

Money Politics and Violations of Voters' Political Rights: An Analysis of Article 523 of Law No. 7 of 2017 on Elections

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ABSTRACT

Money politics remains one of the most significant challenges threatening the integrity of democratic elections in Indonesia because it directly affects the independence and authenticity of voters' political choices. Although elections are constitutionally guaranteed as a mechanism for exercising popular sovereignty, the practice of providing money or material benefits to influence voters continues to undermine the principles of free, honest, and fair elections. This study aims to analyze money politics as a violation of voters' political rights and examine the legal effectiveness of Article 523 of Law Number 7 of 2017 concerning General Elections as an instrument for preventing and addressing electoral manipulation. This research employs a normative legal method using a statutory approach, conceptual approach, and analytical approach. The study examines primary legal materials, particularly the 1945 Constitution of the Republic of Indonesia and Law Number 7 of 2017 concerning General Elections, supported by secondary legal materials from legal literature and academic studies. The findings indicate that money politics constitutes a violation of political rights because it disrupts voter autonomy, creates unequal political competition, and prevents elections from reflecting the genuine will of citizens. Article 523 of Law Number 7 of 2017 provides an important legal framework by criminalizing the provision or promise of money and material benefits intended to influence voters. However, its implementation faces challenges, including difficulties in proving electoral crimes, limited enforcement mechanisms, and the persistence of transactional political culture. Therefore, strengthening election law enforcement, improving institutional capacity, and increasing political awareness are necessary to ensure effective protection of voters' political rights and the realization of substantive democracy in Indonesia.

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1. INTRODUCTION

Democracy is fundamentally based on citizens' sovereign authority to determine the direction of government through free, fair,

and transparent elections. Elections function not only as a mechanism for transferring political power but also as an instrument for guaranteeing citizens' political rights, particularly the right to vote and participate in selecting public leaders. In Indonesia, these guarantees are affirmed by Article 22E of the 1945 Constitution of the Republic of Indonesia, which requires elections to be conducted directly, publicly, freely, confidentially, honestly, and fairly. These principles require electoral processes to reflect voters' genuine preferences without coercion, manipulation, or external interference.

However, the implementation of democratic elections in Indonesia continues to be threatened by money politics, namely the provision of money, goods, services, or other material benefits to influence voters' choices and electoral outcomes. This practice converts political participation into a transactional relationship and shifts voters' considerations away from candidates' programs, qualifications, and public interests toward temporary economic benefits. Money politics violates electoral fairness, threatens voters' dignity, and may encourage political corruption because candidates with greater financial resources can obtain improper electoral advantages [1]. Its persistence is also influenced by patronage, clientelism, weak political education, low public awareness, and social norms that increasingly normalize the exchange of material benefits for political support [2], [3].

To address this problem, Law Number 7 of 2017 concerning General Elections prohibits money politics and establishes criminal sanctions for perpetrators [4]. Article 523 specifically applies to individuals who intentionally promise or provide money or other material benefits to influence voters during the electoral process. Nevertheless, its enforcement remains constrained by difficulties in proving the elements of the offense, limited evidence, indirect transaction mechanisms, the involvement of multiple actors, and a political culture that tolerates such practices [3]. Consequently, although Article 523 provides an important legal foundation, its

effectiveness depends on stronger law enforcement, improved political education, greater public participation, and consistent efforts to prevent the normalization of money politics.

From a legal perspective, the regulation of money politics requires a comprehensive analysis of the relationship between electoral crimes and the protection of constitutional political rights. This issue concerns not only the punishment of individuals who distribute money or material benefits but also the state's responsibility to ensure that citizens can exercise their political rights freely and without manipulation. Money politics is generally understood as the distribution of money, goods, or other benefits intended to influence voter behavior, thereby violating the principles of electoral freedom and fairness [4]. Although Article 523 of Law Number 7 of 2017 criminalizes such conduct and provides imprisonment and financial penalties, its effectiveness in preventing violations of voters' rights and supporting substantive democracy remains questionable [4].

Money politics directly infringes upon voters' political rights because financial inducements may pressure or influence citizens to make electoral decisions that do not reflect their genuine preferences [5]. This practice also weakens public confidence in elections and democratic institutions by creating distrust toward electoral processes and elected officials [6]. Previous studies have examined money politics from the perspectives of electoral governance, political behavior, and law enforcement effectiveness; however, deeper normative legal analysis is still required to explain its legal construction as a violation of political rights. Enforcement remains constrained by fragmented regulations, weak institutional coordination, inadequate legal definitions, and difficulties in obtaining sufficient evidence, which frequently result in the dismissal of reported cases [6], [7].

Based on this background, this normative legal study aims to analyze money politics as a violation of voters' political rights, examine the regulation and application

of Article 523 of Law Number 7 of 2017, and identify the challenges affecting its enforcement. The research examines statutory regulations, legal concepts, and relevant legal literature to assess the adequacy and effectiveness of existing electoral criminal provisions. Specifically, it addresses how money politics violates voters' rights, how Article 523 functions as a preventive legal instrument, and what factors limit its effectiveness. The study is expected to contribute to election law discourse and recommend stronger supervision, legal education, institutional coordination, electoral-official recruitment, and law enforcement mechanisms to protect voters' rights and uphold democratic freedom, fairness, and integrity [6].

