



College Student Participation to Prevent Black Campaign from Creating Dignified Simultaneous Elections in Indonesia

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Abstract. College Scholars are the coming generation of the nation. The golden generation that will replace the struggle of Indonesia's founding fathers. College Scholars who are 17 times of age or aged or have been married have the right to bounce in the general election. In 2024, contemporaneous choices will be held with strict health protocols. The purpose of this paper is to dissect how College Student participation prevents black juggernauts from creating staid contemporaneous choices in Indonesia. The exploration system is a normative juridical exploration system, the experimenter will use secondary data, and will use qualitative analysis to gain a comprehensive conclusion. The result of the study is that the black crusade is against ethics, and violates the law. Black juggernauts can destroy a staid general election. Staid choices are a popular party that aims to get leaders who are ready to serve and sweat the constitution of the Republic of Indonesia. College Students can laboriously share, for illustration first, College Scholars don't spread false news against campaigners for indigenous heads/members of the House of Representatives/members of the Regional Representative Council; Second, College Scholars must refuse if there are people who want to give plutocrat so that the College Student chooses a prospective mate.

Keywords: Dignified General Election · Black Campaign · College Student

1 Introduction

Simultaneous General Elections (hereinafter referred to as General Elections) will occur again in 2024. In 2024, it will be a simultaneous general election. The legal basis for The Continued Simultaneous Elections in Indonesia is First: Law No. 7 of 2017 concerning General Elections (hereinafter referred to as the Second General Election Law); Law No. 1 of 2015 concerning The Determination of Government Regulation in Lieu of Law No. 1 of 2014 concerning the Election of Governors, Regents and Mayors into Law as amended several times, most recently with Government Regulation in Lieu of Law No. 2 of 2020 concerning the Third Amendment to Law No. 1 of 2015 concerning The Determination of Government Regulations in Lieu of Law No. 1 of 2014 concerning Gubernatorial Elections, Regents and Mayors become Law (hereinafter referred to

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as Law 1/2015); Third, the Regulation of the Election Commission of the Republic of Indonesia Number 6 of 2020 concerning the Implementation of the Election of Governors and Deputy Governors, Regents, and Deputy Regents, and/or Mayors and Deputy Mayors simultaneously Continued in The Conditions of Non Natural Disaster Corona Virus Disease (Covid-19), hereinafter referred to as the Regulation of the General Election Commission 6/2020.

The juridical definition of Continued Simultaneous Elections in Non-Natural Disaster Conditions of Corona Virus Disease (Covid-19) based on Article 1 Number 2 of the General Election Commission Regulation 6/2020 is the Election of Governors and Deputy Governors, Regents and Deputy Regents, and/or Mayors and Deputy Mayors held if in some electoral areas, all electoral regions, most regions, or all regions there is a non-natural disaster corona virus disease 2019 (COVID-19) which is held. This resulted in some stages of holding simultaneous elections that cannot be carried out normally.

The legal basis for determining simultaneous elections in 2024 is the Decision of the General Election Commission Number 21 of 2022 concerning the Day and Date of Voting in the Presidential and Vice Presidential Elections, Members of the House of Representatives, Members of the Regional Representative Council, Members of the Provincial People's Representative Council, and Members of the Regional Representative Council of Districts/Cities Simultaneously in 2024 (hereinafter referred to as the Decision of the General Election Commission). 21/2022) set for January 31, 2022.

The DECISION of the GENERAL ELECTION COMMISSION 21/2022 stipulates that Wednesday, 1 February 14, 2024 is the day and date of voting in the 2024 Simultaneous General Election. The Simultaneous General Election is to choose: President and Vice President, Members of the House of Representatives, Members of the Regional Representative Council, Members of the Provincial People's Representative Council, and Members of the District/City Regional People's Representative Council.

One of the stages in a dignified simultaneous general election is the campaign. Normative definitions of campaigns can be found in the Regulation of the Election Commission of the Republic of Indonesia Number 23 of 2018 concerning General Election Campaigns. The General Election Campaign hereinafter referred to as the Campaign is the activity of the General Election Participant or other parties appointed by the General Election Participants to convince voters by offering the vision, mission, program, and/or self-image of the General Election Participants.

