the Corruption Eradication Commission (KPK) once told, especially for all candidates for regional heads not to do things that have the potential to violate election rules regarding the provision of money in the 2018 Simultaneous Regional Election. Moreover, if the source of funds is from corruption or from parties others must be replaced in the form of a compilation project after an examination due to corruption committed by the regional head. Many transactions, expensive elections for candidates. They will complete the funds where they can. Big business makes use of this. They often send money to promising publishers. In return for financial fortune, candidates will promise business freedom after being elected. Ending the practice of cash politics will help eradicate political corruption.

In two years, the mass media never stopped questioning the regional

head and legislative members by the Corruption Eradication Commission (KPK). There are or no areas recorded by the Corruption Eradication Commission and later named as suspects, first is Jombang Regent Nyono Suharli who is also determined to return to the Jombang Regency simultaneous election of regional heads and Ngada Marianus Sae Regent who is a candidate in the East Nusa Tenggara Pilgub. If combined with last year, the names were added to the list of heads in the 2018 election which had previously been captured by the Corruption Eradication Commission. (This article was made in June - September 2018). The following is a description of the table used as a suspect by the KPK from the beginning of the year to the middle of the year. Some of them was caught in sting operation (OTT) held by Corruption Eradication Commission (KPK).

Table 1

No	Name	Case	information
1	Abdul Latif, Regent of Hulu Sungai Tengah	Abdul Latief was named as a suspect with three other people namely, Barabai Fauzan Rifani Chairman of the Indonesian Chamber of Commerce and Industry (KADIN); President Director of PT. Sugriwa Agung Abdul Basit, and President	

No	Name	Case	information
		<p>Director of PT. Agung Pusaka Tower Donny Witono.</p> <p>The four of them were involved in the alleged bribery case from the procurement project for the construction of Damanhuri Hospital, Barabai, 2017 tax year.</p> <p>They were caught in sting operation (OTT) held by Corruption Eradication Commission (KPK) on January 4, 2018.</p> <p>Allegations of the cost of duties in construction projects of class I, II, VIP, and Super VIP Damanhuri construction projects, Barabai amounted to 7.5 percent or Rp. 3.6 billion. In this case, the alleged recipients of bribes were Abdul Latif, Abdul Basit, and Fauzan Rifani. Meanwhile, bribery is Donny Witono.</p>	
2	Mohammad Yahya Fuad, Regent of Kebumen	<p>Yahya Fuad was named a suspect after allegedly receiving bribes and gratuities related to a number of projects using the Regional Budget (APBD) in 2016. Determination of the suspect on January 23, 2018. According to KPK, Fuad together with the private sector received bribes and gratuities worth Rp 2.3 billion. The bribe is related to the procurement project of goods and services whose budgets are derived from the Kebumen District Budgets.</p>	
3	Nyono Suharli, Jombang Regent	<p>KPK assigned Jombang regent Nyono Suharli Wihandoko as a suspect in a bribery case related to the licensing of office in Pemkab Jombang. Nyono was arrested on February 3, 2018.</p> <p>Nyono allegedly received a bribe from Plt Head of District Health Office Jombang Inna Silestyanti for Rp 275 million. The bribe was given Inna for Nyono as regent set Inna as head of the health department definitive. KPK Deputy Chairman Laode M Syarief revealed that some of the bribe money was used by Nyono as a</p>	<p>Nyono is the incumbent candidate who re-nominated himself as Jombang Regent in the 2018 simultaneous election. According to the KPK, the bribe received by Nyono from the Acting Head of the Jombang Regency Health Office Inna Silestyanti was used for political expenses in the Pilkada.</p>

