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OPTIMIZING THE ROLE OF NORTH SUMATERA BAWASLU IN COMBATING MONEY POLITICS: A LEGAL AND EMPIRICAL ANALYSIS

Haura Nurfadilla Lubis¹, Rizkan Zulyadi², Mirza Nasution³
Master of Law, Universitas Medan Area, Medan, Indonesia¹²³

hauralubis12@gmail.com¹, rizkan@staff.uma.ac.id², mirzanasution72@gmail.com³

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ABSTRACT

This study analyzes the optimization of the function of the General Election Supervisory Agency (Bawaslu) in law enforcement of money politics crimes in the election, with a case study at the North Sumatra Provincial Bawaslu Office. Money politics is an election criminal offense that threatens the legitimacy of election results and the quality of democracy. This research uses normative juridical approaches and empirical juridical approaches through in-depth interviews and document studies. The results of the study show that the form of law enforcement carried out by Bawaslu includes administrative, criminal, and code of ethics aspects. Steps to resolve money politics cases are carried out through the mechanism of the Integrated Law Enforcement Center (Gakkumdu) involving Bawaslu, the Police, and the Prosecutor's Office with strict time limits. However, optimizing the role of Bawaslu still faces legal obstacles (differences in election and regional election regulations, short deadlines) and non-legal obstacles (limited human resources, budget, cross-agency coordination, and low community legal culture). This study concludes that it is necessary to harmonize regulations, increase institutional capacity, strengthen coordination, and community participation so that law enforcement of money political crimes can run effectively and realize elections with integrity.

Key words: *Bawaslu, Money Politics, Law Enforcement.*

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*Corresponding author:
hauralubis12@gmail.com

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INTRODUCTION

General Elections (Elections) are a fundamental foundation in the modern democratic system, serving as the main instrument to realize people's sovereignty through an orderly, peaceful, and constitutional process of change of power. As affirmed in Article 1 paragraph 2 of the 1945 Constitution of the Republic of Indonesia, sovereignty is in the hands of the people and is carried out according to the Constitution (Rakyat & Jenderal, 2006). This principle of people's sovereignty, as outlined by (D. Rousseau, 1995), affirms that the supreme power in a country is in the hands of the people, and the government functions as an extension of the will of the people who must act in accordance with the public interest. In the Indonesian context, elections are held every five years to elect the president and vice president, members of the House of Representatives, the Regional Representative Council, and the Regional House of Representatives, based on the principles of direct, public, free, secret, honesty, and fairness (Arrsa, 2014).

However, the journey of the implementation of elections in Indonesia since the reform era shows that this democratic process is inseparable from various challenges and violations. The post-reform elections, especially the 1999 and 2004 elections, marked a significant change from the New Order era involving only three political parties, to a political contest involving many parties that represented the diversity of people's aspirations (Liddle, 1992). Although this political pluralism enriches democratic practices, violations in elections remain a serious problem that threatens the legitimacy of election results and public trust in the democratic process itself (Yanuarti, 2018). These violations can be in the form of violations of the organizer's code of ethics, administrative violations, and more serious election crimes (Abiyasa, 2019).

The phenomenon of violations in the implementation of elections indicates that there is a significant gap between the normative level contained in laws and regulations and the empirical level in the field (Areza et al., 2023). (Friedman, 2019) In his theory of the legal system, he explains that the effectiveness of law enforcement is determined by three main elements: the structure of the law, the substance of the law, and the culture of

the law. Failure in the enforcement of election laws is allegedly influenced by the ineffectiveness of the existing legal structure, the substance of the law that is not clear in its implementation, and the legal culture of the community that has not fully supported honest and fair election practices (Indriany & Achmad, 2021). This gap becomes increasingly problematic when it is associated with the rampant practice of money politics that occurs in various regions of Indonesia, including North Sumatra Province.

