

Transparency of Campaign Finance Disclosure for Achieving Elections with Integrity

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Submission Track:	ABSTRACT
Received: 18 Agustus 2021	Objective: <i>This study aims to describe the transparency of the 2019 election campaign funds based on the laws and regulations and to find out in depth the legal consequences and sanctions received by election participants in reporting campaign funds.</i>
Final Revision: 1 Desember 2021	Methodology : <i>The type of research used is empirical juridical, namely, examining everything related to legal provisions, as they have been implemented and how they were implemented in the broader community. The research sites are at the General Election Commission (Komisi Pemilihan Umum) office of Blora Regency, the Office of the Election Supervisory Board, and the Liaison Officer of the participating political parties. In this study, the solution to the problem lies in the transparency of reporting campaign funds for 2019 election participants, which researchers emphasize on the election participants for candidates for members of the Regional People's Representative Council of Blora Regency.</i>
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Corresponding Author: Nailina Paramita Najati neina.mifta@gmail.com	Results : <i>Transparency in Law Number 7 of 2017 concerning General Elections and General Election Commission Regulation Number 24 of 2018 as amended by General Election Commission Regulation Number 34 of 2018 concerning General Election Campaign Funds and Implementation of Campaign Fund Reporting for Election Contestants to Realize The 2019 election had been held at the Blora Regency General Election Commission. The General Election Commission of Blora Regency had implemented transparency in campaign finance reports in the 2019 Election. This can be seen from the regulations</i>

governing the Blora Regency General Election Commission's strategy in applying the principle of transparency regarding campaign finance reports in the 2019 Election in Blora Regency.

Applications of this study: *This study is expected to produce a formulation on campaign finance reporting that will be used by the General Elections Commission to develop policies and regulations on campaign finance reporting..*

Novelty/ Originality of this study: *Election results have had a significant impact on Indonesia's democratic order from year to year. If a regulation is properly implemented, it will have an impact on the general election process's pattern of continuity. The goal of this study was to talk about campaign finance transparency in the 2019 elections in Blora Regency..*

Keywords : *Transpaency, Campaign Fund, Elections with Integrity*

INTRODUCTION

General Election is a means of implementing people's sovereignty which is carried out directly, publicly, freely, confidentially, honestly, and fairly in the Republic of Indonesia based on Pancasila and the 1945 Constitution of the Republic of Indonesia. Elections are held periodically to elect leaders at the national level, provinces, and districts/cities, both in the executive and legislative domains.

In the Law of the Republic of Indonesia Number 7 of 2017 concerning General Elections, General Elections, hereinafter referred to as Elections, are a means of people's sovereignty to elect members of the People's Representative Council, members of the Regional Representatives Council, President and Vice President, and to elect members of the Regional People's Representative Council, which is carried out directly, publicly, freely, confidentially, honestly, and fairly within the Republic of Indonesia based on Pancasila and the 1945 Constitution. (Law Number 7 Year 2017 Chapter 2 Article 3).

The election, which took place on April 17, 2019, went off without a hitch and in accordance with the Election Law's stages. Starting with program planning, socialization, nominations, data updates, campaigns, campaign finance audit reports, and implementation, procedures were followed until a dispute over election results arose. It's just that some of the roadblocks to reporting campaign fund audits that arise during the campaign stage are considered trivial. However, not all political parties participating in the election adhere to this

stage because not all election participants report all campaign funds spent during the campaign period, whether privately or publicly, or used as operational funds during the campaign..

Election contestants, in this case, are political parties for the election of members of the People's Legislative Assembly, members of the Regional People's Representative Council at the provincial level, members of the Regional People's Representative Council at the regency/city level, as well as individuals for the election of members of the Regional Representatives Council and pairs of candidates proposed by joint political parties. political parties for the Presidential and Vice-Presidential Election (Law No. 7 of 2017. General Election Commission Regulation No. 24 of 2018 Chapter I Article 1 paragraph 14).

The election participants carried out the campaign stage of the General Elections Commission, which consists of two (two) campaign stages. From September 23, 2018 to April 13, 2019, the first stage of the campaign implemented through limited meetings, face-to-face meetings, public dissemination of Campaign materials, and tool installation. From March 24 to April 13, 2019, the campaign implemented through public meetings and scheduled print and electronic mass media advertisements. This relates to election participants' obligation to submit Campaign Fund Reports to the General Elections Commission, which then be audited by a Public Accounting Firm that has been granted permission to provide services in accordance with applicable laws and regulations..

