

Money Politics Disguised as The Distribution of Basic Food Packages in Regional Head Elections

Putra Jiddan Nafis¹, Fifiana Wisnaeni²

^{1,2}Master of Law, Faculty of Law, Universitas Diponegoro

ABSTRACT: Money politics remains one of the most persistent threats to democratic consolidation in Indonesia, particularly in regional head elections where electoral competition frequently encourages candidates to exchange material benefits for political support. The distribution of basic food packages has increasingly emerged as a sophisticated form of vote buying because it is often presented as charitable assistance, social solidarity, or community welfare rather than as an explicit electoral incentive. Such practices create significant legal and evidentiary challenges because the material benefits are commonly delivered through indirect networks, social organizations, volunteer groups, or community leaders, making it difficult to establish the causal relationship between the distribution of goods and electoral preferences. This article critically examines the legal construction of money politics disguised as the distribution of basic food packages and evaluates the effectiveness of law enforcement in addressing such practices during regional head elections in Indonesia. The research employs a normative juridical method using statutory, conceptual, and comparative approaches supported by secondary legal materials consisting of legislation, judicial decisions, scholarly literature, and international studies concerning vote buying and electoral integrity. The analysis demonstrates that the distribution of basic food packages cannot be assessed solely on the basis of its charitable appearance but must instead be evaluated through the broader context of electoral timing, political intention, beneficiary targeting, and the existence of direct or indirect electoral expectations. Existing regulatory frameworks have established prohibitions against vote buying; however, fragmented legal interpretation, inconsistent evidentiary standards, institutional coordination problems, and the increasing sophistication of political actors have substantially weakened enforcement effectiveness. Electoral integrity therefore depends not only on formal legal prohibitions but also on adaptive legal interpretation capable of identifying concealed transactional relationships that undermine democratic equality and voter autonomy. The article argues that strengthening electoral justice requires an integrated enforcement model combining contextual evidence assessment, institutional collaboration, public participation, and regulatory reform capable of responding to increasingly disguised forms of electoral corruption. Such an approach is expected to reinforce democratic accountability while protecting the constitutional principles of free, fair, and competitive regional elections.

KEYWORDS: Money Politics; Basic Food Package Distribution; Regional Head Elections.

I. INTRODUCTION

Electoral democracy is fundamentally designed to ensure that political authority is acquired through the free expression of citizens' preferences rather than through material inducements or coercive practices. Democratic legitimacy depends not only on the existence of periodic elections but also on the preservation of electoral integrity throughout every stage of the electoral process (Norris, 2014). Electoral competition consequently requires legal and institutional safeguards capable of preventing candidates from transforming economic inequality into political advantage (IDEA, 2020). Money politics therefore represents one of the most significant obstacles to the realization of substantive democracy because it distorts political equality and weakens the independence of voters' decision-making.

Money politics has gradually evolved from direct cash payments into more sophisticated forms of material distribution that are intentionally designed to avoid legal sanctions and public scrutiny (Schaffer, 2007). Basic food packages have become one of the most frequently utilized instruments because they can easily be portrayed as humanitarian assistance, social solidarity, or philanthropic activity rather than electoral transactions (Aspinall & Berenschot, 2019). Political actors increasingly exploit this ambiguity to establish reciprocal relationships with voters while minimizing the evidentiary risks associated with conventional vote buying. Electoral manipulation therefore no longer depends exclusively on explicit monetary exchanges but increasingly relies on disguised material incentives that generate comparable political effects.

Regional head elections in Indonesia present particularly fertile conditions for the development of concealed money politics because electoral contests are highly personalized and frequently characterized by intense competition among candidates.

Money Politics Disguised as The Distribution of Basic Food Packages in Regional Head Elections

Patronage networks continue to influence political mobilization in many local communities where personal relationships often carry greater political significance than ideological preferences (Aspinall & Sukmajati, 2016). Material assistance distributed shortly before election day frequently becomes embedded within local social interactions, thereby blurring the distinction between social generosity and electoral inducement. Legal uncertainty consequently emerges when law enforcement agencies attempt to determine whether a particular distribution constitutes legitimate charitable activity or prohibited vote buying.

Indonesian electoral legislation formally prohibits every form of material inducement intended to influence voters' electoral choices. Law Number 10 of 2016 concerning Regional Head Elections and Law Number 7 of 2017 concerning General Elections establish criminal and administrative sanctions against money politics in order to protect electoral fairness and equal political competition. Practical enforcement nevertheless remains considerably more complicated because political actors rarely communicate explicit requests for electoral support during the distribution of material benefits (Santoso, 2020). Evidentiary limitations frequently prevent investigators from demonstrating the intentional relationship between material assistance and electoral expectations.

Legal interpretation becomes increasingly challenging because the distribution of basic food packages may simultaneously satisfy humanitarian objectives and political interests. Natural disasters, economic hardship, and increasing social vulnerability create legitimate circumstances in which individuals, organizations, and political figures provide assistance to affected communities. Electoral periods nevertheless transform otherwise lawful charitable activities into legally sensitive conduct whenever assistance is selectively directed toward prospective voters or accompanied by implicit political messaging (Hicken, 2011). Contextual evaluation therefore becomes indispensable for distinguishing genuine social assistance from concealed electoral transactions.

Contemporary scholarship increasingly recognizes that vote buying should not be understood merely as the physical transfer of money or goods but rather as a transactional relationship intended to influence political behavior (Stokes et al., 2013). Material value constitutes only one element within a broader exchange involving expectations of reciprocity, political loyalty, and future electoral support. Hidden transactions frequently produce stronger political influence than explicit payments because recipients perceive moral obligations that cannot easily be measured through conventional legal evidence. Electoral justice consequently requires analytical frameworks capable of identifying indirect forms of political exchange rather than limiting legal assessment to visible financial transactions.

