


Hoax as Challenge to Democratic Elections in the Context of Honest and Fair Principle

Ida Susilowati,¹ Nur Rohim Yunus,² Zahrotunnimah³

¹Universitas Darussalam Gontor Ponorogo, ²Universitas Islam Negeri Syarif Hidayatullah Jakarta, ³Universitas Ibn Khaldun Bogor

 <https://doi.org/10.32507/mizan.v3i2.502>

Abstract

Indonesia as one of the countries that adheres to a democratic system based on the ideology of Pancasila. As a democratic country, realizing democratic elections becomes an obligation. Democratic elections are one of the basic foundations towards a democratic state, where leaders and representatives of the people as parties are considered capable of implementing people's aspirations through public policy. As a manifestation of the government's efforts to realize democratic elections, legislations related to general elections are made, one of which is the principle of direct, general, free, secret, honest, and fair, abbreviated as LUBERJURDIL in the Indonesian form of language. In another context, globalization presents a new challenge for democratic elections, especially in the context of political socialization. The role of political socialization through mass media and social media is a challenge in realizing elections based on the principle of "honest and fair", this paper argues. The hoax phenomena become something that cannot be considered insignificant in democratic elections, especially with the principles of honesty and fairness. This article discusses the hoax phenomena in the 2019 general election in the context of honest and fair elections principles. Hoax is a new challenge for the people and government in achieving the main objectives of the nation and state through democratic elections.

Keywords: General Election, Democracy, Hoax, Luberjurdil

Abstrak

Indonesia sebagai salah satu negara yang menganut sistem demokrasi berdasarkan ideologi Pancasila. Sebagai negara yang demokratis, mewujudkan pemilu yang demokratis menjadi kewajiban. Pemilihan umum yang demokratis adalah salah satu fondasi dasar menuju negara yang demokratis, di mana para pemimpin dan perwakilan rakyat sebagai partai dianggap mampu melaksanakan aspirasi rakyat melalui kebijakan publik. Sebagai manifestasi dari upaya pemerintah untuk mewujudkan pemilihan umum yang demokratis, dibuatlah undang-undang yang terkait dengan pemilihan umum, salah satunya adalah prinsip langsung, umum, bebas, rahasia, jujur, dan adil, disingkat LUBERJURDIL dalam bentuk bahasa

* Naskah diterima tanggal: 12 Juli 2019, direvisi: 24 Agustus 2019, disetujui untuk terbit: 20 November 2019.

¹ **Ida Susilowati** is a lecturer at Universitas Darussalam [UNIDA] Gontor Ponorogo. E-mail: idasusilowati@unida-gontor.ac.id.

² **Nur Rohim Yunus** is a lecturer at Universitas Islam Negeri [UIN] Syarif Hidayatullah Jakarta. E-mail: nurrohimyunus@uinjkt.ac.id.

³ **Zahrotunnimah** is a lecturer at Universitas Ibn Khaldun [UIKA] Bogor. E-mail: zahrotunnimah@yahoo.com.

Indonesia. Dalam konteks lain, globalisasi menghadirkan tantangan baru untuk pemilihan umum yang demokratis, terutama dalam konteks sosialisasi politik. Peran sosialisasi politik melalui media massa dan media sosial merupakan tantangan dalam mewujudkan pemilu berdasarkan prinsip "jujur dan adil", makalah ini berpendapat. Fenomena hoax menjadi sesuatu yang tidak bisa dianggap tidak signifikan dalam pemilihan demokratis, terutama dengan prinsip kejujuran dan keadilan. Artikel ini membahas fenomena tipuan dalam pemilihan umum 2019 dalam konteks prinsip pemilihan yang jujur dan adil. Hoax adalah tantangan baru bagi rakyat dan pemerintah dalam mencapai tujuan utama bangsa dan negara melalui pemilihan yang demokratis.

Kata kunci: Pemilihan Umum, Demokrasi, Hoax, Luberjurdil

Introduction

Indonesia is one of the countries that embrace democracy based on the ideology of Pancasila. Democracy carried out in Indonesia is based on Pancasila values, where the elements of religion or Godness become the main foundation for other values, such as human values, unity, democracy and social justice. One of the manifestations of Pancasila democracy through a democratic General Election is based on the principle of the Direct, General, Free, Honest and Fair Secret, or abbreviated as LUBERJURDIL. Indonesia once again held a democratic party or a legislative and executive election simultaneously in 2019. The general election which took place on April 17, 2019, was prepared in such a way to welcome the democratic festival in Indonesia.

The democratic system is a system that is almost applied in all countries of the world because it is considered as the most ideal system among other political systems, one of which is Indonesia. In order to realize a democratic General Election based on the ideology of Pancasila, the Indonesian government implemented the democratization of General Elections based on the principles of Direct, General, Free, Secret, Honest, and Fair or abbreviated as LUBERJURDIL. The principles of Direct, General, Free, Confidential, Honest, and Fair began to be applied in the 2004 Election or Reformation, as an effort to perfect the principles of the previous General Elections in the New Order era namely Direct, General, Free, and Secret (LUBER).

Ahead of the election, a grand event in the form of a campaign was held in various regions as one of the instruments of implementing political socialization to increase people's political participation in voting for citizenship rights. Political campaigns are held massively, both through direct political speeches, the use of political attributes and also through mass media and social media. The political participation of the Indonesian people in the 2019 elections can be said to have increased especially among women and the younger voters. The increase is seen from the rise of campaigns dominated by these two elements of society, one of which is campaigns through social media.

The rise of the campaign through social media has become one of the elements that distinguish the 2019 political campaign from earlier years. A new phenomenon has emerged that is the issue of hoax news in the political campaign. Increasing social media users from various elements in the society, making social media as an agent of political socialization that is considered effective and efficient in political campaigns. The use of social media that is not balanced by emotional intelligence and clarification efforts in the field of data creates the development of information that is indicated untrue. This raises new challenges for election political participants in analyzing information that is accurate and credible to the candidates for the executive and legislative candidates to be elected. It is necessary to take appropriate action in overcoming the development of hoax information from both the government and the community, given the impact of hoax information that can divide the unity of the nation. The existence of hoax is an obstacle to the realization of the principle of the general election "JURDIL". This is the main reason this paper is made, hopefully, it can close the gaps that occur in the country, especially in the effort to realize democratic elections in the context of Luberjurdil in Indonesia.