This is different from what has been conceptualized by the Komisi Pemilihan Umum, that on the other hand, Election Contestants must also provide a Campaign Fund Report to the Komisi Pemilihan Umum as a form of accountability for campaign activities that have been reported, which has legal consequences if they do not submit, they will be subject to cancellation as election participants.

Regulations that guarantee financing equality, such as limiting campaign fund expenditures and providing subsidies to public funds such as campaign advertising subsidies, facilitation of Campaign Props and other forms of subsidies from the General Elections Commission, have failed to work as expected due to limited subsidy funds from the General Elections Commission. What can be facilitated by the General Elections Commission for Election Contestants are only campaign props such as 10 pieces of 4x7 billboards for pairs of candidates for President and Vice President and 10 for each political party and 1.5 x7 banners

for pairs of candidates for President and Vice President as many as 16 pieces. and for political parties 16 pieces. For candidates for members of the Regional Representative Council, there are 16 banners per candidate. However, if the regulations are correctly implemented and balanced, we can measure that the election guarantees can run more fairly and competitively. And vice versa when financing is not balanced, then inequality will occur in competition.

Given the importance of political financing in influencing democracy and several other factors, the researcher believes that the implementation in the 2019 General Election, particularly in Blora Regency, should be examined. In this case, researchers were more interested in the transparency of campaign finance financing, particularly in terms of campaign finance disclosures. The implementation of the principle of transparency from report disclosure is the principle that researchers see in this study in order to achieve transparent elections..

The reporting of campaign funds is important in general elections at the central, provincial, and district/city levels. Because there are 2 (two) sanctions given to Election Contestants.

1. Political parties participating in the election for members of the People's Representative Council and Regional People's Representative Council that do not submit Preliminary Report on Campaign Funds to the General Election Commission, until the specified time limit are subject to sanctions in the form of cancellation as election participants in the region concerned.
2. Political parties participating in the elections for members of the People's Legislative Assembly and Regional People's Legislative Assembly that do not submit a Report on the Revenue and Expenditure of Campaign Funds to the Public Accountant Office appointed by the General Elections Commission until the specified time limit, are subject to sanctions in the form of not stipulating candidates for members of the People's Representative Council. , the Regional People's Representative Council of the political party concerned becomes the elected candidate. a predetermined time, is subject to sanctions in the form of not stipulating candidates for members of the People's Representative Council, the Regional People's Representative Council of the political party concerned becomes the elected candidate.

Reporting on the receipt and expenditure of campaign funds can support the enforcement of campaign finance regulations. It can be a corruption controller and become

voter information. Openness or transparency in reporting campaign finance receipts and expenditures will enable the public and supervisory officers and auditors to see the compliance of campaign finance managers with existing campaign finance regulations. Because with the enforcement of campaign finance regulations, corruption in campaign funds such as misuse of campaign funds for money politics, enriching oneself, or giving promises of "special treatment" for donors when a candidate is elected can be overcome.

The General Elections Commission had worked hard to improve services so that political party campaign funds can be reported more easily during the campaign finance stage. Various methods, such as technical guidance for political parties and Help Desk services that are always ready to accommodate various problems of election participants to handle the error side in campaign finance reports, because campaign finance reports in the 2019 election would have been completed online through the SIDAKAM (Sistem Dana Kampanye/Campaign Fund System) application, which may be difficult to complete for some parties.

As a result, the purpose of this study was to investigate the issue of "How is the transparency of reporting campaign funds for 2019 election participants in ensuring election integrity?" From the above summary, there is a focal point: how transparent are the regulations of Law No. 7 of 2017 and General Election Commission Regulation No. 34 of 2018 regarding campaign funds and the implementation of campaign finance reporting for candidates in the 2019 election? What are the legal ramifications of disclosing campaign funds in order to conduct fair elections?.

METHODOLOGY

This study is descriptive in nature and is based on empirical legal research. Secondary data from primary, secondary, and tertiary legal materials was used. Observation and interviews were used to collect data, as well as a review of literature, journals, laws, and doctrines that were relevant to the subject of this study. The data analysis procedure is carried out in a qualitative manner..

RESULT AND DISCUSSION

Transparency in Law Number 7 of 2017 concerning General Elections and General Election Commission Regulation Number 24 of 2018 as amended by General Election Commission Regulation Number 34 of 2018 concerning Campaign Funds and Implementation of Campaign Fund Reporting for Participants in the 2019 Election

Transparency refers to the act of expressing something without concealing it. The suggestion is related to the need for complete information in order to collaborate or cooperate and make collective decisions. It's no surprise, then, that government transparency is essential. The process of openly disclosing or providing information without hiding anything is an important part of governance or governance. According to the United Nations Development Program, the principle of good governance or good governance necessitates transparency.