Empirical studies concerning Indonesian elections demonstrate that material incentives remain deeply embedded within local political competition despite repeated legal reforms and institutional strengthening initiatives (Aspinall & Sukmajati, 2016). Candidates increasingly employ intermediaries including volunteers, community organizations, religious associations, and neighborhood leaders to distribute assistance while distancing themselves from direct legal responsibility. Organizational fragmentation substantially complicates attribution because multiple actors participate in distribution activities without leaving explicit documentary evidence connecting them to electoral candidates. Conventional investigative approaches therefore struggle to address increasingly sophisticated patterns of disguised vote buying.

The persistence of disguised money politics illustrates a broader structural challenge concerning the relationship between law, political culture, and democratic accountability. Formal legal prohibitions alone cannot eliminate electoral misconduct when enforcement mechanisms remain dependent upon rigid evidentiary standards that fail to capture indirect political transactions (Norris, 2014). Institutional effectiveness ultimately depends upon the capacity of electoral supervisory bodies, law enforcement agencies, and judicial institutions to interpret electoral misconduct within its broader political context rather than through isolated factual events. Democratic consolidation consequently requires legal innovation capable of responding to increasingly adaptive strategies employed by political actors.

Regional head elections represent one of the most dynamic arenas of democratic contestation because political competition occurs within close social relationships that facilitate direct interaction between candidates and voters. Personal familiarity frequently reduces ideological considerations and encourages electoral choices based upon reciprocal obligations, emotional attachment, and community expectations rather than policy evaluation (Surbakti, 2013). Patronage consequently becomes an effective political instrument because candidates are able to mobilize social influence through informal networks that extend beyond formal campaign organizations. Electoral exchanges therefore develop within everyday social interactions that often appear legally and culturally acceptable despite producing significant democratic distortions.

Clientelism provides an important theoretical framework for explaining why the distribution of basic food packages remains politically effective during regional elections. Clientelistic relationships are characterized by asymmetric exchanges in which political actors provide selective material benefits in anticipation of political loyalty from recipients rather than universal public welfare (Kitschelt & Wilkinson, 2007). Material assistance functions not merely as economic support but also as a symbolic representation of political commitment that strengthens expectations of reciprocity among beneficiaries. Democratic accountability consequently shifts from programmatic evaluation toward personalized exchanges that privilege immediate economic interests over long-term public policy.

Money Politics Disguised as The Distribution of Basic Food Packages in Regional Head Elections

Contemporary studies further demonstrate that clientelistic exchanges have adapted to institutional reforms by becoming increasingly indirect and difficult to detect through conventional legal mechanisms. Political actors rarely communicate explicit requests for electoral support because such statements could easily satisfy the evidentiary requirements of criminal prosecution (Stokes et al., 2013). Volunteer organizations, religious communities, charitable foundations, and neighborhood associations frequently become intermediaries through which material assistance is distributed while preserving plausible deniability for electoral candidates. Evidentiary assessment therefore requires contextual analysis capable of identifying coordinated political behavior rather than relying exclusively upon direct verbal agreements between candidates and voters. Electoral integrity constitutes another essential analytical perspective because democratic elections cannot be evaluated solely according to procedural compliance with statutory regulations. Electoral integrity requires every stage of the electoral process to preserve political equality, transparency, fairness, and genuine voter autonomy regardless of whether formal legal violations can be conclusively established (Norris, 2014). Material inducements undermine these democratic principles by introducing unequal economic influence into political competition even when disguised as humanitarian assistance. Electoral justice consequently depends upon substantive assessment of political conduct rather than mechanical application of statutory provisions alone.

The distribution of basic food packages illustrates the increasingly blurred boundary between legitimate philanthropy and prohibited electoral inducement. Charitable activities ordinarily represent socially desirable conduct that contributes to community welfare and reflects constitutional values concerning social solidarity. Electoral contexts nevertheless alter the legal significance of identical actions because timing, recipient selection, campaign symbolism, and political affiliation may collectively transform humanitarian assistance into concealed vote buying (Schaffer, 2007). Legal interpretation therefore cannot isolate material distribution from its surrounding political circumstances if electoral integrity is to be effectively protected.

Indonesian law has attempted to criminalize money politics through various legislative instruments that prohibit candidates and campaign teams from providing money or other material benefits intended to influence electoral choices. Statutory regulation nevertheless remains predominantly oriented toward proving direct causal relationships between material transfers and explicit electoral promises, creating substantial evidentiary obstacles in cases involving indirect political transactions (Isra, 2020). Investigators frequently encounter difficulties when candidates deny organizational involvement and intermediaries refuse to acknowledge political instructions. Enforcement outcomes consequently depend upon evidentiary standards that often fail to capture sophisticated forms of concealed electoral influence.

Institutional coordination further complicates enforcement because electoral supervision involves multiple authorities possessing different legal mandates and evidentiary responsibilities. The Election Supervisory Agency, the police, and public prosecutors frequently apply different interpretative standards when evaluating identical factual circumstances, producing inconsistent legal outcomes that reduce public confidence in electoral justice (Bawaslu RI, 2023). Divergent institutional perspectives also create uncertainty concerning the threshold required to establish intentional electoral inducement. Legal certainty consequently becomes increasingly difficult to achieve despite the existence of comprehensive statutory prohibitions against money politics.

Comparative experience demonstrates that concealed vote buying represents a common challenge across many democratic jurisdictions rather than an exclusively Indonesian phenomenon. Electoral studies conducted in Asia, Latin America, and Africa reveal that material incentives increasingly appear in forms resembling welfare assistance, charitable donations, disaster relief, or community development initiatives that complicate legal classification (Hicken, 2011). Regulatory systems emphasizing contextual evaluation generally demonstrate greater capacity to identify disguised electoral transactions than approaches relying exclusively upon direct documentary evidence. Comparative scholarship therefore provides valuable insights for strengthening Indonesian electoral law while preserving legitimate humanitarian activities during election periods.

