



Legal Supervision of Political Buzzer During Election in The Democratic Era

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Abstract

Buzzers have garnered considerable public attention, mostly owing to the proliferation of buzzing activities across multiple social media platforms. The proliferation of political buzzers in Indonesia who actively promote political parties has garnered significant public attention, sparking several viewpoints and discussions about their presence throughout the nation. Nevertheless, the role of the buzzer in political instruments has seen a whole reversal in its use. Buzzers often craft inflammatory storylines to establish political branding for certain politicians. This issue is worsened by the disruption of information technology, which presents information that could be more accurate. The significance of this study lies in the fact that buzzers often serve as catalysts for political turmoil. Hence, conducting a comprehensive investigation into the presence of political buzzers, which operate outside legal regulations yet are extensively used in politics, is crucial. This study uses normative legal research methodology. The results of this research are to provide legal supervision of political buzzers, which are considered detrimental to democracy during elections.

Kata Kunci: *Buzzer Politic; Democracy; Election.*

A. Introduction

Political buzzers became a hot topic on social media in the run-up to the general election. Political buzzers are becoming increasingly attractive because their presence in cyberspace can be used for their services, especially during crucial times such as campaigns ahead of general elections. The role of buzzers was seen during the election period because it allegedly played its role and influenced mass mobilization on social media. The buzzer's role in driving public perception focuses on political and economic issues. Buzzer political actors become a tool to boost the popularity of their parties.

Indonesia, as a democracy based on law, must provide freedom for its citizens to voice opinions. The government's commitment to protecting the right to opinion has been realized by Article 20, Article 28 E paragraph (3), and Article 28 F of the 1945 Constitution. Looking at the regulations governing freedom of expression, it can be said that the presence of political buzzers on social media is not contrary to democratic principles in Indonesia. Regardless of the motive for the existence of political buzzers, their form of expression is a form of exercising their right to voice opinions and disseminate information. However, buzzer politics must still get supervision and attention from the government.



Indonesia communication technology has progressed, making social media a significant platform for political campaigning. Specific individuals use the momentum of political disputes as an opportunity to pursue financial benefits, one of which is engaging as a paid promoter on social media platforms. Buzzers play a significant role in influencing the direction of debate on social media, sometimes used by political personalities or candidates to gain an advantage in political competitions. Social media enables users to actively discuss and express their opinions on specific topics.¹

The name "Buzzer" originates from the marketing field, specifically from the concept of buzz marketing. Buzz marketing refers to the strategies used to generate sales for products or services by disseminating information by word of mouth. The term Buzzer itself became popular with the development of social media technology. The focus of buzzer promotion has shifted from marketing a product from a company to being a public figure paid to spread political news. Buzzers are responsible for cultivating widespread public support for a candidate actively engaged in a political campaign. Due to the intense political competition, social media has become a crucial platform for political campaigns in Indonesia.²

The presence of political buzzers that must be increasingly considered and given supervision is when they begin to spread false information, lead public opinion to the wrong things, and insult certain people or groups. Focusing the political buzzer on every corner of social media that indulges in information, opinions, and data without verification and confirmation, publishes fake and anonymous accounts that then take refuge in opinions about freedom of expression. The rise of buzzer political activity like this can disrupt national political stability and hurt the meaning of freedom of expression in a democracy.³ In this context, political buzzers are considered to hurt the democratic process, because the content is able to divide society.⁴

In the era of digital democracy, buzzer politics in carrying out activities is growing and crowded on social media. The concern now is about what the political buzzer

¹ Shiddiq Sugiono, "Fenomena Industri Buzzer Di Indonesia: Sebuah Kajian Ekonomi Politik Media," *Communicatus: Jurnal Ilmu Komunikasi* 4, no. 1 (2020): 47–66, <https://doi.org/10.15575/cjik.v4i1.7250>.

² Rieka Mustika, "Pergeseran Peran Buzzer Ke Dunia Politik Di Media Sosial," *Diakom : Jurnal Media Dan Komunikasi* 2, no. 2 (2019): 144–51, <https://doi.org/10.17933/diakom.v2i2.60>.

³ Boy Anugerah, "Urgensi Pengelolaan Pendengung (Buzzer) Melalui Kebijakan Publik Guna Mendukung Stabilitas Politik Di Indonesia," *Jurnal Kajian Lembaga Ketahanan Nasional Indonesia* 8, no. 3 (2021): 391–407.