Election transparency or openness is also required. In fact, one of the election principles governed by Law No. 7 of 2017 Concerning Elections and General Election Commission Regulation No. 24 of 2018 as amended by General Election Commission Regulation No. 34 of 2018 Concerning General Election Campaign Funds is transparency or openness. Transparency is regulated in election regulations as a tool to prevent election manipulation. Transparency also makes it possible for the general public or the wider community to participate in election supervision. The election process is overseen not only by official institutions, such as the Election Supervisory Body (Bawaslu), but also by the public.

Every election stage must be announced to the public if the elections are to be open. Data on election administrators related to the election process and stages is also available to everyone, including political parties and other interested institutions. Openness is linked to democratic state administration, specifically allowing the public to observe, correct, and criticize every process and stage of the election. This ensures that elections are held in an honest, fair, and transparent manner, and that the election results can be verified..

Elections in a democratic country can be measured by the neutrality of pro-democracy organizers. This is related to the organizers' attitude, who are also open and willing to be monitored and report to the public at each process and stage of the election..

In order to hold elections with integrity, there are several indicators of election openness, including:

- a. The provision of clear information

Information Management Officers (PPID), as defined by Law No. 14 of 2018 on the disclosure of public information, are tasked with achieving good and responsible

governance by implementing the principles of accountability, transparency, and the rule of law, as well as involving the public in the policymaking process. The PPID's function is to collect work information from all parts of the work unit, to store and organize any public information obtained, to select excluded public information, to provide publicly available information, and to resolve information disputes.

The General Elections Commission manages the Legal Documentation and Information Network (JDIH), which provides information on the stages of holding elections. JDIH is a forum for the orderly, integrated, and long-term use of legal documents from the Indonesian General Election Commission/Province/Regency/City, as well as a means of providing comprehensive, accurate, easy, and quick legal information services that are integrated with the Indonesian General Elections Commission, the Election Commission, Provincial General Election, and Regency/City General Election Commission. The JDIH's responsibilities include providing information about the General Election Commission and presenting the Commission's legal products.

The General Election Commission of Blora Regency website is an excellent place to look for information. The website is an internet-based information portal that serves as a source of efficient, effective communication, collaborative, up-to-date information, and is easy to use on smartphones and computers.

b. Information accessibility

The General Election Commission of Blora Regency established a helpdesk to provide accessible information, particularly in campaign fund services, in order to conduct elections with integrity and transparency.

The Indonesian General Election Commission, the Provincial General Election Commission, and the Regency General Election Commission are required to open a helpdesk service in order to distribute campaign funds to eligible participants. The helpdesk team's responsibilities include receiving consultation reports on campaign finance reports, handling administration and filing of consultation sheets, and receiving campaign finance reports from election participants on time. The service is offered in a variety of formats, including;

1. Face to face communication

This face-to-face meeting could take the form of a class forum, complete with socialization and technical guidance, and open to all eligible participants. Additionally, face-to-face meetings are held with election participants who come to the helpdesk during working hours for a consultation

2. Via telephone

Specifically, by establishing a call center service staffed entirely by helpdesk personnel. The call center officer's job is to take each and every phone call from election participants who come in for consultation.

3. Via email

Konsultasi yang diberikan oleh Komisi Pemilihan Umum Kabupaten Blora melalui media elektronik email.

c. Mekanisme menyusun laporan dana kampanye

The General Election Commission of Blora Regency provided e-mail consultation.

The election law's requirement for campaign fund transparency aims to ensure that all parties have equal access to campaign funds and are financially prepared to participate in the 2019 elections. Furthermore, to realize the principle of fair elections by limiting funding and donation sources. When it comes to election implementation, the General Election Commission of Blora Regency has met the element of transparency as well as the element of openness. The General Election Commission of Blora Regency has established a helpdesk that houses all of the General Election Commission of Blora Regency's social media and website announcements. The availability of broad access makes it easier for election participants to obtain information, as well as for the public or stakeholders to obtain information and oversight.

The existence of legal equality that is enforced through General Election Commission Regulation Number 24 of 2018 as amended in General Election Commission Regulation Number 34 of 2018 concerning campaign funds, as well as equality of access and legal certainty in the submission of campaign finance reports at the General Election Commission of Blora Regency, demonstrates that the principles of democracy are upheld in the implementation of the 2019 election system..

