Dirty Voice: Revealing the Veil of Black Campaigns in the World of Politics in the 2024 Election

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Abstract: General elections (elections) are the main pillar of democracy, giving the people the right to choose their leaders and determine the direction of the nation, but this crucial process is often polluted by practices such as black campaigns. Smear campaigns aim to bring down political opponents by spreading false information, slander and negative propaganda. This practice not only tarnishes the good names of election participants, but also damages the integrity of democracy itself. This research uses a normative juridical approach. This research focuses on three problems, the first is the impact of black campaigns on the quality of democracy and election integrity in Indonesia, especially in the documentary film Dirty Vote, the second is the legal provisions that apply regarding black campaigns in Indonesia. election regulations, and the third is preventive strategies and policies that can be implemented to reduce black campaign practices in the next election. The research results show that black campaigns have a significant negative impact on the quality of democracy and election integrity in Indonesia. This practice is a serious challenge that must be faced. Comprehensive efforts involving regulatory improvements, law enforcement, and public education are critical to combating these dirty practices and achieving quality elections.

Keywords: Dirty Sound; Black campaign; General elections.

1. Introduction

Debates between election participants are a common phenomenon that often occurs throughout the campaign period and can even occur before the official campaign period begins. The participants were very diverse, including candidates, members and supporters of political parties, as well as the general public who were involved in the discussion, even though they may not necessarily be able to vote on election day. Discussions that occur during the election period are often accompanied by the rise of black campaigns whose origins are unclear, a phenomenon that tends to increase as election day approaches. With the development of information technology, especially social media, this situation has become increasingly intense. In an effort to influence voters' decisions, campaigns are often carried out in a way that belittles or mocks their interlocutors. Campaign tactics like this are certainly detrimental to campaign participants and also the people who receive the information. For election participants, maintaining their good name and self-esteem is important during the campaign period. Therefore, campaigns that aim to attack or belittle them have the potential to cause major losses for election participants.

Campaign activities are an important element in elections, often taking place in one direction and dominated by monologues that tend to be rhetorical. The core essence of the campaign is as a medium for disseminating information and increasing awareness, which aims to trigger awareness and change behavior among the target group. Campaigns, which by definition are the application of communication methods to the public over a certain period of time, must direct the public to critical issues and solutions to these problems. In addition, campaigns also act as instruments of policy advocacy, driving public pressure on key actors such as researchers, media and policy makers.(Pamungkas & Arifin, 2019).

The rapid development of technology and information has brought significant transformation to the social and cultural aspects of society, creating a new living space that combines reality and virtual communities.(Hafid, 2020).This online community, whose activities are highly dependent on technology, operates without being limited by territorial boundaries, thus creating a space for unlimited action(Bird, 2008). These changes provide new opportunities for the implementation of election campaigns, allowing campaign messages to reach a wider and more interactive audience, while also raising challenges in maintaining the integrity and authenticity of information in this highly dynamic environment.

Black campaigns carried out in digital spaces, especially through social media platforms, often go undetected because it is difficult to identify the individuals responsible for creating and spreading negative content. This limitation is exacerbated by the characteristics of the cyber world which does not recognize geographical boundaries, thus creating unique challenges in the application of conventional law. In the context of cyber law, these difficulties make law enforcement against certain actions and objects complicated, because standards and criteria existing in physical law often cannot be applied directly in virtual environments.

In the 2024 election, there are cases of black campaigns or "black campaigns" which aim to damage the good name of opponents.(Jubba et al., 2023). These practices are carried out through various media, both conventional media such as pamphlets, posters and banners, as well as through digital and social media, by utilizing sophisticated technology to spread negative messages. This black campaign includes all forms of insults, spreading fake news and slander, which aims to reduce the public image of the opposing candidate.(Sinaga, 2021). The definition of black campaigning in Indonesia as stated by Alfred B. David Dodu is activities that undermine election ethics, including violations of the election code of ethics, holding elections, disputes and crimes related to elections, as regulated in Law Number 7 of 2017 concerning General Elections (Law 7/2017)(Doly, 2020). In contrast to positive campaigns which aim to disseminate constructive information and increase public awareness, black campaigns undermine the integrity of the democratic process by spreading false information and inciting hatred.