No	Name	Case	information
		campaign fund in the 2018 election.	
4	Marianus Sae, Ngada Regent	<p>KPK determined Marianus Sae and President Director of PT Sinar 99 Permai, Wilhelmus Iwan Ulumbu as a suspect. Marianus is suspected of accepting bribes from Wilhelmus over a number of projects in Ngada District, East Nusa Tenggara. Wilhelmus is known to be one of the contractors in Ngada District who often get projects in Ngada District since 2011.</p> <p>In this case, Marianus allegedly took a bribe of Rp 4.1 billion from Wilhelmus. Some bribes to Marianus are given in cash or by bank transfer. Marianus was arrested in a hand-held operation, Sunday (11/2/2018). Marianus is known to advance as a candidate for governor of NTT in Pilkada 2018 together with NTT cawagub, Eni Nomleni.</p>	
5	Rudi Erawan, Regent of East Halmahera	<p>Rudi Erawan was designated as a suspect after allegedly taking a bribe of Rp 6.3 billion from the former Head of the National Road Implementing Agency (BPJN) IX Maluku and North Maluku, Amran HI Mustary.</p> <p>The money is related to infrastructure projects under the Ministry of Public Works and People's Housing in 2016. The money for Rudi obtained Amran from a number of contractors of the project, one of which is President Director of PT Windhu Tunggal Utama, Abdul Khoir. Determination of the suspect was announced on January 31, 2018.</p>	
6	Zumi Zola, Jambi Governor	<p>KPK announce the Governor of Jambi, Zumi Zola Zulkilfi Province as a suspect on 2 February 2018. Zumi was designated as a suspect with the Task Force of the Head of Public Works</p>	

No	Name	Case	information
7	Imas Aryumningsih, Subang Regent	<p>Agency of Jambi Arfan Province.</p> <p>Zumi Zola and Arfan allegedly took bribes worth Rp 6 billion. KPK suspect bribes received Zumi Zola is used to bribe members of parliament Jambi to attend the meeting ratification R-APBD Jambi 2018. Case involving the two suspects is the development of cases of bribery affidavit RAPBD Jambi 2018.</p>	<p>Imas was caught in sting operation (OTT) held by KPK in Subang and Bandung, West Java on February 13, 2018. Imas was designated as a suspect with the Head of Licensing DPM PTSP Subang Regency, Asep Santika and private data, after allegedly receiving a bribe from a businessman named Miftahhudin.</p> <p>Miftahhudin allegedly gave a bribe to Imas and two other recipients to obtain a principal license to create a factory or place of business in Subang. The provision of bribes is done through people near Imas who act as fund-raisers. Allegedly, the Bupati and two other recipients have received bribes totaling Rp 1.4 billion. The commitment fee between the intermediary of bribery with entrepreneurs amounts to Rp 4.5 billion. The commitment fee between Imas and bribe brokers amounts to Rp 1.5 billion. Imas ran again as Subang Regent with Sutarno in 2018 election. The candidate pair was carried by the National Awakening Party (PKB) and Golkar Party.</p>

Source : from various sources

Based on the table above, number of corruption cases committed illustrated some interesting facts about by regional heads. Corruption mode a money politics in elections with a number of captured regional heads are

usually bribes related to infrastructure projects or procurement, filling positions, licensing, budget management and approval, ratification of regulations or APBD, transfer of forest functions and exchange of forest areas, and so on. Corruption Mode doesn't change much. Misuse of authority that causes bribery transactions is the most widely expressed form of regional head corruption, the case is still the case, about the trafficked authority.

Based on this, the KPK continues to remind regional heads who will compete again, to be more careful and not promising or provide political dowry so as not to fall into actions that lead to criminal acts of corruption. Because based on the results of research conducted by the KPK, many regional heads committed corruption to replace the funds that had been spent to provide political dowry. This is a common thread between political dowry in general elections and presidential and vice presidential elections, because not only in 2018 regional elections, the alleged giving of political dowry also occurs in the 2019

presidential and vice presidential elections.¹⁷

In relation to the holding of elections, of course this is a bad record of the democratic process that we are living, because in fact we hope the democratic process is not only procedural but includes substantial democracy. And one of them can be seen from the running of justice from the nomination process to the election of candidates with a process that does not injure democratic values. The phenomenon shows that despite the many rules that prohibit the giving and receiving of rewards in the process of nomination between political parties and candidates, the practice still happening. The high political costs and increasing competition in local elections are factors that drive corruption.