The legal consequences of campaign funds disclosure in an effort to achieve elections with integrity

Indonesia is a state of law where all governance must be based on law. Likewise, in the case of democratic parties as regulated in Law Number 7 of 2017 concerning General Elections. Based on the law, there is something new in implementing the 2019 election yesterday, namely the campaign finance stage, where each election participant must submit a campaign finance report.

Political parties themselves are an integral part of financial governance, such as managing sources of funding or operating income of party organizations and expenditures or expenses that must be made to maintain the sustainability and performance of the organization. (Manar, D.G.,2016).

There are at least three alternative funding sources for political parties: dues from political party members, contributions from political party cadres, or business units established and controlled by political parties. Second, from the private sector (private business units, community organizations and groups, and individual contributions). Third, the State Budget (APBN) or Regional Revenue and Expenditure Budget (APBD) from state financial assistance (Manurung, T.R.,2015).

Political parties that are not obedient, transparent and accountable because political costs are still high, the democratic system has not been settled to regulate campaign funds, weak law enforcement, low public politics, weak internal party administration and because there is no correlation between compliance, transparency and accountability of campaign funds with succession in elections. (Monteiro Frenqui, 2016).

At least two principles underlie the regulation of election campaign funds, namely openness, "transparency" and "fairness". The two principles have different goal and outcome orientations. The principle of openness is more emphasized to build financial transparency of political parties. Meanwhile, the objective of the principle of justice is to encourage the ability of political parties to achieve equal access (to obtain funding) and the ability to finance campaigns (Minan, A. (2012).

This dysfunction is exacerbated by regulations that appear to be strict but cannot be enforced or enforced. Although organizers often state that there are no violations in campaign financing, according to Mietzner, this is an illusion because it shows that many donations are

being given under the hands or done illegally. The dysfunction of the political financing system has led to widespread political corruption in Indonesia (Mietzner, M.,2016).

Based on the specifications of the research location, namely the Blora Regency General Election Commission, the research will take samples of the submission of campaign finance reports by election participants at the Blora Regency General Election Commission. 16 political parties are participating in the election in Blora Regency;

1. PKB, 2. PDI, 3. Gerindra, 4. Golkar, 5. NasDem, 6. Berkarya, 7. Garuda, 8. PKS, 9. Perindo, 10. PPP, 11. PSI, 12. PAN, 13. Hanura, 14. Demokrat, 15. PBB, 16. PKPI.

The stages of campaign funds are divided as follows;

1. Initial Campaign Fund Report (LADK)
2. Report on Receipt of Campaign Fund Donations (LPSDK)
3. Campaign Fund Revenue and Expenditure Report (LPPDK)

Data obtained from the General Election Commission of Blora Regency, election participants who submitted initial reports on campaign funds:

Table 1 . Campaign Fund Preliminary Report Data

No	Parties	File Compatibility	Acceptance
1	PKB	Compatible	Accepted
2	PDIP	Compatible	Accepted
3	GERINDRA	Compatible	Accepted
4	Gokar	Compatible	Accepted
5	NasDem	Compatible	Accepted
6	Berkarya	Compatible	Accepted
7	Gaurda	Compatible	Revised
8	PKS	Compatible	Revised
9	Perindo	Compatible	Accepted
10	PPP	Compatible	Accepted
11	PSI	Compatible	Accepted
12	PAN	Compatible	Accepted
13	Hanura	Compatible	Accepted
14	Demokrat	Compatible	Accepted
15	PBB	Compatible	Revised
16	PKPI	Compatible	Revised

Source: General Election Comission of Blora Regency

There were improvements from the results of the Campaign Fund Preliminary Report, which was submitted to the General Election Commission of Blora Regency, namely the Berkarya Party, Garuda Party, PBB, and PKPI, because the balance data reported did not match the balance in the Campaign Fund opening account that had been created. the reporting is not following the stages or exceeds the predetermined time limit.

Table 2. Campaign Fund Preliminary Report Corrected Data

No	Parties	File Compatibility	Acceptance
6	Berkarya	Compatible	Accepted
7	Garuda	Compatible	Accepted
15	PBB	Compatible	Accepted
16	PKPI	Compatible	Accepted

Source: General Election Commission of Blora Regency

The General Elections Commission has given time for improvement for the four parties so that the Campaign Fund Preliminary Report can be received to be later submitted to the Indonesian General Elections Commission and continue in the reporting process.