Money politics is one of the forms of election crimes that most damage the integrity of democracy. This practice not only involves giving money directly to voters, but has also developed in various modes such as the distribution of goods or gifts, the provision of certain facilities, to material assistance aimed at influencing people's political choices (Maulana, 2021). The impact of money politics is very broad and systemic, ranging from the emergence of incompetent leaders because they are elected not based on quality but because of financial ability, public policies that tend to benefit the interests of certain groups, to the weakening of public perception of democracy which is only considered as a formality of political interests (Nabila et al., 2020).

In the context of law enforcement of election crimes, the General Election Supervisory Agency (Bawaslu) has a very strategic position. As an institution formed based on the mandate of the constitution and specifically regulated in Law Number 7 of 2017 concerning General Elections, Bawaslu has the authority to receive reports of violations, conduct examinations, mediation, and adjudication in handling election disputes (Nasution et al., 2023). Bawaslu also functions as the front line in preventing and cracking down on various forms of election violations, including money politics, through the supervisory function attached to it (Anwar, 2019). The existence of Bawaslu as an independent and permanent election supervisory institution should be a guarantee for the implementation of clean and integrity elections.

However, the effectiveness of Bawaslu in carrying out its duties and functions is still often questioned. Empirically, many reports of election violations have not been resolved completely or have not been followed up firmly, so that they do not have a deterrent effect for violators (Heradiansah, 2017). Data on

election violations in North Sumatra Province shows an alarming phenomenon. Based on data from the North Sumatra Provincial Bawaslu, in the 2019 election there were 45 registered reports and 5 findings, with various types of violations spread across 33 districts/cities (North Sumatra Provincial Bawaslu, 2019). In the 2024 election, the number of violations even showed an increase with 128 registered reports and 45 findings, including administrative violations (13 cases), code of ethics (52 cases), criminal (2 cases), and other violations of the law (7 cases).

The main challenges faced by Bawaslu in law enforcement of money political crimes are very complex. First, from the normative aspect, proving the elements of money politics requires a high standard of proof, while the practice is often carried out behind closed doors and hidden (Fahmi, 2015). Second, the very short handling time in the speedy trial mechanism often makes it difficult for Bawaslu and the Integrated Law Enforcement Center (Gakkumdu) to collect sufficient evidence before the deadline expires (Lubis et al., 2020). Third, low public participation in reporting money political violations, both due to fear of social risks and due to a lack of understanding of reporting procedures, is a serious obstacle in law enforcement efforts (Kuntag et al., 2023).

In addition, Bawaslu also faces various internal and external obstacles that hinder the optimization of its performance. Internal constraints include the limitation of competent human resources in the field of investigation of election violations, the use of suboptimal surveillance technology, and a high workload with the number of cases increasing every period. On the other hand, external obstacles include less synergistic coordination between law enforcement agencies within the Gakkumdu Center, resistance from parties with political interests, to slow and convoluted bureaucratic processes (Cantika & Mustikaningsih, 2026). This condition often has an impact on the ability of Bawaslu to detect, investigate, and resolve election violations thoroughly and in a timely manner.

Interestingly, the efforts to optimize law enforcement by Bawaslu have a close correlation with the basic principles of law put forward by Hans Kelsen in his pure theory of law. (Kelsen, 2019) Explains that the law must be autonomous and free from the intervention of things outside of it, such as religion, politics,

and culture, so that the law can be applied according to what is desired. In the context of election supervision, Bawaslu as a supervisory institution has the scope of work to ensure that there are no determinations of interests, whether the interests of individuals, organizations, or certain political groups. Kelsen's pure legal theory can be drawn into practical problems to support the completion and strengthening of the implementation of the law broadly and objectively in the enforcement of election crimes (Puspita & Arfa'i, 2023).

