

# Implementasi Bantuan Keuangan Bagi Partai Politik Lokal di Kota Banda Aceh

*by misrahanum79@gmail.com 1*

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## 2 Implementation of Financial Assistance for Local Political Parties in Banda Aceh City

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Muhammad Alif Al Fathir, Irham Bashori Hasba

Fakultas Syariah, Universitas Islam Negeri Maulana Malik Ibrahim, Malang, Indonesia  
200203110068@student.uin-malang.ac.id

### Abstract

This research aims to analyze the allocation of financial assistance funds originating from the Banda Aceh City APBK given to Local Political Parties X and Y of Banda Aceh City after winning seats in the Banda Aceh City DPRD. There are several national and local political parties in Banda Aceh City that have allegedly not been able to fulfill the provisions of the law related to the procedures for using political party financial assistance. This research is important to do considering that financial assistance for political parties comes from the Banda Aceh City APBK so that it must be enjoyed by the people of Banda Aceh City through political parties that represent their domicile. This research is empirical juridical type and then elaborates the results of field research with two analytical blades, namely the perspective of Legal Effectiveness theory and Fiqh siyasah Maliyah. The difference and novelty element of this research is that the research was conducted on Aceh's local political parties in Banda Aceh City considering that Aceh's local political parties are a form of Acehese democracy. The results of this study indicate that according to the perspective of legal effectiveness theory, legal factors and supporting facilities for implementation are appropriate and sufficient. However, obstacles still exist in the aspects of law enforcement, society, and culture. The results of the accumulation of aspects of legal effectiveness theory then become the basis for the view of fikih siyasah maliyah. So it can be concluded that, the aspect of the benefit of the people from the use of political party financial assistance has not gone well. The aspect of amar ma'ruf nahyi mungkar with the use of this financial assistance is almost running as it should.

**Keywords:** Financial assistance; Local Political Party; Usage

### 1. INTRODUCTION

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One of the indicators of a democratic state is the application of the concept of the rule of law. Indonesia is a state of law in which the law is the highest authority with the aim of implementing and protecting the rights of its people. In the administration of a democratic state, the case of regulating, assessing, and supervising the exercise of power functions, must involve the community as a whole. Therefore, an institution is needed that can guarantee the participation of the community so that there is no barrier between the sovereign community and those entrusted by the community to carry out this sovereignty. Without this institution, the sovereignty of the people will be shackled and imprisoned in an authoritarian model of sovereignty. The institution in question is a political party.<sup>1</sup>

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Political party comes from two syllables, namely party and politics.<sup>2</sup> Article 28 of the 1945 Constitution states that Indonesian citizens have the freedom of association and assembly, to express their thoughts orally and in writing, and so on, as stipulated by law. Political parties can generally be defined as an organized association of people and members who participate in it, based on common orientations, values and ideals.<sup>3</sup> Political parties have

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<sup>1</sup> Jimly Asshidjic, *Konstitusi Dan Konstitusionalisme Indonesia* (Jakarta: Sekretariat Jendral dan Kepaniteraan MK RI, 2008).

<sup>2</sup> Istafa Lutfi dan M. Irwan Setiawan, *Risalah Hukum Partai Politik Di Indonesia* (Malang: UB Press, 2016).

<sup>3</sup> Ellya Rosana, "Par Politik Dan Pembangunan Politik," *Jurnal Tapis : Jurnal Teropong Aspirasi Politik Islam* 8, no. 1 (2012): 135–50, <https://doi.org/http://dx.doi.org/10.24042/tps.v8i1.1548>.

important functions and roles for society in the nation and state. One of the roles of political parties is to conduct political education for members and the community to become citizens who are aware of their rights and obligations in the life of society, nation and state.<sup>4</sup>

Aceh's local political parties, in terms of their history, cannot be separated from the long conflict between the Republic of Indonesia (RI) and the Free Aceh Movement (GAM). In the end, both parties agreed to hold a Memorandum of Understanding (MoU) in Helsinki, Finland on August 15, 2005. The event resulted in a legal product in the form of Law of the Republic of Indonesia Number 11 of 2006 concerning the Government of Aceh.<sup>5</sup> After the enactment of the Law on the Government of Aceh (UUPA), the province of Aceh officially holds the title of a special region. This was considered a political recognition after the end of the prolonged conflict. In order to promote sustainable peace between the two, juridically the specialty of Aceh is stated in the preamble of UURI Number 11 of 2006 concerning the Government of Aceh which reads "That based on the constitutional journey of the Republic of Indonesia, Aceh is a special or special regional government unit related to one of the distinctive characteristics of the history of the Acehnese people's struggle which has high resilience and fighting power".<sup>6</sup>

