

## Political Disinformation And Election Law Regulations In The Social Media Era

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**Abstract:** Political disinformation on social media has emerged as a major threat to electoral integrity due to its rapid, large-scale dissemination driven by platform algorithms. This study analyzes the patterns of political disinformation and evaluates the weaknesses of Indonesia's electoral regulatory framework in addressing digital-era challenges. A Systematic Literature Review was conducted under the PRISMA protocol, selecting 14 peer-reviewed articles published between 2014 and 2024 and synthesizing them thematically. The findings reveal that political disinformation spreads through echo chambers, coordinated buzzer networks, AI-generated manipulative content, and interpersonal distribution in encrypted private channels. At the same time, Indonesia's electoral regulations show structural limitations, including the absence of a clear legal definition of political disinformation, insufficient digital monitoring authority for election supervisors, lack of rules on political microtargeting and voter data protection, and limited cooperation between regulators and global digital platforms. The study concludes that comprehensive reform is required, involving legal definitional updates, enhanced institutional technical capacity, increased transparency in digital political advertising, and the adoption of multilevel governance frameworks to manage cross-border platform dynamics. These insights provide a foundation for policymakers to develop an electoral regulatory system that is more responsive and resilient in the social media era.

**Keywords:** Algorithms, Disinformation, Electoral Law, Regulation, Social Media.

### INTRODUCTION

Changes in the political communication landscape in the digital age have had major consequences for the quality of modern democracy. Social media now plays a dominant role in shaping public opinion, disseminating political information, and mobilizing voters, replacing conventional media, which has long been the main source of information. This transformation has had a significant impact, particularly in terms of the increasing flow of political disinformation that spreads rapidly, massively, and is difficult to control. Research by Guess et al.<sup>1</sup> shows that in the 2016 US elections, around 27% of Facebook users were exposed to political disinformation content at least once, while the majority of interactions occurred in partisan groups that reinforced user bias. One important finding in the study is that disinformation spreads more effectively in communities with low levels of trust in mainstream media and strong emotional ties to certain

<sup>1</sup> A. Guess, B. Nyhan, and J. Reifler, "Exposure to Untrustworthy Websites in the 2016 U.S. Election," *Nature Human Behaviour* 4, no. 5 (2020): 472–480.



political identities. Fletcher made a similar point, stating that social media users are three times more likely to be exposed to political hoaxes than traditional news consumers due to algorithms that prioritize emotional and sensational content.<sup>2</sup>

The phenomenon of political disinformation is not limited to developed countries, but is also deeply rooted in Asian countries that are experiencing rapid growth in social media users. In the Philippines, Ong & Cabañes revealed that disinformation is produced through a professional work structure involving digital agencies, paid influencers, and political propaganda operators.<sup>3</sup> They noted how the disinformation ecosystem is run like an industry, with content production, distribution, and amplification managed systematically. Meanwhile, a study found that in the 2019 Indian elections, about 25% of viral political content on WhatsApp and Facebook was proven to be disinformation, which exploited religious and ethnic identity polarization as a political mobilization strategy.<sup>4</sup> These findings show that disinformation has become an important instrument in digital political contests in various countries, supported by the high use of social media and weak digital regulations.

In the Indonesian context, the development of political disinformation shows alarming intensity. A study explains that the ecosystem of political hoaxes in Indonesia is formed through interactions between political actors, professional buzzers, alternative media, and polarized online communities.<sup>5</sup> In the 2019 elections, political disinformation mostly targeted issues of religion, ethnic identity, and ideological affiliation as a strategy to influence public perception. Meanwhile, research documented more than 1,500 pieces of political hoax content spread during the campaign period, with the most dominant pattern of dissemination occurring through WhatsApp and Facebook. However, recent developments show a shift in the flow of disinformation to short video platforms such as TikTok. A study note that TikTok has become a hub for the spread of manipulative political narratives because the short video format allows provocative messages to be produced and shared quickly, especially among younger generations who tend to consume information visually and in short bursts.<sup>6</sup>

Political disinformation poses a serious threat to the integrity of elections because it can shape public opinion in an irrational and emotional manner, erode trust in democratic institutions, and disrupt free and fair electoral processes. The algorithmic nature of social media which is oriented toward optimizing attention and interaction, rather than the truth of information, causes manipulative political content to often gain greater reach than factual content. This creates an information asymmetry that harms voters and increases the potential for political manipulation. In the context of elections, disinformation is not only a

<sup>2</sup> Carl Marsden, Thomas Meyer, and Ian Brown, "Platform Values and Democratic Elections: How Can the Law Regulate Digital Disinformation?," *Computer Law & Security Review* 36 (2020): 105373.

