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## **Vote Buying among Madurese Muslim; Islamic Law Standpoint**

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### **Abstract**

As one of the largest Muslim democracies, Indonesia is facing a significant challenge, one of which is vote-buying among its Muslim voters. It is believed that vote buying is a popular type of bribery practice or so-called *risywah*. This raises basic questions for this study, namely how the vote buying practice takes place, How the intermediaries or political brokers play their role, and how the practice has been perceived by Islamic scholars. Choosing Madura as the research locus and the 2024 legislative member election event, this study used direct observation and in-depth interviews with various stakeholders consisting of voters, the election committee, the supervisory committee, prospective legislative members, and the winning team. Apart from that, it also used document tracing, including documents from the General Election Commission and online media sources. The study's findings indicate that vote buying was orchestrated by a network of political brokers who shape the behavior of political actors and Muslim voters. It is reinforced by the increasing pragmatism and economic orientation of Muslim voters when choosing representative

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candidates and political parties. The most popular ones are through the wholesale and retail schemes. Meanwhile, from an Islamic law standpoint, ranging from hadith, and Islamic mass organizations to Islamic scholars, vote buying is undoubtedly agreed its unlawful status despite the belief that it is almost impossible to win an election without committing to vote buying.

**Keywords:**

Vote buying; Muslim voters; Madura; Islamic standpoint

**Introduction**

The flourishing and development of vote buying in Indonesia and other Muslim countries cannot be separated from many factors: *First*, the income level of residents is low or poor. This is characterized by the fact that vote buying is usually aimed more at voters with low incomes or people experiencing poverty.<sup>1</sup> *Second*, low education levels are also one of factors beyond vote buying. Voters with a low level of education cannot reason, so they tend to accept material lures and invitations to vote easily. Low-educated voters are closer to poverty, and poor voters are more dependent on money politics during elections.<sup>2</sup> *Third*, low accountability of political actors and poor governance are also driving the widespread practice of vote buying. This also implies how voters' position is unequal or lower than the buyers. Therefore, voters who have received money do not demand accountability from public officials and politicians who are finally elected by buying their votes.<sup>3</sup>

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<sup>1</sup> Ejikeme Jombo Nwagwu et al., "Vote Buying During 2015 And 2019 General Elections: Manifestation and Implications on Democratic Development in Nigeria," *Cogent Social Sciences* (Cogent, 2022), <https://doi.org/10.1080/23311886.2021.1995237>; Khalid Idris Nuhu, "The Legal Implication of Political Defection on Nigeria's Democracy," *Sriwijaya Law Review* 5, no. 2 (2021): 247-61, <https://doi.org/10.28946/slrev.Vol5.Iss2.1060.pp247-261>.

<sup>2</sup> Ari Pradhanawati, George Towar Ikbal Tawakkal, and Andrew D. Garner, "Voting Their Conscience: Poverty, Education, Social Pressure and Vote Buying in Indonesia," *Journal of East Asian Studies* 19, no. 1 (2019): 19-38, <https://doi.org/10.1017/jea.2018.27>.

<sup>3</sup> Jessica Leight et al., "Value for Money? Vote-Buying and Politician Accountability," *Journal of Public Economics* 190 (2020): 1-76, <https://doi.org/10.1016/j.jpube.2020.104227>.

Several studies show that vote buying in Indonesia involves political brokers. Aspinall revealed that the use of political brokers has been going on in several general elections.<sup>4</sup> It refers to an intermediary between prospective legislative members and potential voters. They distribute money from prospective legislative members to both members of the election organizing committee and prospective voters. Usually, they come from prominent or influential figures in the village who sometimes also serve as election organizing committees. In another research, he found that political brokers had no loyalty to a particular candidate or party. At worst, they sometimes took money or other materials that should have been given to voters.<sup>5</sup> Another research found how political brokers, besides being intermediaries who give money, intimidate potential voters. This mainly occurs when competition between candidates is tight. To prevent potential voters turn to other candidates, brokers carry out intimidation in addition to giving money.<sup>6</sup>

In fact, research of Burhanuddin Muhtadi mentioned that vote buying only has a 10 percent effect on voter behavior in the 2019 election due to the large amount of money leaked at the political broker level.<sup>7</sup> Meanwhile, research by Rizka Halida et al revealed that the nominal amount of money given by political candidates is linear with voter behavior. The greater the amount of money given by political candidates, the greater influence in shaping voter behavior

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<sup>4</sup> Edward Aspinall et al., "Vote Buying in Indonesia: Candidate Strategies, Market Logic and Effectiveness," *Journal of East Asian Studies* 17, no. 1 (2017): 1-27, <https://doi.org/10.1017/jea.2016.31>.

<sup>5</sup> Edward Aspinall, "When Brokers Betray: Clientelism, Social Networks, and Electoral Politics in Indonesia," *Critical Asian Studies* 46, no. 4 (2014): 545-570, <https://doi.org/https://doi.org/10.1080/14672715.2014.960706>; Saiful Risky, Sholahuddin Al-Fatih, and Mabarroh Azizah, "Political Configuration of Electoral System Law in Indonesia from State Administration Perspective," *Volksgeist: Jurnal Ilmu Hukum dan Konstitusi* 6, no. 1 (2023): 119-30, <https://doi.org/10.24090/volksgeist.v6i1.7940>.

<sup>6</sup> Mohammad Hidayaturrahman et al., "Political Broker Giving Money and Intimidating in Regional Head Elections in Indonesia," *Jurnal Studi Sosial dan Politik* 6, no. 2 (2022): 177-90, <https://doi.org/https://doi.org/10.19109/jssp.v6i2.10102>.