Further, (Friedman, 2019) Through the theory of the legal system, it provides a comprehensive analytical framework to understand various problems of election law enforcement. Friedman emphasized that the effectiveness of law enforcement is highly dependent on three components: legal structure (law enforcement institutions including Bawaslu, the police, and the prosecutor's office), legal substance (rules and regulations governing election crimes), and legal culture (people's attitudes and legal awareness towards honest and fair elections). In the context of North Sumatra Province, these three components still show significant weaknesses. The legal structure is faced with coordination across institutions that is not optimal, the substance of the law still leaves ambiguity in the interpretation of the elements of money politics, while the legal culture of the community that still considers money politics as a commonplace is the biggest challenge in prevention efforts (Syafriadi & Santri, 2023).

North Sumatra Province as the locus of this research has unique and relevant characteristics to be studied. As one of the provinces with the largest population in Indonesia and a high level of political participation, North Sumatra also recorded a significant number of election violations in every election (Lubis et al., 2020). Based on data from the Bawaslu of North Sumatra Province, South Nias Regency, Central Tapanuli Regency, and Deli Serdang Regency are the areas with the highest level of violations, especially in the category of violations of the code of ethics and criminal code. Diverse geographical conditions, ranging from urban areas such as Medan City to remote archipelago areas such as the Nias Islands, add to the complexity of the supervisory tasks that must be carried out by Bawaslu.

The practice of money politics in North

Sumatra shows a systematic and structured pattern. Based on court decisions that have permanent legal force, the modus operandi used varies from giving cash directly to voters, distributing basic necessities with attributes of certain parties or candidates, to providing facilities and economic facilities in exchange for voting commitments (Silambi et al., 2023). In the 2019 election, there were 5 incidents of money politics crimes that have obtained permanent legal rulings in North Sumatra Province, with details of 3 decisions violating Article 523 paragraph (2) of Law Number 7 of 2017 and 2 other decisions violating Article 523 paragraph (3) (Interview with the Coordinator of Handling Violations of the North Sumatra Provincial Bawaslu, 2025). Meanwhile, in the 2024 election, there was 1 incident of money politics that occurred in Sibolga City which was declared to have violated Article 523 paragraph (1) of Law Number 7 of 2017.

The Integrated Law Enforcement Center (Gakkumdu), which is a coordination forum between Bawaslu, the Police, and the Prosecutor's Office, was established to handle election crimes quickly, coordinated, and effectively (Kusuma et al., 2019). This mechanism is regulated in Law Number 7 of 2017 and aims to avoid sectoral egos and differences in interpretation in determining whether there is an element of election crime or not (Muhammad, 2022). However, the implementation of the Gakkumdu Center in North Sumatra Province still faces various challenges, including differences in perceptions among law enforcement elements regarding elements of money political crimes, as well as limited time provided for the discussion and investigation process (Alhuda, 2022).

It is interesting to note that although there has been a structured law enforcement mechanism through the Gakkumdu Center, the effectiveness of handling money politics crimes is still far from expectations. (Seac, 2022) explained that the institution of election supervision which is national and structured is a constitutional mandate, but the authority given to Bawaslu in several aspects is still limited. This limitation of authority is especially seen in the case that Bawaslu cannot make forced summonses, does not have direct investigation authority, and is highly dependent on coordination with the police and

prosecutor's office in the criminal law enforcement process. This condition causes the law enforcement process to be slow and often cannot be completed before the next stage of the election begins.

Furthermore, the overlapping regulatory issue between the election legal regime and the regional election legal regime also complicates law enforcement efforts. Differences in norms, delicacy formulations, and legal subjects that can be charged in money politics between elections and regional elections give birth to regulatory derivative products that are not completely uniform, in the form of Bawaslu Regulations and technical instructions that have different regulatory patterns and operational standards. The implication is that there is a difference in the pattern of handling cases between election crimes and election crimes, both in terms of the process flow, handling deadlines, and coordination mechanisms across elements in the Gakkumdu Center. This of course hinders efforts to optimize the function of Bawaslu in law enforcement of money political crimes.