One form of black campaigning in the 2024 election is the documentary film "Dirty Vote". Produced by Dandhy Laksono, this documentary reveals election fraud in the 2024 Indonesian elections, providing in-depth insight into the unfair practices that occurred during the election process. In this context, "Dirty Vote" can be interpreted as a clear example of a black campaign, although with different nuances. In general, black campaigns are identified with efforts to tarnish the reputation of political opponents through the spread of false information, slander or insults. In contrast, "Dirty Vote" takes a unique approach by focusing its attention on exposing systemic election fraud rather than simply targeting specific individuals or parties with negative narratives.

"Dirty Vote" expands our understanding of smear campaigns by highlighting how fraud and manipulation in elections are part of a larger campaign strategy that can undermine the integrity of the democratic process. This reflects that smear campaigns do not only involve direct tactics to damage an opponent's image, but also include broader efforts to influence election results through actions that undermine the principles of free and fair elections. This documentary invites wider discussion regarding the negative impact of black campaigns on democracy and elections. The revelation of fraud in "Dirty Vote" illustrates how this practice not only harms one particular party or candidate, but also harms society at large by eroding public trust in the electoral system. This underscores the need for continued efforts to educate the public, strengthen regulations and law enforcement related to election campaigns, and encourage active public participation in monitoring the election process to make it more transparent and fair.

In line with the urgency of elections in determining the direction and future of a country, it is important for the country to ensure that voters can make their decisions intelligently and wisely. Information about election candidates is very important for voters in determining their choices. Therefore, voters have the basic right to obtain objective and

balanced information about all candidates. This highlights the importance of joint efforts to tackle fraud and ensure election campaigns are conducted in a healthy and constructive manner, while upholding the principles of democracy and social justice.To understand and overcome these problems, this research focuses on three main research questions: 1) Does black campaigning have an impact on the quality of democracy and election integrity in Indonesia, especially in the documentary film Dirty Vote?; 2) What legal provisions apply regarding black campaigning? in election regulations in Indonesia, and how are these provisions adapted?; 3) What preventive strategies and policies can be implemented to reduce black campaign practices in the next election?

2. Materials and methods

This research uses normative juridical research methods(Marzuki, 2017), which is a commonly used approach in various legal research. This research will try to analyze the problem formulation based on existing positive law, especially in relation to the analysis of the documentary film "Dirty Vote".Data was collected from primary and secondary legal materials, which were then collected using literature study techniques and presented within a theoretical framework. The primary legal materials used in this research are: the 1945 Constitution of the Republic of Indonesia, Law 7 of 2017 and PKPU No.23 of 2018.

3. Results and Discussion

3.1. *The Impact of the Black Campaign on the Quality of Democracy and Election Integrity in Indonesia*

In a democratic system, the state plays an important role in ensuring security and order, as well as facilitating and guaranteeing the implementation of democracy itself. The Unitary State of the Republic of Indonesia is known as a country with a democratic government that prioritizes people's sovereignty(Putra & Hijriah, 2022). This means that the highest power and sovereignty is in the hands of the people, who are then represented by the government in exercising their rights and authority. In a democracy like this, every citizen has the same right to actively participate in the decision-making process, which will ultimately have an impact on the lives of many people. The General Election is an activity held as a form of fulfilling human rights, especially for Indonesian people in the political field. Elections are also considered a symbol and benchmark of democracy.