Democratizing Elections in Theoretical Framework

Democracy is often interpreted as a system of power where sovereignty is in the hands of the people. The concept of democracy is a power that belongs to the people or from the people, by the people, and for the people⁴ where the role of the people is at the core of the sovereignty of a country. The democratic system was first implemented in Athens, Greece in the Republican concept promoted by Plato. The concept of Plato's democracy is based on the principle of equality and ownership, the people are part of the state and the state as part of the people⁵. Democracy is the political system most widely used in modern countries today. The democratic political system is assumed as the most perfect political system compared to other political systems, although in its application is highly influenced by the nature and culture of each country.

Basically, as a concept, democracy is based on a system of deliberation to reach consensus. Islam puts forward deliberation in every solution of a problem, both at the individual level, especially social society. This was exemplified by the Prophet Muhammad during his leadership in Mecca and Medina, the mechanism of shura was always put forward in solving the problems of the people. Deliberation aims to exchange ideas, thoughts, and ideas in solving problems

⁴ Kaelan; & Achmad Zubaidi, *Pendidikan Kewarganegaraan Untuk Perguruan Tinggi* (Berdasarkan SK Dirjen Dikti No.43/DIKTI/KEP/2006, (Yogyakarta: Paradigma, 2010), p.55.

⁵ M. Judd Harmon, *Political Thought from Plato to The Present*, London: Mc Graw-Hill Book Company, p.16-17.

being faced, then take a joint agreement through the ideas conveyed⁶. Deliberation in political concepts is defined as the participatory right of the people in the process of making public policy. Democracy in the context of democratic leader election is also exemplified by Pious Caliph (*Khulafaur Rashidin*). Caliph Abu Bakr was chosen by consensus of the people (Muhajirin and Anshar), while Caliph Umar was elected through the authority of the previous Caliph (Abu Bakr) and agreed upon by the people of Madinah, while the election of Caliph Uthman and Caliph Ali was chosen through the shura council (representative council) formed first times by the Caliph Umar⁷. Basically, all methods applied in executive elections are democratic, both through direct democracy (Abu Bakr), and indirect democracy (Umar, Uthman, and Ali). Democracy in Islam is more interpreted universally, not limited only in the context of government. This is in line with what Emha Ainun Nadjib revealed in her book "Muhammad's Nationalism", which mentions that democracy in Islam is not limited to the realm of the state, but is comprehensive for the universe. Emha also adds that democracy in Islam is only one of the many values of Islam⁸. Democracy is only a sub-system in an Islamic sub-system in the socio-political field, as an effort to achieve *rahmatan lil' alamin*.

Elections as one of the instruments of democratic government, because one of the barometers to measure whether or not the government exists is through the election process that takes place in the country. Through elections, the principle of government "from the people" and "by the people" can be realized. Therefore, the election is also referred to as the "democratic party". The results of democratic elections will give birth to government "for the people" as a reciprocal government carried by the people. The current democratic electoral system is different from the Greek period, given the population of the modern state which is far more than the population of the Greek city-state. However, every modern democratic country always strives to be able to implement a democratic system as ideal as possible.

Indonesia is one country that implements a democratic political system, namely Pancasila democracy. Eddy Prabowo says that Pancasila democracy is a model of democracy that is rational and specific compared to liberal democracy and people's democracy. According to Eddy, Pancasila democracy in its application is based on the wisdom of common sense, so that in this case the people are seen as thinking creatures. While liberal democracy, according to him is more based on individual freedom which considers people are seen as free

⁶ Abu Yasid, *Fiqh Today: Fatwa Tradisionalis untuk Orang Modern: Fikih Politik*, (Jakarta: Penerbit Erlangga, 2007), p.76-77.

⁷ Muhammad Sohail Bhatti, *Political and Cultural: History of Islam*, (Lahore: Bhatti Sons Publisher, 2003-2004), p.86-296.

⁸ Emha Ainun Nadjib, *Nasionalisme Muhammad: Islam Menyongsong Masa Depan*, (Yogyakarta: SIPRESS, Cetakan Pertama: Maret, 1995), p.163.

individuals. Another case is people's democracy. According to him, it is based on society which views the people as the smallest component of society in a country⁹. The democratic political system is outlined in the fourth Pancasila (Indonesian Ideology) which read "Population led by wisdom in deliberative representation". Based on the fourth principle of the Pancasila, the government always strives to be able to realize democratic elections that can represent the aspirations and voices of the people.

LUBERJURDIL Principle in 2019 Presidential Election

The election is arguably different from the elections which have been held in Indonesia since 1950, as a result of the results of the judicial review of Law No. 42/2008 on the 1945 Constitution to the Constitutional Court. The fundamental difference from this year's elections is the convening of legislative and executive elections simultaneously. UU (laws) article 7 of 2017, became the legal basis for the implementation of 2019 in the legislative, and Presidential Election which was held simultaneously on the basis of Direct, General, Free, Secret, Honest, and Fair (Luberjurdil) principles¹⁰. Simultaneous general elections are seen as able to suppress the national budgets. It is also an effort to realize democratic elections, so as to produce an integrative and integrated legislative and executive in accordance with the 1945 constitution.¹¹

Facing simultaneous general elections, the KPU and Bawaslu (Election Officials) as organizers face various challenges that must be resolved properly, considering that Indonesia is an archipelagic country with an extraordinary population density. Based on data collected from the KPU, it states that the number of permanent voters in the 2019 election reached 192 million.¹²

The 2019 elections were attended by fourteen political parties as determined by the General Elections Commission so-called KPU, namely the National Mandate Party (PAN), the Labor Party, the Indonesian Democratic Party of Struggle (PDI-P), the Democratic Party, the Gerindra Party, the Indonesian Movement for Change Party, the Golkar Party, People's Conscience

⁹ Roch. Eddy Prabowo, "Demokrasi Pancasila Sebagai Model Demokrasi Yang Rasional dan Spesifik," Jurnal Ilmiah CIVIS, Volume 1 No. 1 Januari 2011, p.43-44.