The legal culture of the community is also a determining factor that is no less important. (Friedman, 2005) emphasized that law enforcement will be difficult to implement if the legal culture in society is still weak. In North Sumatra Province, the practice of money politics is still often considered a common part of political contestation, even considered by some people as a form of candidate's concern for the needs of the people (Syaputra, 2018). This erroneous view needs to be corrected through massive political education and socialization, which unfortunately has not yet become a top priority in the prevention strategy carried out by Bawaslu. Public awareness to reject money politics and dare to report the practice to the competent authorities is still very low, so many cases of money politics go undetected and not processed legally (Indriany & Achmad, 2021).

In the midst of these various challenges, efforts to optimize the function of Bawaslu are a necessity. Optimization not only means increasing the internal capacity of Bawaslu through improving human resources and supervision infrastructure, but also includes strengthening a regulatory framework that is more responsive to the dynamics of money political practices, increasing coordination and harmonization of perceptions among elements

of the Gakkumdu Center, as well as developing prevention strategies that involve active community participation. As stated by (Pound, 1910), the law must be seen as a tool of social engineering that aims to maintain order and justice in society. In the context of elections, law enforcement against money politics crimes is not only about sanctioning violators, but also about building collective awareness that the practice of money politics damages the joints of democracy and hinders the realization of a clean and authoritative government.

The importance of this research lies in the urgency to systematically identify various problems faced by the North Sumatra Provincial Bawaslu in carrying out the function of supervision and law enforcement of money political crimes. This research also aims to find applicative and contextual solutions that can increase the effectiveness of election supervision and election criminal law enforcement in the North Sumatra region, which has distinctive socio-political and geographical characteristics. By using the legal system theory approach of (Friedman, 2019) and pure legal theory from Hans Kelsen, this study will analyze in depth how the role of Bawaslu should be optimized in the framework of effective law enforcement, as well as identify various legal and non-legal obstacles that hinder the performance of the North Sumatra Provincial Bawaslu.

Thus, this research is expected to make a significant contribution to the development of legal science, especially in the field of election law and supervisory law, as well as provide concrete policy recommendations for Bawaslu, the government, and the House of Representatives in formulating election regulations that are more effective and responsive to the challenges of law enforcement of money politics. More than that, this research is also expected to encourage the realization of cleaner, fairer, and more democratic elections in Indonesia, which in turn will strengthen the legitimacy of democracy and public trust in the political process in the country.

METHODOLOGY

This study uses a combination of normative juridical approaches and empirical juridical approaches (Jonaedi Efendi et al., 2018). The normative juridical approach is applied to examine law as a written rule in laws and

regulations (law in books) and as a rule that becomes a guideline for behavior. The analysis in this approach is focused on primary legal materials such as the 1945 Constitution, Law Number 7 of 2017 concerning General Elections, and the General Election Supervisory Agency Regulations. In addition, secondary legal materials in the form of literature, books, papers, and scientific journals relevant to the research topic are also examined in depth. This approach aims to understand the legal framework that underlies the role and function of Bawaslu in law enforcement of money political crimes.

Meanwhile, an empirical juridical approach is used to analyze the application of law in the field (law in action). Primary data was collected through direct interviews with parties involved in the process of monitoring and enforcing election laws in North Sumatra Province, such as members of Bawaslu, police officers, and prosecutors who are members of the Integrated Law Enforcement Center (Gakkumdu). This approach provides an understanding of how laws and regulations are applied in real practice as well as the challenges faced in the field. The nature of this research is descriptive analytical, which aims to provide an in-depth picture of the conditions, problems, and phenomena related to optimizing the role of Bawaslu.

This research was carried out at the Office of the General Election Supervisory Agency (Bawaslu) of North Sumatra Province, which was chosen as the main location for data collection because of its relevance to the research topic. The research period lasted from January to June 2024, a period chosen to ensure the completeness of data collection in accordance with research needs. The selection of location and time aims to facilitate data access and provide a real picture that the research is actually being carried out at the place and time that has been set.