⁴ Iswandi Syahputra, "Demokrasi Virtual Dan Perang Siber Di Media Sosial: Perspektif Netizen Indonesia [Virtual Democracy and Cyber War on Social Media: The Perspective of Indonesian Netizens]," *Jurnal ASPIKOM* 3, no. 3 (2017): 457.



conveys to the public during the election campaign. The presence of buzzer politics lately is negative rather than positive. The campaign that is echoed is more negative by bringing down the opponent who is feared to be more likely to cause hoax news that triggers disputes.⁵ Unfortunately, political buzzers in the current era are considered harmful, even though the presence of buzzers was initially considered positive and allowed to be a good job.

Several types of users in cyberspace perform unusual activities and dominate distribution. Based on empirical observations, these users' messages do not reflect their genuine opinions. In addition, it is most likely that these users are computer bots or paid users hired for a particular thing. Therefore, we found that there are two types of buzzers in cyberspace. The first type is more of a buzzer that uses a computer bot that automatically reposts something related to a keyword. The second type of buzzer is fanatical or paid users. This type of user, usually with high frequency, often reposts or responds excessively to related things.⁶

The current problem is that many buzzer users are starting to cause conflict by spreading hoax news on social media. In contrast, the spread is difficult to detect because using accounts that are difficult to detect because the accounts used do not use real identities. Social media conflicts often arise due to the actions of individuals known as Buzzers online. These conflicts may then escalate into real-world violence, as seen in the case of Ninoy Karandeng, which was triggered by divergent political ideologies. Cases of violence that start in cyberspace are feared to be fatal if they are brought to the real world, so the Indonesian government needs further supervision on this matter.⁷

Buzzer users in the context of political power like this bring a shift from the meaning of the buzzer itself from a positive thing to something negative and have the potential to cause lies and conflict. The phenomenon of political buzzers that are increasing over time has not been able to be optimally supervised by the government. Law Number 11 of 2008 Challenging Electronic Information and Transactions made to anticipate the spread of hoax news has not been able to predict the phenomenon of conflict due to buzzer activities optimally. Shows the weak construction of Indonesia's legal resilience to the possibility of friction caused by

⁵ Riris Loisa Felicia, "Peran Buzzer Politik Dalam Aktivitas Kampanye Di Media Sosial Twitter," *Koneksi* 2, no. 2 (2018): 352-59.

⁶ Mochamad Ibrahim et al., "Buzzer Detection and Sentiment Analysis for Predicting Presidential Election Results in a Twitter Nation," *Proceedings - 15th IEEE International Conference on Data Mining Workshop, ICDMW 2015, 2016*, 1348-53, <https://doi.org/10.1109/ICDMW.2015.113>.

⁷ Muhammad Syirazi Neyasyah, "Legal Resilience in the Phenomenon of Social Media Political Buzzer in Indonesia" 130, no. Iclave 2019 (2020): 338-44, <https://doi.org/10.2991/aebmr.k.200321.044>.



political buzzers. Based on the above background, the problem raised is the legal supervision of political buzzers that are considered to hurt democracy during the general election period.

B. Method

This study uses normative legal research methodology. The normative legal study relies on a secondary data source, namely library resources such as rules, documents, books, papers, and relevant literature about the issue under investigation. In this study, technical data collection uses literature studies consisting of primary and secondary data sourced from various online news portals and reputable scientific and popular sources, including books, journals, magazines, newspapers, government documents, and other relevant, credible sources. The authors aim to identify, evaluate, and analyze the data impacting the research subject.

C. Results and Discussion

1. The Influence of Political Buzzers During the General Election;

The political buzzers in the regional and Indonesian elections have a twofold purpose: to promote and establish the image of political leaders or parties and to generate negative campaigns on social media. Political seller marketing, conducted by political buzzers, is becoming more prevalent in democratic political regimes because maintaining power relies heavily on garnering majority support. Initially, social media buzzers in a political context were used to counteract negative campaigns by shaping public attitudes, enhancing the favorable perception of certain political candidates and ultimately influencing their chances of being elected. In the Indonesian political landscape, there exist three distinct types of buzzers:⁸

- a) Some paid buzzers are intentionally compensated to engage in activities such as promoting brands and generating buzz.
- b) Some volunteer buzzers are affiliated with political volunteers and possess cyber teams. It is worth noting that nearly all political volunteers in Indonesia have cyber teams on social media.