¹⁰ Admin KPU Jepara, *Inilah Undang-Undang Yang Menjadi Dasar Pemilu 2019*, 22 Agustus 2017, accessed from: www.kpujepara.go.id/inilah-undang-undang-yang-menjadi-dasar-pemilu-2019/ on 14 April 2019, 23:32 WIB.

¹¹ Sodikin, "Pemilu Serentak (Pemilu Legislatif dengan Pemilu Presiden dan Wakil Presiden) Dan Penguatan Sistem Presidensial", Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional, Volume 3 Nomor 1, April 2014, p.27.

¹² CNN Indonesia, *KPU: Jumlah Pemilih Tetap Pemilu 2019 Capai 192 Juta*, CNN Indonesia: Nasional (Berita Politik), Sabtu, 15 Desember 2018, 19:19 WIB, accessed from: <https://m.cnnindonesia.com/nasional/20181215171713-32-353929/kpu-jumlah-pemilih-tetap-pemilu-2019-capai-192-juta>

Party (Hanura), Prosperous Justice Party (PKS), National Awakening Party (PKB), Democratic National Party, Indonesian Unity Party, United Development Party (PPP), and Indonesian Solidarity Party (PSI) for legislative participants. In the executive election contestation, the pair of presidential candidates JokoWidodo together with vice-presidential candidate Ma'ruf Amin with serial number 01 as incumbent pair. Serial number 02 presents presidential candidate pair Prabowo Subianto along with vice presidential candidate Sandiaga Salahuddin Uno. The pair number 01 is supported by nine political parties, namely PDI-P, the Indonesian Movement for Change Party, Golkar Party, Hanura Party, PKB, Democratic National Party, Indonesian Unity Party, PPP, and PSI. While the pair number 02 is supported by five political parties, namely Gerindra, PKS, PAN, Democrats, and the remaining one is a new political party namely the Labor Party.¹³

Elections in Indonesia are based on the principle of Direct, General, Free, and Confidential (LUBER) in the new order era, which was then refined with the principles of Honest and Fair (JURDIL) in the reform era or abbreviated as LUBERJURDIL. The Luberjurdil principle is in accordance with the 1945 Constitution in particular Article 22E regarding the right of the Indonesian people to elect leaders and representatives of the people. This was held in the context of realizing democratic elections in accordance with Pancasila values, especially the 4th chapter. The implementation of elections in Indonesia is based on Law Number 15 of 2011 concerning the holding of general elections, that the organizers of general elections must be guided by the principles of independence, honesty, fairness, legal certainty, orderly, public interest, openness, proportionality, and professionalism. This is one of the government's efforts to harmonize the nature of democratic elections with the main objective of the nation and state, namely to realize the value of social justice for all Indonesian people.

The hoax of Political Socialization in 2019 Election

It cannot be denied that globalization has an impact in various fields, one of which is technology. The development of technology has also had an impact on the telecommunication sector, especially mass media and social media. The role of mass media and social media cannot be considered insignificant due to the high level of public communication through mass media and social media. This also has an impact on changes in the method of political socialization in the community. So, in the post-truth era, mass media and social media play an important role in the process of election political socialization. Not surprisingly,

¹³ Jakarta: Kompas.com, *Ini 14 Partai Politik Peserta Pemilu 2019, Rumah Pemilu (Referensi Pemilu Indonesia) Nasional*, Sabtu, 17 Februari 2019, 13:33 WIB, accessed from: <https://nasional.kompas.com/read/2018/02/17/13333761/ini-14-partai-politik-peserta-pemilu-2019>

if politicians try to hook the media authorities to increase their electability in a society that is packaged in such a way, supported by the low power of public clarification of any information obtained. This eventually becomes an obstacle in the process of political socialization that is honest, fair and credible.

According to Gumgum Gumilar et al, the hoax is an attempt to distort the facts using convincing information, as a means of covering up the truth by sending false information repeatedly to cover up the actual reality, it aims to create a state of discomfort and confusion in the community¹⁴. Hoaxes are increasing in the election period in the post-truth era. Information hoax is considered effective enough for some political elites as a propaganda tool to gain the people's voice. The spread of hoax on social media has a considerable influence on political participants, especially among young voters. Social media is one of the agents of political socialization that is quite effective in conveying the election message. The role of social media is felt to be quite capable of representing young people in political participation, such as expressing criticism, discussing, expressing aspirations, and others¹⁵. On the other hand, social media can also exist as generation-breaking media when what is conveyed has false content and creates debate in the political sphere.

Political socialization is a fundamental process in a democratic process and elections. Political socialization is inseparable from a political culture of the local community. Robert J. Jackson defines political socialization as a process whereby the political culture of society both individually and socially is maintained and transformed. Talcott Parson added that the process of political socialization that is balanced with community support through the values and norms of society towards government becomes a necessity for the political stability of a country¹⁶. Through political socialization, it is hoped that political participants are able to participate in elections with full responsibility. It becomes an urgency for honest and fair political socialization for the people.

One agent of political socialization that has a significant impact in the era of globalization in an election process is social media. In addition, political socialization through the campaign has also become one of the main means of the electoral process in order to convince political participants to make choices. Therefore, when hoax becomes a campaign political tool, it also can threaten the democratic electoral system. Honesty and justice are the main basis for the achievement of democratic elections towards the welfare of the people. The

¹⁴ Gumgum Gumilar, Justito Adiprasetyo, & Nunik Mahari, "*Literasi Media: Cerdas Menggunakan Media Sosial Dalam Menanggulangi Berita Palsu (Hoax) Oleh Siswa SMA,*" Jurnal Pengabdian Kepada Masyarakat, Vol.1 No.1, Februari 2017, p.36

¹⁵ Yovita Octafitria, "*Media Sosial Sebagai Agen Sosialisasi Politik Pada Kaum Muda,*", Indonesian Journal of Sociology and Education Policy, p.16.