Existing academic literature has extensively examined vote buying, patronage politics, and electoral clientelism in Indonesia. Limited attention has nevertheless been devoted to the specific legal construction of basic food package distribution as a disguised form of money politics, particularly within the framework of regional head elections where interpersonal political relationships remain exceptionally influential. Previous studies have also tended to emphasize sociological explanations while devoting comparatively less analysis to the interaction between evidentiary standards, legal interpretation, and institutional enforcement. An important research gap therefore persists regarding the analytical criteria required to distinguish lawful social assistance from prohibited electoral inducement.

This article addresses that research gap by examining the legal characteristics of basic food package distribution through the combined perspectives of electoral integrity, clientelism, and democratic accountability. Analytical attention is directed toward identifying the contextual indicators that reveal concealed transactional relationships despite the absence of explicit monetary exchanges or verbal electoral agreements. Critical evaluation is also undertaken to assess whether the existing enforcement framework adequately responds to increasingly sophisticated strategies employed by political actors during regional head elections. The findings are expected to contribute both to the development of Indonesian electoral law and to broader comparative

Money Politics Disguised as The Distribution of Basic Food Packages in Regional Head Elections

discussions concerning the regulation of disguised vote buying within contemporary democratic systems.

The constitutional foundation of democratic elections requires every citizen to exercise political rights freely without economic pressure or material dependency. Constitutional guarantees concerning popular sovereignty lose substantive meaning when electoral preferences are shaped by selective material incentives rather than informed political judgment (Fahmi, 2021). Equal political participation consequently demands not only universal voting rights but also institutional protection against practices capable of distorting voter autonomy through economic influence. Democratic legitimacy therefore depends upon the ability of legal institutions to preserve fairness throughout the entire electoral process.

Material inducements distributed during electoral periods produce broader consequences than merely influencing individual voting behavior. Electoral competition gradually transforms into a contest of financial resources in which candidates possessing greater economic capacity acquire disproportionate political advantages over competitors emphasizing policy platforms and governance programs (Norris, 2014). Public confidence in democratic institutions correspondingly declines because electoral outcomes become increasingly associated with transactional exchanges rather than representative accountability. Political equality consequently deteriorates as economic disparities become directly translated into electoral influence. The distribution of basic food packages also generates complex ethical implications because recipients frequently experience conflicting social obligations. Economic vulnerability encourages beneficiaries to accept material assistance while simultaneously creating psychological expectations of reciprocity toward those providing such assistance (Stokes et al., 2013). Reciprocal expectations often emerge without explicit political instructions, making electoral influence substantially more difficult to identify through conventional legal analysis. Democratic freedom therefore becomes compromised by subtle social pressures operating beneath the threshold of formal legal violations.

Judicial interpretation plays a decisive role in determining whether concealed material distribution satisfies the legal elements of money politics. Courts increasingly encounter disputes requiring evaluation of indirect evidence, behavioral patterns, institutional coordination, and surrounding political circumstances rather than straightforward documentary proof of electoral transactions (Isra, 2020). Rigid evidentiary approaches risk excluding sophisticated forms of electoral manipulation that intentionally avoid explicit agreements while nevertheless producing equivalent political consequences. Progressive legal interpretation consequently becomes essential for preserving the substantive objectives underlying electoral regulation. Regulatory effectiveness should likewise be evaluated according to its capacity to discourage adaptive political misconduct rather than merely increasing the number of criminal prosecutions. Political actors consistently modify campaign strategies in response to evolving legal standards, creating an ongoing interaction between regulatory reform and electoral innovation (Aspinall & Berenschot, 2019). Enforcement institutions therefore require analytical flexibility capable of recognizing emerging patterns of concealed vote buying before such practices become normalized within democratic competition. Institutional adaptability represents an indispensable component of sustainable electoral governance.

Public participation further constitutes an essential element in strengthening electoral integrity because supervisory institutions cannot independently monitor every electoral interaction occurring across geographically dispersed communities. Citizens, civil society organizations, academic institutions, and mass media collectively contribute to identifying patterns of disguised electoral misconduct through independent observation and public reporting (IDEA, 2020). Community engagement simultaneously promotes broader understanding regarding the distinction between legitimate social assistance and prohibited political inducement. Democratic resilience consequently depends upon collaborative oversight extending beyond formal state institutions.

This research ultimately argues that the legal qualification of basic food package distribution should not depend exclusively upon the physical transfer of material goods but upon the existence of contextual indicators demonstrating electoral intention and reciprocal political expectations. Analytical assessment should incorporate the timing of distribution, the identity of beneficiaries, institutional relationships among participating actors, campaign symbolism, communication patterns, and the broader electoral environment surrounding the activity (Schaffer, 2007). Such an approach enables law enforcement institutions to distinguish genuine humanitarian assistance from concealed electoral transactions without undermining legitimate charitable initiatives undertaken outside political objectives. The discussion that follows therefore examines the legal construction of disguised money politics and critically evaluates the effectiveness of Indonesian law in responding to increasingly sophisticated forms of electoral manipulation during regional head elections.

II. FORMULATION OF THE PROBLEM

- 1) How should the distribution of basic food packages during regional head elections be legally construed as a form of disguised money politics under Indonesian electoral law?
- 2) How effective is the enforcement of Indonesian electoral law in addressing money politics disguised as the distribution of basic food packages during regional head elections?