Financial assistance for local political parties comes from the Provincial Budget (APBD), hereinafter referred to as the Aceh Revenue and Expenditure Budget (APBA) and the Regency/City Regional Budget (APBD), hereinafter referred to as the Regency/City Revenue and Expenditure Budget (APBK). This assistance is given proportionally every year for five years to political parties that get seats in the Provincial or Regency/City People's Representative Council (DPRD), hereinafter referred to as the Aceh People's Representative Council (DPR) and Regency/City People's Representative Council (DPRK). The amount of this assistance is calculated based on the number of valid votes. When referring to Article 5 paragraph (5) of Government Regulation number 1 of 2018, the amount of financial assistance for political parties that get seats at the Regional People's Representative Council (DPRD) Regency/City level is IDR 1,500 per valid vote.<sup>7</sup> Given that the amount of assistance can increase according to the ability of the region, in accordance with Article 4 of Banda Aceh Mayor Regulation Number 32 of 2019, financial assistance to National and Local Political Parties in the City of Banda Aceh is IDR 27,000.00 per valid vote. The use of this assistance is prioritized for political education for cadres and the community and then used for party secretariat operations.

<sup>4</sup> Ika Setiati Budi Utami, Irham Bashori Hasba, "Peran Partai Politik Dalam Menyelenggarakan Pendidikan Politik Bagi Masyarakat Pada Pemilihan Umum Ditinjau Undang-Undang Nomor 2 Tahun 2014 Tentang Partai Politik Perspektif Hasan Al-Banna," *Al-Balad: Journal of Constitutional Law* 1, no. 1 (2019): 1-8, <https://doi.org/https://urj.uin-malang.ac.id/index.php/albalad/article/view/529>.

<sup>5</sup> Taufiq A. Rahim, "Analisis Aceh Dan Persoalan Politik Identitas," *Jurnal Geuthèë: Penelitian Multidisiplin* 01, no. 03 (2018): 231-44, <https://doi.org/https://doi.org/10.52626/jg.v1i3.36>.

<sup>6</sup> Ahmad Murodi, "Otonomi Khusus Dan Partai Politik Lokal: Analisis Kebijakan Undang-Undang Pemerintah Aceh No 11 Tahun 2006 Tentang Partai Politik Lokal," *Jurnal Penelitian Dan Karya Ilmiah* 19, no. 1 (2019): 76-87, <https://doi.org/https://doi.org/10.33592/pelita.vol19.iss1.71>.

<sup>7</sup> Songga Aurora Abadi, "Pertanggungjawaban Keuangan Partai Politik Yang Bersumber Dari Anggaran Pendapatan Belanja Negara Dan Anggaran Pendapatan Belanja Daerah," *Jurnal Ilmiah Pendidikan Pancasila Dan Kewarganegaraan* 4, no. 2 (1945): 328-40, <https://doi.org/https://doi.org/10.17977/um019v4i2p328-340>.

The initial problem arose because there were several political parties in Banda Aceh City that were suspected of not being able to fulfill the provisions of the law that had regulated the procedures for using financial assistance, especially regarding the provisions that determined that the use of financial assistance obtained by political parties that won seats in the DPRD and/or DPRD was prioritized for political education, then the rest of the financial assistance funds were used for party operations. The problem is exacerbated by the delay in submitting the accountability report, which shows that several political parties in Banda Aceh City have not fully implemented regulations related to the use of political party financial assistance and the principles of transparency and accountability.<sup>8</sup> Many of the people of Banda Aceh City also do not know that national and local political parties that receive financial assistance must carry out political education to the community, whether affiliated with a particular party or not.

The polemics over the use of the financial assistance funds were also exacerbated by the emergence of rumors in the media and among the public that financial assistance to political parties that have seats in the DPRD or DPRD institutions in Aceh is widely misused to pay party administrators, party staff, and office operational costs. Basically, referring to the Minister of Home Affairs Regulation No. 26/2013, as much as 60% of the financial assistance funds received by local political parties are earmarked for the improvement of political education for the general public. The polemic was discussed during a discussion event held by a forum in Banda Aceh with the theme "Transparency and Accountability of Political Party Finances, Facts and Efforts to Improve" the event was organized by the Aceh Transparency Society (MaTA) in collaboration with Indonesia Corruption Watch (ICW) at the MaTA office, Banda Aceh.<sup>9</sup>

There are several previous studies that have examined financial assistance for political parties. However, research related to political party financial assistance can be studied from various aspects and diverse perspectives. The first research by Imelda (2023) the focus of this research is divided into two, namely analyzing financial assistance for political parties in accordance with government regulations that regulate it and the implementation of government regulations related to the accountability report of political party financial assistance. The conclusion of the first study is that legal politics affects political party funding and the government has set up regulations related to accountability reports that should be obeyed by all political parties.<sup>10</sup>

The second research by Maratun (2022) focuses on analyzing the effectiveness of financial assistance to political parties provided by Jambi Province in the hope that parties in Jambi Province can carry out their functions and increase independence. The conclusion of this

<sup>8</sup> Zainal Abidin, Mufazzal, "Transparansi Dan Akuntabilitas Bantuan Dana Keuangan Partai Politik Dari APBA (Studi Kasus Lima Partai Politik Dominan Di Parlemen Aceh Tahun Anggaran 2014)," *Jurnal Ilmiah Mahasiswa FISIP Unsyiah 2*, no. 2 (2017): 406–27.