2. METHODS

This study employs a normative legal research method (doctrinal legal research) to examine legal norms, principles, doctrines, and statutory provisions concerning money politics and the protection of voters' political rights in Indonesia. The research analyzes law as a system of authoritative rules governing electoral conduct and providing standards for evaluating violations of democratic rights. The main focus is Article 523 of Law Number 7 of 2017 concerning General Elections and its consistency with the principles of direct, public, free, confidential, honest, and fair elections stipulated in Article 22E paragraph (1) of the 1945 Constitution of the Republic of Indonesia. This study does not involve surveys, interviews, or other empirical data collection.

The research applies statutory, conceptual, and analytical approaches. The statutory approach examines the 1945 Constitution, Law Number 7 of 2017, regulations concerning election supervision and electoral crime enforcement, and relevant judicial decisions. The conceptual approach analyzes political rights, electoral integrity, voter autonomy, democratic legitimacy, and free and fair elections. Meanwhile, the analytical approach evaluates the elements, purpose, scope, and enforcement challenges

of Article 523. The legal materials consist of primary materials, including legislation and judicial decisions; secondary materials, such as books, journal articles, research reports, and academic publications; and tertiary materials, including legal dictionaries, encyclopedias, and official institutional publications.

Legal materials are collected through library research and documentary study by identifying, reviewing, and classifying relevant legislation, legal literature, institutional documents, and scholarly discussions. The collected materials are analyzed using qualitative juridical analysis through grammatical, systematic, and conceptual interpretation. The analysis compares applicable legal norms with constitutional principles of democracy, electoral justice, and the protection of voters' political rights. Conclusions are then drawn deductively, proceeding from general legal principles to specific findings regarding the adequacy and effectiveness of Article 523 of Law Number 7 of 2017 in preventing money politics and protecting voters from electoral manipulation.

3. RESULTS AND DISCUSSION

3.1 The Legal Construction of Money Politics as an Electoral Crime Under Indonesian Election Law

Money politics constitutes a serious electoral crime because it directly undermines the principles of free and fair elections. Under Law Number 7 of 2017 concerning General Elections, money politics is prohibited because it involves the provision or promise of money and other material benefits to influence voters' political choices. Article 523 provides the legal basis for imposing imprisonment and fines on perpetrators, while subsequent regulatory developments have reinforced the importance of protecting electoral integrity [4], [8]. This criminalization confirms that elections are constitutional mechanisms for realizing popular sovereignty rather than merely administrative procedures for selecting public officials.

The legal elements of money politics under Article 523 include the act of giving or promising material benefits, the intention to influence voters, and the occurrence of the act within the electoral process. These elements are closely related to Article 22E paragraph (1) of the 1945 Constitution, which requires elections to be conducted directly, publicly, freely, confidentially, honestly, and fairly. Money politics violates voter autonomy, creates unequal competition among candidates, and transforms political participation into a transactional exchange. It also weakens public confidence, delegitimizes electoral outcomes, and contributes to the development of transactional political culture and poor-quality leadership [9].

However, enforcement of Article 523 continues to face substantial challenges. Many reported cases are dismissed because of difficulties in proving the perpetrator's intention and obtaining sufficient evidence, particularly when material inducements are disguised as social assistance, donations, or community support [6]. Bawaslu and other law enforcement institutions also face limited resources, weak coordination, and low public legal awareness [9], [10]. Therefore, effective enforcement requires a comprehensive interpretation of the offense, stronger evidentiary mechanisms, improved institutional capacity, and greater public participation in preventing electoral violations.

3.2 Money Politics as a Violation of Voters' Political Rights

The analysis demonstrates that money politics directly violates voters' political rights because it undermines their freedom and independence in determining electoral choices. Political rights are not limited to the formal act of voting but also include the substantive freedom to evaluate candidates, political programs, and public policies without manipulation. Money politics disrupts this autonomy by introducing financial or material incentives that may cause voters' decisions to reflect short-term economic considerations rather than genuine political preferences.

From the perspective of democratic theory, money politics also violates political equality because candidates with greater financial resources can obtain unfair electoral advantages. This practice strengthens political oligarchies, limits the representation of marginalized groups, and creates voter dependency on material incentives [2], [11]. It also weakens electoral integrity by encouraging voters to prioritize immediate benefits over informed political judgment, thereby delegitimizing election results and reinforcing a transactional political culture [9].

The consequences of money politics extend beyond individual transactions because they affect the legitimacy and accountability of elected institutions. Representatives who gain power through financial inducements may prioritize personal or group interests over public welfare, particularly when political support is treated as a financial investment [1]. Therefore, money politics constitutes a broader violation of democratic rights that damages the relationship between citizens and the state, weakens representative democracy, and requires stronger law enforcement, political education, and civic awareness to prevent its normalization [1], [2].