General elections are a tool to realize people's sovereignty, form a legitimate government, and as a means to convey the aspirations and interests of the people. Indonesia involves its citizens in administering the country(Syafei & Darajati, 2020). Popular sovereignty is realized by the people's representatives who serve in parliament with a representative system (representative democracy) or indirect democracy. People's representatives are elected directly by the people through General Elections (elections). General elections are a fundamental prerequisite for the existence of democracy and are held with the aim of electing people's representatives, regional representatives and the president to form a democratic government. Provisions regarding national, permanent and independent election organizers have been regulated in Law 7/2017. The KPU as an independent institution is confirmed in Article 7 of Law 7/2017 which states that the KPU is national, permanent and independent. The nature of this nation illustrates that the KPU's working area covers the entire territory of the Unitary State of the Republic of Indonesia. Its permanent nature shows that the

KPU is an institution that operates continuously even though it has a certain term of office. The independent nature confirms that the KPU in organizing and administering elections is free from influence from any party. Elections must provide a level of healthy competition, be participatory and have a high level of representation as a reform mandate.

Election or general election activities cannot be separated from activities usually called campaigns. These two elements, namely elections and campaigns, can be considered as two sides of a coin that are closely related. In accordance with Article 1 number 35 of Law 7/2017, an election campaign is defined as activities carried out by election participants or parties appointed by election participants, which can be political parties or organized groups of people, and individual election participants. The main objective of the campaign is to convince voters by conveying and offering the vision, mission and programs that will be promoted, as well as introducing the self-image of election participants as part of the promotion. The campaign in the provisions of Article 1 paragraph (15) of General Election Commission Regulation Number 4 of 2017 concerning Campaigns for the Election of Governors and Deputy Governors, Regent and Deputy Regent, and/or Mayor and Deputy Mayor (PKPU) Number 4 of 2017) reads: "Election Campaign hereinafter referred to as a campaign, is an activity offering a vision, mission, program for candidate pairs and/or other information, which aims to introduce or convince voters."(Sadath M. Nur et al., 2022).

The campaign strategy developed by each election participant serves to form and improve a positive image in the eyes of the public, showing their superiority as a candidate to voters. This strategy is a comprehensive plan made by election participants, both individuals and groups or political organizations, which determines a series of specific actions that will be carried out within a certain period of time. The goal is to gain political support to achieve political aspirations in the future. This campaign strategy often involves a variety of methods and tactics, including actions designed to discredit opponents, while also attempting to shape positive public opinion as a means of self-promotion and convincing voters. The debates that emerged as part of the campaign process became a common phenomenon that occurred during and even before the campaign period began. Almost all levels of society, from election participants, members or sympathizers of political parties, to the general public with various backgrounds, who ironically may not all participate in voting, are involved in the debate.

During the campaign period, the phenomenon of black campaigns often appears amidst competition between supporters. The aim of black campaigns is to tarnish the good name of political opponents in the eyes of the public, using unethical methods and often based on inaccurate or even slanderous information. Smear campaigns are considered by some to be a legitimate tactic in an attempt to influence voters, although this clearly harms election participants and society as a whole in terms of dignity and integrity. Along with advances in technology, campaign methods, including black campaigns, have also changed. In the past, black campaigns were usually carried out through the distribution of printed materials such as pamphlets, photocopies of articles, banners, and so on containing negative information about political opponents. The

dissemination of this information is carried out by the success team or sympathizers of each election participant. However, in the current era, black campaigns which are often carried out through social media and more sophisticated information technology require election participants to be more productive, innovative and creative in conveying their vision and mission to the public.(Mubarok, 2022).

The documentary film "Dirty Vote" describes black campaign practices in a more complex and systematic form. Smear campaigns are not limited to personal attacks or spreading false information, but also involve manipulation of democratic systems and institutions(Syaharani et al., 2024). This film highlights how government instruments, such as social assistance (bansos) and village funds, can be used as political tools to influence voters. Furthermore, the involvement of government officials and election organizers who should be independent shows a systematic attempt to manipulate the democratic process.