<sup>9</sup> Bakri, "Bantuan Parpol Banyak Diselewengkan," *Serambinews.Com*, March 11, 2014, <https://aceh.tribunnews.com/2014/03/11/bantuan-parpol-banyak-diselewengkan>.

<sup>10</sup> Liza Nofianti, Chitra Imelda, "Implementasi Bantuan Keuangan Kepada Partai Politik (Analisis Peraturan Pemerintah Nomor 1 Tahun 2018 Tentang Bantuan Keuangan Kepada Partai Politik)," *Jurnal Thengkyang 8*, no. 1 (2023): 12–19, <https://doi.org/https://jurnal.unisti.ac.id/thengkyang/article/view/157>.

study is that although the institution that distributes financial assistance, in this case Bakesbangpol, has acted in accordance with government regulations, there are still obstacles in the distribution of assistance to parties because political parties have not followed the procedures for one reason or another.<sup>11</sup> The third research by Nicken (2022) focuses on the implementation of policies related to the use of financial assistance for political parties for political education carried out by the DPP of the Democratic Party. The conclusion of this study is that the DPP Democratic Party has used Financial Assistance in 2019 in accordance with the Law. However, this was not the case in the 2021 and 2022 fiscal years on the grounds that the amount of assistance was not sufficient to meet the operational costs of the party secretariat.<sup>12</sup>

Based on the brief description of the three previous studies above, there are differences and elements of novelty from this research. This study examines how the allocation of financial assistance funds sourced from the Banda Aceh City Regency/City Revenue and Expenditure Budget (APBK), which is given to local political parties X and Y after winning seats in the Banda Aceh City District/City People's Representative Council (DPRK). The political parties studied are local political parties because they are a form of democratic specificity for the Aceh region. This research also elaborates field research with two analytical blades, namely the perspective of Legal Effectiveness theory and the perspective of Fiqh Siyasaah Maliyah so that the results of field research can be understood with a varied and structured theoretical framework.

## 2. METHOD

This research uses empirical juridical research methods commonly known as field research. This type of research examines the applicable legal provisions then how reality occurs in society.<sup>13</sup> This research describes specifically also in depth about a situation or phenomenon of the object of research, which is researched by developing concepts and collecting reality in the field (*De facto*), then analyzing its suitability with applicable legal norms (*De jure*). The approach used in this research is a juridical sociological approach. This approach identifies and conceptualizes law as a social institution that is functional in real life systems.<sup>14</sup> This approach focuses on research that aims to obtain legal knowledge empirically by going directly to the object. Field research intends to study intensively the background of the situation in the field, individuals, groups, social interactions, institutions and society.

The types of data used in this research are Primary and Secondary data. Primary data, namely data obtained from interviews and observations for qualitative research and is also data

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<sup>11</sup> Maratun Saadah, "Efektivitas Anggaran Keuangan Dalam Mewujudkan Kemandirian Partai Politik Di Provinsi Jambi," *Journal Publicuho* 5, no. 1 (2022): 63–72, <https://doi.org/DOI:http://dx.doi.org/10.35817/jpu.v5i1.23744>.

<sup>12</sup> Ismail Nurdin Nicken Paramega Lestari, Djohermansyah Djohan, "Implementasi Kebijakan Penggunaan Anggaran Keuangan Partai Politik Dalam Pelaksanaan Pendidikan Politik Di Dewan Pimpinan Pusat Partai Demokrat," *Jurnal Penelitian Dan Konseling* 4, no. 6 (2022): 4640–65, <https://doi.org/https://doi.org/10.31004/jpdk.v4i6.9006>.

<sup>13</sup> Sugiyono, *Metode Penelitian Kualitatif Dan R&D* (Bandung: Alfabeta, 2009).

<sup>14</sup> Soerjono Soekanto, *Pengantar Penelitian Hukum* (Jakarta: UI Press, 2010).

obtained from first sources either individually or in groups. Researchers obtain data directly from sources, data obtained directly from the first source or information.<sup>23</sup> The secondary data used is information obtained from books or written documents and secondary data is also data obtained from other parties, not directly obtained by researchers from their research subjects. Secondary data that will be used is literature in the form of open books, research reports in the form of reports, journals, newspapers, magazines, documents, laws and regulations and others.<sup>15</sup>

The data that has been collected through the above process is then analyzed using qualitative descriptive techniques. This analysis method seeks to describe and explain the previously collected data clearly, generally, and thoroughly with the aim that readers can find out the actual situation in the field.<sup>16</sup> This technique elaborates field facts with rationalization from the point of view of the analysis knife, thus providing theoretical information.