⁸ Bambang Arianto, "Salah Kaprah Ihwal Buzzer: Analisis Percakapan Warganet Di Media Sosial," *JlIP: Jurnal Ilmiah Ilmu Pemerintahan* 5, no. 1 (2020): 1–20, <https://doi.org/10.14710/jiip.v5i1.7287>.



- c) Some neutral buzzers refrain from taking sides but still contribute to reinforcing content and messages, thereby shaping public opinion.

Political buzzers may serve as a tool for some individuals to further their objectives. The Buzzer serves as a conduit for endorsed candidates. The phenomenon of buzzers in Indonesia began to proliferate via social media platforms such as Twitter in 2009, saw a significant surge in popularity in 2014, intensified further in 2019, and continues to persist. His participation throughout the emergence of the political year, particularly the presidential race, was deemed effective in galvanizing the political Buzzer social movement. Political polarization leads to the formation of factions depending on individuals' political affiliations.⁹

Buzzers often use social media sites such as Facebook, Twitter, Instagram, or YouTube to engage with political supporters or opponents. The significance of political buzzers in the 2012 DKI Jakarta Regional Head Election was underscored by the presence of JASMEV. That is when political influencers purportedly began to exert their influence and impact on widespread mobilization via social media in electoral politics. The subsequent political attitude and divisiveness must also be held accountable for their involvement. The participation of political buzzers was related to multiple incidents in the following general elections, including the 2014 and 2019 presidential elections and the 2017 DKI Jakarta Regional Election, particularly in its function of transmitting campaign messaging. An encouraging development since its emergence in 2012, political buzzers have had a constructive impact by effectively generating buzz during elections without resorting to negative smear tactics. In addition, political buzzers also play a role in monitoring the drafting of the DKI Jakarta APBD budget.¹⁰

Nevertheless, while examining the buzzer phenomena, it is crucial to maintain equilibrium. It is essential to consider both perspectives rather than only focusing on one side while disregarding the other. As previously said, the existence of political buzzers has both beneficial effects and detrimental consequences for Indonesian democracy at now. Currently, buzzers have transformed into platforms that disseminate numerous narratives of animosity, defamation, and false information by exploiting sensitive topics that involve ethnicity, religion, race, and societal issues (SARA). This has led to contentious debates that need more

⁹ Rizki Kurniawati, "Buzzer Sebagai Alat Politik Ditinjau Dari Perspektif Penegakan Hukum Di Indonesia" 08, no. 02 (2023): 260–75, <https://doi.org/10.24967/jcs.v8i2.2313>.

¹⁰ Bambang Arianto, "Kontestasi Buzzer Politik Dalam Mengawal APBD DKI Jakarta," *Jurnal Polinter: Kajian Politik Dan Hubungan Internasional* 5, no. 1 (2019): 54–74, <https://doi.org/10.52447/polinter.v5i1.2342>.



transparency and accountability, originating from unreliable sources. Consequently, society has divided along different interests, which will likely persist until the election's conclusion. The party even exhibits oppressive tendencies against individuals who voice criticism of the administration.¹¹

A buzzer seen as a bad tool is intentionally designed to provoke and generate heated or public opinions. The strategic objective is to distribute the votes to prevent the election of persons seen as entrenched in leadership. In this position, the buzzer operates alone in response to the money received. Nevertheless, it is plausible that the buzzers in this area are, in fact, political supporters of the politician being endorsed. These buzzers shape political dynamics by emphasizing polarization. They may be offered financial incentives, positions of power, or specific remuneration contingent upon the successful election of the politician they endorse. Devices such as this one are detrimental to the functioning of democracy. The reasons are rooted in hate, retribution, jealousy, and incitement. The consequence is that when the community assumes the role of chairman, the decision-making process becomes less efficient and impactful.¹²

2. The Position of Buzzers in The Democratic Era;

Indonesia, as a democratic nation governed by the rule of law, has shown its commitment to ensuring the rights of all its citizens, including the right to freedom of expression. This commitment has been achieved by the presence of rules that control this topic. According to Article 19 of the Universal Declaration of Human Rights, everyone is entitled to the freedom of opinion and expression. This encompasses the freedom to hold opinions without interference and to seek, receive, and communicate information and opinions through any means without being restricted by boundaries. Article 20, paragraph (1) states that every individual has the right to engage in peaceful assembly and form associations. Paragraph (2) states that individuals cannot be compelled to join an organization. According to Article 28 E, paragraph (3) of the 1945 Constitution, every individual is entitled to form associations, gather together, and express their opinions.