In analyzing its impact on the quality of democracy, black campaign practices revealed in "Dirty Vote" can damage public trust in the government and democratic institutions.When voters see that the election process can be manipulated by political forces, their trust in the democratic system can decrease. This can lead to political apathy, namely reduced community involvement in the democratic process. Smear campaigns that focus on personal attacks and manipulation of information divert attention from substantive discussions of important issues. This has led to a decline in the quality of public debate, with rational, fact-based arguments becoming less important than divisive political rhetoric. The use of SARA issues and group identity in smear campaigns can deepen societal polarization. This strategy not only damages social harmony but also threatens the stability of democracy, because a divided society finds it difficult to achieve political consensus or cooperation.

The impact of black campaign practices revealed in "Dirty Voice" on election integrity is that black campaigns carried out through manipulation of systems and institutions can disrupt the fairness and freedom of elections. When voters feel that their choices are influenced by unfair external factors, such as unequal distribution of social assistance or political intimidation, then the integrity of elections is threatened. The cases revealed in "Dirty Vote" demonstrate the lack of transparency and accountability in the election process. For example, the involvement of government officials in political campaigns and allegations of use of state facilities for political purposes raise questions about the extent to which the electoral process can be monitored and held accountable. Compromised election integrity can erode the legitimacy of an elected government. If the public doubts the fairness and transparency of the election process, then the resulting government may be deemed to lack a strong mandate from the people. This can create challenges in governance and policy implementation.

The documentary film "Dirty Vote" provides in-depth insight into how smear campaigns can damage the quality of democracy and the integrity of elections in Indonesia. This practice is not only limited to personal attacks, but also involves manipulation of democratic systems and institutions more broadly. Its impact on public trust, the quality of public debate, and the polarization of society highlights the

importance of addressing smear campaigns to strengthen democracy. To maintain election integrity, transparency, accountability and active public participation in monitoring the election process are needed.

3.2. Positive Law in Indonesia Regarding Elections

Article 1 number 35 of Law Number 7 of 2017 defines an election campaign as an activity carried out by election participants or parties appointed by election participants to influence voters by conveying the vision, mission, program and/or self-image of election participants. The rules for implementing campaigns by election participants are regulated in Chapter VII concerning Election Campaigns Articles 267 to Article 339 of Law Number 7 of 2017(Thanzani et al., 2022). Black campaigners can be subject to sanctions in accordance with Article 280 paragraph (1) letter c and Article 521 Law 7/2017.

Article 167 Paragraph (4) of Law Number 7 of 2017 regulates that the election campaign period is an important stage in holding elections. An election campaign is defined as an activity carried out by election participants or parties appointed by election participants to convince voters by conveying their vision, mission, programs and/or self-image. The election campaign also aims to provide political education to the public in a responsible manner. Article 267 Paragraph (1) of Law Number 7 of 2017 emphasizes that election campaigns must be carried out responsibly, meaning that there are rules and sanctions that apply if the campaign is carried out in a way that is not in accordance with community norms. Campaign materials can be delivered in various forms, both visual and audio, and the use of social media by election participants is one popular method. Article 275 Paragraph (1) of Law Number 7 of 2017 adds new substance regarding the implementation of election campaigns via social media. This shows that election law is starting to adopt technological changes in the administration of elections, especially in the campaign aspect.

Law Number 7 of 2017 implicitly regulates black campaigns. Article 280 Paragraph (1) of Law Number 7 of 2017 prohibits organizers, participants and campaign teams from carrying out certain actions, such as insulting a person, religion, ethnicity, race, class, other candidates and/or election participants; inciting and provoking conflict; and threatening to use violence or encouraging the use of violence. Violations of this article can be subject to criminal sanctions in accordance with Article 521 of Law Number 7 of 2017 which states that violators can be punished with a maximum imprisonment of 2 years and a maximum fine of IDR 24,000,000 (twenty). -four million rupiah). However, Law Number 7 of 2017 does not explicitly mention black campaigns.