<sup>7</sup> Burhanuddin Muhtadi, *Vote Buying in Indonesia the Mechanics of Electoral Bribery*, 1st ed., vol. 1 (Singapore: Palgrave Macmillan, 2019), <https://doi.org/10.1007/978-981-13-6779-3>.

will be.<sup>8</sup> It is also publicly known that vote buying is carried out by legislative candidates through political brokers instead of by political parties.<sup>9</sup> The previous research took a general scope in explaining the practice of vote buying in Indonesia.

This study, therefore, chose more specific scope in identifying the form of vote buying among Madurese Muslim voters carried out by Muslim legislative candidates in the last 2024 General Election. It is mainly because the 2024 legislative general election shows the shift of Madurese Muslim political behavior. Since the early elections until the New Order era, voters in Madura continued to vote based on religious preferences.<sup>10</sup> The United Development Party (PPP) as a party based on the Kaaba always won in Madura.<sup>11</sup> Likewise, after the Reformation, the National Awakening Party (PKB), as the political representation of the Nahdliyyin majority in Madura, won the general election.<sup>12</sup> However, in the last election, 2024, in the national legislative election in the Madura electoral district, the highest number of votes was won by the PDI Perjuangan (The Indonesian Democratic Party of Struggle).<sup>13</sup> In the district level elections, several non-religious parties also won votes in several districts in Madura, such as Partai Nasdem (National Democratic Party) and Partai Demokrat (Democratic Party).

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<sup>8</sup> Rizka Halida et al., "Vote-Selling as Unethical Behavior: Effects of Voter's Inhibitory Self-Control, Decision Toward Vote-Buying Money, and Candidate's Quality in Indonesia Election," *Journal of Social and Political Psychology* 10, no. 2 (August 2022): 570-87, <https://doi.org/https://doi.org/10.5964/jspp.5643>.

<sup>9</sup> Allen Hicken et al., "Buying Brokers Electoral Handouts beyond Clientelism in a Weak-Party State," *World Politics* 74, no. 1 (2022): 1-44, <https://doi.org/https://doi.org/10.1017/S0043887121000216>.

<sup>10</sup> Moh Hefni, "Patron-Client Relationship in Madura Society," *Karsa: Journal of Social and Islamic Culture* 15, no. 1 (2012): 15-24, <https://doi.org/https://doi.org/10.19105/karsa.v15i1.110>.

<sup>11</sup> Wiratmo Prawiroyudho, *1987 Election Evaluation East Java Region*, 1st ed. (Jakarta: CSIS, 1987).

<sup>12</sup> Rozi Ahdar, "Islamisasi Demokrasi Ala Madura," *Crcs.ugm.ac.id*, November 3, 2021, <https://crcs.ugm.ac.id/islamisasi-demokrasi-ala-madura/>.

<sup>13</sup> Vincentius Gitiyarko, "Said Abdullah Wins Madura, Strength of Figures More Decisive in East Java XI," *Kompas.id*, April 19, 2024, <https://www.kompas.id/baca/english/2024/04/18/en-said-abdullah-memenangi-madura-kekuatan-tokoh-lebih-menentukan-di-jatim-xi>.

This study reveals how the vote buying practice takes place, how the political brokers play the role, either in wholesale or retail type, and the Islamic standpoint of the practice. The first two parts will be analyzed using the theory of broker networks, while the last uses an Islamic perspective countered by the common belief that vote buying is a seemingly unavoidable practice in every general election yet is clearly prohibited in the Islamic teaching through the concept of *risywah*.

### **Methods**

This study employs a descriptive qualitative approach to depict the roles of political brokers in Indonesia's legislative 2024 general election. The research was conducted in a specific area, namely Madura Island in the East Java Province of Indonesia. This study used three data collection techniques. The first is direct observation. We conducted observations in several areas during the campaign process of the legislative 2024 general election, namely when legislative candidates met potential voters. We visited sixteen ballot boxes (TPS) during the voting and vote-counting processes. Additionally, we observed political brokers when distributing money to voters. The most intense observation activity was carried out before the voting day, namely when political brokers did their jobs. In this observation activity, we intentionally focused on data about envelopes containing money distributed to voters.

In-depth interviews, meanwhile, were conducted with 24 individuals involved in the election process. They included 3 legislative candidates, 3 political party administrators, 3 committee members from each TPS, village, and sub-district level, 3 voters, 3 local figures, 3 party administrators, and 3 election observers. The third technique is document tracing, namely the recapitulation of the result of general election votes conducted by the General Election Commission. We got it from some leading online media such as *kompas.com*, *TVOnews.com*, and others. We also expanded the tracing to news or reports related to *fatwas* on the prohibition of money politics issued by Islamic mass organizations such as the MUI, NU, and Muhammadiyah as well as Muslim figures.

The data obtained is then analyzed using the theory of social actor networks developed by Bruno Latour. It described that in social interactions, there is a network between people who move and people who are moved. What moves actors in a social network is a material factor. This theory is deemed relevant to this study considering that vote buying circles carried out by both legislative candidates, political brokers, and voters are all driven by the same factor, namely money.