### 3. RESULTS AND DISCUSSION

Financial assistance for political parties that have seats in the Aceh People's Representative Council (DPRA) and Regency/City People's Representative Council (DPRK) comes from the Aceh Revenue and Expenditure Budget (APBA) and Regency/City Revenue and Expenditure Budget (APBK). The National Unity and Politics Agency (Kesbangpol) is a channeling institution and recipient of accountability reports from the use of financial assistance for political parties in Banda Aceh City to be forwarded to the Mayor of Banda Aceh.<sup>17</sup> This assistance is a form of support as well as facilities provided by the Aceh region with the aim that these political parties can carry out their obligations to party cadres, the community, and the party secretariat itself. The political party should carry out the mandate of the region as well as possible in accordance with applicable regulations. The purpose of using this banparpol is explained in Government Regulation of the Republic of Indonesia Number 1 of 2018. In the regulation, it is said that political party tires originating from the Regional Budget (APBD) are prioritized for political education for party cadres and the community.<sup>18</sup> So the regulation also applies to national political parties and local political parties in Banda Aceh City.

In the 2019 legislative general election, nine political parties won seats in the Banda Aceh Municipal People's Representative Council (DPRK) for the 2019-2024 term. Two of the political parties that won seats were local Acehnese political parties while the other seven were national political parties. Local political party X received 1 seat with a total of 7,646

<sup>15</sup> Anwar Saifuddin, *Metodologi Penelitian* (Yogyakarta: Pustaka Pelajar, 2004).

<sup>16</sup> Andi Mulya Rusli 3 Angelalia Roza, Ahlul Fikri, Analisis Kenyamanan Jalur Pedestrian Jalan Ps. Baru Padang Dengan Teknik Analisis Deskriptif Kualitatif," *Journal of Civil Engineering and Vocational Education* 7, no. 2 (2020): 98–109, <https://doi.org/https://doi.org/10.24036/cived.v7i2.109838>.

<sup>17</sup> Admin Humas Pemerintah Kota Banda Aceh, "Pemko Banda Aceh Kucurkan Dana Bantuan Parpol," *Pemerintah Kota Banda Aceh*, 2023, <https://bandaacehkota.go.id/berita/35996/pemko-banda-aceh-kucurkan-dana-bantuan-parpol.html>.

<sup>18</sup> Hamzah Muhammad Heikal Daudy, "Pelaksanaan Pendidikan Politik di Kota Banda Aceh Pasca Terbitnya Undang-Undang Nomor 2 Tahun 2008 Tentang Partai Politik," *Jurnal Hukum Dan Keadilan "MEDIASI"* 8, no. 2 (2018): 39–59, <https://doi.org/https://doi.org/10.37598/jm.v8i2.891>.

valid votes. The vote acquisition is then multiplied by the amount of one valid vote in Banda Aceh City, which is IDR 27,000, so that financial assistance for local political party X is IDR 206,442,000 per year. Meanwhile, political party Y gets 2 seats with 8,480 valid votes. This acquisition is multiplied by the amount of one valid vote in Banda Aceh City so that the financial assistance each year for political party Y amounts to Rp.228,960,000.<sup>19</sup> Given that the disclosure of information related to the amount of assistance per one valid vote and the results of the accountability report for the use of financial assistance for local political parties is a complex matter, this matter has been regulated in article 18 of the Banda Aceh Mayor Regulation Number 32 of 2019. The regulation states that "The accountability report as referred to in article 17 is open to the public".

**Table 1.** Financial assistance for Local Political Parties X DPW of Banda Aceh City for the 2020-2023 budget year.

Local Political Party X 206.442.000,-/year			
Budget year	Political education	Party secretariat operation	Division in percent (%)
2020	135.865.000,-	70.557.000,-	65.8-34.2
2021	124.447.500,-	81.994.500,-	60.2-39.8
2022	149.700.000,-	56.742.000,-	72.5-27.5
2023	154.831.500,-	51.610.000,-	74.9-25.1

Source: Accountability report of Local Political Party X DPW Banda Aceh City 2020, 2021, 2022, 2023.

Based on table 1 above, it can be explained that the use of financial assistance by local political parties X Banda Aceh City every year for four years (2020, 2021, 2022, 2023) is in accordance with applicable regulations where the use of political party financial assistance is prioritized to carry out political education. However, in implementing the applicable regulations, there needs to be cooperation from the subject and object of the law itself. Often the obstacles in implementing an applicable regulation are hampered by an understanding of the regulation, the subject, and the object of the regulation. So in implementing the provisions of Government Regulation number 1 of 2018 concerning the second amendment to Government Regulation number 5 of 2009 concerning Banparpol, local political parties must understand well to whom the implementation of political education activities is aimed at and provide socialization to the community that there are programs from political parties aimed at them. Furthermore, community participation is also needed so that programs that have been supported by this financial assistance can run appropriately and as expected.