¹⁶ Robert J. Jackson & Doreen Jackson, *A Comparative Introduction to Political Science*, Prentice Hall: New Jersey, 1997, p.111.

campaign method as mentioned in Al-Qur'an Surah An-Nahl verse 125 can be a guide to democratic campaigns in Indonesia, namely (a) through the method of wisdom or scientific rhetoric aimed at knowledgeable academic participants, (b) the method of *'idzahhasanah* (good lesson or message) aimed at lay participants who are more focused in practical matters so that this method prioritizes *amaliyah* (applicable) not only in theoretical level, and (c) *mujadalah* (dialogue or debate) method which addressed to participants who are relatively passive to the vision and mission delivered¹⁷. A campaign that upholds the principles of honesty and fairness is the subject of the creation of the welfare of the nation and the state, and this requires solidity between the government and the people. So that the hoax becomes the main enemy to the ideal democratic system.

Hoax Indication and Prevention

The term post-truth is increasing, especially in election periods. Post-truth itself was originally used in political terms, namely post-truth politics as an effort to struggle for parliamentary seats. In the post-truth era, objective facts are eliminated with emotion, seeking justification is more dominant than searching for the real truth¹⁸. The interests of some political elites also play a strong role in enhancing this post-truth era. The post-truth era has direct connectivity with the hoax. Hoax increases to justification when entering the realm of mass media and social media. Kharisma Dhimas Syuhada said in 2016, the use of the term 'post-truth' increased significantly compared to the previous year due to two major political moments. First, Britain leaving the European Union membership and Donald Trump was chosen as number one in the United States. The drastic increase in the post-truth term of 2016 led Oxford to embed the term 'post-truth' as the word of the years¹⁹. Post-truth is a true challenge in the era of globalization and requires divine-truth to fight it. Among the factors causing the development of hoax is:

First, the lack of insight and reading native digital currents. Social media is now the main medium of giving and receiving information from all directions. Quoting the data shown by Fahmi, et al showed that 92.4% of the hoax information circulating was spread through social media such as Facebook, Tweeter, Instagram, and Path. Followed by chat media such as WhatsApp, Line and Telegram show 62.80%. The last 34.90% is supported by the role of websites²⁰. While the results of the survey quoted by Henri Septanto, stated that

¹⁷ Abu Yasid, *Fiqh Today: Fatwa Tradisionalis untuk Orang Modern: Fikih Politik*, p.39-42.

¹⁸ Eddy Cahyono, *Media Sosial, Post-Truth dan Literasi Digital*, Kantor Staf Presiden, 22/10/2018, Accessed from: ksp.go.id on 15 November 2019, 12:43 WIB

¹⁹ Kharisma Dimas Syuhada, *Etika Media di Era 'Post-Truth'*, Ethical Journalism Network (EJN): London, Jurnal Komunikasi Indonesia, Volume. V Nomor. 1, April 2017, p.26.

²⁰ Gumgum Gumilar, Justito Adiprasetyo, & Nunik Mahari, "*Literasi Media: Cerdas Menggunakan Media Sosial Dalam Menanggulangi Berita Palsu (Hoax) Oleh Siswa SMA*," p.36.

the highest distribution of hoax content was through Facebook 92.40%, followed by chat applications 62.62% and websites 34.40%²¹. Often the news or info uploaded is just copy-paste and goes along with emotional instability and fanaticism towards one candidate. This shows the need for political education and increased interest in reading the Indonesian people, in an effort to minimize the rampant hoax news that is circulating.

Second, the lack of awareness about the importance of the accuracy of the news. In the post-truth era media literacy is the main thing in counteracting hoax information besides the importance of reviving divine truth. The lack of awareness of literacy in millennial society is a factor in the rise of hoax information on social media. On the other hand, digital media that knows no boundaries, adds to the acceleration of the spread of hoaxes. In Islam, convincing the truth of news is very important so as not to fall into slander. In Al-Qur'an Surah Al-Hujurat verse 6 is mentioned, which means "O people of faith if there is a Fasiq come to you with an important message, then do *tabayyun* (examine) first, so that you do not inflict a danger to a people out of ignorance, then eventually you become sorry for your treatment." Spreading lies will have an impact on poor social life, distrust between communities and even divisions cannot be avoided.

Third, the psychological instability of young people who are relatively emotional than senior participants. It cannot be denied, at this time the internet has become a basic need of the younger generation in obtaining information. This shows a decrease in reading interest or literacy awareness as explained earlier, especially among the millennial generation (1982-2000) and native digital generation (1995-2012) due to dependence on digital information. Based on the results of the APJII survey as quoted by Yanti Dwi Astuti, that the internet world is dominated by teen users in the range of 20-24 years²². This is of particular concern given the age of adolescents who have emotional instability and are relatively easily influenced by the surrounding environment, so this group is the main target of hoaxes that are spread through social media including the targets of political elites in election contestation. In this case, creative competition between digital generations is needed, especially in the sphere of literacy awareness, as an effort to fight the development of hoaxes circulating in the community.

Fourth, the attitude of the fanaticism of political participants towards their candidate pairs. One of the factors that can trigger hoaxes is the attitude of

²¹ Henri Septanto, *Pengaruh Hoax dan Ujaran Kebencian Sebuah Cyber Crime Dengan Teknologi Sederhana Di Kehidupan Sosial Masyarakat*, Jurnal Kalbiscientia: Jurnal Sains dan Teknologi, Volume 5, No. 2, Agustus 2018, p.158.