Political freedom, particularly in the form of protests, is sometimes linked to the presence of freedom of thought inside a state. This method serves to express viewpoints and endorse or critique government policies or other matters through diverse mediums and channels while adhering to established and transparent

¹¹ Rahman Tahir, Heri Kusmanto, and Muryanto Amin, "Propaganda Politik Hoaks Dalam Pemilihan Presiden Tahun 2019," *Perspektif* 9, no. 2 (2020): 236–51, <https://doi.org/10.31289/perspektif.v9i2.3458>.

¹² Ariandi Putra, "Peran Buzzer Politik Dalam Dinamika Jelang Pemilu Tahun 2024," *SALAM: Jurnal Sosial Dan Budaya Syar-I* 10, no. 4 (2023): 1143–58, <https://doi.org/10.15408/sjsbs.v10i4.34076>.



regulations, both explicit and implicit, in the public sphere. It enables the aggregation of collective voices, free from external influences. Individual and collective pursuits aimed at achieving democracy, resulting in the empowerment and fairness of the populace. In addition, it is imperative to examine the stipulations outlined in Article 28 F of the 1945 Constitution, which guarantees individuals the right to communicate and access information to enhance their personal and social surroundings. This includes the freedom to seek, acquire, possess, store, manipulate, and transmit information through any available means.

In addition, concerning the freedom of organization and assembly, the act of expressing opinions vocally, in writing, and other similar means is mandated by legal provisions. The principle of freedom of expression is evident in the specific provisions of Article 23, paragraph (2) of Law Number 39 of 1999 concerning Human Rights (Human Rights Law).¹³ This law states that individuals can freely hold, express, and distribute their opinions by their conscience, whether through spoken or written means, including print or electronic media. However, it is important to consider religious values, morality, public order, public interests, and the integrity of the state when exercising this right.

Examining the aforementioned Indonesian regulations reveals that political buzzers, irrespective of their underlying motives, serve as a means for certain Indonesian individuals to exercise their rights, specifically the right to freely assemble, express, and disseminate their opinions through electronic media by their conscience. Furthermore, as stipulated by Pancasila's fifth principle it states "social justice for all Indonesian citizens." Hence, the legality of political buzzers on social media in Indonesia does not contradict the democratic values outlined in its constitution. One of the objectives of a democratic nation is to create a framework that safeguards and upholds human rights. Article 21, paragraph (3) of the Universal Declaration of Human Rights emphasizes that government power should be derived from the people's will.¹⁴ This will should be expressed through periodic and fair general elections, where all individuals have equal voting rights and can cast their votes freely, either through secret ballot or other methods that ensure voting freedom.

Nevertheless, it is crucial to remember that freedom of speech is subject to legal restrictions and governed by legal norms. Human rights do not protect the

¹³ Pemerintah Republik Indonesia, "Undang-Undang Republik Indonesia Nomor 39 Tahun 1999 Tentang Hak Asasi Manusia," *Lembaran Negara* 1999/No. 165, TLN NO. 3886, LL SETNEG : Hlm 29, no. 39 (1999): 2.

¹⁴ Nurul Jannah and Lailatul Fitria, "Pengaruh Strategi Buzzer Dalam Amplifikasi Pesan Kepada Publik Pada Lingkungan Demokrasi Politik," *POLITEIA: Jurnal Ilmu Politik* 15, no. 1 (2023): 57-69.



dissemination of false information, offensive language, discriminatory speech, or any other behaviors that have the potential to cause damage or infringe against the rights of others. The government and affiliated institutions are responsible for establishing a harmonious equilibrium between the liberty of speech and safeguarding people's and society's rights. It is necessary to uphold the law to address legal transgressions such as libel, slander, or the dissemination of false information while safeguarding the preservation of freedom of speech within the boundaries established by legislation.¹⁵

Social media users have more faith in the statements made by their friends or colleagues online than in the information shown on roadside billboards. Campaigns are often distinguished by good campaigns, negative campaigns, and the possibility of engaging in black campaigns. Social media and the volunteer phenomena add a distinct element since the public propels them without any constraints. This may also impact the success or failure of political players in securing crucial positions. Social media has emerged as a novel medium for democratic engagement and plays a tangible function in politics.