III. RESEARCH METHOD

This study employs a normative juridical research method to examine the legal construction of money politics disguised as the distribution of basic food packages during regional head elections. Normative legal research is considered appropriate because the principal issues concern the interpretation of statutory provisions, legal principles, and doctrinal concepts governing electoral integrity and democratic accountability (Marzuki, 2021). Analytical emphasis is placed upon identifying the normative boundaries separating legitimate social assistance from prohibited electoral inducement within the Indonesian electoral legal framework. Legal reasoning therefore becomes the primary instrument for evaluating whether existing regulations adequately address increasingly sophisticated forms of disguised vote buying.

The research adopts statutory, conceptual, and comparative approaches to provide a comprehensive legal analysis of the issues under examination. The statutory approach examines relevant Indonesian legislation governing regional head elections, electoral supervision, and criminal sanctions against money politics, while the conceptual approach analyzes theories of electoral integrity, clientelism, democratic legitimacy, and vote buying developed within contemporary legal scholarship (Norris, 2014; Kitschelt & Wilkinson, 2007). Comparative analysis is incorporated to evaluate international perspectives concerning the regulation of concealed electoral inducements and to identify analytical standards applicable within the Indonesian legal context. The combination of these approaches enables a systematic assessment of both normative consistency and practical enforcement challenges.

The research relies exclusively on secondary legal materials consisting of primary, secondary, and tertiary legal sources. Primary legal materials include the 1945 Constitution of the Republic of Indonesia, Law Number 10 of 2016 concerning Regional Head Elections, Law Number 7 of 2017 concerning General Elections, relevant regulations issued by the General Election Commission and the Election Supervisory Agency, and selected judicial decisions relating to electoral violations. Secondary legal materials comprise scholarly books, peer-reviewed national and international journal articles, and academic commentaries discussing electoral law, democratic governance, and political clientelism. Tertiary legal materials, including legal dictionaries and encyclopedic references, are utilized to strengthen conceptual clarification and ensure terminological consistency throughout the analysis.

Legal materials are analyzed using qualitative legal analysis through deductive reasoning supported by systematic statutory interpretation and doctrinal examination. Analytical interpretation emphasizes contextual assessment of legal norms rather than literal textual interpretation alone because disguised money politics frequently manifests through indirect political behavior that cannot be adequately evaluated using formalistic evidentiary approaches. Critical examination is undertaken to identify normative inconsistencies, institutional limitations, and interpretative gaps affecting the effectiveness of electoral law enforcement in Indonesia. The study ultimately formulates legal arguments intended to contribute to the development of a more adaptive regulatory framework capable of protecting electoral integrity against increasingly concealed forms of transactional politics.

IV. DISCUSSION

A. The Distribution of Basic Food Packages During Regional Head Elections Be Legally Construed as a Form of Disguised Money Politics under Indonesian Electoral Law

Money politics should not be narrowly interpreted as the direct transfer of cash from candidates to voters because such an interpretation no longer reflects the contemporary dynamics of electoral manipulation. Electoral competition has encouraged political actors to adopt increasingly sophisticated strategies that conceal transactional relationships beneath activities appearing socially acceptable or humanitarian (Schaffer, 2007). Basic food package distribution illustrates this transformation because the material benefit remains capable of influencing electoral preferences despite being presented as charitable assistance rather than explicit political compensation. Legal construction must therefore focus upon the substantive purpose and contextual implications of material distribution rather than its outward appearance alone.

Indonesian electoral law recognizes that money politics encompasses not only monetary payments but also the provision of goods or other material benefits intended to influence electoral behavior. Law Number 10 of 2016 concerning Regional Head Elections prohibits candidates and campaign teams from promising or giving money or other material benefits to voters as consideration for electoral support. Legislative formulation demonstrates that the prohibited object extends beyond cash because electoral influence may equally arise from goods possessing economic value, including basic food packages distributed during campaign periods (Santoso, 2020). Statutory interpretation consequently requires evaluation of whether material assistance functions as an electoral incentive rather than merely identifying the physical form of the benefit provided.

The legal meaning of basic food package distribution cannot be determined independently from the broader electoral context in which the activity occurs. Material assistance provided during ordinary social circumstances may constitute legitimate charitable conduct consistent with constitutional values concerning social welfare and community solidarity. Electoral periods fundamentally alter this legal assessment because political competition creates opportunities for humanitarian activities to become

Money Politics Disguised as The Distribution of Basic Food Packages in Regional Head Elections

instruments of electoral persuasion directed toward prospective voters (Marzuki, 2021). Context therefore becomes a decisive interpretative element for distinguishing lawful philanthropy from prohibited electoral inducement.

Temporal proximity between material distribution and election day represents one of the most significant contextual indicators supporting the legal characterization of disguised money politics. Distribution undertaken shortly before voting generally possesses greater potential to influence voter behavior because beneficiaries are expected to exercise their electoral rights within a relatively short period after receiving material assistance (Hicken, 2011). Political actors intentionally exploit this temporal relationship to maximize psychological reciprocity while minimizing opportunities for public scrutiny and legal intervention. Timing alone may not establish legal liability, yet it substantially strengthens the inference that material assistance serves electoral objectives rather than purely humanitarian purposes.

Recipient selection likewise provides important evidence regarding the true character of basic food package distribution. Universal humanitarian assistance ordinarily targets beneficiaries according to objective socioeconomic criteria without considering political affiliation or electoral relevance. Selective distribution confined to eligible voters, strategically important electoral districts, or communities possessing substantial voting influence indicates that material assistance has been integrated into broader electoral mobilization strategies (Aspinall & Berenschot, 2019). Patterns of beneficiary selection therefore reveal political intention even when explicit campaign messages are intentionally omitted during distribution activities.