On the other hand, Law Number 8 of 2015 concerning Amendments to Law Number 1 of 2015 concerning the Establishment of Government Regulations in Lieu of Law Number 1 of 2014 concerning the Election of Governors, Regents and Mayors as Law (UU No. 8/2015), Article 69 states the prohibition on campaigning, including carrying out campaigns that cause hatred, slander, or cause conflict, which are the characteristics of black campaigns. Black campaigns on social media are also regulated in Law Number 19 of 2016 concerning Information and Electronic Transactions (UU ITE). Article 27 Paragraph (3) of the ITE Law prohibits the dissemination of insulting or

defamatory information, with the threat of a maximum prison sentence of 4 years and a maximum fine of IDR 750,000,000 (seven hundred and fifty million rupiah). Article 28 Paragraph (2) of the ITE Law prohibits the dissemination of information that causes hatred or enmity based on SARA, with the threat of a maximum prison sentence of 6 years and a maximum fine of IDR 1,000,000,000 (one billion rupiah). The National Police uses this article to enforce the law against black campaigns on social media.

The General Election Commission/General Supervisory Commission (KPU) has also issued General Election Commission Regulation Number 23 of 2018 concerning Election Campaigns (PKPU No. 23 of 2018) which regulates campaigns via social media. This PKPU requires that at least campaign materials on social media contain the vision, mission and program of election participants. In addition, every official social media account created by election participants must be registered with the KPU or regional KPU. Based on Law Number 7 of 2017 and PKPU Number 23 of 2018, there is recognition from legislators and election organizers that social media is an important tool for election participants in conducting campaigns and can make a significant contribution to society. electoral success(Alamsyah, 2024).

Black campaigning is currently not regulated specifically and explicitly in Law Number 7 of 2017. Law enforcement against black campaigning can be interpreted broadly from Article 12 letter c of Law Number 7 of 2017 which states that the KPU prepares KPU Regulations for each stage campaign. elections, one of which is the norm regarding the prohibition of black campaigning. Article 12 letter l of Law Number 7 of 2017 also states that the KPU can carry out other tasks in organizing elections in accordance with statutory provisions, one of which is related to the interpretation of statutory legal provisions. and regulations intended to find the basis for prohibiting black campaigns. According to Law Number 7 of 2017, negative campaign activities include violations of the code of ethics for election organizers, violations of election administration, election disputes and election crimes. Black campaigns focus on insulting and spreading hoaxes, slander, or are aimed at discrediting certain candidates(Suyono, 2021).

Article 287 of Law Number 7 of 2017 regulates reporting, broadcasting and advertising campaign elections which can be carried out through various media, including print media, online media, social media and broadcasting institutions. These provisions aim to ensure that the delivery of election campaign messages by election participants to the public can be carried out in accordance with statutory regulations. Election campaign messages conveyed through these media can be in the form of writing, sound, images, a combination of writing and images, or a combination of sound and images. These messages can be narrative, free-form, have character, and can be interactive or non-interactive. Campaign messages must also be able to be received via the device receiving the message. Media used to report, broadcast and advertise election campaigns must comply with election campaign prohibitions as regulated in Article 280 of Law Number 7 of 2017. During quiet periods, print media, online media, social media and broadcasting institutions are prohibited from conducting election campaigns. it is prohibited to broadcast news, advertisements, track records of election

participants, or other forms that lead to campaign interests that can benefit or harm election participants.

The Central Leadership Council of the Indonesian Santri Communication Forum (DPP Foksi) has reported film director Dandhy Laksono and three constitutional law experts, Zainal Arifin Mochtar, Feri Amsari, and Bivitri Susanti, who participated in the documentary film "Dirty Vote," to the authorities. National Police Headquarters (National Police Headquarters). The film Dirty Vote, which was broadcast on Sunday, February 11 2024, has been watched 16 million times on YouTube as of February 13 2024. DPP Foksi submitted a report based on Article 287 paragraph (5) of Law 7/2017, accusing the film of violating the provisions of the election waiting period. They consider that "Dirty Vote" is a black campaign targeting one of the presidential and vice presidential candidates on the grounds that the release of the film coincides with the quiet period before the 2024 election.(Raharjo, 2024).