Democracy plays a crucial role in providing a platform for community engagement. It is responsible for accommodating a wide range of interests and goals to achieve collective agreements that the community appreciates and upholds. The democratic system has distinct characteristics throughout its operation, including formulating government choices that prioritize the populace's welfare and the people's representation via elected officials. Government choices made by elected officials are decisions aimed at helping society. Nevertheless, it is regrettable. Democracy is often used to accomplish objectives that only benefit a certain group or people. Democracy and the equity of the election system, often known as electoral justice, have grown closely intertwined in politics. Electoral fairness is a proactive measure used to ensure the proper functioning of democratic processes. The political buzzer issue has emerged on social media in recent years, disrupting the operation of democracy and electoral fairness. According to a study conducted by the Oxford Internet Institute, there is substantial evidence indicating that as of 2020, eighty-one nations were using cyber power to disseminate propaganda via social media platforms.¹⁶

¹⁵ Paulus Barekama Tukan, "Buzzer Politik Pembajak Demokrasi?," *Akademika* 20, no. 2 (2022): 39–56.

¹⁶ Samantha Bradshaw et al., "Country Case Studies: Industrialized Disinformation: 2020 Global Inventory of Organized Social Media Manipulation," *Computational Propaganda Research Project*, 2020, 1–475, <https://comprop.oii.ox.ac.uk/wp-content/uploads/sites/127/2021/01/CyberTroop-Report20-FINALv.3.pdf>.



Elections represent the pinnacle of a democratic nation, granting every citizen the privilege to vote and run for office. To ensure compliance with the constitutional requirement outlined in Article 22E, an election system that upholds principles of fairness is indispensable. This system plays a crucial role in establishing the legitimacy of democracy and ensuring the credibility of the electoral process. Hence, it is crucial to construct a thorough and precise electoral justice system that is executed efficiently, showcasing both independence and impartiality. This is essential in achieving justice, transparency, accessibility, equality, and inclusivity in elections. The presence of political operatives who operate under the guise of freedom of expression presents a genuine risk to the equilibrium of the electoral justice system. Implementing election norms must be supplemented by appropriate measures to address the political buzzer problem.¹⁷

The actions of political buzzers continue to voice unpopular messages even after the election, leading to ongoing controversy. The proliferation of unverified and unconfirmed information, data, and opinions, which can mislead the public and influence public sentiment, along with the prevalence of counterfeit and anonymous accounts under the guise of freedom of expression, represents a novel and highly dangerous phenomenon for the nation's democracy, capable of destabilizing national harmony. Ultimately, this political buzzer's integrity could have been better. The political party has been associated with a controversial image that generates debate in the public domain. Furthermore, there have been instances of verbal repression and criminalization purportedly perpetrated by political buzzers against various activist groups or parties with differing stances toward the government. These groups are suspected of malicious planning within a public discussion forum without relying on substantiated facts and data. Numerous similar cases have also been reported. This validates the negative perception that many individuals have about contemporary political commentators.¹⁸

As widely acknowledged, media use serves as the primary mode of communication in our contemporary society, including political interest groups. There is concern that if political influencers abuse this medium, it might impact individuals' cognition, emotions, and actions in public affairs. Both beneficial and detrimental impacts. The existence of political buzzers in a democratic nation such as Indonesia has ultimately sparked more discussion. To what degree is this active engagement allowed in the pursuit of fostering democracy, and to what extent is this active

¹⁷ Fawwaz Ihza et al., "Pengaruh Buzzer Politik Dalam Pemilu : Tantangan Terhadap Electoral Justice Dalam Mempertahankan Prinsip Demokrasi," *Padjadjaran Law Review* 11, no. 2 (2023): 183–200, <https://doi.org/10.56895/plr.v11i2.1288>.