Electoral intention should also be inferred from the organizational structure through which material assistance is delivered. Contemporary vote-buying practices rarely involve direct interaction between candidates and voters because intermediary actors significantly reduce the legal exposure of electoral contestants (Stokes et al., 2013). Volunteer organizations, campaign sympathizers, neighborhood leaders, religious associations, and community groups frequently function as distribution networks while maintaining formal separation from official campaign organizations. Organizational distance consequently cannot automatically eliminate legal responsibility when evidence demonstrates coordinated political objectives underlying the distribution process.

The theory of clientelism provides a persuasive analytical foundation for understanding why basic food package distribution constitutes a form of disguised money politics despite the absence of explicit contractual agreements. Clientelistic exchange operates through reciprocal expectations rather than legally enforceable obligations, allowing political actors to cultivate electoral loyalty by providing selective material benefits before voting occurs (Kitschelt & Wilkinson, 2007). Beneficiaries commonly perceive moral responsibilities to reciprocate generosity even without direct requests for electoral support because social norms encourage repayment of received assistance. Political influence therefore arises through psychological and social mechanisms that remain legally significant despite their indirect character.

Electoral integrity requires legal interpretation capable of addressing concealed political transactions that undermine democratic equality without leaving conventional evidentiary traces. Democratic elections cannot be regarded as free and fair when economic resources systematically influence electoral preferences through carefully disguised material exchanges (Norris, 2014). Formal compliance with campaign regulations becomes insufficient whenever candidates intentionally exploit humanitarian narratives to conceal electoral inducements. Legal construction should consequently prioritize the protection of voter autonomy and equal political competition over excessively literal interpretation of statutory language.

Substantive legal interpretation is consistent with the broader objectives of Indonesian electoral legislation, which seeks to preserve honest and fair elections rather than merely punish overt electoral misconduct. Restricting money politics exclusively to direct cash payments would create substantial regulatory gaps because political actors could easily substitute goods, vouchers, social assistance, or charitable donations while producing identical electoral consequences (Isra, 2020). Such an approach would undermine legislative purpose by allowing sophisticated electoral manipulation to escape legal accountability through semantic or procedural modifications. Indonesian electoral law should therefore be interpreted dynamically so that the legal prohibition evolves alongside increasingly adaptive patterns of political clientelism.

The legal qualification of disguised money politics should be established through the cumulative assessment of both objective and subjective legal elements. Objective elements relate to the existence of material benefits, the identity of recipients, the timing of distribution, and the relationship between the distribution activity and the electoral process. Subjective elements concern the intention of political actors to obtain electoral support through the provision of economic benefits rather than through legitimate public service or humanitarian action (Marzuki, 2021). Comprehensive legal analysis therefore requires the integration of factual circumstances with normative interpretation instead of examining each evidentiary element in isolation.

Intent occupies a central position in determining whether the distribution of basic food packages constitutes prohibited electoral conduct. Criminal liability in electoral law does not merely arise from the physical transfer of goods but from the existence of a deliberate objective to influence electoral preferences through material inducements (Santoso, 2020). Explicit statements requesting electoral support rarely accompany contemporary vote-buying practices because sophisticated political actors intentionally avoid creating direct incriminating evidence. Judicial assessment should consequently infer intent from the overall pattern of conduct, institutional coordination, and surrounding political circumstances rather than requiring direct verbal

Money Politics Disguised as The Distribution of Basic Food Packages in Regional Head Elections

admissions from the alleged perpetrators.

The statutory prohibition against promising or giving material benefits should likewise be interpreted according to its substantive legislative purpose. Legislative language seeks to prevent unequal political influence generated through economic resources rather than limiting sanctions exclusively to conventional cash transactions. Basic food packages possess measurable economic value capable of producing electoral influence comparable to direct financial payments because they satisfy immediate household needs and generate reciprocal expectations among recipients (Schaffer, 2007). Functional equivalence therefore provides a persuasive basis for treating material assistance as an object of money politics under Indonesian electoral law.

Electoral influence frequently develops through implicit communication rather than explicit campaign instructions. Political symbols displayed on food packages, references to candidate identities, coordinated distribution by campaign volunteers, or repeated public narratives emphasizing the generosity of particular candidates collectively communicate electoral expectations despite the absence of direct requests for votes (Aspinall & Sukmajati, 2016). Implicit communication often produces stronger persuasive effects because recipients voluntarily internalize feelings of gratitude and social obligation. Legal interpretation should therefore recognize symbolic political messaging as relevant contextual evidence when evaluating disguised vote-buying practices.

The evidentiary standard applied in electoral law should reflect the evolving characteristics of contemporary political corruption. Conventional evidentiary approaches emphasizing written agreements or direct witness testimony frequently fail to capture concealed electoral transactions deliberately structured to avoid formal documentation (Norris, 2014). Circumstantial evidence, consistent behavioral patterns, financial relationships, communication networks, and organizational coordination collectively possess significant probative value when examined through systematic legal reasoning. Contextual evidentiary assessment consequently strengthens the capacity of law enforcement institutions to respond effectively to increasingly sophisticated electoral misconduct.

Constitutional principles concerning equality before the law and democratic participation further reinforce the necessity of adopting a purposive interpretation of electoral legislation. Candidates possessing substantial financial resources should not obtain disproportionate electoral advantages through material distributions disguised as charitable activities because such practices undermine equal political opportunity guaranteed within democratic governance (Fahmi, 2021). Electoral fairness cannot be preserved when legal interpretation permits identical political consequences merely because the material benefit is delivered in a different physical form. Constitutional values therefore require regulatory interpretation that protects substantive democratic equality rather than formal procedural compliance alone.