3.3 The Effectiveness of Article 523 of Law Number 7 of 2017 in Preventing Money Politics

Article 523 of Law Number 7 of 2017 reflects Indonesia's commitment to combating money politics through criminal law. Normatively, this provision prohibits the use of money or other material benefits to influence voters and imposes criminal sanctions on perpetrators. It functions both as a deterrent against transactional electoral practices and as a source of legal certainty for Bawaslu and other law enforcement institutions in addressing vote buying and protecting electoral integrity.

However, the effectiveness of Article 523 is limited by evidentiary and interpretative difficulties. Money politics generally occurs through concealed transactions involving few participants, while

both perpetrators and recipients may be reluctant to report the offense. Existing evidence-gathering mechanisms are also considered insufficient, making prosecution difficult and requiring stronger institutional capacity [12]. In addition, material benefits may be disguised as goods, social assistance, community events, or future promises, creating uncertainty in distinguishing legitimate campaign activities from prohibited electoral transactions.

Institutional coordination also remains a significant obstacle because overlapping or unclear authority between Bawaslu and law enforcement agencies can weaken accountability and delay case handling [13]. Therefore, the effective implementation of Article 523 requires clearer institutional authority, stronger coordination among supervisory bodies, investigators, prosecutors, and courts, improved evidence-collection capacity, and consistent legal interpretation. Public political education and community engagement are also necessary to reduce social acceptance of money politics and strengthen electoral integrity [12].

3.4 Challenges in Enforcing Money Politics Regulations in Indonesia

Although Indonesia has established a legal framework prohibiting money politics, its enforcement remains constrained by the normalization of transactional political culture. In some communities, distributing money or goods during elections is perceived as an ordinary form of political interaction rather than a serious democratic violation. This entrenched practice creates an environment in which candidates and voters accept the exchange of material benefits for political support, thereby weakening electoral integrity and perpetuating transactional politics [9].

Economic vulnerability and limited political education further contribute to the persistence of money politics. Voters facing financial hardship may consider immediate material assistance more valuable than long-term democratic interests, making them vulnerable to exploitation by political actors

[1]. At the same time, insufficient understanding of electoral rights and democratic processes may cause voters to accept corrupt practices without recognizing their broader consequences for political accountability and governance [12].

Election supervision is also complicated by the involvement of informal networks, community relationships, and local intermediaries in distributing material benefits. These mechanisms make it difficult for authorities to identify the principal actors responsible for electoral manipulation. Therefore, combating money politics requires stronger supervisory institutions, including greater institutional capacity for Bawaslu [14], broader civic and political education [1], and active community participation in reporting violations and promoting electoral accountability [15].

3.5 Strengthening Legal Protection for Voters' Political Rights Through Electoral Reform

The protection of voters' political rights requires continuous reform of Indonesia's electoral legal system. Although Article 523 of Law Number 7 of 2017 provides an important legal foundation for preventing money politics, clearer criteria are needed to identify electoral offenses, including practices occurring outside the official campaign period [16]. Strengthening the legal framework, investigative capacity, evidence-gathering procedures, and coordination among Bawaslu, law enforcement agencies, and the judiciary is essential to ensure that perpetrators are effectively prosecuted [4], [17], [18] Sasongko et al., 2024). Election supervisory institutions must also be supported with adequate resources, professional expertise, and effective coordination mechanisms to prevent money politics before it undermines electoral integrity.

Political education should become an integral component of electoral reform by encouraging citizens to recognize that accepting money or material benefits in exchange for political support ultimately weakens their own political rights. Voters

should be encouraged to evaluate candidates based on their competence, integrity, and policy commitments rather than short-term material incentives [1], [17]. At the same time, greater transparency and accountability in campaign financing should be promoted through mandatory disclosure of funding sources and independent oversight of campaign expenditures to reduce illegal financial practices in elections [18]. Therefore, protecting voters' political rights requires a comprehensive strategy that integrates stronger legal enforcement, institutional capacity, democratic education, and transparent political financing to ensure that citizens can exercise their electoral choices freely and independently.

4. CONCLUSION

Money politics constitutes a serious threat to democratic governance because it undermines free and fair elections, violates

voters' political rights, and weakens voter autonomy, political equality, and electoral legitimacy. Article 523 of Law Number 7 of 2017 provides an essential legal basis for criminalizing the provision or promise of money and material benefits intended to influence voters, thereby supporting the constitutional principles of freedom, honesty, and fairness under Article 22E paragraph (1) of the 1945 Constitution. However, its effectiveness remains constrained by evidentiary difficulties, indirect electoral transactions, weak institutional coordination, and the persistence of transactional political culture. Therefore, protecting voters' political rights requires not only consistent enforcement of Article 523 but also stronger electoral supervision, transparent campaign financing, improved institutional cooperation, and continuous political education to ensure that elections genuinely reflect citizens' sovereign and independent political choices.

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