3. Report on Alleged Political Dowry Not Continued Law Enforcement

Political dowry problems often do not end completely, because law enforcers still have difficulty revealing what models, forms of political transactions or dowry. Therefore, serious efforts are needed from all stakeholders, including the Political Party, Bawaslu, PPATK, KPK, as well

¹⁷ <https://jurnalpolitik.id/2018/08/12/sandiaga-bantah-mahar-rp500-m-tapi-siap-sediakan-uang-untuk-kampanye/>, accessed 18 June 2018.

as the public and election officials. It is not easy to enforce the rules regarding political dowry even though it has been stated in various laws and regulations. In addition, efforts to resist Bawaslu will also be carried out in an extraordinary manner so that it is quite difficult to find witnesses to prove it.¹⁸

Even if there are witnesses, it is difficult to accept testimonies that can really reveal the veil of this case. Of course this is a big challenge for the Election Supervisory Body and other law enforcement agencies to deal with, process, and take action if this practice is proven. The determinant in the end is the courage, the willingness of the Election Supervisory Body to coordinate with law enforcement in dealing with the perpetrators because it is not uncommon for those involved are strong figures and institutions.¹⁹ There are many cases of buying politik

dowries that are not damaged, because this practice is a mutualism symbiosis between political parties and nominated candidates. Only candidates for regional heads who do not run as candidates will usually raise this issue to the surface. Therefore, to uncover this problem is fully the authority of Bawaslu. Bawaslu is the party most authorized to be disclosed can coordinate with law enforcers who also have authority in prosecutions such as the National Police and the KPK.

Indonesia Corruption Watch (ICW), a community social institution that is specifically engaged in investigating indications that leads to allegations of losses in state finances, is concerned about the rampant political dowry issues that have sprung up in the 2018 Simultaneous Regional Election and 2019 Presidential

¹⁸ The Chairman of the Indonesian Bawaslu said the main report number 01 / LP / PP / RI / 00.00 / VIII / 2018 stated that allegedly there had been compensation in the form of money to PAN and PKS in the process of nominating the President and Vice President could not be legally proven. <http://banjarmasin.tribunnews.com/2018/08/31/akhirnya-bawaslu-ri-tak-tindakanjuti-dugaan-mahar-cawapres-sandiaga-uno-di-pilpres-ini-alasannya>. Editor: Rendy Nicko, accessed 23 May 2018

¹⁹ The accusation that the practice of "political dowry" in the 2018 Regional Election occurred in East Java, West Java, and other regions made the Provincial and Regency / City Election Supervisory Body be required to act and act decisively in accordance with their duties and authorities. In the East Java Pilkada, La Nyalla claimed to be asked for Rp. 40 billion by the General Chairman of the Gerindra Party, Prabowo Subianto. In the West Java Pilkada, Dedi Mulyadi had claimed to be asked to pay Rp10 billion by individuals in the Golkar Party. In the Cirebon Regional Election, Brig. Gen. (pol) Siswand admitted that he failed to be nominated by the Prosperous Justice Party because he was asked to dowry. Finally, there was a conflict within the Hanura Party, one of which was due to the issue of political dowry. But it is believed, there are many more practices of handover of political dowry that have not been revealed. In accordance with the procedures and mechanism for handling violations, after registration, the Election Supervisory Body conducts an inspection by inviting the reported party and witnesses to be clarified to hear information about the reported incident.

Election. ICW suspects political dowry. The nominated regional head candidates are used by political parties as the winning capital of the 2019 election.²⁰

Therefore, ICW encourages Bawaslu to be more proactive in following up on allegations of giving political dowry in the nomination process in the 2018 Simultaneous

Regional Election and 2019 Presidential Elections. Here are some data in the form of tables related to a number of parties claiming to be asked for money in the form of money by political parties in the exchange of nominations for 2018 regional elections and attitudes carried out by Bawaslu from various sources:

Table 2

Election	Issue	Bawaslu's actions	follow-up
East Java regional head election	La Nyalla M. Mattalitti claimed to be asked for money by political parties to be nominated in the East Java regional head election 2018.	on January 12, 2018, Bawaslu has summoned La Nyalla for the second time to ask him for a clarification regarding his statement saying that he was asked by Gerindra Party Chairman Prabowo Subianto to provide Rp40 billion for his candidacy in the 2018 East Java Gubernatorial election. But, he was absent failed to attend.	Bawaslu will not be in a rash in dealing with this issue. Bawaslu also needs to cooperate with the National Police and the Attorney General when the alleged violation met the criminal element.
Election of the regional head of Palangka Raya	Chairman of the East Waringin City DPRD, John Krisli-Maryono, said there was a need to pay large funds to get a recommendation for party nomination in the Palangka Raya Regional Election 2018.	the Election Supervisory Committee of Palangka Raya City sent a summons for clarification from	

