

Law Enforcement Preventing the Spread of False News in Indonesian Elections

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Abstract

General elections cannot be separated from political activities that attract the attention of the people in Indonesia. In fact, there are lots of platforms circulating on social media that provide hoax news or fake news related to the general elections being held in Indonesia which are also inseparable from the spread of fake news or hoaxes. This research was conducted to see how law enforcement is in an effort to prevent the spread of fake news in the implementation of elections in Indonesia. The research method used is normative legal research with a descriptive qualitative approach. The results of the study show that fake news or hoaxes that occur in the community during general election activities have a very bad impact and can break up national unity. The absence of more specific and specific instruments in dealing with the spread of fake news necessitates the need for other specific rules regulated in the election law. In addition, synergy is needed from various parties such as the Ministry of Communication and Informatics, the entire KPU, the police and the public to combat hoax news which can have a negative impact.

Keywords: law enforcement; preventing; the spread of false news

INTRODUCTION

The holding of general elections is a crucial aspect of any democratic system, including Indonesia. However, with the rise of social media, there has been an increase in the spread of fake news and hoaxes related to elections in Indonesia [1]. As we know, fake news can have a negative impact on the values of democracy and may harm a group of people. In this journal, we will examine the phenomenon of fake news and hoaxes during general elections in Indonesia and the role of related regulations in addressing this issue.

In Indonesia's democratic system, political parties act as infrastructure vehicles to bridge and accommodate politicians in achieving positions in the political superstructure. Therefore, elections are considered a tool for legitimizing power under democratic law in Indonesia. General elections in Indonesia are regulated by Article 22 Paragraph 1 of the 1945 Constitution, which mandates that elections be carried out directly, generally, freely, confidentially, honestly, and fairly every five years. One of the essential principles of an election's implementation is justice, where every participant has the same rights and is free from any fraud or injustice [2].

Election fraud is a stain on the democratic process and can result in a bad image, leading to the loss of the meaning of justice in democracy. Cheating in elections can lead to the election of representatives who do not align with the people's mandate [3]. The concept of people's democracy is based on the idea that the people are the highest law, and general elections uphold people's sovereignty through voting rights over representatives sitting in

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parliament and government. Therefore, any form of fraud or injustice in the democratic process violates this principle and harms the values of democracy.

Furthermore, political parties in Indonesia serve as the infrastructure vehicles that bridge and accommodate politicians in order to achieve positions or positions in the political superstructure. This is why elections are a tool where power is considered legitimate under democratic law in Indonesia. However, in recent times, the spread of fake news or hoaxes related to general elections has become a growing concern.

The spread of fake news and hoaxes in elections is a serious issue that must be addressed. In fact, there are currently a lot of platforms circulating on social media where such false information is being spread [4]. The dissemination of fake news can have a negative impact or harm experienced by a group of people with the aim of hurting the values of existing democracy. As we all know, fake news is regulated in the legal realm and can be subject to sanctions as stipulated in the law on information and electronic transactions, namely law number 19 of 2016 concerning changes to law number 11 of 2016.

In order to solve these problems, this journal will discuss the phenomena that occur regarding the spread of fake news and hoaxes in the implementation of general elections and the role of related regulations in addressing these issues. The principle of justice is one of the most important principles in the implementation of fair elections. The meaning of fair elections in the implementation can be found from several definitions and explanations [5]. It is essential that every voter and participant who takes part in the general election gets the same rights or treatment and is also free from all kinds of fraud from any party. Any kind of fraud in a democratic process is a violation that occurs if injustice occurs in elections.

Cheating in the election process is a bad stain and creates a bad image that can make the substance of democracy itself lose the meaning of justice. The impact of election fraud is that people may be elected who are not in accordance with the mandate of the people [6]. In the concept of people's democracy, the people can be interpreted as the highest law. Therefore, general elections are theoretically an implementation of upholding people's sovereignty because through election activities, legitimacy is in the hands of the people through voting rights over representatives sitting in parliament and government.