Based on the content of the campaign, it can be divided into three categories: positive campaign (positive campaign), negative campaign (negative campaign), and black campaign (black campaign). Before the general election, it was the implementation of a black campaign (black campaign) that became a virus. Positive campaigns include referrals to people who only give information about good things. Negative public relations are usually run by competitors based on previously happening data and facts, although the campaign's content conveys a person's shortcomings. The Black Campaign (Black Campaign) is a campaign aimed at killing the characters of competitors. All information revealed in it is slander, hoax, or accusation without evidence. And this type of campaign has the potential to conflict or even disintegrate the nation.

The black campaign, a form of slander, occurred in 2019, during the election of the President and Vice President of the Republic of Indonesia. The 2019 presidential

election is struggling to reduce hatred, fake news, and blacks Various things that can create campaigns and divisions between communities. That is I hope no one has a different opinion about the political candidate It is fragmented and affects Indonesian harmony. Based on data from the Ministry of Communication and Informatics of the Republic of Indonesia from April 18, 2019 - April 20, 2019, 64 (sixty-four) fake news stories about the general election were obtained. According to Septiaji Eko Nugroho, Chairman of the Indonesian Anti-Defamation Society (Mafindo) in 2019 noted that of the 259 politically themed hoaxes in the second half of 2018, the Jokowi Amin couple was targeted by 75 hoaxes and Prabowo Sandi received 54 hoaxes. In January 2019 alone, there were 58 political hoaxes, of which 19 hoaxes harmed Jokowi-Amin and 21 hoaxes targeted Prabowo-Sandi. College students are the golden generation and the next generation of the country. The 17-year-old college student is one of the groups eligible to vote in the next simultaneous general election in 2024. The role of college students in creating clean campaigns is very important.

As this paper is also one of the outputs of research supported by the Research and Community Service Institute of Universitas Pelita Harapan with research numbers: P-44-FH/XII/2021 entitled “*The Validity of The Use of Video Conference At The Examination of The Trial of Alleged Violations of the Code of Ethics of Election Organizers*” (In Indonesia Language: “*Keabsahan Penggunaan Video Conference Pada Pemeriksaan Persidangan Dugaan Pelanggaran Kode Etik Penyelenggara Pemilu*”).

Based on this background, the formulation of the issues raised is first, how is the use of the spread of *black* campaigns in general selection? Second, how does College Student participation prevent *black campaigns* from creating dignified simultaneous elections in Indonesia?

2 Legal Materials and Methods

Researchers use normative law research. This research is used to generate arguments or new concepts for solving the problem at hand. The data in this study is secondary data. Researchers use secondary data in the form of primary legal materials in the form of laws and regulations related to the researcher’s hat; second, using secondary legal materials in the form of articles and scientific papers related to the topic; third, tertiary legal materials in the form of a Large Dictionary Indonesian, Black’s Law Dictionary. Normative legal research fully uses secondary data (literature), the preparation of tentative theoretical frameworks (schemes) can be abandoned, but the preparation of conceptual frameworks is necessary. In compiling the conceptual framework, formulations contained in the statutory regulations which form the basis of research can be used.

The primary legal materials used are:

1. Indonesia Law No. 11 of 2008 concerning Information and Electronic Transactions as amended by Law No. 19 of 2016;
2. Indonesia Law No. 7 of 2017 concerning General Elections; and
3. Regulation of the Election Commission of the Republic of Indonesia Number 6 of 2020 concerning the Implementation of the Election of Governors and Deputy Governors, Regents, and Deputy Regents, and/or Mayors and

4. Deputy Mayors Simultaneously Continued in Non-Natural Disaster Conditions of Corona Virus Disease (Covid-19).

The secondary legal materials used are scientific articles and scientific journals relating to the author's research topic on elections; About the use of the black campaign. The tertiary law material used is the Indonesian Dictionary and Black's Law Dictionary. Researchers will elaborate the secondary data qualitatively to get a comprehensive conclusion.

3 Result and Discussion

3.1 Prosecution of Black Campaign According to Indonesian Law

The black campaign has a bad impact on the political education of the Indonesian people. How can Indonesia's democracy run well if the political education obtained by the community includes despicable phenomena. While political education is a prerequisite to realizing the successful implementation of democracy for this nation.