## **Result and Discussion**

### **Vote Buying Practices in the 2024 Legislative Election**

It turns out that in the 2024 legislative elections in Indonesia, the practice of vote buying took place in two forms: wholesale and retail. They were used by legislative candidates at the central, provincial, and regional levels. The practice, interestingly, did not engage any direct distribution of money from the candidates to voters, but instead involved political brokers as mediators. As sort of intermediaries, neither did they meet the voters directly because they usually distributed the money to the election committee at the village or TPS level. The committee chairman usually represents the committee in playing this role. This plot is applied in both so-called wholesale and retail types. For instance, at the former type, an unscrupulous election committee member at the sub-district level received an order from a national legislative candidate—through a political broker—to get 20.000 votes in the sub-district she managed. For this order, s/he got 800 million IDR. At the end of the counting, it turned out that the target votes were not obtained as agreed. This made the candidate complain that one committee member had gone and was absent from the scene. The legislative candidate failed to be elected.

In addition to ineffectiveness, the above case described one pattern of wholesale type, namely the single one. In fact, there found at least two patterns, the bundling and the single one. At the former, a single transaction involved two legislative candidates simultaneously. This usually happens for two legislative candidates coming from one political party, such as one for the central legislative candidate and another for the provincial level. In this pattern, the political broker can receive IDR 50,000 at maximum for one vote. They likely share IDR 10.000 per vote as their share and the remaining IDR 40.000 is given to the village or TPS level committee member so that the money will be

shared with the voters. Whether or not the decrease of amount occurs again in this layer, the vote for one legislative member amounts to IDR 20.000.

Relating to this, an informant named S-H (30), one of the committee members at the sub-district level explained as follows:

“I didn't get a share, because it had been well arranged by the village head that IDR 50.000 is for one vote. IDR 10.000 goes for committees at either village or TPS level, while the rest IDR 40.000 is for voters, IDR 20.000 for one candidate and another IDR 20.000 is for another candidate”<sup>14</sup>

This excerpt indicates the approximate price for one single vote in the bundling pattern. It also shows that the money is risky to leak because there found many layers facilitating the delivery, ranging from election committee at the sub-district to the TPS level. If any leak happens within the circle, the money delivered can be less than or even nothing at all.

Meanwhile, in the latter pattern, there is only one legislative candidate at any level who buys votes. Usually, one vote is worth IDR 30.000. In this specific transaction, the intermediary or political broker usually gets IDR 10.000 for each vote purchased, so it is only IDR 20.000 given to the election committee at either the village or TPS level. This raises the question of how much money got by the voter. In some cases, the money never gets delivered by voters because there are shortcuts to get the candidates elected without involving the real voters and this is the main point of wholesale type.

It is common to happen that wholesale buying type in either bundling or single pattern is set by a committee at TPS level in an organized manner. Under coordination with the TPS chairman committee, they make it by using unused ballot papers, either because the voter does not attend or other factors, voted to specific legislative candidates. The number of votes is adjusted to the target votes ‘ordered’ by the legislative candidates through political brokers. This can occur in either direct communication between the broker with the

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<sup>14</sup> S-H, Committee at Sub-District Level, *Interview*, March 3, 2024.

TPS committee or through village level committee which usually involves village heads.

The worst situation was explained clearly by H-R (33), one of the political brokers in the 2024 general election as follows:

“At TPS, there are no more votes counting for either central or provincial legislative candidates. The TPS committee has already got a record of how many votes the candidates received at that TPS based on the notes written in the vote counting minutes (Ind. *berita acara*). Before it is filled out, the committee and witnesses have signed it.”<sup>15</sup>

The quite shocking excerpt above implied that wholesale vote buying type mostly occurs at the TPS level by engaging TPS committee members. This is mainly because it is the TPS committee that can write down the vote acquisition of candidates, particularly those who had ordered votes with specific numbers, without first counting the votes one by one from the ballot boxes.

Furthermore, the TPS committee also plays a very important role in a single pattern of wholesale-type vote buying. If a TPS has been ‘purchased’ by a national legislative candidate from Party A and another provincial legislative candidate from Party B (through a political broker or two), the committee will likely divide the number of votes to manipulate. In the wholesale vote buying model, it is believed that 100 purchased votes per TPS is an easily achievable number, considering the average voter attending to the event is 70 percent of the 300 voters registered at it. This means that 30 percent of voters do not use their right to vote, or the equivalent is around 90 votes.

Considering the big potential of success using this wholesale model, some candidates might be easily interested in trying it, particularly those who come from the election area or local person. However, it is known that the election committee has consideration in agreeing the buying transaction. One of which is a good relationship between the committee and the legislative candidate, the legislative candidate's winning team, or the political broker. A political broker,

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<sup>15</sup> H-R, Political Brokers in the 2024 General Election, *interview*, March 10, 2024

for instance, will determine much about whether the proposal of vote buying is accepted. If he has a good relationship with the TPS committee, such as being a fellow organization member, old friend, or college friend, the agreement will likely be made. This matters quite much because in terms of the nominal amount of money from the legislative candidate, it is relatively the same.

Usually, legislative candidates give money politic for this type of vote buying to political brokers one month before the voting day. This is only possible as soon as it is certain that the broker finds someone to cooperate with. Therefore, prior to that, the political brokers explore usually whom they can collaborate with to carry out this wholesale model of vote buying, especially among the TPS committee. Although this type is likely favored by local candidates, as mentioned above, some legislative candidates also carry out cross-district operations within one electoral district.