²⁰ ICW Curiga Mahar Politik Pilkada 2018 untuk Biayai Pemilu 2019, <https://nasional.kompas.com/read/2018/01/16/14051741/icw-curiga-mahar-politik-pilkada-2018-untuk-biayai-pemilu-2019>, accessed 12 July 2018

Election	Issue	Bawaslu's actions	follow-up
	<p>Jhon Krisli explained that Gerindra asked to open a joint account to reach billions of rupiah, which of course did not want to be filled with him. Different if asked to provide a budget for witness fees, the cost of coaching the party is still understandable. But, according to him, if you have to prepare a budget for a joint account, of course it is questionable. He refused on the grounds that there were no rules. And worry when it is later elected, forced to corruption because it has issued a large budget</p>	<p>Jhon Krisli / Maryono.</p>	
<p>West Java regional head election</p>	<p>Dedi Mulyadi said that he was asked to hand over compensation for the party in the amount of Rp. 10 billion (the news before that was officially nominated by the Golkar and Democrats)</p> <p>In connection with the political dowry request worth Rp10 billion related to his nomination in the West Java Pilkada, he claimed to have reported the dowry to his party, Golkar.</p>	<p>although they have not received official reports, Bawaslu has asked the ranks of Bawaslu in West Java to collect data. Although the Purwakarta Regent's statement has not been proven right now, Abhan said this could be used as initial information. Bawaslu will later monitor the next stage until the nomination process.</p>	
<p>Cirebon regional head election</p>	<p>Brig. Gen. (Pol) Siswandi-Euis Fety Fatayaty claimed to have failed to be nominated by a political party in the elections. Cirebon 2018 because it cannot meet the rewards requested by the party.</p>	<p>Bawaslu will collaborate with the prosecutors and police who are members of the Integrated Law Enforcement Center (Gakumdu) team</p> <p>Because it is a criminal domain, it will be discussed by Sentra Gakumdu. Who will judge the prosecutor</p>	<p>The Integrated Law Enforcement Team (Gakkumdu) has decided that there is insufficient evidence to be determined as an election crime. Based on the chairman Gakumdu's report, it was stated that in accordance with article 47 paragraphs 1 and 5, as well as articles 187 letters b and c of Law Number 10 of 2016, an act of giving and</p>

Election	Issue	Bawaslu's actions	follow-up
		and police. They will assess whether the fulfillment of the elements of the criminal article concerning the political dowry is proven or not	receiving needs to prove the handover of the gift.
Presidential and vice presidential elections	Vice Governor Sandiaga Uno was accused of paying IDR1 trillion (around US\$70 million) in "political dowry" to secure his nomination as Prabowo Subianto's running mate. Sandiaga has finally publicly denied the political dowry allegation and asked that the media not to blow it out of proportion	Bawaslu followed up on the principal report number 01 / LP / PP / RI / 00.00 / VIII / 2018 stating that allegedly there had been monetary compensation in the form of Sandiaga Uno to PAN and PKS in the process of nominating the President and Vice President	Bawaslu decided that the vice president Sandiaga Uno would not make political dowry. This decision was taken after the Election Bawaslu said they could not proceed with the investigation because the key witness, Democratic Party Deputy Secretary General Andi Arief, who made the allegation public in the first place, has not been available for questioning.

Source : from various sources

Many acts of giving political dowry that have emerged but none have been investigated thoroughly by the Bawaslu. Bawaslu needs to announce the strengthening of authority to decide on the violation of the implementation of elections regulated in Law No. 7 of 2017 because all this time candidates are confused about who to complain to in relation to the political negotiations.

If Bawaslu feels that it is not ready to enter, many parties suggested that Bawaslu form a synergy with the Corruption Eradication Commission (KPK).²¹

On the other hand, non-governmental organizations that are active in the electoral field, the Association for Elections and Democracy (Perludem) added that the