<sup>19</sup> Kota Banda Aceh, "Peraturan Walikota Banda Aceh Nomor 32 Tahun 2019" (2019).

**Table 2.** Financial assistance for Local Political Parties Y DPW Banda Aceh City for the 2020-2023 budget year.

Local political party Y 228.960.000,-/year			
Budget year	Political education	Party secretariat operation	Division in percent (%)
2020	136.800.000,-	92.160.000,-	59.7-40.3
2021	137.400.000,-	91.560.000,-	60-40
2022	161.460.000,-	67.500.000,-	70.5-29.5
2023	160.500.000,-	68.460.000,-	70.1-29.9

Source: Accountability report of Local Political Party Y DPW Banda Aceh City 2020, 2021, 2022, 2023.

The table above is a summary of the accountability report of local political parties in Banda Aceh City. In the 2020 budget, the use of financial assistance is still not in accordance with applicable regulations. In 2020 this party used 59.7% of financial assistance to conduct political education while the party secretariat operations amounted to 40.3%. Indeed, when referring to the Minister of Home Affairs Regulation number 36 of 2018, it is only stated that the implementation of this assistance is "prioritized" for political education. This becomes less certain because there is no binding diction regarding the amount of use. Unlike the previous Minister of Home Affairs Regulation number 26 of 2013 which clearly states that at least 60% and then the rest is for the operations of the party secretariat. Furthermore, in the 2021, 2022 and 2023 budgets, this assistance fund has been used in accordance with applicable regulations.

### 3.1 Analysis of the Use of Financial Assistance for Local Political Parties X and Y in Banda Aceh City from the Perspective of Legal Effectiveness Theory

Legal certainty is real, while justice is abstract. Law is a tool to regulate and as a means of engineering society, law cannot carry out itself without anyone implementing and enforcing it. The role of law in the life of society and the state is very important because without a governing law, everything will go according to free will or the will of certain parties.<sup>20</sup> This cannot be allowed because the limits of the rights of a person or institution are the rights of other people or institutions. This means that without the creation of a regulation or legal norm, the will of a person or group can sometimes deprive the rights of other people or groups because it is not limited by law. Whether or not the application of a law is effective is inseparable from several internal and external factors of the law itself. This is in accordance with the opinion of Soerjono Soekanto who explains that if you want to measure

<sup>20</sup> Musleh Herry, Imam Sukadi "Efektifitas Perlindungan Hukum Terhadap Lahan Pertanian Produktif Di Kota Malang" (Malang, 2016).



The effectiveness of a law, you can measure it with five main interconnected aspects, namely the legal factors themselves, law enforcement factors, law enforcement facilities, community factors, and cultural factors.<sup>21</sup>

According to Hans Kelsen, the discussion related to legal effectiveness cannot be separated from the validity of the law. The validity in question is that the law is binding and should be obeyed by the community. Law aims to realize certainty and justice in life. According to Hans Kelsen, the law must be known with certainty by the community so that both the community and law enforcement can work together to realize the aspired law.<sup>22</sup>

Government Regulation Number 1 of 2018 concerning Financial Assistance to Political Parties and its derivative, namely the Minister of Home Affairs Regulation Number 36 of 2018, both have regulated both generally and specifically related to the use of financial assistance for political parties. Local political parties X<sup>23</sup> and Y<sup>24</sup> in Banda Aceh City both agree that the implementation of this regulation is appropriate considering that this assistance comes from APBK, so it is appropriate for the party and the people of Banda Aceh City to benefit. Both parties also recognize that the running of a local political party is very dependent on assistance from the local government because not all local political parties have sufficient finances. The implementation of this regulation can be seen from the two tables above which conclude that these two local political parties have implemented it well. Although in its implementation, political party Y was still not on target once in the 2020 budget but then continued to improve in subsequent years. This proves that the level of awareness of institutions that carry out this regulation continues to increase. This means that the factor of a legal provision here has been said to be good because 90% of it runs as it should.

A regulation or rule cannot implement or enforce itself. Local political parties X and Y as law enforcers here are a crucial factor considering that there are already special orders made to be carried out by the two local political parties. As law enforcers and implementers, local political parties X and Y should understand very well whom the implementation of this regulation is carried out. Article 11 Paragraph (1) of Law Number 2 of 2011 concerning Political Parties, Government Regulation Number 1 of 2018 concerning Banparpol, Minister of Home Affairs Regulation Number 36 of 2018 concerning the Use of Banparpol has explained that the use of this assistance is used for political education for party cadres and

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<sup>21</sup> Farida Azzahra, "Pemberlakuan Sanksi Administratif: Bentuk Upaya Paksa Menatankan Kepatuhan Pejabat Atas Pelaksanaan Putus Peradilan Tata Usaha Negara (Teori Efektivitas Hukum)," *Binamulia Hukum* 9, no. 2 (2020): 127. <https://doi.org/10.37893/jbh.v9i2.122>.