The second vote buying type is retail. This type is specifically carried out by district legislative candidates as they give the money directly to voters through political brokers without involving any election committee. This is done considering a large number of voters as potential recipients. Even so, there are one or two legislative candidates who give it directly to voters, usually to the heads of family or society figures with a big mass. Each vote is valued at various prices, starting from IDR 50.000 to IDR 150.000. This amount is very dependent on the competition level of legislative candidates in the area. If a single village or a sub-district has several legislative candidates at the district level, the price of votes will likely be increasingly expensive. However, in any case where there is only one legislative candidate in one village or sub-district, the price per vote is cheaper, approximately IDR 50.000. The price or rate of vote buying can be simply described in Table 1

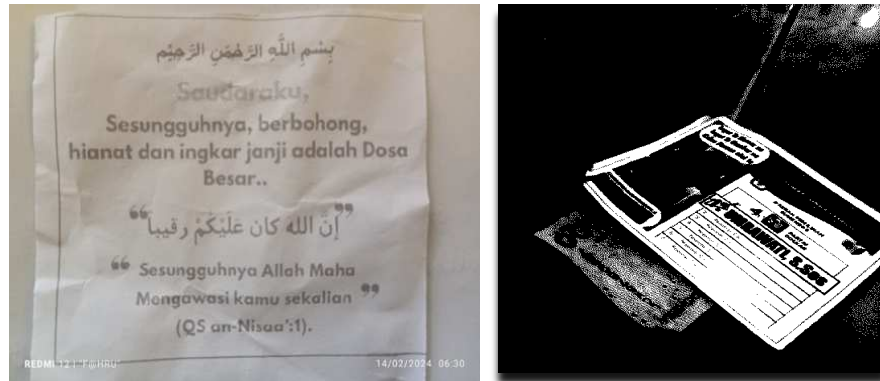
**Table 1.** Vote Buying Rates for the Wholesale and Retail Model (in IDR)

<b>Election scope/level</b>	<b>DPR RI</b>	<b>DPD</b>	<b>DPRD-I</b>	<b>DPRD-II</b>
Wholesale	20.000	20.000	20.000	20.000
Retail		-		50.000-150.000

Source: researchers' data

Table 1 shows how each type has its own characteristics. District legislative candidates are more likely to be the only scope in which two vote buying types might happen. In addition to the wholesale one, either bundling or individual, it is highly possible to commit retail type for this area because recipients likely know or are familiar with the candidates. Even though they do not know the candidates in person, they are typically more familiar with the candidates rather than candidates from larger areas such as provincial, regional, or national. This also means securing potential voters or turning swing voters into potential ones amid relatively tight competition among district candidates.

Practically, in the retail type, there are various models in how the candidates tell the instruction. Some like to distribute plain envelopes filled with money without inserting their photos or names on them. Meanwhile, other candidates insert their photos, names, serial numbers, and party names. An interesting one is that they show a quite distinctive style by inserting verses from the Qur'an outside of the envelopes. It is about how Allah is watching over human actions. It implies reprimands that the recipients not betray the money givers or vote for other legislative candidates once they have received the money as illustrated in Figure 1.



**Figure 1.** Envelopes Cover with Qur’anic Verses and with Information about Legislative Candidates

The two pictures, in Figure 1, strongly show that candidates use different approaches to ensure that the purchased votes will not be missed. Each option might be determined by field experience or other considerations, such as the identity of recipients, their tendencies and characteristics, and others. Additionally, the timing seems also matter, like what told by M-N (40), one of the winning team members for a district legislative candidate who admitted distributing envelopes containing money starting one month up to one week before the voting day as follows:

“We have distributed it to prospective voters who have expressed their support for our candidate for one month before the voting day. This is to protect our loyal voters. However, we also give money to other voters on the voting day before they go to the TPS. This is for those who have not yet decided and are waiting for the money to be given before they come to TPS.”<sup>16</sup>

The excerpt shows how political brokers use various methods to distribute vote buying money depending on the situation and targeted recipients. Practically, it also engages village coordinators or

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<sup>16</sup> M-N, The Winning Team Members for a District Legislative Candidate, *interview*, March 7, 2024.

TPS coordinators who will distribute the money to prospective voters. It is also known that a legislative candidate often sets a target of obtaining a certain number of votes at one TPS according to his/her popularity among local people, the number of voters at the TPS, and the competition among fellow candidates.

Meanwhile, among voters, it is commonly known about the timing of vote buying distribution. C-C (28), a female voter, told us that a week before the voting, she was approached by the winning team of a district level legislative candidate who gave her IDR 150.000 as follows.

“I was visited by the winning team of a legislative candidate one week before the D-day. They gave me IDR 150.000 for one package, namely one candidate at the province and one for the national level. In my place, apparently, there is no wholesale buying. We are more likely to get approached individually”<sup>17</sup>

The excerpt might not show the timing preference of when the money bribe is given to voters for all cases. Some mention it by *serangan fajar* or dawn attack, implying the cash giving at lonely times when nobody sees the transaction. This likely occurs on the D-day of the election in the very early morning. However, it does show how the vote buying practice takes place while adjusting to the current and each situation which can be different from one place and another. The last interview, for instance, underlines a trend that retail is more popular than wholesale. This is highly likely to happen in certain areas only under certain circumstances while in others, the situation can be either the same or different. Interestingly, no matter what the situation at each might look like, the role of political brokers is always necessary in making the vote buying successful.