3.3. Prevention Strategies and Policies that Can Be Implemented to Reduce Black Campaign Practices in the Upcoming Election

Law enforcement can be preventive and repressive. Preventive law enforcement is an effort to prevent violations or deviations from applicable regulations. This can be achieved by providing understanding and increasing awareness of the community and stakeholders. On the other hand, repressive law enforcement is carried out after a law violation occurs. The aim of repressive law enforcement is not to prevent violations, but to deal with legal problems that arise as a result of these violations.

The Unitary State of the Republic of Indonesia is a democratic country, as stated in the 1945 Constitution of the Republic of Indonesia (UUD 1945). Elections serve as the cornerstone of democracy, empowering citizens with the right and freedom to elect their representatives in government. Direct general elections by the people are a manifestation of people's sovereignty to create a democratic state government based on Pancasila and the 1945 Constitution.(Lubis et al., 2022). This is an implementation of Article 1 paragraph (2) of the 1945 Constitution which states that "sovereignty is in the hands of the people and is implemented according to the Constitution".In an effort to support the success of elections, the KPU's role as election organizer and supervisor is very important to reduce election violations, such as black campaigns, which can harm various parties and have the potential to cause problems in the future.(Limbong & Romdoni, 2024). This is in accordance with one of the KPU's duties as stated in Article 12 letter i of Law Number 7 of 2017 which states that the KPU is tasked with immediately following up on Bawaslu decisions regarding findings and reports of alleged violations. or election disputes. Black campaign activities during elections can harm certain parties and have the potential to ignite conflict in society which ultimately threatens social harmony. This practice could pose a major risk to national stability if it occurs repeatedly during each election. Therefore, the KPU's task in supervising and holding elections is very important to ensure the success of the next elections, including regional head elections, legislative elections and presidential elections, as well as preventing black campaign practices that could disrupt national stability.(Kusmiati et al., 2024).

The KPU is a state commission. Hierarchically, this state commission plays a role as a supporting institution for the main state institutions such as the People's Consultative Assembly (MPR), the People's Representative Council/Regional Representative Council (DPR), the Regional Representative Council/Regional Representative Council (DPD), the President, the Supreme Court/ Supreme Court (MA), Constitutional Court / Constitutional Court (MK), and Financial Audit Agency / Financial Audit Agency (BPK). The interpretation of the organs of the 1945 Constitution is divided into two parts, namely the main state organs and additional state organs. The KPU is included in the category of state auxiliary institutions.

Black campaign attacks carried out anonymously can give rise to political slander, not only against the target of the attack but also against other parties who are not actually involved in the black campaign, but are ultimately considered by the public to be the perpetrators.(Dewanti, 2022). The practice of attacking each other through black campaigns carries a high risk of triggering conflict between supporters which can disrupt security. Therefore, prevention and law enforcement against black campaigns must be carried out correctly, procedurally, professionally and proportionally(Susanto & Iqbal, 2019).

Structured and systematic supervision by state institutions or bodies, such as the KPU, the Election Supervisory Body (Bawaslu), and the Election Organizer Honorary Council/Election Organizer Honorary Council (DKPP), is very necessary to regulate the implementation of elections. The National Police of the Republic of Indonesia (Polri) through the formation of the Nusantara Task Force aims to minimize the issue of SARA, polarization, identity politics, hoaxes and hate speech in the form of black campaigns. The National Police can also collaborate with the National Cyber and Crypto Agency/National Cyber and Crypto Agency (BSSN) and the Ministry of Communication and Information to seriously eradicate black campaigns on social media. Apart from that, the participation of the public and independent institutions in election monitoring is also very important. Cooperation like this is needed to realize safe and peaceful elections, in line with our shared aspirations.