The data sources in this study consist of primary data and secondary data. Primary data were obtained through direct interviews with research informants. Secondary data was obtained through literature studies that included primary legal materials (laws and regulations), secondary legal materials (books, journals, and scientific papers), and tertiary legal materials (legal dictionaries and encyclopedias). The research informants were selected purposively based on their

understanding and mastery of the situation and conditions that became the background of the research. The informant consists of three elements: key informants, namely members of the North Sumatra Provincial Bawaslu (Coordinator of the Violation Handling Division), the main informant, namely the Head of the Violation Handling and Dispute Resolution Section, and one staff in the violation handling section of the North Sumatra Provincial Bawaslu.

The data collection technique is carried out in two ways. First, library research by reviewing various legal literature, journals, and laws and regulations to build a strong theoretical framework. Second, field research through in-depth interviews with informants to obtain valid empirical data. Data analysis is carried out in a qualitative descriptive manner, starting with grouping data that have similarities, interpreting each sub-aspect, and looking for relationships between aspects. Before being analyzed, the collected data is checked and evaluated to ensure its validity. After that, the data is analyzed and systematized qualitatively to find the main themes that are the basis for formulating answers to research problems.

RESULT AND DISCUSSION

1. Forms of Law Enforcement of Election Crimes in North Sumatra Province

Law enforcement of election crimes by the North Sumatra Provincial Bawaslu includes three main forms: administrative law enforcement, criminal law enforcement, and law enforcement of the code of ethics. These three forms run simultaneously in accordance with the categorization of violations regulated in Law Number 7 of 2017 and Bawaslu Regulation Number 7 of 2022.

Table 1. Form of Law Enforcement of Election Crimes by the North Sumatra Provincial Bawaslu

No.	Forms of Law Enforcement	Focus of Supervision	Legal Basis	Examples of Cases in North Sumatra
1	Administrative	Conformity of election procedures and technical requirements	Law No.7/2017 Article 461-468	Lack of distribution of ballots in Medan Amplas, Medan Johor, West Medan,

No.	Category	Specifics	Legal Basis	Locations and Cases
2	Criminal	Election crimes such as money politics, intimidation, vote manipulation	Law No.7/2017 Article 515-532	Medan Helvetia (2019 Election) 5 cases of money politics (2019): North Padang Lawas, Gunungsitoli, Tanjung Balai, Deli Serdang, Humbang Hasundutan; 1 case (2024) in Sibolga City
3	Code of Conduct	Neutrality of election organizers (KPU, Bawaslu, DKPP)	Law No.7/2017 Article 458; DKPP Regulations	52 cases of code of ethics violations in various districts/cities (2024), the highest in South Nias, Central Tapanuli, Deli Serdang

Source: Processed data from the North Sumatra Provincial Bawaslu, 2024

Administrative law enforcement is carried out by Bawaslu to ensure that each stage of the election runs according to the standard operating procedures (SOP) set by the KPU. Based on field findings, in the 2019 election there was an administrative violation in the form of a lack of distribution of ballots in several sub-districts in Medan City, which resulted in voters only receiving less than five types of ballots. Bawaslu conducted a study and recommended procedural improvements to the KPU. However, of the 11 cases of administrative violations reported, only 9 were designated as violations, while 2 others were declared not to meet the elements.

Criminal law enforcement is the main focus because it concerns the crime of money politics that most damages the integrity of democracy. The results of the interview with the North Sumatra Bawaslu Violation Handling Coordinator revealed that in the 2019 election

there were 5 incidents of money politics crimes that had obtained a verdict with permanent legal force (*inkracht van gewijsde*). Three decisions were declared to have violated Article 523 paragraph (2) of Law No. 7/2017 concerning the provision of money or materials during a quiet period, with a maximum prison sentence of 4 years and a maximum fine of Rp48 million. The other two rulings violated Article 523 paragraph (3) concerning the giving of money on voting day, with a maximum penalty of 3 years in prison and a fine of Rp36 million. In the 2024 election, there was 1 money politics event in Sibolga City that violated Article 523 paragraph (1) concerning the provision of rewards to campaign participants.