Black campaigns are not a political option. Black campaign includes evil Both element and violation norms, community norms and religious norms. Black The campaign also provides bad civil education for society. Efforts to eliminate everything The underlying method of choosing the format of the black campaign shows that morale is still poor. And the belief of politicians to do so. With the presence of the black campaign, it can Damage the image of potential candidates for a particular political party.

The purpose of the Black Campaign, which is conducted in the form of defamation of a pair of other candidates via social media, is to prevent other candidates from becoming winners of the regional leader election and expecting a pair. It is to prevent or eliminate public support for a person. Candidate to be the winner. Black campaigns often appear through social media and word-of-mouth rumours, rather than appearing on the surface in the form of statements by pulpit activists. Therefore, the message spreads very quickly among potential voters and may be unfamiliar to a couple or sympathizers of the candidate.

The Black Campaign is an attempt to defeat political opponents through problems Not known for any particular truth. Social media such as Twitter, Facebook, Instagram, and Youtube, If it contains demonstrable content of humiliation and/or defamation of someone In accordance with the provisions of Article 27 (3) of the ITE Law, "Intentionally each Distribute and/or transmit and/or provide electronic access without rights Information and/or electronic documents containing offensive and/or offensive content Accusation." yes. Regulate the provisions of Article 45, Paragraph 1 of the ITE Law about, "Everyone who fulfills the elements referred to in Article 27 paragraph (1), paragraph (2), paragraph (3), or paragraph (4) shall be sentenced to imprisonment for a maximum of 6 (six) years and/or a maximum fine of Rp1.000,000,000.00 (one billion rupiah)."

This article essentially prohibits defamation if the victim's good name/reputation is tainted as a result of the irresponsible distribution of the victim's personal content. The spread of false information or hoaxes is also contained in Law Number 1 of 1946 concerning Criminal Law Regulations in Article 14 and Article 15. The two articles of

crime relate to the act of broadcasting false news (Article 14) and broadcasting uncertain news (Article 15). Furthermore, if the perpetrators of spreading false information have fulfilled the subjective and objective elements stipulated in Article 28, then criminal liability for the perpetrators of spreading false information related to leader candidate information.

The fact with regard to the act of hoax in connection with Article 14 and Article 15 of Indonesia Law Number 1 of 1946 concerning the Criminal Law Regulation raises questions regarding the regulation of Article 14 and Article 15 of Indonesia Law Number 1 of 1946 regarding the crime of broadcasting false news and Article 14 and Article 15 of Indonesia Law Number 1 of 1946 as the basis for prosecuting the act of broadcasting false news. The following is the sound of articles 14 and 15, namely: Article 14: (1) Any person who, by broadcasting false news or notification, intentionally causes trouble among the people, shall be punished by a maximum imprisonment of ten years. (2) Whoever broadcasts a news or issues a notification that can cause trouble among the people, while he should be able to think that the news or notification is a lie, is sentenced to a maximum imprisonment of three years.

Article 15 Indonesia Law Number 1 of 1946: Anyone who broadcasts news that is uncertain or news that is excessive or incomplete, while he understands at least should be able to suspect that such news will or has been able to cause trouble among the people, is sentenced to a maximum imprisonment of two years.

According to Roeslan Saleh, criminal liability is: “Criminal responsibility is defined as the continuation of objective reproaches that exist in criminal acts and subjectively those who meet the requirements to be convicted for that act. The basis for a criminal act is the principle of legality, while the basis for a criminal offense is the principle of error. This means that the perpetrator of a criminal act will only be punished if he has a mistake in committing the criminal act”.

3.2 College Student Participation Creates Dignified Elections

The Constitution of the Republic of Indonesia of 1945 resulting from the 4th Amendment (“Indonesia Constitution 1945”) Article 22E paragraph (1) Indonesia Constitution 1945 has firmly and clearly mandated that elections be held on the basis of direct, public, free, confidential, honest, and fair every five years. Elections are a party of the people as an embodiment of democracy to find leaders who are dignified and willing to serve. Based on Article 22E paragraph (2) of the Indonesia Constitution 1945 mandated that “Elections are held to elect members of the House of Representatives, Regional Representative Council, President and vice president and Regional People’s Representative Council.”