Table 3. Campaign Fund Donation Receipt Report Data

No	Parties	File Compatibility	Acceptance
1	PKB	Compatible	Accepted
2	PDIP	Compatible	Accepted
3	Gerindra	Compatible	Accepted
4	Golkar	Compatible	Accepted
5	NasDem	Compatible	Accepted
6	Berkarya	Compatible	Accepted
7	Garuda	Compatible	Accepted
8	PKS	Compatible	Accepted
9	Perindo	Compatible	Accepted
10	PPP	Compatible	Accepted

11	PSI	Compatible	Accepted
12	PAN	Compatible	Accepted
13	Hanura	Compatible	Accepted
14	Demokrat	Compatible	Accepted
15	PBB	Compatible	Accepted
16	PKPI	Compatible	Accepted

Source: General Election Commission of Blora Regency

The results of the Campaign Fund Donation Receipt Report received by the General Election Commission of Blora Regency indicate that none of the reports were rejected..

Table 4. Campaign Fund Revenue and Expenditure Report Data

No	Parties	File Compatibility	Acceptance
1	PKB	Compatible	Accepted
2	PDIP	Compatible	Accepted
3	Gerindra	Compatible	Accepted
4	Golkar	Compatible	Accepted
5	NasDem	Compatible	Accepted
6	Berkarya	Compatible	Accepted
7	Garuda	Compatible	Accepted
8	PKS	Compatible	Accepted
9	Perindo	Compatible	Accepted
10	PPP	Compatible	Accepted
11	PSI	Compatible	Accepted
12	PAN	Compatible	Accepted
13	Hanura	Compatible	Accepted
14	Demokrat	Compatible	Accepted
15	PBB	Compatible	Accepted
16	PKPI	Compatible	Accepted

Source: General Election Commission of Blora Regency

All Campaign Fund Revenue and Expenditure Report reported to the General Election Commission of Blora Regency are declared accepted.

Conclusion

Transparency in Law Number 7 of 2017 concerning General Elections and General Election Commission Regulation Number 34 of 2018 concerning Campaign Funds and Implementation of Campaign Fund Reporting for Election Contestants to Realize the 2019 Election has been implemented at the General Election Commission of Blora Regency. The General Election Commission of Blora Regency has implemented transparency in campaign finance reports in the 2019 Election in Blora Regency. This can be seen from the regulations governing the Blora Regency General Election Commission's strategy in applying the principle of transparency regarding campaign finance reports in the 2019 Election in the Blora Regency.

As for the legal consequences of the campaign finance reports, there are four political parties whose handling is not following the stages and the balances reported are not in accordance with those in the campaign fund accounts, then according to the regulations of the General Elections Commission of Blora Regency, the decision to repair is not because the four political parties violated such as receiving assistance from foreign parties, State-Owned Enterprises, Regional-Owned Enterprises, Village-Owned Enterprises and individual donations whose amount exceeds the limit.

REFERENCES

General Election Commission of Blora Regency. (2019). Announcement of General Election Campaign Fund Report 2019. Blora.

Mietzner, M. (2016). *Checkbook Elections?. Political Finance in Comparative Perspective*. Oxford University Press.

Manar, D.G. (2017). Akuntabilitas partai politik di kota semarang: Kajian pelaksanaan akuntabilitas pada partai demokrat di kota semarang Tahun 2009-2014. *JIIP: Jurnal Ilmiah Ilmu Pemerintahan*, 2(1)

Manurung, T.R.E (2016). Perkembangan Politik Hukum Pertanggungjawaban Partai Politik Dalam Mengelola Bantuan Keuangan Negara Pasca Reformasi. *Yustisia Jurnal Hukum*, 4(1)

Monteiro, F. (2016). *Analisis Laporan Dana Kampanye Partai Politik Atas Kepatuhan, Transparansi dan Akuntabilitas Dalam Pengelolaan Penerimaan Dan Penggunaan Dana Kampanye (Studi Kasus Pemilihan Umum Legislatif 2014 di Komisi Pemilihan Umum Kabupaten Sidoarjo)* (Doctoral dissertation, Universitas Narotama).

Minan, A. (2012). Transparansi dan Akuntabilitas Dana Kampanye Pemilu: Ius Constituendum dalam Mewujudkan Pemilihan Umum yang Berintegritas. *Jurnal; Pemilu dan Demokrasi*, 3(1)

Ni'matul Huda. (2005). *Cet I Hukum Tata Negara Indonesia*. Jakarta: PT Raja Grafindo Persada.

Law Number 7 of 2017 concerning General Elections.

General Election Commission Regulation Number 34 of 2018 as the Second Amendment to General Election Commission Regulation Number 24 of 2018 concerning General Election Campaign Funds