The enforcement of the code of ethics law shows the highest number, namely 52 cases in all North Sumatra Province in the 2024 election. South Nias Regency recorded 20 cases, Central Tapanuli 20 cases, and Deli Serdang 6 cases. This violation involves the internal KPU and Bawaslu who are not neutral in carrying out their duties. This phenomenon shows that although the sanctions of the code of ethics are relatively mild compared to criminal, the impact on the legitimacy of the election is very significant.

The forms of law enforcement found in North Sumatra Province can be analyzed using legal system theory (Friedman, 2019) which emphasizes three elements: the substance of the law, the structure of the law, and the culture of the law.

Legal substance in this context it is reflected in the provisions of Law No. 7/2017 which regulates in detail administrative, criminal, and code of ethics violations. However, the findings of the study show that the substance of the law still has weaknesses, especially in proving the elements of money politics which often require two valid pieces of evidence, while practice in the field is closed. This is in line with (Fahmi, 2015) that the system for handling election crimes still faces normative obstacles related to evidentiary standards.

The legal structure is represented by Bawaslu, KPU, DKPP, Police, and the Prosecutor's Office who are members of the Gakkumdu Center. The findings of the study show that the legal structure in North Sumatra has been running, but coordination between institutions has not been optimal. For example,

of the 45 reports registered in the 2019 election, only 5 went up to the criminal stage. This indicates that there is a *bottleneck* in the law enforcement structure, especially at the discussion stage at the Gakkumdu Center.

Legal culture The people of North Sumatra are still the biggest challenge. The practice of money politics is still considered commonplace, even considered by some people as a form of concern for candidates. This weak legal culture leads to low public participation in reporting violations, so many cases go undetected. (Friedman, 2019) confirms that without a strong legal culture, law enforcement will not be effective, and these findings confirm that statement.

2. Steps to Resolve Money Political Crimes by the North Sumatra Provincial Bawaslu

The steps taken by the North Sumatra Provincial Bawaslu in resolving cases of money politics follow an integrated mechanism through the Integrated Law Enforcement Center (Gakkumdu). This process is designed to meet the principle of *speedy trial* as mandated by the Election Law.

Table 2. Steps to Resolve Money Political Crimes by the North Sumatra Provincial Bawaslu

Stages	Activities	Duration (Weekdays)	Parties Involved	Output
1. Admission & Registration	Receipt of community reports or supervisory findings; Administrative Verification	1-2 days	Bawaslu (report receiving officer)	Registered reports/findings
2. Preliminary Study & Discussion of the Gakkumdu Center	Joint discussion to assess the fulfillment of formal and material elements	Max. 14 days	Bawaslu, Police, Prosecutor's Office	Deal qualified/not continued
3. Investigation	Evidence collection	Max. 14 days	Police investigators	Case file (BAP)

n	on, examination of witnesses and suspects) + Bawaslu commissions	
4. File Research (P-21)	Research on the completeness of the file by the Public Prosecutor	Max. 5 days	Prosecutor's Office	The file is declared complete
5. Delegation to the Court	Transfer of cases to the District Court	-	Prosecutor's Office + Bawaslu	The case is ready for trial
6. Conference & Verdict	Examination and termination of cases	Max. 7 days	Panel of Judges	Ruling inkracht

Source: Interview with the Coordinator of Violation Handling of the North Sumatra Province Bawaslu, 2024

Based on the results of the interview with the Head of the North Sumatra Bawaslu Violation Handling Section, all registered findings and reports must be discussed in the Gakkumdu Center forum. In the 2019 election, out of 50 findings/reports (45 reports + 5 findings), 5 cases of money politics were successfully processed until the inkracht verdict. In the 2024 election, out of 128 reports and 45 findings, only 1 money politics case reached a court decision (Sibolga City).