Elections are dignified if the General Election is carried out in accordance with the system (the soul of the nation) which manifests itself in the entire system of holding elections, especially carried out by an institution of organizing elections according to applicable laws and regulations and especially the Law on General Elections.

In Indonesia, elections are the process of selecting people who occupy a particular political position. These offices are diverse, ranging from the president to representatives of people of different levels of government, village heads. In a broader context, elections can also mean the process of taking a position such as the president of a college council or the head of a class, but “elections” are more commonly used here. Democratic and

Presidential Elections exemplify this sovereignty in which the government is in the hands of those who come from, by, and for the people. In elections, there are political debates that encourage potential leaders to strive to win the general election. This is the reason for people's different reactions to their views on the efforts of the participants.

The basic idea of the theory of popular sovereignty is very simple, it is the people who should be the highest source of power in a country – others are not. The people have independent power over themselves. Any philosophical understanding is characterized by an understanding of the system. The nature of elections cannot be separated from the soul of the nation (*Volksgeist*). The soul of the nation is manifested, among others, in the prevailing laws and regulations governing elections, especially the Law on General Elections is a derivation of Pancasila.

Netizen communities' reception of negative campaigning was also affected by individual family backgrounds. It appears that family, which teaches and promotes values, frequently served as a frame of reference when filtering the negative campaign messages conveyed online and selecting a candidate. When hearing rumours that connected Jokowi with communism, some netizens referred to the values conveyed to them by their families. For those from Islamist or military backgrounds, the issue of communism was a sensitive one. One informant stated that he had been asked explicitly by his father to vote for Prabowo because the candidate originated from a military family. However, the informant attempted to be selective in his vote, and thus considered other aspects of both candidates in the election.

Simultaneous elections in Indonesia are two years away. College students from various universities in Indonesia play an important role in shaping dignified elections. College students need to be critical and wise about the processing of information about voters. College students should not be stimulated by negative news and should not be proven to be true. Researchers have analysed that in order to stop the black campaign, college students must be involved by not spreading false news about the campaign. Elections are a form of true democracy, held directly, secretly, honestly, and fairly. College students are a very narrow generation and use social media.

Indonesian election practices are still very closely related to the traditional model in which voters with so many types of attributes are recruited in limited meetings, meetings, dialogues, and public/public discussions between pairs of candidates. It is related and it will be distributed to the public, props will be installed, and ads will appear in print or electronic media. Social media is very effective in running this campaign in the digital age. As stated in Article 275 paragraph (1) of the General Election Act which states that one method of election campaigning can be done through social media. Social media campaigns are more effective than using traditional campaign tools such as billboards and banners. Open-minded citizens do not immediately trust the content of signs and banners. But they take into account what their friends and colleagues are saying on social media.

According to researcher analysis, college students need to be educators in the community, in accordance with the provisions of Article 273 of the General Election Law which states that "Election campaign participants consist of members of the public." Likewise, students as Indonesian people can actively participate as participants in the election campaign. College students with the ability to create Social media and college

students with a large number of followers on social media need to be properly educated and educated on how to avoid black campaigns. One of the missions of the Faculty of Law at the Universitas Pelita Harapan is to participate in improving the quality of life of people and society for the development of society, the construction of the country, and the glory of God. Therefore, college students are obliged to support national unity and brotherhood during the 2024 simultaneous general election campaign.

In addition, the black campaign needs to be further emphasized in the General Election Act. This is very much needed to provide an understanding to the public regarding the prohibition of black campaigning during the election. Based on the understanding of the black campaign itself, it can be concluded that the General Election Act has implicitly regulated the prohibition, which is stated in Article 280 paragraph (1) letters c and d which states that election campaign executors, participants and teams are prohibited: c.) insulting a person, religion, ethnicity, race, class, candidate, and/or other election participants; d.) inciting and pitting individuals or communities against each other. Thus, the understanding that an action is a real form of the black campaign can be explained further in the Article by Article Elucidation of the General Election Act, namely Article 280 paragraph (1) letters c and d which reads, "The provisions in this letter are known as Black campaign or black campaign." By emphasizing the form of black campaigning in the explanation of Article 280 paragraph (1) letters c and d of the General Election Act, it can emphasize the prohibition of black campaigns being carried out during elections.