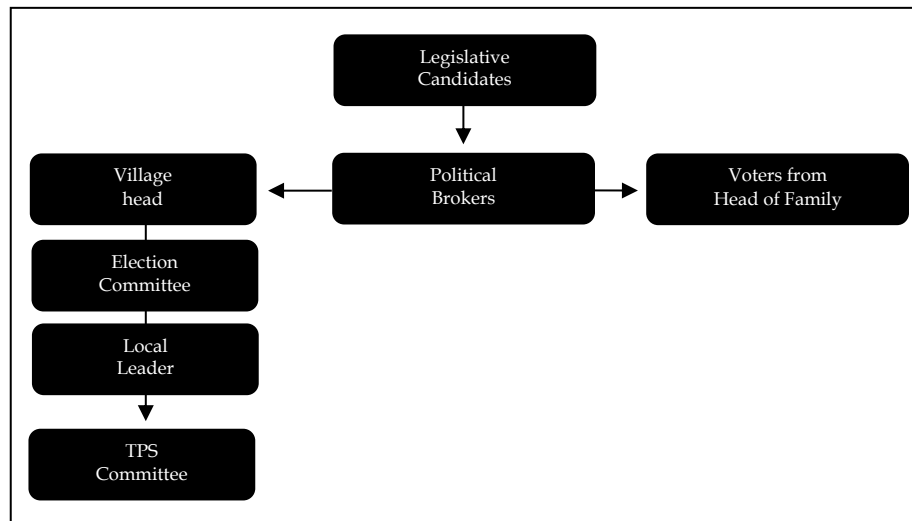
### **Political Brokers as Backbones of the Practice**

Although brokers do not have loyalty to a legislator candidate, the candidate with the strongest political broker network likely gets more votes than other candidates. One of them happened to S-A, one of the candidates who has been elected many times. He has a long-

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<sup>17</sup> C-C, A Female Voter, *interview*, March 15, 2024.

standing and deep-rooted network among village heads as his main broker. The village head then uses his authority and official network among village officials to influence voters. The S-A case is just one pattern. From the results of observations and interviews, we describe the flow of vote buying practices by placing political brokers as the main actors. This is well explained in Figure 2.



**Figure 2.** Vote Buying Practice Plot

Figure 2 clearly shows how legislative candidates do not directly take part in vote buying practices. Instead, they leave this work to political brokers who connect between candidates and voters. It is political brokers who take on the strategic work of determining who they will approach in their work. In the wholesale model, they contact figures, be it village heads, community leaders, or TPS committees. Meanwhile, in retail, they approach individuals through the head of the family. Contacting here means handing over cash in an envelope as a transaction. In the first type, political brokers tend not to meet voters one by one, they only meet a few important people who are invited to cooperate. In the retail vote buying model, political brokers approach voters individually, giving money to voters directly or to the heads of voters' families.

No matter what approach they finally take, it is obvious that within the circle, involving parties are driven by financial factors, ranging from candidates, brokers, key persons, or end-voters. This shows what actor-network theory looks like, namely the relationship between actors involving agents driven by financial factors in addition to its strong connection with so-called political economy.<sup>18</sup> The theory is also defined by Lucas Novaes with its nature as short-term and temporary. Political brokers tend not to be loyal to either particular parties or specific candidates. Rather, they pay more attention to economic profits.<sup>19</sup> On the other hand, Bruno Latour refers it as a social exploration of connectedness, the summation of interactions that occur with a variety of forms and formulas, very local, and practical.<sup>20</sup>

This particularly occurs in wholesale type with an indicator that the number of valid votes in the general election in Madura is very high, 90 percent on average,<sup>21</sup> higher than the national valid vote which is only 81 percent.<sup>22</sup> The ballots in the ballot boxes are no longer counted by the election committee at the TPS level but are immediately summarized on the vote counting report sheet. Additionally, a Madurese based legislative candidate got the highest national vote acquisition throughout Indonesia as the following table shows;

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<sup>18</sup> Ben Fine, "From Actor-Network Theory to Political Economy," *Capitalism, Nature, Socialism* 16, no. 4 (2005): 91-108, <https://doi.org/10.1080/10455750500376057>.

<sup>19</sup> Lucas M Novaes, "Disloyal Brokers and Weak Parties," *American Journal of Political Science* 62, no. 1 (2017): 84-98, <https://doi.org/https://doi.org/10.1111/ajps.12331>.

<sup>20</sup> Bruno Latour, "Why Political Ecology Has to Let Go of Nature," in *Politics of Nature*, ed. Catherine Porter (Cambridge: Harvard University Press, 2004), 9-52, <https://doi.org/https://doi.org/10.4159/9780674039964-003>.

<sup>21</sup> Fatmasari Margaretta, "Madura Sumbang Partisipasi Pemilih Tertinggi di Jawa Timur," *Radarmadura.jawapos.com*, October 15, 2024, <https://radarmadura.jawapos.com/pamekasan/745164139/madura-sumbang-partisipasi-pemilih-tertinggi-di-jawa-timur>.

<sup>22</sup> Dyah, "Tingkat Partisipasi Pemilih Pemilu 2024," *Antaranews.com*, March 27, 2024, <https://www.antaranews.com/infografik/4029990/tingkat-partisipasi-pemilih-pemilu-2024>.