In addition to technical measures for enforcement, Bawaslu also implements prevention policies and non-technical approaches. Prevention policies include: (1) mapping of money political vulnerabilities in each district/city, (2) socialization and political education to the community and election participants, (3) appeals and early prevention through surveillance patrols. Non-technical approaches are carried out through collaboration with universities, such as capacity building activities with UIN North Sumatra in September 2024 involving 2,000 election supervisors throughout North Sumatra.

The measures implemented by the North Sumatra Provincial Bawaslu reflect efforts to realize legal certainty (*Legal*

Certainty) in the enforcement of election laws. (Utrecht, 1956) states that legal certainty contains two elements: the existence of general rules and the application of laws that are not arbitrary. In the mechanism of the Gakkumdu Center, these two elements are fulfilled through strict time limits (14+14+5+7 working days) and the involvement of three law enforcement institutions to prevent arbitrary actions.

However, implementation in the field shows that short time limits are often an obstacle. Of the 50 potential cases, only 5 have been successfully processed to completion. This is in line with criticism (Pound, 2017) that law as a tool of social engineering must be realistic to the conditions of society. Rigid time limits without considering the complexity of evidence collection in the field (especially in remote areas such as Nias) reduce the effectiveness of law enforcement.

Theory of people's sovereignty (J.-J. Rousseau, 1968) emphasizing that elections are the embodiment of the will of the people. Thus, every step of law enforcement against money politics is basically an attempt to protect the sovereignty of the people from the intervention of narrow economic and political interests. Bawaslu, through its active supervision and coordination function with the Gakkumdu Center, plays a role as *Guardian of Sovereignty*. However, the findings of the study show that there are still many cases of money politics that are not processed, which means that the sovereignty of the people is still threatened. This confirms the view (Haris, 2020) that without effective supervision, elections will only be a mere formality.

3. Legal and Non-Legal Obstacles and Solutions for Optimizing the Performance of the North Sumatra Province Bawaslu

This study identifies various obstacles that hinder the optimization of the performance of the North Sumatra Provincial Bawaslu, which are categorized into legal and non-legal constraints. Based on these obstacles, the solutions offered were also formulated.

Table 3. Legal and Non-Legal Obstacles and Solutions for Optimizing the Performance of the North Sumatra Province Bawaslu

N o.	Types of Constraints	Constraint Description	Solutions Offered
1.	Law	The	Harmonizati

(Normative)	difference in regulations between the election and regional elections regimes (Law No.7/2017 vs Law No.10/2016) gives birth to differences in norms, formulations of delicacies, and legal subjects	on of regulations through the election omnibus law; simplification of Perbawaslu and uniform technical instructions	politics; culture accepts money politics as commonplace	socialization through mass media and social media; Cooperation with universities
2.	Legal (Procedural)	Short handling deadline (14 working days for discussion + 14 days for investigation) is inadequate for complex cases in remote areas	Revise the deadline taking into account geographical conditions; Application of digital technology to accelerate administration	
3.	Non-Legal (HR)	Limited technical capacity of election supervisors at the district/city level, especially in remote areas such as South Nias	Competency-based recruitment; periodic technical training of investigators; Tiered Technical Guidance	
4.	Non-Legal (Budget)	Lack of operational budget for mobilization to remote areas, transportation, accommodation, and supporting equipment	Allocation of special budgets for supervision in vulnerable areas; Optimization of grant funds and cooperation with third parties	
5.	Non-Legal (Coordination)	The complexity of cross-agency coordination (Bawaslu, Polri, Prosecutor's Office) in the Gakkumdu Center; Differences in Perceptions of Elements of Crime	Regular coordination forums; equalization of perceptions through integrated discussions; direct visit to the National Police and Prosecutor's Office offices	
6.	Non-Legal (Legal Culture)	Low public awareness and participation in reporting money	Participatory supervision (P2P) education; massive	

Source: Interview with the Coordinator of Violation Handling and Head of the Violation Handling Section of the North Sumatra Province Bawaslu, 2024

Based on the results of the interviews, the most significant legal obstacle is the difference in regulations between the election law regime and the regional elections. This leads to inconsistencies in handling procedures and standard case administration standards. In addition, the insynchronization between the Bawaslu Regulation (Perbawaslu) for the Election and for the Regional Elections results in differences in the format of documents and administrative instruments, which has the potential to cause inefficiency and the risk of inconsistency in recording.