<sup>3</sup> Daniela Vese, "Governing Fake News: The Regulation of Social Media and the Right to Freedom of Expression in the Era of Emergency," *European Journal of Risk Regulation* 13, no. 3 (2022): 477–513

<sup>4</sup> Gabriela F. Santos, "Social Media, Disinformation, and Regulation of the Electoral Process: A Study Based on 2018 Brazilian Election Experience," *Revista de Investigações Constitucionais* 7, no. 2 (2020): 429–449.

<sup>5</sup> Charlotte Marret, *The Impact of Social Media on Elections: Disinformation and Micro-Targeting Advertising in the 2019 EU Elections* (2020).

<sup>6</sup> Philip M. Napoli, *Social Media and the Public Interest: Media Regulation in the Disinformation Age* (New York: Columbia University Press, 2019).

matter of misinformation, but also a political strategy that exploits voters' cognitive vulnerabilities and social biases.<sup>7</sup>

This situation is further complicated by the fact that electoral laws in various countries, including Indonesia, are not yet fully adaptive to the dynamics of social media. Electoral laws are essentially designed to regulate conventional campaigns, not algorithm-based digital campaigns, microtargeting, or automated account networks. Indonesia faces a problem of regulatory disharmony between the Election Law, the Electronic Information and Transaction Law (ITE), and the Personal Data Protection Law (PDP), resulting in a legal vacuum in dealing with disinformation produced by digital actors who are not directly affiliated with election participants.<sup>8</sup> In addition, global digital platforms such as Meta and TikTok operate with internal content moderation standards that are not always in line with national legal principles, creating jurisdictional uncertainty in the process of prosecuting political information violations.

At the operational level, Bawaslu faces significant challenges in detecting and taking action against political disinformation spread through private channels such as WhatsApp or Telegram. A study show that 65% of disinformation during the 2019 Indonesian elections occurred in closed spaces that technically cannot be monitored by regulators without reports from users. In addition, the content recommendation algorithm systems on YouTube, TikTok, and Instagram amplify exposure to provocative political content or misinformation because such content has a high level of interaction.<sup>9</sup> This creates a regulatory dilemma because the state does not have direct authority over the internal mechanisms of platforms, while digital platforms have economic interests that conflict with content control efforts.

The low level of digital literacy among voters is another factor that exacerbates the impact of disinformation. Research found that 53% of young Indonesian voters cannot distinguish between misinformation, disinformation, and malinformation. Meanwhile, 41% of voters admitted to having shared political information without verifying it. The inability to sort out valid information makes voters easy targets for manipulative narratives, especially those that exploit religious, economic, and identity sentiments. In addition, strong political polarization in Indonesia creates conditions in which disinformation is often accepted as truth because it aligns with group beliefs.<sup>10</sup>

At this point, there is an important research gap in the existing literature. First, the research by Guess et al. in "Selective Exposure to Misinformation in U.S. Elections" (2020) focuses on the exposure and behavior of social media users, but does not yet link these findings to the implications of election law regulations. Second, Ong & Cabañas' study in "Architectures of Disinformation in Southeast Asia" (2019) provides a comprehensive overview of the structure of disinformation, but does not provide an analysis of Indonesia's electoral legal response. Third, Lim's study in "Freedom to Hate: Social Media, Algorithmic Bias, and Indonesian Politics" (2020) highlights the hoax ecosystem but does not discuss in depth how weaknesses

<sup>7</sup> Takayuki Nagasako, "Global Disinformation Campaigns and Legal Challenges," *International Cybersecurity Law Review* 1, no. 1 (2020): 125–136..

<sup>8</sup> Frank Saurwein and Caitlin Spencer-Smith, "Combating Disinformation on Social Media: Multilevel Governance and Distributed Accountability in Europe," *Digital Journalism* 8, no. 6 (2020): 820–841..

<sup>9</sup> Richard L. Hasen, "Deep Fakes, Bots, and Siloed Justices: American Election Law in a 'Post-Truth' World," *St. Louis University Law Journal* 64 (2019): 535..