In an election campaign, it is an attempt by prospective politicians who want to get votes by influencing their voters, which of course is not allowed to carry out some coercive activities or carry out rhetoric or mass communication or lobbying and so on in the case of reality. referred to as propaganda which If propaganda in a democratic country is criticized because it is also a technique that is widely used by politicians or candidates as political communicators of course One of the propaganda techniques and also the technique of political gravity that is happening at this time is by spreading the news hoax which of course can affect society.

The linkage of hoaxes to the implementation of elections that is very striking is in the activities that occur in election activities, of course, which are very vulnerable to divisions due to fake news or hoaxes because they can attack political opponents who are very effective and fast, which damage and influence the judgment of society or the public, of course. can bring down his political opponents especially in this era of internet media which is increasingly free and widely accessible by the public [7]. Of course, of course, in conducting elections, the candidates usually carry out campaigns, where campaigns are also an instrument to introduce potential candidates and how the program will be implemented, but sometimes in carrying out a campaign activity this becomes more negative if it is accompanied by fake news and can be recognized. also a term called a negative campaign which is carried out by pairs of candidates in order to aim, of course, to look for the weaknesses of their opponents with the main goal being to get votes.

Sometimes in election activities where the goal of reasonable things in a campaign that can still be accepted can be a competition to gain sympathy from the factory but if it leads to lies and baseless campaigns this can be categorized into a bad campaign or a negative campaign where it can known as the black campaign. Various modes of campaigning or fake news. This has actually happened in democratic countries or in other political worlds

in foreign countries where the spread of this money often occurs, as is the case in America, which instills the spread of fake news that is no exception. Happening in the social order.

The fake news itself was first introduced by McDonald in 1958 where according to him that declaring hoax news or falsification was intentional, of course, to call for truth but fakes were made as if they were true and of course changed the perspective view of the political factory in a society that did not responsible. In this case the spread of fake news or hoax news is an intentional element made by certain parties. The aim is to undermine the implementation of election activities by committing fraud like that and from that thought, the opinion of expert's states that this fake news or information is intentional. Designed in such a way as to influence or also provoke the public to take actions that are in accordance with the interests of those who make up the information. The modes that occur, such as in America, where hoaxes are spread in Indonesia also have the same similarities where the political atmosphere and political dynamics will be different, but in general the patterns or issues that are played revolve around identity as well as damage to the reputation of the election management body [8]. This can occur due to news. News deliberately made false for that specific purpose.

Fake news is used by a group of people or certain individuals who are trying to influence people's thoughts and of course deliberately make people think poisoned. Under these conditions, the Government has also begun to be very aggressive in overcoming the current problems that are currently circulating in society, especially when circumstances occur that are not in accordance with democratic goals or election activities carried out where fake news is spread by political parties. Parties through social media such as Facebook WhatsApp Instagram Twitter and others which continues to this day.

Not infrequently, fake news, hoax news related to general election activities and political activities, become trending topics that attract the attention of the public, so that the government inevitably has to take firm steps that must be implemented to limit community activity on social media just before the election. and after the election, of course, the goal is to minimize and prevent news, but there are still related parties who can escape and convey fake news to the public.

Apart from that, the steps taken by the government apart from using restrictions on activities on social media, the government also has legal instruments of course that are used to ensnare the perpetrators of making fake news, namely by law number 19 of 2016 concerning changes to the law. Law number 11 of 2008 concerning information and electronic transactions. However, in reality what is happening in the field, the rules of the law still do not appear to be effective in overcoming the problem of hoax news where many fake news are spread which can break the unity and cohesiveness of society and of course from writing this journal it becomes interesting in salary about how implementation of activities that spread hoax news and how to overcome and enforce the law to prevent or anticipate the spread of this fake news for the purpose of reducing fraud in subsequent election activities.

RESEARCH METHOD

This research aims to analyze how law enforcement can prevent the spread of fake news during election activities [9]. To achieve this goal, the research uses a qualitative approach, specifically the analytical descriptive technique. The research methodology involves collecting data through literature or literature studies, which include written sources such as books, journals, and other relevant materials. The focus of the data collection is to obtain information related to fake news or hoaxes and their impact on election activities. Through this analysis, the research will provide insights into how the law can be enforced to address the issue of fake news during elections.