**Table 2.** 2024 Top Ten Votes Gainers of Legislative Member Candidates

Num	Candidate Initials	Vote Gain	Electoral District
1	S-A	528.815	Madura
2	D-M	375.658	
3	A-B	359.189	Madura
4	E-B	318.223	
5	A-R	302.878	
6	S-T	279.318	
7	C-T	267.788	
8	P-M	255.031	
9	S-T	279.334	
10	A-P	234.065	

(Source: Detik.com).<sup>23</sup>

The data in Table 2 might not automatically correlate with intense vote buying practice. However, along with other relevant data, such as the number of valid votes, they likely correlate with one another. Moreover, a big part of Madura is rural areas which are known to barely get socialization on how to vote correctly and properly so that the number of valid votes is somewhat suspicious.<sup>24</sup>

Additionally, in a more general scope, it is known that voters tend to consider vote buying as something normal. Surveys by several institutions reveal how voters' acceptance and tolerance for vote buying has increased from election to election. Indonesian Political Indicators surveyed voters with the question: "To win the general election, there are legislative candidates and people who help them to give money or certain gifts (so that voters) decide to vote for that candidate. Can this gift be accepted as normal, or is it unacceptable?" As many as 41.5 percent of informants answered that it can be accepted as normal.<sup>25</sup>

<sup>23</sup> Wildan Noviansah, "Ini Dia 10 Besar Caleg DPR Terpilih Peraih Suara Terbanyak," *News.detik.com*, August 25, 2024, <https://news.detik.com/pemilu/d-7507916/ini-dia-10-besar-caleg-dpr-terpilih-peraih-suara-terbanyak>.

<sup>24</sup> Hendro Situmorang, "Pemilu di Indonesia Terbesar dan Paling Rumit," *Investor.id*, January 18, 2024, <https://investor.id/national/351448/pemilu-di-indonesia-terbesar-dan-paling-rumit>.

<sup>25</sup> Indikator Politik Indonesia, "Sikap dan Perilaku Pemilih Terhadap Politik Uang: Survei Dapil September-Oktober 2013 dan Survei Nasional Maret 2013," *Indikator.co.id* (Jakarta, 2013),

Likely, in the 2019 Election, the number of tolerant voters who accepted money politics increased drastically. This is known from a survey conducted by the Indonesian Institute of Sciences. As many as 40 percent of respondents stated that they received money but did not consider continuing to vote for the givers. Meanwhile, another 37 percent admitted to receiving money and were considering voting for the candidate who gave the money.<sup>26</sup> Seventy-seven percent of voters who are tolerant of money politics is a quite large number. Recently, in the 2024 general election, the Institute for Development Strategy Studies surveyed voters' behaviors resulting in 68.78 percent of voters thinking vote buying in general elections is reasonable.<sup>27</sup>

Voters' assumption and or acceptance of vote buying might be closely related to the success of political brokers in playing their roles. In addition to the fact that this practice becomes more popular from time to time, the effectiveness of vote buying can be considered as a choice due to the success stories of the brokers. This indeed puts the brokers as the backbones of the vote buying circles who determine the success of vote buying above other considerations that people might make, including seeing the vote buying practice using a religious standpoint.

### **Islamic Law Perspective on Vote Buying Practice**

Vote buying practice can be most nearly traced from the concept of *risywah* in the Islamic terminology. *Risywah* itself is undoubtedly deemed unlawful among Islamic scholars, as they found a hadith that clearly shows that both those who give and receive bribe money are in hell. It is therefore a political act contradictory to the

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[https://www.indikator.co.id/uploads/20131212175900.INDIKATOR\\_Perilaku\\_Pemilih\\_terhadap\\_Politik\\_Uang.pdf](https://www.indikator.co.id/uploads/20131212175900.INDIKATOR_Perilaku_Pemilih_terhadap_Politik_Uang.pdf).

<sup>26</sup> Deti Mega Purnamasari, "Survei LIPI: Masyarakat Memandang Politik Uang Bagian dari Pemilu, Tidak Dilarang," *Kompas.com*, August 19, 2018, <https://nasional.kompas.com/read/2019/08/29/05213291/survei-lipi-masyarakat-memandang-politik-uang-bagian-dari-pemilu-tidak>.

<sup>27</sup> Khamami Zada et al., "Constitutionalizing Sharia: Identity and Independence of Islamic Politics Among Students," *Juris: Jurnal Ilmiah Syariah* 21, no. 2 (2022): 195–206, <https://doi.org/10.31958/juris.v21i2.6954>; Maikal Agus Riandi, "Meningkatnya Angka Politik Uang Tahun 2024, Pertanda Indonesia Minimnya Sosialisasi Politik Untuk Demokrasi?," *Unand.ac.id*, October 14, 2024, <https://www.unand.ac.id/berita/opini/1124-unand-opini-mahasiswa-politik?>

basic values of *fiqh siyasah* in Islam.<sup>28</sup> *Risywah* is defined as property given to buy honor/power to help/legalize something that is actually forbidden (unlawful).<sup>29</sup> Another definition refers to it as something that can lead someone to their desires in a certain way unnecessarily.<sup>30</sup> Those two definitions might not directly describe how vote buying practice in the general election takes place. In fact, the definition is more about essence, while the vote buying practice depicts more about technical details with some specific settings.

Whether or not vote buying is included as *risywah* or bribery practice is likely not a debate. However, it becomes problematic because nowadays, vote buying is almost a necessary instrument to win the election. This triggers some mass organizations or Islamic preachers to issue relevant fatwas. Among others, they can be well summarized in Table 3;

**Table 3.** Fatwa on Vote Buying Practice

No	Fatwa Maker/s	Contents of the Fatwa
1	Indonesian Ulama Council	“(obliging to be) Free from bribery ( <i>risywah</i> ), money politics, fraud ( <i>khida'</i> ), corruption ( <i>ghulul</i> ), oligarchy, political dynasty, and things forbidden by <i>sharia</i> .” <sup>31</sup>
2	Nahdlatul Ulama	"Giving to prospective voters on the grounds of transportation, work costs, compensation for leaving work which is intended so that the recipient votes for a particular candidate is not valid and

<sup>28</sup> Muhammad Andi Septiadi et al., “Halal Politics Role in the Fight against Vote-Buying and Hoaxes,” *Indonesian Journal of Halal Research* 2, no. 2 (2020): 33–39, <https://doi.org/10.15575/ijhar.v2i2.8981>.