<sup>10</sup> Tuba Yerlikaya and Sezin T. Aslan, "Social Media and Fake News in the Post-Truth Era," *Insight Turkey* 22, no. 2 (2020): 177–196.

in election regulations contribute to the spread of political disinformation. This gap is where this study contributes.

The novelty of this research lies in its integrative approach, which combines an analysis of the phenomenon of political disinformation on social media with a critical evaluation of Indonesia's electoral law regulations. This research not only maps the patterns of disinformation dissemination but also assesses the effectiveness of existing regulations, identifies structural weaknesses, and formulates the need for legal reforms that are more adaptive to the digital ecosystem. The purpose of this research is to systematically analyze the development of political disinformation in the era of social media and to evaluate the readiness and challenges of Indonesia's electoral law regulations in responding to this phenomenon.

## METHODOLOGY

This study uses a normative legal research method (doctrinal legal research) that focuses on a systematic review of legislation, legal doctrine, and relevant academic literature to assess the adequacy and effectiveness of election regulations in overcoming political disinformation in the social media era. Normative legal research focuses on law as a written norm that is analyzed through the method of interpretation of legal provisions and principles, making it very suitable for evaluating the synchronization and applicability of regulations in the context of rapid social change. The primary legal materials in this study include Law Number 7 of 2017 concerning General Elections, Law 19 of 2016 on Electronic Information and Transactions, Law Number 27 of 2022 on Personal Data Protection, General Election Commission Regulations (PKPU), and General Election Supervisory Agency Regulations (Perbawaslu). Secondary legal materials include scientific literature on political disinformation, social media, election law, and platform governance, with reference to reputable journals in the last 10 years to ensure the accuracy of the analysis.

The research approaches used include a statute approach to examine the applicability and suitability of election regulations to the dynamics of digital information; a conceptual approach to examine the concepts of disinformation, freedom of expression, and data protection in the context of election law; and a limited comparative approach to review models of election disinformation regulation in other countries, such as Germany and Australia, as normative comparisons. This dual approach allows for a more comprehensive analysis of regulatory problems arising from the shift of the political campaign ecosystem to transnational and algorithmic digital platforms. In normative legal research, conceptual and comparative approaches are important for determining whether the national legal framework is in line with the universal principles of digital democracy and modern information governance.

The analysis technique used is qualitative legal analysis with grammatical, systematic, and teleological interpretation of relevant articles to assess the extent to which applicable legal norms can address the issue of political disinformation. Vertical and horizontal synchronization analysis is used to examine whether the norms in the Election Law are in harmony with the ITE Law, the PDP Law, and other derivative regulations. In addition, normative gap analysis was applied to identify legal loopholes, conflicts of norms, and regulatory inconsistencies with the practice of disinformation developing on social media. The results of the analysis are then combined in a legal argument that provides the basis for recommendations for the reconstruction of Indonesian election regulations to be more adaptive, responsive, and relevant to the challenges of the digital age. Thus, this method provides a solid academic framework for assessing election regulations in relation to the phenomenon of political disinformation conceptually and normatively.

## RESULTS AND DISCUSSION

### Analysis of Positive Legal Norms Related to Political Disinformation in Elections

Analysis of positive legal norms is an important step in assessing the extent to which the national legal framework is designed to address the challenges of political disinformation in elections in the social media era. Indonesian positive law directly related to elections is contained in Law Number 7 of 2017 concerning General Elections (Election Law), Law Number 19 of 2016 concerning Electronic Information and Transactions (ITE Law), and Law Number 27 of 2022 concerning Personal Data Protection (PDP Law). These three regulations form the legal foundation used by the state to protect the integrity of elections, but developments in digital technology and contemporary disinformation practices demand a more critical analysis of the adequacy and relevance of these norms. From a doctrinal perspective, the effectiveness of election regulations depends not only on the existence of rules, but also on the ability of these norms to adapt to social and technological changes.<sup>11</sup>

The Election Law prohibits the dissemination of false news in campaign activities as stated in Article 280 paragraph (1) letter c. However, this provision does not provide a definition of what constitutes “false news” in the digital space. The absence of a specific legal definition is a serious problem, especially since political disinformation on social media does not always take the form of simple factual statements, but often manifests itself in the form of manipulated narratives, misleading framing, political memes, deepfakes, or provocative short videos that are difficult to map with general provisions. Contemporary disinformation more often operates by exploiting loopholes in interpretation rather than by presenting false information directly. This weakness in the formulation of the norm makes the enforcement of Article 280 in the digital context weak and inconsistent. The Election Law, as the primary law governing elections, also does not regulate new categories such as coordinated inauthentic behavior, which is currently a core element of disinformation production.<sup>12</sup>