Comparative legal scholarship similarly recognizes that vote buying extends beyond direct monetary transactions. Electoral regulatory frameworks in numerous democratic jurisdictions increasingly evaluate political intention, contextual indicators, and patterns of reciprocal exchange instead of limiting legal analysis to explicit financial transfers (Hicken, 2011). International experience demonstrates that political actors consistently modify the form of electoral inducements in response to legislative reform while preserving the underlying objective of influencing voter behavior. Comparative analysis therefore supports a dynamic interpretation of Indonesian electoral law capable of addressing emerging forms of disguised political transactions.

The distribution of basic food packages should not automatically be classified as money politics solely because it occurs during an electoral period. Humanitarian assistance provided without electoral objectives remains legally and constitutionally protected because citizens retain the freedom to engage in charitable activities and social solidarity. Distinguishing lawful philanthropy from prohibited electoral inducement consequently requires careful examination of contextual indicators including distribution timing, beneficiary selection, campaign affiliation, organizational coordination, communication patterns, and the reasonable expectation of electoral reciprocity (Kitschelt & Wilkinson, 2007). Balanced legal interpretation protects both democratic integrity and legitimate humanitarian initiatives without creating excessive restrictions upon social welfare activities.

Indonesian electoral law should therefore adopt a contextual model of legal construction capable of identifying concealed transactional relationships beneath apparently lawful charitable conduct. Such a model reflects the reality that electoral corruption has evolved into increasingly adaptive forms designed to circumvent traditional evidentiary standards and regulatory oversight. Effective legal protection of electoral integrity ultimately depends upon the willingness of courts, electoral supervisory institutions, and law enforcement agencies to prioritize substantive democratic values over narrow textual formalism (Isra, 2020). The distribution of basic food packages during regional head elections can therefore be legally construed as disguised money politics whenever objective circumstances and contextual evidence collectively demonstrate that the material assistance is intended to obtain electoral advantage rather than to fulfill genuine humanitarian purposes.

B. The Effectivity of Enforcement of Indonesian Electoral Law in Addressing Money Politics Disguised as the Distribution of Basic Food Packages During Regional Head Elections

The effectiveness of electoral law enforcement cannot be measured solely by the number of violations investigated or prosecuted because formal enforcement statistics do not necessarily reflect the actual prevalence of electoral misconduct. Electoral integrity requires enforcement mechanisms capable of identifying, investigating, and sanctioning increasingly sophisticated forms of

Money Politics Disguised as The Distribution of Basic Food Packages in Regional Head Elections

political manipulation that intentionally avoid conventional legal scrutiny (Norris, 2014). The distribution of basic food packages presents a particularly complex challenge because material assistance may simultaneously possess humanitarian characteristics and electoral implications. Legal effectiveness should therefore be evaluated according to the capacity of enforcement institutions to distinguish legitimate social activities from concealed political transactions.

Indonesian electoral law has established a comprehensive institutional framework involving the Election Supervisory Agency (Bawaslu), the Integrated Law Enforcement Center (Gakkumdu), the Indonesian National Police, and the Public Prosecutor's Office. Institutional collaboration was intended to ensure that electoral violations receive coordinated legal responses from the stages of investigation through criminal prosecution. Practical implementation nevertheless demonstrates that institutional coordination frequently encounters differences in legal interpretation, evidentiary assessment, and procedural priorities that reduce enforcement consistency (Bawaslu RI, 2023). Organizational complexity consequently creates uncertainty regarding the legal standards applicable to disguised money politics.

One of the principal weaknesses in enforcement concerns the evidentiary threshold required to establish electoral intent. Investigators generally succeed in proving that basic food packages were distributed to members of the community during the electoral period. Demonstrating that the distribution was specifically intended to influence voting behavior remains substantially more difficult because candidates rarely provide explicit instructions requesting electoral support in exchange for material assistance (Santoso, 2020). Criminal prosecution consequently encounters significant obstacles whenever direct evidence becomes the dominant basis for legal evaluation.

Sophisticated political actors increasingly rely upon intermediary networks to distance themselves from potentially unlawful electoral activities. Volunteers, community organizations, neighborhood associations, charitable foundations, and informal political supporters frequently organize distribution activities without establishing formal legal relationships with official campaign structures (Aspinall & Berenschot, 2019). Organizational fragmentation complicates attribution because each participant performs only a limited role within the broader distribution process. Legal responsibility therefore becomes increasingly difficult to establish despite the existence of coordinated electoral objectives.

The doctrine of proof applied within criminal law also influences the effectiveness of electoral law enforcement. Criminal liability traditionally requires convincing evidence establishing every legal element beyond reasonable doubt, thereby protecting individual rights against arbitrary prosecution. Electoral corruption involving disguised material inducements rarely produces direct documentary evidence because political actors intentionally design transactions to remain informal, decentralized, and verbally communicated (Schaffer, 2007). Strict evidentiary requirements consequently create substantial opportunities for sophisticated vote-buying practices to avoid criminal accountability.

Institutional interpretation frequently differs regarding the legal significance of contextual evidence. Electoral supervisory authorities may regard distribution timing, campaign symbolism, and beneficiary selection as sufficient indicators of electoral intention, whereas criminal investigators may require more explicit proof directly connecting candidates with unlawful instructions (Marzuki, 2021). Divergent interpretative approaches generate inconsistent legal outcomes despite substantially similar factual circumstances. Public confidence in electoral justice consequently declines when comparable cases receive contradictory legal treatment.

Another significant challenge concerns the distinction between legitimate social assistance and disguised electoral inducement. Indonesia regularly experiences natural disasters, economic instability, and localized social hardship requiring charitable intervention from individuals, businesses, and civil society organizations. Political candidates often participate in humanitarian activities before and during electoral periods, making it difficult to determine whether assistance reflects genuine public concern or strategic electoral mobilization (Hicken, 2011). Legal certainty therefore depends upon objective contextual criteria rather than subjective assumptions concerning political motivation.