Non-legal obstacles include limited human resources (HR) at the district/city level, especially in archipelagic areas such as South Nias which have the highest rate of code of ethics violations (20 cases). The lack of budget for mobilization to remote areas has led to delayed investigations, so many potential cases cannot be processed in a timely manner. Cross-agency coordination in the Gakkumdu Center also faces challenges in the form of differences in perceptions among elements of Bawaslu, the National Police, and the Prosecutor's Office regarding the fulfillment of elements of money political crimes.

In response, the North Sumatra Provincial Bawaslu has made various optimization efforts, both through strengthening internal regulations (issuing operational standards for procedures, technical guidelines, and circulars on the neutrality of officials ahead of the election) and external strengthening (integrated discussion forums with the National Police and the Prosecutor's Office, direct visits to their respective offices, and increasing the capacity of the apparatus through technical guidance).

The obstacles faced by the North Sumatra Provincial Bawaslu can be analyzed using two main theories. First, the theory of pure law (*pure theory of law*) (Kelsen, 2019) emphasizing that the law must be autonomous

and free from political, economic, and cultural intervention. The findings of the study show that law enforcement of money political crimes in North Sumatra is still full of political intervention, especially in cases involving regional officials or incumbent candidates. This can be seen from the still rampant violations of the code of ethics (52 cases in 2024) involving election organizers who are not neutral. Kelsen would argue that the law has lost its purity when political interests enter the law enforcement process.

Second, the theory of the legal system (Friedman, 2019) provide a more operational framework. From the side *Legal Structure*, coordination constraints and regulatory differences show that the electoral law enforcement structure in North Sumatra has not been fully integrated. (Seac, 2022) emphasized that Bawaslu as a permanent institution should have greater authority, but the fact is that it still depends on the National Police and the Prosecutor's Office in the investigation process. From the side *Legal substance*, the difference in norms between the Election Law and the Regional Election Law creates legal uncertainty that is contrary to the principle of *Legal Certainty* (Gribnau, 2013). From the side *Legal Culture*, low public participation confirms that the legal culture in Indonesia is still weak in supporting clean elections.

The solutions offered, such as regulatory harmonization, human resource capacity building, and coordination strengthening, are in line with Friedman's recommendation that all three elements of the legal system should be strengthened simultaneously. Without improvements to the structure, substance, and legal culture at the same time, the optimization of the role of Bawaslu will not be achieved optimally.

CONCLUSION

This study concludes that the form of law enforcement carried out by the North Sumatra Provincial Bawaslu includes three aspects, namely administrative, criminal, and code of ethics. Enforcement of administrative laws ensures compliance with election technical procedures, criminal enforcement cracks down on money politics practices that undermine the integrity of democracy, while enforcement of the code of ethics maintains the neutrality of election organizers. Steps to

resolve money political crimes are carried out through the mechanism of the Integrated Law Enforcement Center (Gakkumdu) involving Bawaslu, the Police, and the Prosecutor's Office with strict time limits, ranging from receiving reports, discussions, investigations, to trials. However, optimizing the role of Bawaslu is still faced with various obstacles, both legal (differences in election and regional election regulations, short time limits) and non-legal (limited human resources, budget, cross-agency coordination, and low community legal culture). The solutions offered include harmonizing regulations, increasing the capacity of the apparatus, strengthening coordination, and public education. Thus, it is necessary to strengthen the regulatory framework, institutional capacity, and public participation so that law enforcement of money political crimes can run effectively and contribute to elections with integrity.

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