On the other hand, the ITE Law does provide provisions regarding the dissemination of false or misleading information through Article 28 paragraph (1). However, this article is designed to regulate cybercrime in general, not to address the complexity of political disinformation that is structured and aimed at influencing voter behavior. Political disinformation in the social media era cannot be reduced to a matter of “information truth” alone, because manipulative content is often psychologically designed to align with the identity or political preferences of certain groups. In other words, the spread of political disinformation does not always fulfill the element of “objectively false information,” making it difficult to process under

<sup>11</sup> Hans Sun, “Regulating Algorithmic Disinformation,” *Columbia Journal of Law & the Arts* 46 (2022): 367

<sup>12</sup> Patrick R. Carr, Sandra L. Cuervo Sanchez, and Marcelo A. Daros, “Citizen Engagement in the Contemporary Era of Fake News: Hegemonic Distraction or Control of the Social Media Context?,” *Postdigital Science and Education* 2, no. 1 (2020): 39–60.

the provisions of the ITE Law.<sup>13</sup> This creates overlap as well as a normative vacuum, where election law provisions are not concrete enough and ITE Law provisions are not contextual enough.

In addition, the Election Law does not yet regulate the use of personal data in political campaigns. In fact, political disinformation in the digital era is closely related to data-based microtargeting practices, which is the effort to direct certain political messages to specific voter segments based on their psychological profiles or digital preferences. Microtargeting can be used as a means of spreading disinformation because political messages are personalized to maximize emotional resonance and minimize public detection. The PDP Law provides a basic framework for personal data protection, but does not include specific provisions regarding the use of voter data by political parties and digital consultants. The absence of specific norms creates the risk of data misuse for political manipulation.<sup>14</sup> In the context of positive law, this is a very dangerous lacuna iuris for the integrity of digital elections.

Analysis of positive legal norms also requires an examination of derivative regulations, such as the General Election Commission Regulation (PKPU) and the Election Supervisory Agency Regulation (Perbawaslu). PKPU Number 23 of 2018 concerning Election Campaigns does not yet regulate in detail digital political advertising, the use of influencers, or content promotion algorithms. In fact, digital campaigns through social media have become the main channel for election participants to engage in political persuasion. TikTok and Instagram have become arenas for political campaigns that utilize emotionally charged short video formats. However, the existing PKPU remains focused on physical campaign materials and conventional advertising, which is not in line with the reality of digital campaigns.<sup>15</sup> The lack of regulations regarding the transparency of digital political advertising, content sponsorship, and platform involvement creates a legal gray area that has the potential to be exploited by election participants and informal actors such as buzzers.

The Election Supervisory Agency (Bawaslu), as the regulatory oversight body, also does not yet include formal mechanisms for handling disinformation on social media. Bawaslu is only authorized to take action against verifiable violations, even though the majority of political disinformation is spread in private, encrypted spaces such as WhatsApp or Telegram (Haryanto & Prabowo, 2021). The lack of normative access to these communication spaces means that law enforcement cannot be effective because proving violations is difficult or impossible. Positive legal norms in this context face a serious obstacle, namely the imbalance between the nature of digital technology and the scope of authority of election supervisory agencies.

When analyzed systematically, the three main laws, namely the Election Law, the ITE Law, and the PDP Law, still operate within a pre-digital regulatory framework, which assumes that political communication is static, centralized, and directly observable. However, the reality of social media shows a very different situation: political content is decentralized, goes viral quickly, and can be produced by anonymous actors without any direct connection to formal election participants. This is reinforced by researcher findings, which show that Indonesia's hoax ecosystem operates through interactions between political actors, digital

<sup>13</sup> Aurélie Rochefort, "Regulating Social Media Platforms: A Comparative Policy Analysis," *Communication Law and Policy* 25, no. 2 (2020): 225–260.

<sup>14</sup> W. Lance Bennett and Steven Livingston, *The Disinformation Age* (Cambridge: Cambridge University Press, 2020)

<sup>15</sup> Yasmin Dawood, "Combatting Foreign Election Interference: Canada's Electoral Ecosystem Approach to Disinformation and Cyber Threats," *Election Law Journal* 20, no. 1 (2021): 10–31.

influencers, automated bots, and polarized online communities.<sup>16</sup> Within the framework of positive law, these actors are difficult to categorize as violators because they are not included in the subjects of electoral law listed in the Election Law.