According to research by Said dan Jeremy, by educating people in the community about politics, people could know and understand the methods of campaigns, one of which is a negative campaign. A negative campaign is an important method to maintain its use to find out facts that can be used to consider the selection of candidates or existing political parties. In order for the community not to be negative towards the negative use of this campaign, the public needs to know the benefits of negative campaign usage and this condition will be created when the community has been given the knowledge of political education, and thus the use of negative campaign methods can be exercised and bring good benefits for the nation's prosperity.

In addition, if College Students find alleged violations of the code of conduct of election organizers, they can report to the Honorary Board of Election Organizers of the Republic of Indonesia. Honorary Board of Election Organizers (DKPP RI). DKPP RI is one of the organizers of the general election based on Indonesia Law No. 7 of 2017 concerning General Elections (General Election Law).

Based on Article 159 Paragraph (1), (2), and (3) of Indonesia Law No. 7 of 2017 concerning General Elections, it can be known that: (1) the DKPP is in charge of: a) receiving complaints and/or reports of alleged violations of the code of ethics committed by the Election Organizer; and b) conduct investigations and verifications, as well as the examination of complaints and/or reports of alleged violations of the code of conduct conducted by the Election Organizer.

Based on Article 159 (2) of the DKPP General Election Law authorized: a) to call election organizers who are suspected of violations of the code of ethics to provide explanations and defenses; b) call the complainant, witnesses, and/or other parties concerned for questioning, including for questioning of other documents or evidence; c) sanction election organizers who are found to have violated the code of ethics; and d) break the

violation of the code of ethics. Based on Article 159 (3) of the General Election Law, the DKPP is obliged to: a) apply the principles of maintaining fairness, independence, impartiality, and transparency; b) enforce the rules or ethical norms that apply to election organizers; c) be neutral, passive, and do not take advantage of cases arising for personal popularity; and d) submit the verdict to the relevant parties for follow-up.

College Students and the public have the right to make a complaint against the alleged implementation of the election organizer's code of ethics. Based on Article 1 Number 7 of the General Election Law, the Election Organizer is an institution that organizes elections consisting of the Election Commission, the Election Supervisory Board, and the Honorary Board of Election Organizers as a unitary function of The Election Organizer to elect members of the House of Representatives, members of the Regional Representative Council, the President and Vice President, and to elect members of the Regional People's Representative Council directly by the people.

Complaints and/or reports of alleged violations of the Election Organizer code of ethics are submitted to the DKPP in two ways; directly to the recipient of the complaint and/or report at the DKPP Office; and/or indirectly delivered through electronic and non electronic media as stated on the official DKPP website.

Dignified elections are one of the real forms of people's sovereignty. The sovereignty of the people is the foundation of the development of democracy. While the people essentially have the highest power, it is impossible for the people to implement it in the implementation of government. However, as it turns out to be practice, guarding people's sovereignty through elections becomes an interesting study for the sake of upholding democratic elections and gaining legitimacy from the people.

4 Conclusion and Suggestion

The resulting conclusion is, first of all, that the use of the Black Campaign is currently not strictly regulated by the General Election Act. Therefore, it requires an understanding of the form of black campaigning in the General Election Act which has previously been implicitly explained in Article 280 paragraph (1) letters c and d. As for up to now, the dissemination of fake news and defamation is regulated by the Information and Electronic Transactions Act and the Indonesia Criminal Code.

As for the second conclusion, the participation of college students is indeed essential. As a generation of high intellectuals, college students need to think critically and not be victims of the black campaign. College students should not be black campaign activists either. The Black Campaign is an act that violates Indonesian laws and regulations. The Black Campaign negatively impacts various stages of the general and by elections. College students should not disseminate false news about local leaders/voters. Fake news can separate Indonesian unification/civilization. Other than that, the action that can be taken if college students find alleged violations of the code of conduct of election organizers, can report to the Honorary Board of Election Organizers of the Republic of Indonesia.

Based on the discussion, and the conclusion above, the resulting suggestions are:

1. College students should do more to oppose the black campaign;
2. College students are prohibited from spreading false news about elections;
3. The university must notify college/college students to vote appropriately and correctly according to the vision and mission of the candidate couple in the simultaneous elections.

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