¹⁸ Abdullah, "Penguatan Electoral Justice System Pada Bawaslu Menghadapi Pemilu Serentak 2024," *Jurnal Keadilan Pemilu* 2, no. 2 (2022): 48–60, <https://doi.org/10.55108/jkp.v2i2.137>.



engagement seen as detrimental and antithetical to the principles of a healthy democracy.

Political influencers have integrated into the online community and possess the ability to shape public sentiment. Political provocateurs often use anonymous profiles to generate detrimental information that has the potential to polarize society. It is crucial to thoroughly examine the phenomena of political buzzers and their influence on democracy and society. The government needs to tackle this issue and contemplate implementing explicit legislative regulations regarding the use of political ringtones and the presence of anonymous accounts among users of such services.

As social media users, we must exercise discernment when receiving information. We must possess the ability to recognize and avoid any detrimental political communication, both in terms of consuming and sharing such content. This will only undermine the current democratic process. Hence, it is essential to use social media appropriately, ensuring its efficacy in facilitating healthy political discourse, thereby promoting a clear political trajectory untainted by the influence of oligarchic propagandists.

3. Legal Oversight of Political Buzzers in Indonesia.

Contestation of general elections, presidential elections, to regional elections in this digital era always raises noise on social media with the existence of social media accounts belonging to political buzzers. The contest between supporters of a particular candidate for office often dominates the most popular topics on social media platforms. This conflict is typically characterized by deploying deceptive information or fabricated news. In the realm of social media, the proliferation of false news disseminated through fabricated accounts operated by political influencers is driven by various factors, including the tendencies of individuals who are eager to distribute information promptly, hasten to share news, and have a propensity to relay received information without prior verification. This habit perpetuates itself in a sequential manner, as users pass on information without verifying its validity. These pieces of information are then accepted and spread, particularly if they have been intentionally crafted to provoke certain interests that can influence emotions, feelings, and thoughts. The emotions of individuals quickly became widely popular in our culture.¹⁹

Indonesia has a population of over 175 million active social media users, who dedicate an average of 4.5 hours daily to online connectivity. The remarkable figures

¹⁹ Wahyu Abdul Jafar, "Political Buzzer in Islamic Law and Its Impact on Muslim Society," *Hamdard Islamicus* 45, no. 3 (2022): 29-52, <https://doi.org/10.57144/hi.v45i3.491>.



garnered the attention of politicians, leading to the emergence of the Political buzzer. Political Buzzers try to take advantage of the situation by creating an increase in the popularity of the political parties they support or even breaking some rules to bring down their opponents.²⁰ The realm of digital politics introduces new mechanisms for exerting influence over media. These buzzers often use deceptive tactics or disseminate false information, particularly in the context of political campaigns. They vigorously uphold their political goal by referencing their opponent's case in every conceivable manner. The intense discourse among these political commentators contaminates social media, particularly with expressions of wrath, diatribes, and derogatory remarks.²¹

Regulation is one of the tools the government uses to regulate and control society. The government makes regulations to provide security and comfort for all. Regulations can function not only in the real world but also in the digital world or cyberspace. Special attention is needed in cyberspace to ensure legal certainty in the use of information, media, and communication technology so that it can run optimally. There are three aspects of the approach to maintaining security in cyberspace activities, namely technological aspects and social aspects, legal aspects, and cultural and ethical aspects. These three aspects can run effectively if supported by a set of rules or regulations. This is important, especially in the current era of information technology, so that there are no victims or disadvantaged parties in utilizing technology.²²

Regulations in maintaining comfort must also be supported by legal tools to prevent and punish those who make noise and spread lies and crimes on social media. The presence of Law Number 11 of 2008 concerning Electronic Information and Transactions, which subsequently amended several provisions in Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 (UU ITE), is designed to provide security and comfort in transacting and communicating via the internet. The ITE Law is present as a legal approach, an absolute approach, so that all issues related to the use of information technology are always within legal certainty. In this discussion, the ITE Law serves as a legal basis for hate speech on political buzzers in cyberspace, which is considered excessive and makes noise.

²⁰ Masduki, "Media Control in the Digital Politics of Indonesia," *Media and Communication* 9, no. 4 (2021): 52–61, <https://doi.org/10.17645/mac.v9i4.4225>.