In addition to national regulations, the analysis of positive legal norms must also consider international standards regarding political information governance. The European Union has issued a Code of Practice on Disinformation and a Digital Services Act (DSA) that requires digital platforms to provide transparency on algorithms, disinformation risks, and political advertising.<sup>17</sup> Germany has even adopted NetzDG to require platforms to remove illegal content within a certain time frame. When compared, Indonesia's positive legal norms lag far behind in regulating the involvement of digital platforms as gatekeepers of political information. In fact, the spread of political disinformation is essentially highly dependent on the algorithmic architecture of the platform. The absence of rules requiring structural collaboration between the state and digital platforms reflects a fundamental weakness in Indonesia's positive legal norms.

Thus, the overall analysis shows that Indonesia's positive law related to elections is not yet fully compatible with the fast-paced, complex, and multi-layered nature of digital disinformation. The weaknesses of the norms lie in their unspecific definitions, non-adaptive scope, absence of norms regarding microtargeting, weaknesses in the regulation of digital political advertising, and institutional limitations. This is the basis for the argument that election regulations require structural reform in order to address the threat of disinformation in the social media era.

### **Disharmony and Legal Vacuum in the Regulation of Political Disinformation**

The main problem in dealing with political disinformation in elections in Indonesia lies in the disharmony and legal vacuum that arise from the incompatibility between positive legal norms and the dynamics of digital political communication. When the Election Law, ITE Law, PDP Law, and technical regulations of the KPU and Bawaslu are analyzed systematically, it appears that each regulation operates with different assumptions regarding the nature of information, the identity of actors, and the mechanisms for content dissemination. This condition creates regulatory inconsistencies that weaken the effectiveness of election law enforcement.

The first disharmony occurs in the relationship between the Election Law and the ITE Law. The Election Law prohibits the dissemination of fake news during the campaign period, but this norm only binds subjects who are explicitly recognized as election participants. Meanwhile, the ITE Law regulates the dissemination of false information in general, without considering the electoral context. When disinformation is disseminated by anonymous buzzers, influencers, or fake accounts that are not affiliated with election participants, there is confusion about which legal regime should be applied. The overlap of digital legal jurisdictions causes weak consistency in law enforcement in cases of disinformation.<sup>18</sup> As a result, much manipulative content cannot be processed because it does not fulfill the elements of an election participant in the Election Law, but it is also not considered false information that fulfills the criminal elements of the ITE Law.

<sup>16</sup> Michael Landon-Murray, Emina Mujkic, and Benjamin Nussbaum, "Disinformation in Contemporary US Foreign Policy: Impacts and Ethics," *Public Integrity* 21, no. 5 (2019): 512–522.

<sup>17</sup> Anya E. M. Aswad, "In a World of 'Fake News,' What's a Social Media Platform to Do?," *Utah Law Review* (2020): 1009.

<sup>18</sup> Pablo Ray, "Disinformation, Deepfakes and Democracies: The Need for Legislative Reform," *University of New South Wales Law Journal* 44, no. 3 (2021): 983–1013

The legal vacuum is even more apparent in the use of personal data for digital political campaigns. The PDP Law protects personal data, but it does not contain specific norms regarding the use of such data for political microtargeting. In fact, microtargeting practices can be a very effective means of spreading disinformation because political messages are personalized to influence certain voter groups covertly. The absence of explicit restrictions in election law and data protection makes psychographic-based digital manipulation difficult to categorize as a violation of the law.<sup>19</sup>

Meanwhile, campaign regulations through PKPU are still oriented towards conventional media and do not yet regulate aspects that are the backbone of modern disinformation, such as digital political advertising, content sponsorship, algorithm transparency, and third-party involvement. Similarly, Perbawaslu does not yet include formal monitoring mechanisms for digital platforms or closed communication spaces such as WhatsApp and Telegram. Most of Indonesia's election disinformation circulates in private spaces, which cannot be legally monitored without a clear normative basis. There is also a void at the platform governance level. There are no national legal provisions that require global platforms to cooperate with election organizers. In fact, 70% of manipulative political content survives because it is not considered to violate the platform's community guidelines. The absence of a co-regulation framework between the state and platforms means that election monitoring cannot be carried out effectively.<sup>20</sup>

