

KORPORASI DAN POLITIK UANG DALAM KAMPANYE PEMILU

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Abstract

The form of corporate crime is not only in the field of environment pollution, deceive of consumer, unfair trade practices, etc, but also in the field of politics. In this field, it is usually for economic advantage through the campaign fund contributed to the party. In USA, Watergate scandal, for example, showed the corporate involvement in the general elections arena, so in 1971 the USA government legislated a new regulation limiting the sum of corporate contribution to political party. Indonesia, in the face of general election 2009, has anticipated it by Act Number 10 Year 2008. However, if we pay close attention to the penal policy as regulated in Article 276 which just regulates imprisonment and fine, while the additional punishment is not regulated in that statute. It is worried that the statute will not be effective to prevent the corporation's violation of the contribution limit tolerated by the statute. Besides, no article regulates the corporation as legal subject. The weakness of the formulation policy will influence the interaction perpetuation which benefits each-other between the contributor and receiver of contribution. As a consequence, it is difficult to prevent the conspirative connection for each elite group interest.

Key words: Campaign contribution, corporate crime.

A. PENDAHULUAN

Semula, suatu kejahatan hanya dipahami dan dipersepsi sebatas pada wilayah kejahatan konvensional. Akan tetapi, dengan munculnya teori white-collar crime dari Sutherland telah menambah perbendaharaan perkembangan pemahaman suatu kejahatan, termasuk kejahatan korporasi. Namun demikian, bukan berarti pemahaman masyarakat terhadap kejahatan korporasi sudah berkembang seiring dengan perkembangan kejahatan korporasi itu sendiri.

Perkembangan kejahatan korporasi dimaksud tidak hanya di bidang periklanan, pencemaran dan perusakan lingkungan hidup, tetapi juga di bidang politik, yaitu sumbangan politik yang dilakukan oleh korporasi untuk dana kampanye pemilihan

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