LITERATURE REVIEW

The development of the era that demands changes in technology certainly has a lot of significant influence on people's lives, therefore a lot of technology is put to good use and has a positive impact on the ongoing development of this beloved country of Indonesia. In utilizing the currently available information technology, it has united various kinds of communication tools into one unit which is supported by the internet network which is widely available in Indonesia [10].

It is known that with the existence of internet network-based technology, of course, it offers many conveniences for users or users to conduct and seek access to whatever information is needed from all corners of the world. In addition to providing many benefits, of course, in the development of internet network-based technology, it is also prone to being misused by various parties who are not good at using it, of course the aim is to gain benefits from these parties.

From the results of research in one of the countries that use a lot of internet networks in their daily lives, namely social media which access a lot quickly in Indonesia is more dominant and is needed by its people. This of course makes the public vulnerable to being exposed to the spread of hoax news or fake news where this is very necessary to be anticipated by the government in tackling the spread of news about this tree which of course can become the target of crimes that can occur in society.

One of the things that often happens about the misuse of this technology is the very fast spread of hoax news that aims to bring down one of the parties, including at the time of general election activities, of course, being vulnerable to exposure to Wah news where misinformation occurs which of course can undermine the political order that existed in this era of democracy, causing many divisions. And the purpose of spreading this political news is of course for the parties involved to deliberately spread fake news with the aim of attracting sympathy from the owners by taking advantage of the technological developments available in Indonesia. This is of course very detrimental and very unfortunate because this misuse of information technology is used to spread fake news to factories, of course with the aim of poking fun, which is sometimes personal in nature so that the level of public trust changes. hoax news [11].

In this very broad era of information technology, of course, this is a big trigger for the spread of negative content, especially deliberately spread on social media, where we all know that most of the Indonesian people, the Indonesian population, which reaches 300 million people, is almost 70% of the world's population. Of course, you already know the name of social media, so if you think about it, the influence of social media is very large in spreading hoax news.

During the general election in 2019, there was a lot of fake news, such as being a tactic and one of the strategies of candidates who wanted to influence the community's factories so that they could trust one of the pairs or candidates for president and vice president or in legislative elections where the spread of fake news was very high. influenced and influenced public trust so that the implementation of this election occurred irregularities and was not appropriate where one of the candidates who carried out this hoax was recorded in the data of the General Election Commission as the organizer of the election at that time Based on data from the General Election Commission in the implementation of the election there Among the cases of lying orders that occurred include the following: The Chairman of the General Elections Commission (KPU) urged the public to respect the results of the election despite numerous reported irregularities. This comes after the KPU's website was hacked in 2019 and reports surfaced regarding the suspicious inclusion of 17.5 million registered voters on the Permanent Voter List. According to reports by the National Winning Body (BPN) dated March 1, 2019, the KPU's server was allegedly rigged to favor one of the candidate pairs, and there were reports of the use of cardboard ballot boxes during the election [12]. Furthermore, there were allegations of double voting for 6.1 million registered voters on the Permanent Voter List, also reported by the BPN on March 1, 2019. Throughout 2019, there were numerous instances of fake

news and misinformation, such as the KPU including mentally ill individuals in the voter list as well as alleged corruption within the KPU's leadership that requires further investigation.

The situation was further exacerbated by the political climate leading up to the election. According to Mafindo, there were 997 reported cases of fake news, with 448 or approximately 49% of them related to politics. Additional data from Datamafindo revealed that around 104 cases of fake news were reported, with 71 of them relating to politics, or approximately 68%. The spread of fake news can cause significant harm, as it can create anxiety and negative impacts that can divide and weaken the unity of Indonesia as a nation.

The impact of fake news can be seen in the erosion of the credibility and integrity of the electoral process. Hoaxes can damage the integrity of a political system that is highly competitive, such as the electoral process. The spread of fake news can cause unrest and turmoil in society and can divide the unity of the beloved nation of Indonesia.