To clarify this disharmony and legal vacuum, the following table maps out areas of regulatory weakness:

**Table 1. Gaps and Disharmony in Legal Framework Governing Digital Political Disinformation**

Legal Framework	Scope	Key Gaps/Disharmony		Implications
UU Pemilu	Campaign rules	No definition of digital disinformation; does not cover anonymous actors	Weak enforcement; loopholes for buzzers	
UU ITE	Online information	false	Not election-specific; overlaps with UU Pemilu	Unclear enforcement and dualism of legal basis
UU PDP	Data protection	No regulation on political microtargeting	Voters vulnerable to manipulation	
PKPU	Campaign mechanism	No rules on digital ads and third-party content	Dark ads and sponsored content unregulated	
Perbawaslu	Supervisory authority	No mechanism for monitoring	Disinformation remains undetectable	

<sup>19</sup> Ulrike Reisach, "The Responsibility of Social Media in Times of Societal and Political Manipulation," *European Journal of Operational Research* 291, no. 3 (2021): 906–917.

<sup>20</sup> E. E. Igwebuike and L. Chimuanya, "Legitimizing Falsehood in Social Media: A Discourse Analysis of Political Fake News," *Discourse & Communication* 15, no. 1 (2021): 42–58.

private/encrypted

channels

The table shows that the main problem is not only incomplete regulations, but also a lack of harmony between regulations, which leads to legal uncertainty. When legal norms overlap, law enforcement officials often lack a clear operational basis for determining whether content should be processed under the Election Law or the ITE Law. When norms are not synchronized, the regulatory vacuum is exploited by digital actors to spread disinformation without repercussions. Thus, the existing disharmony and legal vacuum demonstrate the need for structural reform of election regulations in order to respond to the complexity of political communication in the era of social media.

### Reconstructing Election Regulations to Address Political Disinformation in the Social Media Era

The weaknesses of positive legal norms and regulatory disharmony described above demonstrate the need to reconstruct election regulations so that they can respond to the increasingly complex dynamics of political disinformation.

In normative legal research, reconstruction is not only interpreted as the formulation of new norms, but also the rearrangement of the relationship between regulations, the strengthening of institutional authority, and the alignment of legal principles with technological developments. In the context of digital elections, regulatory reconstruction must be oriented towards three main principles: clarity of norms, effectiveness of supervision, and collaborative governance with digital platforms. The first step that needs to be taken is to formulate an explicit legal definition of political disinformation in the context of digital elections. The Election Law and the ITE Law do not provide specific definitions that cover the characteristics of modern disinformation such as deepfakes, synthetic media, misleading framing, and coordinated inauthentic behavior. In fact, the lack of clarity in the definition is a major obstacle to law enforcement because officials do not have normative boundaries to assess types of content that are manipulative but do not explicitly state lies. AI- and algorithm-based disinformation needs to be classified as a specific form of political information manipulation due to its impact on voter behavior. Therefore, the Election Law requires normative updates that not only prohibit “fake news” but also define forms of digital disinformation in detail, including engineered audio-visual content.<sup>21</sup>

The next reconstruction is the strengthening of Bawaslu's authority in digital surveillance. Under the existing legal framework, Bawaslu can only take action against violations that can be verified directly. However, disinformation on social media often circulates in private spaces that are not accessible to formal oversight mechanisms. 65% of Indonesian election disinformation circulates through WhatsApp, which cannot be monitored due to message confidentiality. To overcome this, there needs to be a norm that ensures Bawaslu has procedural access, not access to the content of messages, but access to metadata or verified reports for the purposes of election oversight. In addition, Bawaslu needs the authority to issue administrative orders to digital platforms in the context of election interests, as is done in countries that have adopted the concept of co-regulation.<sup>22</sup>

<sup>21</sup> Sonia Benissa Pedriza, “Sources, Channels and Strategies of Disinformation in the 2020 US Election: Social Networks, Traditional Media and Political Candidates,” *Journalism and Media* 2, no. 4 (2021): 605–624.

<sup>22</sup> J. Bayer et al., *Disinformation and Propaganda: Impact on the Functioning of the Rule of Law and Democratic Processes* (European Parliament, 2021)..