²¹ Adrian Julianto Panatra et al., "Buzzer Detection to Maintain Information Neutrality in 2019 Indonesia Presidential Election," *Proceedings - 2019 8th International Congress on Advanced Applied Informatics, IIAI-AAI 2019*, 2019, 873–76, <https://doi.org/10.1109/IIAI-AAI.2019.00177>.

²² Wardatun Nabilah et al., "Implikasi Undang-Undang Informasi Dan Transaksi Elektronik (UU-ITE) Terhadap Kerukunan Kehidupan Beragama Di Ruang Digital," *Dialog* 45, no. 1 (2022): 69–80, <https://doi.org/10.47655/dialog.v45i1.527>.



The Indonesian public has accepted that hoaxes harm democracy and the country. To anticipate this, the government enacted the ITE Law, but the regulation still needs to improve to make it seem unable to develop the rapid development of technology, including social media and all the conflicts accompanying it. Despite the criticism of the Electronic Transactions Law (UU ITE), many support law enforcement efforts to tackle hoaxes and sellers of fake news. The implementation of legitimate measures to address hoaxes is something that can be better communicated for public support in a future public engagement against hoaxes.²³ With the existence of a legal system, resources that can support and supervise the enforceability of rules and sanctions so that they can run according to the purpose of their formation are needed.

The spread of fake news or hoaxes on social media has criminal consequences for the perpetrators. The current Law's provisions clearly regulate the spread of false news or information. People who are proven to spread fake news will be charged with answers. Criminal liability will be applied to a person found guilty of a criminal act. Four elements of criminal responsibility must be possessed namely, there is an act committed by the perpetrator, an act committed against the Law, fulfilling the elements of offense regulated in the Law, and the perpetrator must be responsible for his actions.²⁴

The regulations governing political buzzers who deliberately spread fake news and spread information that causes hatred on social media are as follows:

- a) It is contained in Articles 263-264 of the Penal Code, which regulates the broadcasting or dissemination of false news or notifications. Article 263 of the Criminal Code states that any person who broadcasts or disseminates news or notification, even though he knows that the news or notification is false and causes riots in society, shall be punished with a maximum imprisonment of 6 (six) years or a maximum fine of category V. Meanwhile, Article 264 of the Criminal Code, regulates every person who broadcasts or disseminates news or notifications when it is reasonably suspected that the news or the notification is a lie that can cause riots in the community, punishable with a maximum imprisonment of 4 (four) years or a maximum fine of category IV.²⁵

²³ Jennifer Yang Hui, "Social Media And The 2019 Indonesia Elections," *Southeast Asian Affairs*, December 28, 2020, 155-72, <https://www.jstor.org/stable/26938889>.

²⁴ Siti Aisyah et al., "Hoax News and Future Threats: A Study of the Constitution, Pancasila, and the Law," *Indonesian Journal of Pancasila and Global Constitutionalism* 1, no. 1 (2022): 171-238, <https://doi.org/10.15294/ijpgc.v1i1.56881>.

²⁵ Presiden Republik Indonesia, "Undang-Undang Republik Indonesia Nomor 1 Tahun 2023 Tentang Kitab Undang-Undang Hukum Pidana," *Direktorat Utama Pembinaan Dan Pengembangan Hukum Pemeriksaan Keuangan Negara Badan Pemeriksa Keuangan*, no. 16100 (2023): 1-345.



- b) It is contained in Article 28, paragraphs (1) and (2) of Law Number 11 of 2008 concerning Electronic Information and Transactions. Article 28 Paragraph (1) regulates if everyone intentionally and without rights spreads false and misleading news that results in consumer losses in Electronic Transactions. Article 28 Paragraph (2) regulates everyone intentionally and without the right to disseminate information aimed at causing hatred or hostility of individuals and specific groups based on ethnicity, religion, race, and intergroup (SARA).