1. A juridical view of the law enforcement process in preventing the spread of fake news through positive laws in Indonesia

Of course, based on the provisions of article 1 number 1 and the existence of article 2 of Law Number 7 of 2017 which states that there are 6 principles in general elections, namely the direct principle, the general principle, the free principle, the secret principle, the honest and fair principle. We understand one by one about the principle of honesty, this means that in holding the general election it is carried out by the government and political parties participating in the election where there are election supervisors and observers including voters and all parties who are indirectly involved and must act honestly in accordance with established laws and regulations [13]. of course, from the principle of elections that are very fair or fair. Of course, in the holding of elections where every voter from political parties and parties also gets the same treatment that is free and also not tarnished by lies or fraud from any party.

Based on the results of a survey from the Indonesian survey circle, it was stated that around 19% of the Abstentions figure and also the number for legislative elections that Abstentions was as much as 30% and here it is very good because most of the people in Indonesia are actively involved in election activities. Public either through patomedia or other social media.

From these results it can be seen that in the legislative election process there are more Abstentions than the presidential election because it could be because the public is more enthusiastic about the presidential election than the legislative election.

From the dynamic process that occurs in the general election process, it can be seen that the role and participation of the people in Indonesia is very active in monitoring and involvement, which can be seen from the increasing criticality of the community towards the process of organizing this general election and responding to what happened in the general election process. From the previous background it was stated that the very active role of community participation in this general election activity certainly spurred the public to look for information available on social media or websites or news spread on the internet or news in other media which of course is often there is fake news that can lead to public opinion so that a lot of people are provoked by these opinions with this of course having a bad impact on the process of holding the general election itself [14].

In this fake news, of course, the public also believes that there are various kinds of opinions that lead the public to express excessive freedom of opinion, of course, this fake news is swallowed whole by some people who are led by the fake news and regarding the norms that are violated a lot. in this provision it can lead to decency and legal norms which become oscillated and can backfire for the community itself where fraud occurs in the process of holding general elections.

So because of that, the public should be smarter and more aware of the opinions that occur in the news of this lie so that they are not swallowed whole or wiser and more cross-checked in responding to the news that is happening, so that they are not swallowed

whole because it can damage and lead opinions into other forms of fraud that can damage the unity and integrity of the nation.

Of course, in the fight against fake news, attention and cooperation are needed from various groups, both the government and the public or community leaders, and also the media in it, which also plays a very important role in spreading this fake news. Where we all know that the role of the media in fighting fake news cannot be seen clearly. Until now, due to convergence, it has actually become an arena of struggle to get viewers, especially for those who do not have an educational background regarding journalists or journalism.

As we know, the principles of the journalistic code of ethics also adhere to three points where the first point is the democratic point, then there are the principles of professionalism and also the principles of morality that must be adhered to firmly, but in practice, in an era of course, with very sophisticated technology, this is filled with prowess. Those who do not adhere to the three principles mentioned above are excluded. Of course, the role of the media really needs to be strengthened and it is also not only the role of the media that needs to be made, but law enforcement officials must also have an important role and task in fighting fake news.

As we now know, Indonesia already has law number 19 of 2016 concerning amendments to law number 11 of 2008 concerning information and electronic transactions that can be used to ensnare the perpetrators of making news and spreading false news, but still This fake news is still mushrooming despite the existence of the law because our Sinar really needs very strong cooperation between related parties, especially the media and law enforcement and also the public in fighting fake news.

In the implementation of the general election in 2019 which was just held, of course it can be said that it was an election that attracted a lot of attention from various groups, including the public, who of course were enthusiastic about following news information regarding the process of holding the general election that took place. This is because it is very easy for the public to get access to information related to news coverage through mass or electronic media or from print media, including regarding matters in the process of holding general elections. Because of the sophistication of technology that has spread at this time, social media is the place or the easiest and also the easiest and most practical way to share information related to news that is happening which of course grabs the attention and becomes the talk of the community. But, as has been explained before, the public can use social media, of course, they have to be good and wise because there is a lot of fake news that is being spread by many users, both from social media platforms, whether it's on Facebook Twitter Instagram YouTube WhatsApp and so on which aims very negative.