²¹ This article has been published on Tribunnews.com under the title ICW: Bawaslu Must Handle Polemics Dedi Mulyadi, <http://www.tribunnews.com/nasional/2017/10/05/icw-bawaslu-hendak-tangani-polemik-dedi-mulyadi> , Author: Rizal Bomantama, Editor: Samuel Febrianto, accessed 26 September 2018

prohibition on giving compensation for the nomination process and recognition from several parties should be the entrance for Bawaslu to dismantle the transactional practices. As a supervisor and enforcer of electoral law, Bawaslu is a party that is very obliged to guard the election from any potential violations that injure the integrity of elections. The step of East Java Bawaslu who called La Nyalla to clarify the nomination transaction should be appreciated. Because, Bawaslu basically does not have to wait for a report. Bawaslu can start by making the recognition of prospective candidates as findings that need to be immediately followed up, Bawaslu then needs to call on all parties suspected of involvement, both witnesses, recipients, and even political party leaders concerned. Bawaslu must actively respond to this problem because the amount of political dowry required by political parties has the potential to direct the selected candidates later to practice corruption. Besides that, there is a political dowry,

also eliminating potential candidates with high integrity but limited in budget.

As stipulated in the legislation that campaign funding sources for presidential candidates (vice presidential candidates) and vice presidential candidates (vice presidential candidates), can come from three parties, namely the candidate pair itself, from the political party carrying the candidate pairs, and legitimate donations according to law from other parties. While the campaign funds that can be donated from each party has been regulated in Article 327 paragraph (1) and (2) of Law number 7 of 2017 concerning elections. The law limits individual campaign funds to a maximum of Rp 2.5 billion, while campaign finance contributions from non-government groups, companies or business entities must not exceed Rp. 25 billion. Of course this arrangement is strong enough to suspect the provision of funds that exceeds the rules as political dowry.²² Donation restrictions do not target specific parties specifically. The main objective of limiting donations is usually to

²² Further regulations are in the General Election Commission Regulation (PKPU) no.5 / 2017 article 7. The article states that campaign funds originating from political parties or combinations have a maximum value of 750 million. While donations from other parties have a maximum value of 75 million. For donations from other parties or groups / legal entities the maximum value is 750 million. This arrangement has not been able to reach the circle of practices of cross-corruption carried out by candidates for the candidate head / deputy regional head and the donors.

control the behavior of large donors who can influence the party/candidate and the whole political process it self.

4. Hope For Better Change

The hope that political parties will not be a trigger for corruption can be done by providing assistance to political parties. The addition of the budget for financial assistance to political parties (political parties) has been a discourse for a long time. As described above, the government has improved the provision of financial assistance to political parties, every legal vote obtained by a political party gets Rp108. This amount was raised through the revision of Government Regulations Number 83 of 2012 becomes Government Regulations Number 1 of 2018 to 1,078 rupiah per vote. The government hopes that the assistance will help political parties to avoid the practice of "buying and selling" candidate recommendations and can reduce the potential for alleged corruption gaps that have occurred to patch party finances. Because based on evaluation, political dowry is thought to have become one of the sources of funding for political parties, therefore the practice of giving dowry occurs a lot before the presidential or regional elections.

The provision of funding assistance to these political parties was accompanied by transparent conditions in reporting the use of funds and the involvement of financial supervisory institutions, such as the Supreme Audit Agency (BPK) and clarifying the mechanisms for reporting party accountability related to the use of these funds. Political parties have only reported to the Minister of Home Affairs, then political parties should be willing to open reports to the public with a transparent and accountable reporting system. For example, make reporting through their official website about the use of funds obtained from the APBN. When political parties are no longer busy looking for funds, they can concentrate more on carrying out higher quality cadres and developing administrative technocratic human resources. That way, political parties can prove to the public about their accountability as a public institution. This can be a momentum to increase the confidence of the people who have not been too trusting in political parties.

In addition to strengthening funding of political parties, the government also needs to realize plans to form schools for party cadres, because this program can encourage

cadres prepared by the party to be nominated to be good and high integrity leaders. So that the opportunity to become a leader is not only a monopoly for those who have money and are able to meet political costs, but also those who have been prepared to become future leaders.

Sanctions must also be imposed on parties that are proven to be irresponsible and their cadres are still corrupt in the regions or at the central level. There are two forms of sanctions that can be given to political parties. First, termination of funding for the party concerned within a certain period of time. Second, it is prohibited to participate in elections at the central or regional levels. And finally related to the funding of political parties, the need to make regulations regarding restrictions on campaign funds through regulation. There are no restrictions on spending on campaign funds in elections, both presidential elections (presidential elections) and legislative elections. Restrictions only apply to the receipt of campaign funds. Until now, there is only a local election that has restrictions on funds, which are limited