²² Yanti Dwi Astuti, *Peperangan Generasi Digital Natives Melawan Digital Hoax Melalui Kompetisi Kreatif*, Jurnal INFORMASI: Kajian Ilmu Komunikasi, Volume. 47 No. 2 Desember 2017, p.230.

fanaticism towards their candidate. This often requires that political participants only accept information in favour of the candidate pairs and assume that information is always wrong without clarifying the accuracy of the information. Supporting and defending candidate should be based on the aim of realizing good governance with regard to public policy, not promoting rivalry in election contestation. According to Abu Yasid, there are two standards assessing clean or dirty politicians, namely morality standard.²³

The rise of hoaxes circulating in society today requires several anticipatory steps in responding to hoax, including; (1) making of Information Law and Electronic Transactions. The government has formulated and established the ITE Law as an effort to limit the circulating hoaxes. ITE Law or Law No. 11 of 2008 began to be published on September 5, 2005, and began to be applied and announced on April 21, 2008. This Act was then amended and replaced with Law No. 19 of 2016. Although there are still many shortcomings, but at least there has been an attempt by the government to control the use of the internet, especially in reducing the circulation of hoax information, (2) emphasizing the importance of unity in diverse nations as protected in the 3rd chapter of the Pancasila, the Unity of Indonesia. In this case, the state as a facilitator of people's differences, they do not become conflicts but is directed to realize the symbiosis of mutualism in order to realize shared goals²⁴. Unity based on divine and human values as mono dualist beings. (3) Understanding the people not to be easily provoked. This is certainly not easy, given the fanatical attitude towards the choices each supporter has. The role of the ulama and umara is needed in reducing the emotion of society which is divided based on political choices. (4) Establish a psychological approach regarding the use of social media or ethics in social media. This can be applied through educational institutions and the smallest institutions namely the family. In addition to these two institutions, the surrounding community certainly also has a role in creating an ethical generation.

Hoax as Challenges for an Election based on Honest and Fair (JURDIL)

The principle of honesty and fairness have an urgency towards the achievement of democratic elections based on Pancasila because both principles complement the five previous principles which are only addressed to the people as voters. This is as stated by Sun Fatayati, that the principle of direct, general, free, and secret general elections (LUBER) is aimed at the public as political participants or voters in general elections, while the principle of honest and fair

²³ Abu Yasid, *Fiqh Today: Fatwa Tradisionalis untuk Orang Modern: Fikih Politik*, p.5-11.

²⁴ Kaelan, *Pendidikan Pancasila*, Yogyakarta: Paradigma, Edisi Reformasi: 2016, p.75.

(JURDIL) is more directed at organizing general elections and parties politics²⁵. This is none other than the responsibility of the organizer of the election process so that democratic elections can go well and correctly without any lies. The principle of JURDIL as a refinement of the LUBER principle, it aims for the Indonesian people to obtain representatives in accordance with their choice of conscience through democratic elections.

In the era of globalization, social media has become an efficient and transparent means of conveying suggestions, criticisms, and opinions. Dedi Rianto also believes that social media can be a mean of transforming information and a mean of strategic communication between the community and the government, especially the distribution of people's aspirations in various fields of government²⁶. Post-truth is very closely related to hoaxes that continue to be rolled out can be something that is accepted by society into something "that is considered true". Therefore, hoaxes can threaten the process of democratic elections based on the principles of honesty and fair This can lead to the main objective of democratic elections leading to social justice for all Indonesian people will not be achieved.

In Islam, Fair is one of the political characters of Islam. Justice is a key precondition for the creation of prosperity. This is in line with the main objective of Pancasila democracy, which is to create social justice for all Indonesian people. Abu Ridha refers to justice as the fourth fundamental character of Islamic politics after the *rabbani*, *syar'iyah*, and balanced (*wasathiyah*) characters. Abu Ridha also added that the principle of justice in the Qur'an is not only based on the theory of good justice but also includes the obligation to uphold it. Justice is also the main goal of the entire social order.²⁷ Honest and Fair is a unity that complements, honesty requires justice in the process of legal certainty, but justice can be achieved if there is honesty in every issue that arises. Honest and Fair is the foundation that should always be guarded, preserved, and carried out in an effort to create democratic elections.

Benedictus Sahat stated the importance of data filing to General Election that associated with honest and fair. He adds that this proper data filing is important to control the sustainability of General Election that is democratic, as it serves as a valid and authentic, particularly when the conflict arises. Other than that, for the ideal and transparent tooling, it is important to have a satisfactory

²⁵ Sun Fatayati, "Relevansi Asas-Asas Pemilu Sebagai Upaya Menciptakan Pemilu Yang Demokratis Dan Berintegritas", Jurnal Tribakti: Jurnal Pemikiran Keislaman, Volume 28 Nomor 1, Januari-Juni 2017, p.149.

²⁶ Dedi Rianto Rahadi, "Perilaku Pengguna dan Informasi Hoax Di Media Sosial", Jurnal Manajemen & Kewirausahaan, Vol. 5, No. 1, 2017, p.59.

²⁷ Abu Yasid, *Fiqh Today: Fatwa Tradisionalis untuk Orang Modern: Fikih Politik*, p.61-64.

knowledge of how governing and managing the General Election²⁸. For this purpose, the honest and fair General Election will prevail.

Realizing Democratic Election with the Principles 'Direct, General, Free, Confidential, Honest and Fair' (LUBERJURDIL)

A country can be claimed to be democratic if it has elements, namely the value of government accountability, rotation of power, political recruitment, elections, and the people are able to enjoy basic rights as citizens as mentioned by Sun Fatayati, quoting from Affan Ghafar's thoughts.²⁹ While elections can be declared democratic if they have the basic elements of democracy, namely the participation of the people, the existence of freedom, rule of law, recognition of the equality of citizens, and the recognition of civil supremacy over the military. The elements of democracy in Indonesia within the scope of democracy must be based on the ideology of Pancasila as the foundation. Based on this, in order to achieve democratic elections based on Pancasila, the principles of elections in Indonesia are based on Direct, General, Free, Secret, Honest and Fair.

The principle of LUBERJURDIL general election in Indonesia is one of the efforts in realizing democratic elections with integrity. Elections with integrity are aimed more at the election officials as the main conditions for democratic general elections because the LUBER principle will be useless without the existence of the JURDIL principle. It is hoped that through the principle of direct, public, free, secret, honest and fair elections in Indonesia are able to achieve the main goal of the nation and state namely the realization of social justice for all people based on the values of God, humanity, unity, and democracy. Through democratic elections based on the principles of LUBERJURDIL, it is hoped that the people will get a leader according to the hopes and ideals of the people. This includes the amendments to the 1945 Constitution of 2002 which changed the process of executive election from elections through people's representatives to direct elections by the people.