There is an information management model that can be used to fight black campaigns. If the information obtained is confirmed to contain hoaxes and black campaigns, then the step taken is to store the information without spreading it. On the other hand, if the information is proven not to contain hoaxes or black campaigns, then the information can be utilized and disseminated to other people. This information management model can help the public obtain more accurate information and increase awareness of the importance of verifying information before disseminating it(Fahrudin & Billah, 2023).
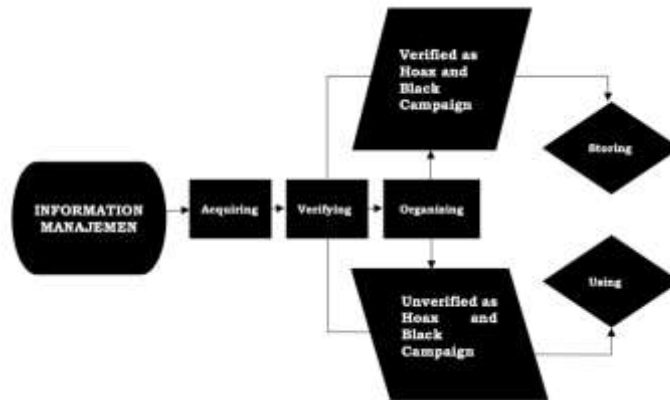
Figure 1. Information Management Model

The Importance of Verifying News Sources to Ensure Accuracy and Credibility(Meisyanti et al., 2021). Cross-checking news sources can prevent the spread of fake news(Marcos et al., 2021). Image verification can be done using special tools to ensure the authenticity of the image(Varshney et al., 2022). News verification techniques by checking dates can help the public prevent the spread of hoaxes and black campaigns in the future. For example, if the information circulating about a particular candidate does not match the actual date of the event, then the public may doubt the veracity of the information and look for more accurate information.
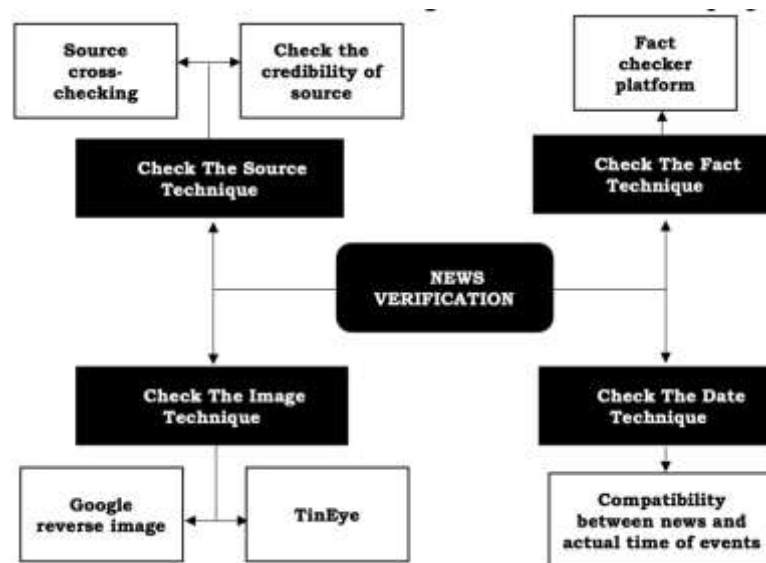

Figure 2. News verification techniques

4. Conclusion

Black campaigns have a negative impact on the quality of democracy and the integrity of elections in Indonesia. This practice not only erodes public trust in the political system and the democratic process, but also disrupts fairness and freedom in the electoral process. Regarding the applicable legal provisions regarding black campaigns in election regulations in Indonesia, although there are several regulations designed to address this problem, there are still challenges in effective implementation and enforcement of the law. Adapting these legal provisions requires a strong commitment from all parties involved, including election organizers, law enforcement agencies and civil society. Prevention strategies and policies that can be implemented to reduce black campaign practices in the upcoming elections, collaboration between institutions and active community

participation are the keys to ensuring the effectiveness of these strategies. In conclusion, smear campaigns pose serious challenges to democracy and election integrity in Indonesia. In overcoming this problem, a comprehensive approach is needed that involves improving regulations, strong law enforcement, as well as broad community education and participation.

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