<sup>22</sup> Galih Orlando, "Efektivitas Hukum Dan Fungsi Hukum Di Indonesia," *Tarbiyah Bil Qalam: Jurnal Pendidikan, Agama Dan Sains* 6, no. 1 (2022): 49–58. <https://doi.org/https://ejurnal.stita.ac.id/index.php/TBQ/article/view/77>.

<sup>23</sup> "Wawancara Dengan Sekretaris Umum Partai Politik Lokal X" (27 Februari 2024).

<sup>24</sup> "Wawancara Dengan Sekretaris Umum Partai Politik Lokal Y" (28 Februari 2024).

the general public in order to increase understanding of the pillars of the state and political participation.<sup>25</sup>

These two local political parties argue that political education carried out using financial assistance from APBK is only carried out for cadres or underbow parties. The reason for local political party X is that not all members of the general public have loyalty and militancy to the party, so those who receive this political education are only those who are affiliated with the political party. Considering that these cadres will continue the management of the party.<sup>26</sup> Meanwhile, the reason for local political party Y is that they only educate about political education to their cadres and underbows because these cadres and underbows are considered representatives of the community who are again useful and affiliated with their party.<sup>27</sup> The understanding of the two parties regarding this regulation is still not correct because what is meant in the legislation is the general public, which means that those who are affiliated or not affiliated with any party are also entitled to political education in order to know about the pillars in the state, rights and obligations as a society, and to become a smart society as well as participatory in politics.

Lack of supporting facilities and amenities can hinder law enforcement. Law enforcement requires several important components such as educated human resources, an effective organizational system, and sufficient finances. Given and considering that law enforcement is an effort so that the law runs properly and people and legal institutions can comply with it. Thus it is important to know that there are good means and facilities to help and facilitate this effort.<sup>28</sup> The law enforcement facility referred to here is Financial Assistance for Local Political Parties sourced from APBK.

There is a difference of opinion between local political party X and local political party Y regarding this facility in the opinion about the amount of assistance they receive. Local political party X believes that whether or not the assistance provided is sufficient is conditional depending on the party's expenditure each year. As was the case during the Covid-19 period where the use of aid was allocated to Covid-19 handling efforts.<sup>29</sup> This makes the use of aid must follow the applicable procedures so that the party must make extra efforts so that its use is appropriate. Meanwhile, local political party Y argues that the amount of financial assistance they receive is still considered mediocre considering the cost of renting an expensive secretariat and every time they carry out consolidation in several villages and sub-districts it costs a lot of money, so they hope that if the region has the ability to increase the amount of this assistance they will strongly agree. From the two reasons above, it can be understood that the two local political parties in Banda Aceh City still have

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<sup>25</sup> He Yanti Masriyani, "Fungsi Partai Politik Dalam Memberikan Pendidikan Politik Bagi Masyarakat," *Wajah Hukum* 3, no. 1 (2018): 97–109, <https://doi.org/10.33087/wjh.v3i1.50>.

<sup>26</sup> "Wawancara Dengan Sekretaris Umum Partai Politik Lokal X." (27, Februari 2024)

<sup>27</sup> "Wawancara Dengan Sekretaris Umum Partai Politik Lokal Y." (27, Februari 2024)

<sup>28</sup> Fadhlin Ade Candra and Fadhillatu Jahra Sinaga, "Peran Penegak Hukum Dalam Penegakan Hukum Di Indonesia," *Edu Society: Jurnal Pendidikan, Ilmu Sosial, Dan Pengabdian Kepada Masyarakat* 1, no. 1 (2021): 41–50, <https://doi.org/https://doi.org/10.56832/edu.v1i1.15>.

<sup>29</sup> Kementerian Dalam Negeri, "Peraturan Menteri Dalam Negeri Nomor 78 Tahun 2020" (2020).

to make extra efforts in an effort to implement the applicable regulations. It cannot be denied that the facilities for the establishment of a political party have been achieved at a modest cost. However, all regulations are not made <sup>44</sup> without serious consideration and survey. Therefore, local political parties should be able to carry out the mandate of the Law so that the political ecosystem in Indonesia can run conducive.

Society is the goal of law enforcement and plays an important role. It is said that when people feel the law suits them and when people are more <sup>2</sup> aware of the law, law enforcement efforts become better.<sup>30</sup> The community as the object of the implementation of the mission of local political parties is an element that determines whether or not the mission that has been entrusted to the political party is running. In the city of Banda Aceh, there are local political parties which are the privileges of Aceh Province in democracy. Local political parties can only occupy the DPRA and DPRK or sit in the Provincial or Regency/City level Representative Council. In contrast to national political parties, local political parties in addition to carrying out the vision and mission of the Republic of Indonesia, they also received a special mandate from the Aceh region and its cities and districts to convey the aspirations of their people.