Based on Law Number 8 of 2012, Articles 3 and 4 in Chapter II concerning Election Principles, Implementation and Institutions state that elections in Indonesia are held every 5 years effectively and efficiently based on the principles of LUBERJURDIL, with the aim of electing representatives of the people who will occupy seats in the parliament.³⁰ In the same Law and Chapter,

²⁸ Benedictus Sahat, *"Pentingnya Pengarsipan Arsip Pemilu Dalam Menunjang Pemilu Yang Jujur dan Adil,"* Jurnal RechtsVinding: Media Pembinaan Hukum Nasional, Volume 3 Nomor 1, April 2014, p.142.

²⁹ Benedictus Sahat, *"Pentingnya Pengarsipan Arsip Pemilu Dalam Menunjang Pemilu Yang Jujur dan Adil,"* p.152.

³⁰ DPR RI, *Undang Undang Republik Indonesia Nomor 8 Tahun 2012*, p.5, Accessed from: www.dpr.go.id.

article 1 mentions the principles of general election, the principles include the principle, (1) Direct, which means the voter has the right to vote directly without intermediaries, (2) General, which means all Indonesian citizens without exception have the right to vote on the condition that they are 17 years old or married, (3) Free, meaning that the voter has the right to vote according to conscience without pressure or coercion from any party, (4) Confidentiality or votes cast are not known by anyone except only the voters themselves, (5) Honestly, that all parties involved directly or indirectly in the election must be honest and obey every applicable law, and (6) Fair, in this case, the election organizer must be fair to all parties participating in the election received equal treatment and free from any fraud. This is one of the government's efforts to create democratic elections in order to maintain national unity.

Every element of society should have a responsible attitude towards the existence of Pancasila democracy as an effort to realize a socially just Indonesia for all people without discrimination. Muhammad Iqbal mentions six main steps to realize a democratic general election that avoids the elements of hoax, namely: (1) Establishment of a hoax narrative tracking system by credible institutions, (2) Newspaper supervision while responding to public criticism by government agencies such as ombudsman or others, (3) Understanding the public about the workings of the campaign through hoax, (4) Providing information literacy training to political participants as early as possible, (5) Improving technology education to filter out the news, and (6) Providing public space to be free expression through rational arguments and claims.³¹ Basically, to be able to realize democratic elections based on Pancasila democracy, reinternalization of Pancasila values is needed for all Indonesian people in the life of the nation and state. Reinternalization of the values of Pancasila is the most basic thing to be able to implement political ethics based on Pancasila in the principles of Honesty and Fairness. Each element of society is responsible for the process of internalizing the values of Pancasila in their respective environments. Candidates need to understand the wishes of the people, and the people are also able to assess the capabilities of each candidate based on honest data to create true fair value.

Conclusion

Every country that adopts a democratic system holds general elections in electing people's representatives, including Indonesia. As a country with a Pancasila democracy, Indonesia is trying to implement democratic elections based on the Pancasila ideology. Several policies regarding elections are decided

³¹ Mochamad Iqbal Jatmiko, "Post-Truth, Media Sosial, Dan Misinformasi: Pergolakan Wacana Politik Pemilihan Presiden Indonesia Tahun 2019," *Jurnal Dakwah Tabligh*, Vol. 20, No. 1, Juni 2019, p.55.

and implemented, one of them is the principle of Direct, General, Free and Secret elections which are then refined with the principles of Honesty and Fairness, all of which are aimed at achieving the welfare of the nation and state. The principle of honesty and fairness which is more aimed at the organizers of elections is the key to the success of democratic elections in Indonesia. The principle of Honesty and Fairness is needed to perfect the process of democratization of previous elections based on LUBER. In the era of globalization, it becomes a challenge for the democratic general election process, especially the principles of Honesty and Fairness. This is due to the emergence of hoax information about political socialization during the general election. The right steps are needed to filter information about campaign material both directly and indirectly. The government is demanded to be able to deal with hoax issues as wisely as possible, among others through policies through ITE. In addition, increasing political education and media literacy are also the needs of people in democratic countries facing the era of globalization. The people and government alike have an important role in realizing democratic elections for the welfare of the nation and state. Integration between the two is needed in facing the challenge of hoax in the electoral process because mistakes in judging and understanding candidates have an impact on mistakes in choosing candidates for the people's representatives.

References

Buku

- Bhatti, Muhammad Sohail, *Political and Cultural: History of Islam*, Bhatti Sons Publisher: Lahore, 2003-2004.
- Harmon, M. Judd, *Political Thought from Plato to The Present*, Mc Graw-Hill Book Company: London.
- Jackson, Robert J.; Doreen Jackson, *A Comparative Introduction to Political Science*, Prentice Hall: New Jersey, 1997.
- Kaelan, *Pendidikan Pancasila*, Paradigma: Yogyakarta, Edisi Reformasi: 2016.
- Kaelan, Achmad Zubaidi, *Pendidikan Kewarganegaraan Untuk Perguruan Tinggi (Berdasarkan SK Dirjen Dikti No.43/DIKTI/KEP/2006*, Yogyakarta: Paradigma, Edisi 2010.
- Nadjib, Emha Ainun, *Nasionalisme Muhammad: Islam Menyongsong Masa Depan*, SIPRESS: Yogyakarta, Cetakan Pertama: Maret, 1995.
- Yasid, Abu, *Fiqh Today: Fatwa Tradisionalis untuk Orang Modern: Fikih Politik*, Penerbit Erlangga: Jakarta, 2007.