Socioeconomic conditions further contribute to the persistence of disguised money politics despite increasingly comprehensive legal regulation. Economic vulnerability encourages many voters to accept material assistance because immediate household needs frequently outweigh abstract democratic considerations. Material benefits distributed shortly before election day consequently possess considerable persuasive value even when recipients understand that such assistance may contain political objectives (Stokes et al., 2013). Law enforcement alone cannot eliminate electoral corruption when structural socioeconomic inequalities continue to facilitate transactional political relationships.

Political culture also influences enforcement effectiveness because clientelistic exchanges remain socially tolerated within certain communities. Material assistance is often interpreted as generosity, gratitude, or communal solidarity rather than as an unlawful attempt to influence electoral preferences. Social acceptance reduces reporting rates because beneficiaries frequently perceive no legal or ethical obligation to challenge practices that have become culturally normalized (Aspinall & Sukmajati, 2016). Institutional supervision therefore becomes substantially more difficult in environments where electoral clientelism is regarded as ordinary political behavior rather than democratic misconduct.

Institutional effectiveness should also be assessed from the capacity of the Integrated Law Enforcement Center

Money Politics Disguised as The Distribution of Basic Food Packages in Regional Head Elections

(Gakkumdu) to harmonize investigative and prosecutorial perspectives throughout the enforcement process. Gakkumdu was established to eliminate fragmented law enforcement by integrating the authority of Bawaslu, the police, and public prosecutors into a coordinated institutional framework. Practical experience nevertheless indicates that differences in evidentiary standards and legal interpretation frequently delay investigations or terminate cases before reaching judicial examination (Bawaslu RI, 2023). Institutional integration therefore remains procedurally comprehensive but substantively constrained by inconsistent legal reasoning among participating agencies.

Regulatory limitations further reduce enforcement effectiveness because existing electoral legislation provides only limited guidance regarding the contextual indicators necessary to identify disguised money politics. Statutory provisions generally prohibit the giving or promising of money or other material benefits without comprehensively defining the analytical parameters required to distinguish legitimate humanitarian assistance from concealed electoral inducement. Law enforcement institutions consequently exercise broad discretionary authority when interpreting similar factual situations, thereby increasing the likelihood of inconsistent legal outcomes (Isra, 2020). Greater normative precision is therefore required to improve legal certainty while preserving judicial independence.

The absence of explicit statutory criteria concerning contextual assessment has encouraged excessive reliance upon direct evidence in electoral investigations. Such an evidentiary orientation no longer corresponds to the operational characteristics of contemporary vote-buying practices because political actors intentionally avoid creating documentary or verbal evidence directly connecting material assistance with electoral expectations (Schaffer, 2007). Circumstantial evidence should therefore receive greater judicial recognition when supported by coherent factual patterns demonstrating coordinated political conduct. Contextual reasoning enables legal institutions to evaluate concealed electoral transactions without abandoning the fundamental principles of criminal justice.

Comparative electoral governance demonstrates that effective regulation of disguised vote buying depends upon institutional adaptability rather than merely increasing criminal sanctions. Democratic jurisdictions experiencing similar clientelistic practices have gradually expanded the use of contextual analysis, financial tracing, communication mapping, and coordinated investigative techniques to identify indirect electoral inducements (Hicken, 2011). Such approaches acknowledge that sophisticated electoral corruption rarely manifests through isolated unlawful acts but instead develops through interconnected patterns of political behavior. Indonesian electoral law would therefore benefit from strengthening analytical capacity alongside procedural reform.

Preventive strategies should receive equal attention because enforcement after electoral violations occur cannot fully restore democratic legitimacy. Public education concerning electoral ethics, civic responsibility, and the long-term consequences of transactional politics contributes to reducing social tolerance toward disguised money politics. Community participation also strengthens institutional supervision by increasing the likelihood that concealed electoral practices will be reported before producing irreversible political consequences (Norris, 2014). Sustainable electoral integrity consequently requires the integration of preventive and repressive measures within a comprehensive regulatory framework.

Institutional cooperation with civil society organizations, universities, professional associations, and the mass media further enhances the effectiveness of electoral oversight. Independent monitoring expands the availability of information regarding distribution patterns, campaign activities, and potential conflicts between humanitarian assistance and electoral interests. Public transparency simultaneously discourages political actors from exploiting charitable activities for electoral purposes because increased public scrutiny raises both legal and reputational risks (IDEA, 2020). Collaborative governance therefore represents an essential component of modern electoral supervision.

Digital technology also provides opportunities to strengthen electoral law enforcement against disguised money politics. Electronic documentation, geospatial mapping of distribution activities, digital complaint systems, and financial transaction analysis enable supervisory institutions to identify patterns that may remain invisible through conventional investigative techniques. Technological innovation should nevertheless complement rather than replace contextual legal analysis because digital evidence cannot independently establish electoral intention without comprehensive evaluation of surrounding circumstances (Aspinall & Berenschot, 2019). Institutional modernization consequently requires simultaneous investment in technological capacity and legal expertise.

Future regulatory reform should prioritize the development of interpretative guidelines that clearly identify objective indicators of disguised electoral inducement. Such indicators may include the timing of distribution, beneficiary targeting, campaign affiliation, repeated distribution patterns, political messaging, organizational coordination, and the existence of electoral expectations inferred from the surrounding circumstances. Standardized analytical criteria would improve consistency among supervisory authorities, investigators, prosecutors, and judges while reducing uncertainty concerning the legal qualification of material assistance (Marzuki, 2021). Regulatory clarity therefore enhances both legal certainty and democratic accountability.