Sadly, the current facts on the ground show that there is a crisis of confidence by the people of Aceh themselves in their special means of democracy.<sup>31</sup> <sup>12</sup> The people of Banda Aceh assume that local political parties are only concerned <sup>55</sup> with the interests of their groups without thinking about the interests of the people of Aceh, especially in the city of Banda Aceh. Of course, this assumption is not without reason. It is true that some members of the council who come from local political parties are not trustworthy when carrying out their positions. However, it would be wiser not to generalize that all officials from local political parties are not trustworthy in carrying out their duties, let alone to give a bad label and eliminate trust in Aceh's special institutions in democracy.

Soerjono Soekanto argues that culture can greatly influence community behavior and participation in the implementation of law. A culture can increase the success of legal implementation.<sup>32</sup> Acehnese culture has <sup>60</sup> always been in harmony with Islamic culture. Likewise, the people's views on politics in Banda Aceh City. The people of Banda Aceh City aspire to a political system that always prioritizes the values of honesty, trustworthiness <sup>59</sup>, and the benefit of the ummah. The people of Banda Aceh tend to want to participate in general elections and regional head elections. However, the enthusiasm of the people of <sup>53</sup> Banda Aceh is still not accompanied by knowledge related to politics, the pillars of the state, and the rights and obligations as a society in the state. This is related to the law enforcement factor

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<sup>30</sup> Mohd Yusuf et al., "Penegak Hukum Dalam Sistem Peradilan Pidana Di Indonesia (Studi Terhadap Advokat, Kepolisian, Kejaksaan Dan Hakim) Mohd.," *Jurnal Pendidikan Dan Konseling* 5, no. 2 (2023): 2911–20, <https://doi.org/https://doi.org/10.31004/jpdk.v5i2.13662>.

<sup>31</sup> Heri Budianto, "Strategi Penanganan Krisis Partai Dari Pandangan Publik," *Jurnal Visi Komunikasi* 13, no. 1 (2014): 154–68, <https://doi.org/https://dx.doi.org/10.22441/visikom.v13i1.391>.

<sup>32</sup> Ogi Cahyadi Arta Mohd, Yusuf Daeng M, Kurniawan <sup>20</sup>: Wijaya, Arif Arman, "Perspektif Sosiologi Terhadap Terhadap Efektivitas Penegakan Hukum Di Masyarakat," *INNOVATIVE: Journal Of Social Science Research* 3, no. 2 (2023): 5892–5900, <https://doi.org/https://doi.org/10.31004/innovative.v3i2.1028>.

described above. In addition to the miscommunication of Banda Aceh's local political parties regarding the regulations to whom political education is provided, local political parties X and Y of Banda Aceh City agree that, even ordinary people who are affiliated with political parties still apply the culture of "Habis makan pulang", meaning that they are prospective party cadres from ordinary people who have been recruited by political parties to take part in party regeneration training only come to get transportation money and lunch without any serious intention for political education. Many of them after attending one or two training events and then receiving transportation money, they do not return to become political party cadres. Such a culture causes law enforcement related to the use of political party financial assistance to still not be implemented properly.

### 3.2 Analysis of the Use of Financial Assistance for Local Political Parties X and Y in Banda Aceh City from the Perspective of Fikih Siyasah Maliyah

Fikih Siyasah Maliyah etymologically comes from three syllables, namely Al-fiqh which means understanding and siyasah which means politics and Maliyah which means property or finance. So terminologically fikih siyasah maliyah can be interpreted as understanding or thinking related to state financial politics. The main sources of Islamic law are the Quran, Sunnah, Ijma, and qiyas. These sources of law are the basis for a constitutional concept, namely the concept of Siyasah Maliyah, or state financial policy. This concept is one of the most important systems of Islamic governance. This concept includes theories about transparency, accountability, the use of the state budget, and sources of state revenue.<sup>33</sup>

Basically, the state budget is held for the benefit of society and the welfare of the country itself. Because the welfare of the people in terms of finance and knowledge starts the progress and prosperity of a country. It is likely that the policy bearers responsible for the country's finances will manage these large financial resources. According to Ibn Taymiyyah, the authority must ensure that the funds collected by a financial body will be used for the benefit of the ummah. Ibn Taymiyyah also argues that the benchmark for the application of the concept of fiqh siyasah maliyah can be measured by the level of benefit of the people and amr ma'ruf nahyi mungkar resulting from the use of the state budget.<sup>34</sup>

To be able to analyze the effectiveness of the use of the state budget from the perspective of Siyasah Maliyah, it is necessary to classify aspects using the pillars of Islamic economic development. there are three pillars of Islamic economic development including, reviving the human factor, decentralizing the state budget, and structural changes.<sup>35</sup> In the concept of state financial policy, Indonesia has a State Budget (APBN) and Regional Budget (APBD). The budget that comes from the state treasury and income actually comes more or less from

<sup>31</sup> Na Masruroh, "Gagasan Hukum Pemungutan Pajak Penghasilan Bagi Youtuber Perspektif Fiqh Siyasah Maliyah" (Universitas Islam Negeri Maulana Malik Ibrahim, 2020).