Another aspect that needs to be reconstructed is the regulation of microtargeting and the use of personal data in political campaigns. The PDP Law does not contain provisions prohibiting or restricting the use of voter data for political purposes, even though this practice is a gateway to personalized disinformation. Susser et al. (2019) emphasize that microtargeting can drastically increase the impact of disinformation because political messages are customized to manipulate the perceptions of certain groups. Thus, the Election Law and PDP Law need to include new norms that prohibit the use of sensitive data such as religion, ethnicity, location, and digital preferences for political campaigns. In addition, regulations must require political parties and digital platforms to transparently disclose the target profiles and funding sources of digital political advertisements.

Reconstruction is also needed in the aspect of digital campaign regulations. The existing PKPU is still too oriented towards conventional media, so it needs to be revised to include: transparency of content sponsors, restrictions on the use of paid political influencers, mandatory labeling of digital political advertisements, and real-time reporting of digital campaign funding. TikTok has become a significant campaign tool for the younger generation, but without clear regulations, digital political content can be exploited to spread disinformation without accountability. PKPU needs to be expanded to include rules on political content distribution algorithms and digital audit mechanisms to track campaign message dissemination patterns.<sup>23</sup>

The final crucial element in regulatory reconstruction is the provision of a collaborative framework between the state and digital platforms. Digital platforms play a central role in the spread and mitigation of disinformation, but Indonesia does not yet have legal norms governing the obligations of platforms in the context of elections. Country models such as Germany with NetzDG and the European Union with the Digital Services Act show that algorithm transparency obligations, disinformation risk reporting, and trusted flaggers facilities can be introduced as part of a digital election governance framework. Indonesia can adopt similar policies by requiring platforms to provide priority channels for Bawaslu, audit political advertisements, and remove manipulative content within a certain time frame during the election period.

Overall, the reconstruction of election regulations must view political disinformation not merely as an information violation, but as a threat to the integrity of democracy. Therefore, updating legal norms, strengthening the authority of electoral institutions, and collaborating with digital platforms are the three main pillars for building a legal system that is responsive and adaptive to the information age. Without such reconstruction, Indonesian elections will continue to face structural vulnerabilities to digital manipulation that cannot be prevented by the current legal framework.

## CONCLUSIONS

Analysis of political disinformation in the social media era shows that this phenomenon moves through patterns of dissemination that utilize digital platform algorithms, segmented communication networks, and user behavior that tends to confirm one's own political beliefs. These dissemination patterns are reinforced by echo chambers, coordinated buzzer networks, fake accounts, and manipulative content such as deepfakes and provocative framing. Disinformation has been proven to influence voter perceptions, reinforce polarization, and disrupt the quality of public deliberation. However, the discussion also shows that weaknesses in Indonesia's election regulations, ranging from the absence of a comprehensive legal definition of political disinformation, the limited authority of the Election Supervisory Agency (Bawaslu)

<sup>23</sup> Eva De Blasio and David Selva, "Who Is Responsible for Disinformation? European Approaches to Social Platforms' Accountability in the Post-Truth Era," *American Behavioral Scientist* 65, no. 6 (2021): 825–846.

in monitoring closed digital spaces, to the absence of regulations on political microtargeting and personal data, mean that the state does not have adequate instruments to deal with disinformation that is fast, massive, and adaptive. Dependence on the internal policies of digital platforms exacerbates the situation because global content moderation standards are often not in line with national democratic needs.

These conditions emphasize that electoral regulatory reform is an urgent necessity to maintain the integrity of democracy amid the dominance of digital platforms. Reforms need to include updating the legal definition of various forms of political disinformation, strengthening the jurisdiction and authority of election supervisory agencies in handling digital content, and drafting clear rules on the use of personal data and microtargeting in political campaigns. In addition, strengthening the technical capacity of Bawaslu through the adoption of artificial intelligence-based monitoring technology and disinformation detection training is an important prerequisite for effective law enforcement. This framework must also be complemented by collaborative mechanisms between regulators and digital platforms, including transparency in political advertising, co-regulation agreements, and the provision of dedicated channels for handling manipulative content.

Based on these findings, this study recommends the implementation of a multilevel governance model involving the state, digital platforms, electoral institutions, civil society, and fact-checking communities to systematically address political disinformation. Voter digital literacy also needs to be strengthened through curricula and public programs that focus on understanding algorithms, source verification, and the ability to recognize visual and narrative manipulation. Without these comprehensive and collaborative measures, Indonesia's elections will remain vulnerable to information manipulation that erodes the legitimacy of the democratic process. Electoral regulatory reform is not merely a technical response, but an essential foundation for ensuring the sustainability of a healthy democracy in the era of social media.

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