The effectiveness of Indonesian electoral law in addressing money politics disguised as the distribution of basic food packages remains limited despite the existence of comprehensive statutory prohibitions. Institutional fragmentation, restrictive

Money Politics Disguised as The Distribution of Basic Food Packages in Regional Head Elections

evidentiary practices, contextual ambiguity, socioeconomic vulnerability, and adaptive clientelistic strategies collectively weaken the practical implementation of electoral law. Meaningful improvement requires not only legislative refinement but also the adoption of contextual legal interpretation, stronger interinstitutional coordination, enhanced public participation, and preventive democratic education capable of reducing social acceptance of transactional politics (Stokes et al., 2013). Electoral law enforcement will become genuinely effective only when it is capable of responding to the evolving realities of disguised political corruption while consistently safeguarding the constitutional principles of free, fair, and democratic regional head elections.

V. CONCLUSIONS

The distribution of basic food packages during regional head elections cannot be assessed solely according to its outward humanitarian appearance because electoral legality depends upon the broader political context surrounding the activity. Contextual indicators including the timing of distribution, beneficiary selection, organizational coordination, campaign affiliation, and the existence of reciprocal electoral expectations collectively determine whether material assistance constitutes disguised money politics under Indonesian electoral law. Substantive legal interpretation is therefore essential to prevent political actors from circumventing statutory prohibitions through increasingly sophisticated forms of material inducement. Democratic elections require legal reasoning that prioritizes electoral integrity and voter autonomy rather than limiting legal assessment to the physical form of the distributed benefit.

The study further demonstrates that the effectiveness of Indonesian electoral law remains constrained by several structural and institutional limitations. Restrictive evidentiary standards, fragmented institutional coordination, inconsistent legal interpretation, and the adaptive evolution of clientelistic practices collectively weaken the practical enforcement of statutory prohibitions against money politics. Socioeconomic vulnerability and the continuing social acceptance of patronage politics further reduce the deterrent effect of existing legal sanctions because transactional political relationships remain embedded within local electoral culture. Formal legal regulation alone is therefore insufficient to address increasingly concealed forms of electoral corruption.

Strengthening electoral law enforcement requires a comprehensive regulatory approach integrating substantive legal interpretation, contextual evidentiary assessment, institutional coordination, and preventive democratic governance. Law enforcement authorities should recognize circumstantial evidence, behavioral patterns, organizational relationships, and political context as complementary evidentiary instruments capable of revealing concealed electoral transactions while remaining consistent with the principles of due process and legal certainty. Legislative reform should also provide clearer interpretative guidance regarding the legal indicators distinguishing legitimate humanitarian assistance from prohibited electoral inducement during regional head elections. Sustainable electoral integrity ultimately depends upon the combined commitment of regulatory institutions, law enforcement agencies, civil society, and citizens to preserve democratic competition from the distortive influence of disguised money politics and to reinforce constitutional principles guaranteeing free, fair, honest, and accountable elections.

REFERENCES

- 1) Aspinall, E., & Berenschot, W. (2019). *Democracy for Sale: Elections, Clientelism, and the State in Indonesia*. Ithaca, NY: Cornell University Press.
- 2) Aspinall, E., & Sukmajati, M. (Eds.). (2016). *Electoral Dynamics in Indonesia: Money Politics, Patronage and Clientelism at the Grassroots*. Singapore: NUS Press.
- 3) Badan Pengawas Pemilihan Umum Republik Indonesia. (2023). *Laporan Kinerja Badan Pengawas Pemilihan Umum Republik Indonesia Tahun 2023*. Jakarta: Bawaslu RI.
- 4) Fahmi, K. (2016). *Pemilihan Umum dan Kedaulatan Rakyat*. Jakarta: Rajawali Pers.
- 5) Hicken, A. (2011). Clientelism. *Annual Review of Political Science*, 14, 289–310. <https://doi.org/10.1146/annurev.polisci.031908.220508>
- 6) International Institute for Democracy and Electoral Assistance (IDEA). (2020). *Electoral Integrity Assessment Framework*. Stockholm: International IDEA.
- 7) Isra, S. (2020). *Pemilihan Umum yang Demokratis: Prinsip-Prinsip dalam Konstitusi Indonesia*. Depok: Rajawali Pers.
- 8) Kitschelt, H., & Wilkinson, S. I. (Eds.). (2007). *Patrons, Clients, and Policies: Patterns of Democratic Accountability and Political Competition*. Cambridge: Cambridge University Press.
- 9) Marzuki, P. M. (2021). *Penelitian Hukum (Revisi ed.)*. Jakarta: Kencana.
- 10) Norris, P. (2014). *Why Electoral Integrity Matters*. New York: Cambridge University Press.
- 11) Republic of Indonesia. (1945). *The 1945 Constitution of the Republic of Indonesia*.
- 12) Republic of Indonesia. (2016). Law Number 10 of 2016 concerning the Second Amendment to Law Number 1 of 2015 on the Election of Governors, Regents, and Mayors.
- 13) Republic of Indonesia. (2017). Law Number 7 of 2017 concerning General Elections.
- 14) Schaffer, F. C. (Ed.). (2007). *Elections for Sale: The Causes and Consequences of Vote Buying*. Boulder, CO: Lynne

Money Politics Disguised as The Distribution of Basic Food Packages in Regional Head Elections

Rienner Publishers.

- 15) Stokes, S. C., Dunning, T., Nazareno, M., & Brusco, V. (2013). Brokers, Voters, and Clientelism: The Puzzle of
- 16) Distributive Politics. New York: Cambridge University Press.



There is an Open Access article, distributed under the term of the Creative Commons Attribution – Non-Commercial 4.0 International (CC BY-NC 4.0) (<https://creativecommons.org/licenses/by-nc/4.0/>), which permits remixing, adapting and building upon the work for non-commercial use, provided the original work is properly cited.