to the revenue and expenditure funds.²³

According to some studies despite some continuing concerns, signs point to a positive direction regarding local elections and exertion of democracy. Local elections are activities whereby constituents characterize themselves and how they want to be represented. With increasing participation and political awareness at the grass-roots level, local voters may be more politically knowledgeable and want to be engaged in political institutions. We may be seeing the evolution of voting behaviors, specifically in selecting candidates based on qualification, voters constraining themselves from receiving short-term incentives such as money politics, and proactively taking part in controlling the entire political process. After all, such engagement will underpin accountability between leaders and the constituents. On the other hand, from the perspective of national politics, the results of the last three local elections, especially in 2018, definitely convey alarming trends, including the ineffectiveness of political machines by political parties

²³ This article has been published on Kompas.com with the title "Tak Ada Batas Pengeluaran Dana Kampanye Pemilu", <https://nasional.kompas.com/read/2018/08/23/14513351/tak-ada-batas-pengeluaran-dana-kampanye-pemilu>. Penulis : Fitria Chusna Farisa Editor : Sabrina Asril

and polarization of public preferences over qualified technocrats/politicians. Actors and political parties should accommodate these trends to help them form strategies and maneuver in the upcoming 2019 legislative and presidential elections.

Dealing with transactions between the party and the candidate is just the tip of the iceberg. To completely tackle cash politics, attitudes have to change among the public too. Political education among the people will reduce the effectiveness of vote buying. There also have to be strict punishments on the parties who ask for cash from candidates. Likewise, candidates must be sanctioned if they engage in vote buying strategies.

For information, the government is now more serious in closing the road to corruption, which is carried out by many regional heads, especially to administer a permit. Through Government Regulation (PP) Indonesia Regulation Of The Republic Of Indonesia Number 24 2018 About Licensing Services Try Integrated Electronically gets the authority to give permission from the Minister, Governor, Regent and other officials authorized by law to be transferred to OSS Institutions. In addition to encouraging ease of investment, this

policy aims to establish a corruption prevention system in the licensing sector. This is important to reduce the existence of business agreements that are carried out before the general election as discussed.

C. Conclusion

Regulation regarding political dowry have been regulated both in the regional head election law and the presidential and legislative election laws. In the regional head elections law, the sanctions given are not limited to financial sanctions (imprisonment/fines), but also administrative. Offenders are prohibited from submitting candidates for regional heads/deputy regional heads for the next period. Other sanctions are cancellations for the determination of candidate pairs, elected candidates, and heads of regions that have been appointed. In the legislative and presidential elections law, sanctions are only limited to banning political parties from submitting presidential / vice-presidential candidates in the next period. The regulation does not mention the cancellation of the candidate pair, elected candidate, or dismissal of the president and vice president who has been appointed. Although regulations are sufficient to regulate political dowry, the process of proof is difficult.

The essence and purpose of political dowry are actually the same as money politics. Political Mahar is intended to get support from political parties to run for office, while money politics is intended to obtain support from voters. The problem of political dowry must be seen from a broader context than the impact. Not only the problem of candidates contributing to financing the election, but also must be seen from the main objectives of democratic elections and the moral and integrity issues of the electoral participants. The practice of giving and receiving political dowry cannot be separated from discussing fraud in the process of organizing elections which must be carried out democratically which is marked by legal certainty in the arrangement of each stage of the election which is formulated based on democratic principles. general election. The practice of giving political dowry has been detrimental to democracy because the owner of money has taken control of democracy, and people will be presented with a candidate who has been arranged. This broadly does not only potentially endanger the nation materially but is also not material and disrupts national/ national ideals.

Solutions offered to reduce political dowry practices are all parties in Indonesia must work seriously to find the best solution. Some of the steps that must be followed up seriously are to provide political education to its citizens, impose harsh sanctions on rogue politicians, improve the hearing and election system. If Indonesia is not serious, democracy in the country will no longer come from the people, by the people, for the people, but from the elite, by the elites, for the elites. Both the DPR and the government must immediately stop the practice of political dowry by, among other things, imposing severe sanctions through the Government Law and the Election Law. For example, those who are proven to commit political dowry to get support from any party must be disqualified from the election. Strengthening political party financial transparency and political morality must be maintained, so that the public can filter out which candidates are qualified and which are only money capital. There is political education for voters will encourage voters not to vote with money. When society becomes more mature in politics, democracy does not become expensive.

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