The 2024 election stage has begun, so the General Election Supervisory Body Bawaslu is on standby to supervise and crack down on political buzzers on social media in the 2024 election. The chairman of Bawaslu Republik Indonesia argues that monitoring the spread of fake news to content that triggers division by buzzer politicians is a challenging job. Bawaslu said there are still many loopholes in the state of law against spreading problematic content in cyber media, including buzzers. Bawaslu has also collaborated with the General Elections Commission (KPU) and the Ministry of Communication and Information Technology (KOMINFO) to improve people's digital literacy.²⁶

Bawaslu and all government organs at the local level must closely monitor the involvement of political buzzers in the campaign. Supervision is intended so that no form of campaign is prohibited by law or commonly called a black campaign by political buzzers on social media. Black campaigns are carried out by political buzzers on social media using vague identities, then spreading fake news accompanied by hate tests and even bringing sensitive issues about election participants' opponents. Such buzzer behavior aims to reduce the electability value and cause distrust in his opponents' election participants.²⁷

The Indonesian Ulema Council (MUI) also issued a fatwa regarding laws and guidelines in muamalah (interacting) on social media. The fatwa was proposed because of the growing misuse of social media that leads to hatred and lies and undermines unity. MUI issued fatwa Number 24 of 2017 regarding buzzer activities. The sound of the fatwa is "Buzzer activities on social media that make the provision of information containing hoaxes, grants, slander, bullying, disgrace, gossip, and other similar things as a profession to obtain profits, both economic and non-economic, are legally haram. Likewise, people who instruct, support, help, utilize services and people who facilitate them". Disseminating, creating, or producing

²⁶Arahman Juniarto, "Bawaslu Awasi Aksi Buzzer Di Media Sosial," Bawaslu Kabupaten Oku Selatan, 2022, <http://okus.bawaslu.go.id/news/bawaslu-awasi-aksi-buzzer-di-media-sosial-.html>.

²⁷ Wawan Fransisco, "Legal Consequences for Political Buzzers in Indonesia," *International Journal of Social Science and Human Research* 04, no. 02 (2021): 222-28, <https://doi.org/10.47191/ijsshr/v4-i2-15>.



content or information about hoaxes, hate speech, slander, and other similar matters related to personal to the public is haram. This social media fatwa is a reference and guide in law and guidelines.²⁸

Legal oversight carried out by the government is not shown to limit freedom of expression for its people. As a democratic country with a constitution, voicing and accepting criticism does not scare its people. The existence of the above laws and regulations is made to guarantee rights and maintain socio-political stability in the state. However, the reality is now that there is a lot of information dissemination in such a way as to illustrate an excessive freedom of speech. This does not follow Pancasila democracy, where the freedom adopted is not unlimited freedom but limited freedom. That is, the freedom possessed by each individual and group in Indonesia is limited to guaranteeing the rights of other individuals and groups.

Based on the discussion described earlier, the author concludes that the existence of political buzzers is acceptable if their activities are carried out in reasonable and appropriate ways and do not violate regulations. However, what is happening now is just the opposite, the presence of political buzzers in Indonesian politics, especially during the general election period, many still carry out harmful social media activities. Therefore, it is not an exaggeration if the author argues that the existence of political buzzers can lead Indonesia to the decline of democracy. So, it requires the renewal or establishment of special regulations governing the scope of political buzzer activities on social media and strict supervision by the government.

D. Conclusion

Initially, political influencers on social media platforms were utilized for political promotion. However, they have now transformed into factions that disseminate numerous narratives of hate, defamation, and fabricated news by exploiting sensitive issues about ethnicity, religion, race, and nationality. These influencers manipulate public sentiment and engage in oppressive actions against those who oppose their agenda. Governmental criticism. The presence of buzzers in mainstream media creates the perception of serving as a "shield" for the government against social media resistance. Irrespective of the many motivations behind it, buzzers serve as a means of expression for some individuals in Indonesia to exercise their rights, namely the right to freedom of assembly, speech, and dissemination of thoughts via electronic media by their conscience. Political astroturfing on social

²⁸ Anggi, "Buzzer Penyebar Hoax Dalam Kacamata MUI, Haram?," Kominfo, 2017, https://www.kominfo.go.id/content/detail/9876/buzzer-penyebar-hoax-dalam-kacamata-mui-haram/0/sorotan_media.



media is both lawful and safeguarded by legislation. The existence of this entity has a beneficial impact on enhancing public engagement in elections and aiding the public in overseeing government policy. The existence of political buzzers during and after the general election has resulted in a negative reputation and undermined the fundamental principles of democracy. In essence, buzzers have contributed to the deterioration of democracy in Indonesia. The government and related institutions are expected to assess and improve current laws to effectively address the challenges that arise in the digital era and protect individual rights while preserving freedom of expression.

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