Looking at the provisions of article 27 paragraph 1 3 article 28 article 35 36 and also article 37 in law number 19 of 2016 regarding amendments to law number 11 of 2008 concerning information and electronic transactions in which actors and related parties spreading fake news and also hate speech can be subject to criminal sanctions which have been stated in the provisions of the article of the law which are very clear

As for the aquo articles, they are not legal instruments that specifically regulate how fake news spreads in the election process, it's just that this article is used as a shield to suppress the circulation of fake news, which of course will be very disturbing in the implementation of this election, where every perpetrator is Those who carry out fake news will be given sanctions, of course, from the parties involved, namely law enforcement against those who do it, whether intentionally or unintentionally spreading false news which contains elements of insult and also elements of defamation where it is clear and certain that hate speech violates the rules based on methods and also clearly manipulates existing facts [15].

Seeing from the things that happened for the actions previously described which were prohibited hoax news, the perpetrators will be subject to criminal sanctions as stipulated in the provisions of article 45 paragraph 1 and paragraph 2 and also article 51 law number 19 2016 concerning amendments to law number 11 of 2008 concerning information and

electronic transactions that have been in force and have been ratified. However, all of this did not run smoothly in practice in the application of law number 19 of 2016 concerning amendments to law number 11 of 2008 concerning electronic information and transactions because there was a tendency from other views which stated that there were restrictions on freedom of expression and also there is criticism of bias in its application because there is no standard standard in deciding activities that can be regarded as fake news. And another thing that is also a fact is that law number 7 of 2017 concerning general elections does not mention any rules regarding anticipation of the spread of false news either in a repressive approach or the imposition of criminal sanctions for perpetrators who commit acts of fake news in election management activities.

2. Efforts in the process of preventing the spread of fake news to reduce fraud in the election administration process so that justice is upheld

To reduce the spread of fake news and uphold justice in the holding of general elections, of course, the role of related institutions is very important here, such as law enforcement agencies, the police, and also the general election management commission and the general election supervisory body, which are also involved in carrying out a mou to prevent the spread of the fake news [16]. This can be seen from the Ministry of Communication and Information and the National Police strengthening the security of the digital control room ahead of the election. Digital security is of course one of the main things that must be strengthened by the government in this case regarding the Ministry of Communication and Informatics where election competition that is exploited in digital space or social media is fake news which can become a very fertile arena. It can be seen from the fact data

According to a survey conducted by the Ministry of Communication and Information during the 2019 general election, around 67% of hoax news that occurred on social media was related to political issues [17]. And the efforts made are also the participation of the people who are directly involved in fighting and preventing the use of this digital space, namely social media space for group or personal interests which can divide unity.

Of course, in the context of preventing this and also maintaining the physical condition of the spread of fake news in the holding of elections, the National Police and the Ministry of Communication and Information signed a memorandum of understanding related to efforts to prevent the spread and also the use of disinformation accompanied by contents that are prohibited on social media. Of course, with the total renewal of the old agreement that occurred between the Police and Kominfo, this aims to improve coordination and synergy of tasks and functions in the field of Informatics communication between the police and Kominfo [18]. Furthermore, the scope of the memorandum of understanding states, among other things, the exchange of data and information as well as the prevention of the spread and use of electronic information or electronic documents that have content prohibited by the rules and also security assistance in law enforcement and the provision of infrastructure as well as capacity building and utilization of human resources, of course from this memorandum of understanding it can be expected to be able to create healthy social media in Indonesia that is clean, healthy and also productive.

CONCLUSION

The spread of false news and hoaxes during the general election activity can have a devastating impact on national unity and the integrity of democracy in Indonesia. It has been observed that false reports were intentionally spread by various parties who had vested interests, resulting in unrest and chaos. Dozens of accounts were blocked due to the dissemination of false news that led to harm and distrust in society. While the existing law on information and electronic transactions addresses the spread of fake news, a more specific and specialized instrument is required to handle the spread of fake news during the election period. Therefore, it is essential that relevant parties such as the Ministry of Communication and Information, the KPU, the Police, and the community work together

to fight hoax news, which can have far-reaching negative impacts. In this context, the community must not be swayed by opinions that lead to the spread of fake news, and instead, victims of being deceived by false news must report such news and work towards the prevention of the same. By working together, the spread of false news can be combated, and the integrity of democracy in Indonesia can be protected.

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