<sup>29</sup> Mohamed A. 'Arafa, “White Collar Crimes, Corruption and Bribery in Islamic Criminal Law: Lacuna and Conceivable Paths,” *ROLACC: Rule of Law and Anti-Corruption Journal* 2018, no. 1 (2018): 1–10, <https://doi.org/10.31501/repats.v5i1.9785>.

<sup>30</sup> Hepi Riza Zen, “Politik Uang dalam Pandangan Hukum Positif dan Syariah,” *Al-'Adalah* 12, no. 1 (2917): 525–40, <https://doi.org/https://doi.org/http://dx.doi.org/10.24042/adalah.v12i1.205>.

<sup>31</sup> Majelis Ulama Indonesia, “Keputusan Ijtima' Ulama Komisi Fatwa Se-Indonesia VII,” *Komisi Fatwa Majelis Ulama Indonesia* (Jakarta, 2021), [https://muijatim.or.id/wp-content/uploads/2022/09/HASIL-IJTIMA\\_ULAMA-KOMISI-FATWA-SE-INDONESIA-VII-TAHUN-2021.pdf](https://muijatim.or.id/wp-content/uploads/2022/09/HASIL-IJTIMA_ULAMA-KOMISI-FATWA-SE-INDONESIA-VII-TAHUN-2021.pdf).

No	Fatwa Maker/s	Contents of the Fatwa
3	Muhammadiyah	falls into the category of <i>risywah</i> (bribe). <sup>32</sup> "Money politics or bribery by giving money or other materials with the intention of gaining support and being elected by the recipient of the bribe is a forbidden act." <sup>33</sup>
4	KH. Said Agil Siradj, Chairman of PBNU	"But let us uphold democracy in Indonesia to be a clean democracy and free from negative things because money politics is forbidden according to religion; It is the same as committing bribery." <sup>34</sup>
5	Ahmad Mustafa Ya'qub	"There should be no words that allow once every five years to become a presidential or regional election campaign team because money politics ( <i>risywah</i> ) is forever forbidden by law." <sup>35</sup>
6	Ustaz Abdul Somad	"Take the money, don't vote for the person, give the money to nursing homes, orphans, the poor, once it is forbidden, it remains forbidden." <sup>36</sup>

<sup>32</sup> Nahdlatul Ulama, *Muswarah Nasional Alim Ulama dan Konferensi Besar Nahdlatul Ulama*, ed. Ulil Abshar Hadrawy (Jakarta: LTN PBNU, 2012).

<sup>33</sup> Pengajian Tarjih, "Politisi Wajib Baca, Politik Uang dalam Pandang Islam," *Tomu.tv*, September 1, 2023, <https://tvmu.tv/politisi-wajib-baca-politik-uang-dalam-pandang-islam>.

<sup>34</sup> Sule, "Said Aqil Siradj: Money Politics Itu Haram dalam Agama," *Kupastuntas.co*, July 2, 2018, <http://kupastuntas.co/2018/07/02/said-aqil-siradj-money-politics-itu-haram-dalam-agama>.

<sup>35</sup> Emha Nabil Haroen, "Money Politics itu Hukumnya Haram," *NU Online*, March 28, 2011, <https://www.nu.or.id/warta/money-politics-itu-hukumnya-haram-1A19y>.

<sup>36</sup> Apriani Landa, "Jangan Terima 'Money Politic', Ustaz Abdul Somad: Haram!," *Tribunnews.com*, February 13, 2024, <https://toraja.tribunnews.com/2024/02/13/jangan-terima-money-politic-ustaz-abdul-somad-haram?page=all>.

Table 3 indicates agreement about the unlawful status of money politics as the main instrument in vote buying. However, it is more likely that the finding of Muhajir is well-proven. He found that even though there are many fatwas that prohibit the practice of money politics in general elections, many Muslim legislative candidates continue to practice it pretending that money politics is *halāl* in Islam.<sup>37</sup> In spite of it, we analyze common grounds between *risywah* and vote buying by focusing on several criteria of *risywah* relevant to vote buying and find some following critical points;

*First*, money-giving aims to influence decisions in choosing candidates for state officials. This, among others, stems from the opinion of Ibn al-Atsir in the book *al-Nihāyah fī al-Gharīb al-Ḥadīs wa al-Āsār* defining *risywah* as "*al-Wuṣlah ilā al-Ḥājah bi al-Muṣṭana'ah*" (delivering something desired by offering something).<sup>38</sup> This first point clearly reflects intention beyond vote buying practice in general election, including that of legislative ones. The money given is by no means free or for charity. Instead, it is delivered so that recipients can vote for the givers.

Another relevant definition of bribe money is delivered by Muhammad al-Fayyumi in "*Kitāb al-Misbāḥ al-munīr fī gharīb al-Sharḥ al-kabīr lil-Rāfi'ī*." Al-Fayyumi said that *risywah* is "something that someone gives to a judge or others so that he (the judge or others) can decide according to his (someone's) interests or support him in doing what he wants".<sup>39</sup> This definition implies that a judge and people are actually above the candidates so they need their support to make them elected. In other words, the money bribe will in turn influence voters in setting their priorities in choosing leaders as the second relevance shows.