<sup>34</sup> Muhammad Iqbal, *Konteksualisasi Doktrin Politik Islam* (Jakarta: Prenada Media, 2014).

<sup>35</sup> Dzikrina Puspita and Rizki Febriadi, "Tinjauan Fikih Siyasah Maliyah Terhadap Penggunaan Dana Desa Di Desa Batukarut Kabupaten Bandung," *Prosiding Hukum Ekonomi Syariah* 5, no. 2 (2018): 320–29, <https://doi.org/http://dx.doi.org/10.29313/syariah.v0i0.16488>.

the citizens themselves through taxes. Thus, a mutual relationship between the state and its people can occur by means of the community carrying out its obligations to the state in the form of tax payments, then the state provides rights for its people in the form of adequate infrastructure and facilities.<sup>36</sup> These facilities are not only in the form of facilities or objects but can also be in the form of knowledge through education.

In this research, the source of finance for the benefit of the people is the Banda Aceh City Regency Revenue and Expenditure Budget (APBK). One of the uses of APBK here is to be given to political parties in Banda Aceh City in the form of financial assistance for political parties. Furthermore, the allocation of these funds is regulated in the applicable regulations.

The principle of the benefit of the people achieved by the use of financial assistance by local political parties in Banda Aceh City, if referring to the discussion above, it can be said that it is still not well implemented. This is not without reason, it can be seen that local political parties in Banda City as implementers of financial assistance still misunderstand the applicable regulations. Supposedly, political education organized with this regional budget should be aimed at all people who live in accordance with the electoral districts (Dapil) of the council members who serve through these local political parties. But in fact, what they understand is that political education that uses this regional budget is only intended for party cadres and their wing organizations. If you look at the amount of assistance as a supporting facility for activities, the assistance can be said to be sufficient to implement the applicable regulations. So, it can be concluded that related to the aspect of the benefit of the ummah as one of the main aspects in Fikih Siyash Maliyah, local political parties X and Y in Banda Aceh City in using financial assistance sourced from the regional budget are still not in accordance with the concept of Fikih Siyash Maliyah.

The second principle that is also a major aspect in the perspective of Siyash Maliyah in Ibn Taimiyah's view is the principle of Amr ma'ruf nahyi mungkar, which means the command to do good, prohibiting doing evil. In this second principle, when viewed from the use of financial assistance based on APBK, local political parties X and Y in Banda Aceh City have largely implemented 50% of this principle. This can be seen from the compliance of the two parties in complying and agreeing with the applicable regulations and trying their best to implement the applicable regulations. The remaining 50% of the successful implementation of this aspect of Fikih Siyash Maliyah is due to misunderstanding of regulatory provisions, community factors, and cultural factors of the people in Banda Aceh City.

#### 4. CONCLUSION

The regulation on the use of financial assistance originating from the Banda Aceh City APBK implemented by Local X and Y political parties in Banda Aceh City, seen from the perspective of legal effectiveness, the level of awareness of local political parties continues

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<sup>36</sup> Zukra Budi Utama, "Anomali Kebijakan Keuangan Negara dan Solusinya Melalui Perubahan Budaya Kerja Di Lembaga Pengguna Anggaran," *INTEGRITAS: Jurnal Anti Korupsi* 1, no. 1 (2015): 137-57, <https://doi.org/https://doi.org/10.32697/integritas.v1i1.117>.

to increase in implementing this regulation. However, local political parties X and Y as law enforcers have not been precise in understanding the regulations related to whom this political education is aimed at. Community and cultural factors are still an obstacle in the implementation of these regulations. The crisis of public trust in local political parties is an obstacle to the implementation of these regulations. From cultural factors, the people of Banda Aceh City are less enthusiastic in the culture of learning politics. So that the enthusiasm of the community to know politics is only limited to getting transportation costs. The accumulation of the analysis of the perspective of legal effectiveness above, reviewed from the point of view of siyasah maliyah shows that the principle of the benefit of the people achieved by the use of financial assistance has not been implemented properly because local political parties X and Y as implementers of financial assistance only carry out political education programs for cadres and party underbosses but not to the general public. The principle of amar ma'ruf nahyi mungkar implemented by local political parties X and Y has also not been fully implemented. This is still constrained by the understanding of the two parties regarding the applicable regulations.

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