Jurnal

- Astuti, Yanti Dwi, *"Peperangan Generasi Digital Natives Melawan Digital Hoax Melalui Kompetisi Kreatif"*, Jurnal INFORMASI: Kajian Ilmu Komunikasi, Volume. 47 No. 2 Desember 2017.
- Fatayati, Sun, *"Relevansi Asas-Asas Pemilu Sebagai Upaya Menciptakan Pemilu Yang Demokratis Dan Berintegritas"*, Jurnal Tribakti: Jurnal Pemikiran Keislaman, Volume 28 Nomor 1, Januari-Juni 2017.
- Gumilar, Gumgum; Justito Adiprasetyo; Nunik Mahari, *"Literasi Media: Cerdas Menggunakan Media Sosial Dalam Menanggulangi Berita Palsu (Hoax) Oleh Siswa SMA"*, Jurnal Pengabdian Kepada Masyarakat, Vol.1 No.1, Februari 2017.
- Jatmiko, Mochamad Iqbal, *"Post-Truth, Media Sosial, Dan Misinformasi: Pergolakan Wacana Politik Pemilihan Presiden Indonesia Tahun 2019"*, Jurnal Dakwah Tabligh, Vol. 20, No. 1, Juni 2019.
- Octafitria, Yovita, *"Media Sosial Sebagai Agen Sosialisasi Politik Pada Kaum Muda"*, Indonesian Journal of Sociology and Education Policy.
- Prabowo, Roch. Eddy, *"Demokrasi Pancasila Sebagai Model Demokrasi Yang Rasional dan Spesifik"*, Jurnal Ilmiah CIVIS, Volume 1 No. 1 Januari 2011.
- Rahadi, Dedi Rianto, *"Perilaku Pengguna dan Informasi Hoax Di Media Sosial"*, Jurnal Manajemen & Kewirausahaan, Vol. 5 No. 1 2017.
- Sahat, Benedictus, *"Pentingnya Pengarsipan Arsip Pemilu Dalam Menunjang Pemilu Yang Jujur Dan Adil"*, Jurnal RechtsVinding: Media Pembinaan Hukum Nasional, Volume 3 Nomor 1, April 2014.
- Septanto, Henri, *"Pengaruh Hoax dan Ujaran Kebencian Sebuah Cyber Crime Dengan Teknologi Sederhana Di Kehidupan Sosial Masyarakat"*, Jurnal Kalbiscientia: Jurnal Sains dan Teknologi, Volume 5 No. 2 Agustus 2018.
- Sodikin, *"Pemilu Serentak (Pemilu Legislatif dengan Pemilu Presiden dan Wakil Presiden) Dan Penguatan Sistem Presidensial"*, Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional, Volume 3 Nomor 1, April 2014.
- Syuhada, Kharisma Dimas, *"Etika Media di Era 'Post-Truth'"*, Ethical Journalism Network (EJN): London, Jurnal Komunikasi Indonesia, Volume. V Nomor. 1, April 2017.

Website

- Admin KPU Jepara, Inilah Undang-Undang Yang Menjadi Dasar Pemilu 2019, 22 Agustus 2017, Accessed from: www.kpujepara.go.id/inilah-undang-undang-yang-menjadi-dasar-pemilu-2019/ on 14 April 2019, 23:32 WIB.

CNN Indonesia, KPU: Jumlah Pemilih Tetap Pemilu 2019 Capai 192 Juta, CNN Indonesia: Nasional (Berita Politik), Sabtu, 15 Desember 2018, 19:19 WIB, Accessed from: <https://m.cnnindonesia.com/nasional/20181215171713-32-353929/kpu-jumlah-pemilih-tetap-pemilu-2019-capai-192-juta>.

Jakarta: Kompas.com, Ini 14 Partai Politik Peserta Pemilu 2019, Rumah Pemilu (Referensi Pemilu Indonesia) Nasional, Sabtu, 17 Februari 2019, 13:33 WIB, Accessed from: <https://nasional.kompas.com/read/2018/02/17/13333761/ini-14-partai-politik-peserta-pemilu-2019>

DPR RI, Undang Undang Republik Indonesia Nomor 8 Tahun 2012. Accessed from: www.dpr.go.id

Eddy Cahyono, *Media Sosial, Post-Truth dan Literasi Digital*, Kantor Staf Presiden, 22/10/2018, Accessed from: ksp.go.id pada 15 November 2019, 12:43 WIB.

Mizan

Journal of Islamic Law

PEDOMAN TEKNIS PENULISAN BERKALA ILMIAH

1. Artikel adalah benar-benar karya asli penulis, tidak mengandung unsur plagiasi, dan belum pernah dipublikasikan dan/atau sedang dalam proses publikasi pada media lain yang dinyatakan dengan surat pernyataan yang ditandatangani di atas meterai Rp 6000;
2. Naskah dapat berupa konseptual, resume hasil penelitian, atau pemikiran tokoh;
3. Naskah dapat berbahasa Indonesia, Inggris, Arab, maupun bahasa Rusia;
4. Naskah harus memuat informasi keilmuan dalam ranah ilmu hukum Positif;
5. Aturan penulisan adalah sebagai berikut:
 - a. Judul. Ditulis dengan huruf kapital, maksimum 12 kata diposisikan di tengah (*centered*);
 - b. Nama penulis. Ditulis utuh, tanpa gelar, disertai afiliasi kelembagaan dengan alamat lengkap, dan alamat e-mail;
 - c. Abstrak. Ditulis dalam bahasa Inggris dan Bahasa Indonesia antara 80-120 kata;
 - d. Sistematika penulisan naskah adalah sebagai berikut:
 - 1) Judul;
 - 2) Nama penulis (tanpa gelar akademik), nama dan alamat afiliasi penulis, dan e-mail;
 - 3) Abstrak ditulis dalam dua bahasa, yaitu bahasa Indonesia dan Inggris, antara 80-120 kata;
 - 4) Kata-kata kunci, antara 2-5 konsep yang mencerminkan substansi artikel;
 - 5) Pendahuluan;
 - 6) Sub judul (sesuai dengan keperluan pembahasan);
 - 7) Penutup; dan
 - 8) Pustaka Acuan (hanya memuat sumber-sumber yang dirujuk dan sedapat mungkin terbitan 10 tahun terakhir).
 - e. Ukuran kertas yang digunakan adalah kertas HVS 70 gram, ukuran A4, margin: atas 3,5 cm, bawah 3.5 cm, kiri 3,5 cm, dan kanan 3,5 cm;
 - f. Panjang Naskah antara 13 s.d. 15 halaman, spasi 1, huruf Palatino, ukuran 11;
 - g. Pengutipan kalimat. Kutipan kalimat ditulis secara langsung apabila lebih dari empat baris dipisahkan dari teks dengan jarak satu spasi dengan ukuran huruf 10 point. Sedangkan kutipan kurang dari empat baris diintegrasikan dalam teks, dengan tanda apostrof ganda di awal dan di akhir kutipan. Setiap kutipan diberi nomor. Sistem pengutipan adalah *footnote* (bukan *bodynote* atau *endnote*). Penulisan *footnote* menggunakan sistem turabian. Setiap artikel, buku, dan sumber lainnya yang dikutip harus tercantum dalam pustaka acuan;
 - h. Pengutipan Ayat Alquran dan Hadis. Ayat yang dikutip menyertakan keterangan ayat dalam kurung, dengan menyebut nama surah, nomor surah, dan nomor ayat, seperti (Q.s. al-Mu'min [40]: 43). Pengutipan Hadis menyebutkan nama perawi (H.r. al-Bukhārī dan Muslim) ditambah referensi versi cetak kitab Hadis yang dikutip. Hadis harus dikutip dari kitab-kitab Hadis standar (*Kutub al-Tis'ah*);
 - i. Cara pembuatan *footnote*. *Footnote* ditulis dengan font Palatino size 9, untuk pelbagai sumber, antara lain:

- 1) Buku: nama utuh penulis (tanpa gelar), *judul buku* (tempat terbit: penerbit, tahun terbit), cetakan, volume, juz, halaman. Contoh: Soerjono Soekanto, *Pokok-pokok Sosiologi Hukum*, (Jakarta: Rajawali Pers, 1986), h. 10.
- 2) Buku terjemahan, contoh: Roscoe Pound, *Pengantar Filsafat Hukum: Buku III*, diterjemahkan oleh Moh. Radjab, (Jakarta: Bharata, 1963), h. 15;
- 1) Jurnal, contoh: Nur Rohim, "Kontroversi Pembentukan Perppu No. 1 Tahun 2013 tentang mahkamah konstitusi dalam ranah kepentingan yang memaksa", dalam *Jurnal Cita Hukum*, Vol. 2, No. 1 (2014), h. 157.
- 2) Artikel sebagai bagian dari buku (antologi), contoh: Hikmahanto Juwana, "Penegakan Hukum dalam Kajian *Law and Development*: Problem dan Fundamen bagi Solusi Indonesia", dalam Muhammad Tahir Azhary, *Beberapa Aspek Hukum Tata Negara, Hukum Pidana, dan Hukum Islam*, (Jakarta: Kencana Prenada Media Group, 2012), h. 127.
- 3) Artikel dari internet, contoh: Ahmad Tholabi Kharlie, "Problem Yuridis RUU Syariah" dalam <http://ahmadtholabi.com/2008/03/03/problem-yuridis-ruu-syariah>, diunduh pada 20 Maret 2012.
- 4) Artikel dari majalah, contoh: Susilaningtias, "Potret Hukum Adat pada Masa Kolonial", dalam *Forum Keadilan*, No. 17, 20 Agustus 2006.
- 5) Makalah dalam seminar, contoh: Jimly Asshiddiqie, "Kedudukan Mahkamah Konstitusi dalam Struktur Ketatanegaraan Indonesia", Makalah disampaikan dalam Kuliah Umum Fakultas Hukum Universitas Sebelas Maret, Surakarta, pada 2 Maret 2004.
- j. Pustaka Acuan: daftar pustaka acuan ditulis sesuai urutan abjad, nama akhir penulis diletakkan di depan. Contoh:
 - 1) Buku, contoh: Soekanto, Soerjono, *Pokok-pokok Sosiologi Hukum*, Jakarta: Rajawali Pers, 1986.
 - 2) Buku terjemahan, contoh: Pound, Roscoe, *Pengantar Filsafat Hukum: Buku III*, diterjemahkan oleh Moh. Radjab, Jakarta: Bharata, 1963.
 - 3) Jurnal, contoh: Rohim, Nur, "Kontroversi Pembentukan Perppu No. 1 Tahun 2013 tentang mahkamah konstitusi dalam ranah kepentingan yang memaksa", dalam *Jurnal Cita Hukum*, Vol. 2, No. 1 (2014).
 - 4) Artikel sebagai bagian dari buku, contoh: Juwana, Hikmahanto, "Penegakan Hukum dalam Kajian *Law and Development*: Problem dan Fundamen bagi Solusi Indonesia", dalam Muhammad Tahir Azhary, *Beberapa Aspek Hukum Tata Negara, Hukum Pidana, dan Hukum Islam*, Jakarta: Kencana Prenada Media Group, 2012.
 - 5) Artikel yang dikutip dari internet, contoh: Kharlie, Ahmad Tholabi, "Problem Yuridis RUU Syariah" dalam <http://ahmadtholabi.com/2008/03/03/problem-yuridis-ruu-syariah>, diunduh pada 20 Maret 2012.
 - 6) Majalah, contoh: Susilaningtias, "Potret Hukum Adat pada Masa Kolonial", dalam *Forum Keadilan*, No. 17, 20 Agustus 2006.
 - 7) Makalah dalam seminar, contoh: Asshiddiqie, Jimly, "Kedudukan Mahkamah Konstitusi dalam Struktur Ketatanegaraan Indonesia", Makalah disampaikan dalam Kuliah Umum Fakultas Hukum Universitas Sebelas Maret, Surakarta, pada 2 Maret 2004.
- k. Penutup: artikel ditutup dengan kesimpulan;
- l. Biografi singkat: biografi penulis mengandung unsur nama (lengkap dengan gelar akademik), tempat tugas, riwayat pendidikan formal (S1, S2, S3), dan bidang keahlian akademik;
6. Setiap naskah yang tidak mengindahkan pedoman penulisan ini akan dikembalikan kepada penulisnya untuk diperbaiki.
7. Naskah sudah diserahkan kepada penyunting, selambat-lambatnya tiga bulan sebelum waktu penerbitan (Juni dan Desember) dengan mengupload pada laman OJS jurnal pada alamat Website: <http://www.jurnalfai-uikabogor.org/index.php/mizan> atau dikirim langsung via e-mail ke: jurnalmizan.uikabogor@gmail.com atau syarifah@fai-uika.ac.id. Permalink: <https://uika-bogor.academia.edu/JurnalMizanUIKABogor>.[]