*Second*, recipients of bribe money will likely prioritize candidates who give them money instead of their own characteristics,

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<sup>37</sup> Ahmad Muhajir, "Religion and Money Politics in Indonesia: Fatwa, Pietism and Muslim Candidate Vote-Buying in the 2014 Elections," *ANU Research* (Canberra: Australian National University, 2022), <https://doi.org/https://doi.org/10.25911/XNHQ-3F51>.

<sup>38</sup> Mashudi Umar, "Money Politic dalam Pemilu Perspektif Hukum Islam (Studi Analisis Keputusan Lembaga Bahtsul Masail Nahdlatul Ulama)," *At-Turas: Jurnal Studi Keislaman* 2, no. 1 (2015): 102-35, <https://doi.org/https://doi.org/10.33650/at-turas.v2i1.170>.

<sup>39</sup> Muhammad Ahmad bin Al-Fayyumi, *Kitāb Al-Misbāḥ Al-Munīr Fī Gharīb Al-Sharḥ Al-Kabīr Lil-Rāfi'ī* (Chapel Hill: University of North Carolina, 1906).

track record, leadership skills, and the likes. In fact, of the seven requirements to become a leader put forward by Al-Mawardi, there are no criteria related to material things or material gifts. Instead, they are personal credibility, knowledge mastery, opinion strength, and wisdom.<sup>40</sup> It is even commonly believed that a money bribe is a sort of alms from the candidates so that recipients have no choice but to accept it. Moreover, when the candidate is elected, they believe that they will not receive anything more so it is the only time they will receive the 'alms.'

*Third*, vote buying is the same as asking for a position because it is about forcefully making people vote due to money bribe. Therefore, it is deemed different from applying to be a leader or people representative using fair play and way. A hadith narrated by Bukhari explicitly mentions the Prophet prohibition for a companion named Abdurrahman bin Samurah not to ask for a position, "because if he is given (a position) because of asking, he will be abandoned but if he is given (position) without asking, he will be helped and if he makes an oath then seeing something better, he needs to pay the price of the oath and do better".<sup>41</sup> Apparently, the fair play of applying to be a leader or people representative is well described in the phrase given position without asking which, in this context, is by not committing vote buying.

*Fourth*, political brokers as the backbones of the vote buying practice is well depicted in another hadith about intermediaries who commit bribery for parties who want to occupy public office. It is narrated by Imam Ahmad and Ibnu Abi Syaibah which shows how "the prophet cursed the bribe givers, bribe recipients and their intermediaries, namely the person who connects the two".<sup>42</sup> The hadith clearly shows that vote buying is impossible without the intermediaries or so-called political brokers in this context who connect givers and recipients.

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<sup>40</sup> Abu'i Hasan Al-Mawardi, *Al-Aḥkām as-Sultāniyyah: The Laws of Islamic Governance* (London: Ta-Ha, 1996).

<sup>41</sup> Abu Abdillah Muhammad bin Ismail Al-Bukhari, *Sahih Bukhari, Al-Aḥkaam 93, Hadith 7146* (Texas: Dar-us-Salam Publications, 2002).

<sup>42</sup> Muhammad bin Isa At-Tirmidzi, "What Has Been Related About the One Who Gives a Bribe and the One Who Takes a Bribe For Judgement," in *Jami` At-Tirmidhi*, ed. Abu Khaliyl, 1st ed. (Riyadh: Darussalam, 2007).

It is no doubt that vote buying is contradictory to Islamic law according to various sources and experts. However, it is also hard to deny that apparently, there occurs a big shift in Madurese voters' priority scale in which they no longer make religion their main preference in choosing candidates and parties.<sup>43</sup> Bribe money seems to replace the top priority like what happened massively in the 2024 legislative election. A case of video showing money distribution reported to the Sumenep Regency Bawaslu<sup>44</sup> is only a little example of it. Meanwhile, at the national level, the voters who stated that they accept money politics in general elections has increased from period to period. This can be seen from the data released by some survey institutions implying the same thing with Madurese voters' permissive attitude towards money politics in the last 2024 election.

### Conclusion

This study reveals two types of vote buying practices commonly used to win the election, namely wholesale and retail. The former cheats the systems at the TPS level, while the latter directly approaches the voters by giving them cash. These two types can be used either individually or simultaneously considering each pro and cons. It also shows how strategic role that the political brokers play because without them, vote buying practices will be hard to commit to as candidates likely want to keep their images clean. Theoretically, this study enforces the theory of political actor networks that highlight the role of money in driving vote buying cycles. Practically, from an Islamic legal perspective, this study shows how religious perspective has been put aside by its believers when it comes to a few specific things, such as in general elections, either as voters or as candidates. Using pragmatic reasons with each respective purpose and interests, both tend to keep vote buying committed in periods ahead. This study has limitations due to its focus and research subject so broader research is needed covering larger or different scopes.

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<sup>43</sup> Budhy Prianto, "Partai Politik, Fenomena Dinasti Politik dalam Pemilihan Kepala Daerah, dan Desentralisasi," *Publisia: Jurnal Ilmu Administrasi Publik* 1, no. 2 (2016): 105–17, <https://doi.org/10.26905/pjiap.v1i2.436>.

<sup>44</sup> Hendra Efendi, "Begini Sikap Bawaslu Sumenep Soal Video Dugaan Politik Uang Caleg DPR RI Akhmad Ma'ruf," *Madurapost.Net*, February 9, 2024, <https://madurapost.net/begini-sikap-bawaslu-sumenep-soal-video-dugaan-politik-uang-caleg-dpr-ri-akhmad-maruf/>.

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