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Legal Challenges Related to Campaign Regulations on Social Media in the 2024 Election

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Abstract: This study examines the legal challenges surrounding social media campaign regulations in the context of the 2024 General Election, specifically regarding the spread of misinformation (hoaxes), attempts to discredit political opponents through damaging content, and the ambiguity of social media campaign rules. The study employs a normative analysis of prevailing laws and regulations, combined with a descriptive approach to understand the evolution and impact of social media campaign practices. The results show indicate that Law No. 7 of 2017 concerning General Elections and Law No. 19 of 2016 (amending Law No. 11 of 2008) concerning Electronic Information and Transactions serve as the primary legal frameworks governing social media campaigns. However, the normative analysis reveals that these regulations are not yet fully adequate: the Election Law focuses on general campaign regulation without specific technical provisions for digital platforms, while the ITE Law tends to be repressive and reactive—applicable only after problematic content has already circulated—thereby limiting its preventive function. Furthermore, the study identifies overlapping authority among the Election Supervisory Body (Bawaslu), the Ministry of Communication and Informatics (Kominfo), and platform providers regarding the handling of violative campaign content; the absence of clear coordination mechanisms results in slow and inconsistent law enforcement. Ambiguity regarding the boundaries between political criticism, negative campaigning, and hate speech further widens the scope for interpretation and potential abuse. The study concludes that regulatory harmonization and strengthened inter-agency coordination mechanisms are essential to ensure that social media campaign regulations can effectively respond to the dynamics of elections in the digital era.

Keywords: Legal Challenges, Social Media, Campaign Regulations, 2024 Elections.

INTRODUCTION

Elections are a democratic process to elect candidates who exercise the sovereignty of the people, based on the principle of *luber jurdil* (direct, general, free, secret, honest, and fair) in the Republic of Indonesia. This condition is in line with the regulation in Law Number 7 of

2017 which states "General Elections are a means of popular sovereignty to elect members of the People's Representative Council, members of the Regional Representative Council, President and Vice President, and to elect members of the Regional People's Representative Council which are carried out directly, publicly, freely, secretly, honestly, and fairly in the Republic of Indonesia based on Pancasila, the 1945 Constitution of the Republic of Indonesia" (Hutapea, Santoso, Alexandra, Sukendro, & Widodo, 2023).

The existence of the internet has significant implications in various aspects of life, including politics and elections. Through its digital network, the internet has managed to efficiently connect cities and countries. Technological developments play an important role in the dynamics of political communication. The utilization of the internet, especially social media, has had a major impact on the political participation and political interest of the younger generation. The younger generation is increasingly interested and engaged in political issues as they have access to wider information and expanded discussion spaces through online platforms. Social media allows them to share their opinions, follow political developments, and actively engage in political campaigns. In the context of elections, online campaigning has become an integral part (Sugihardana, Firdaus, & Rama, 2023).

Political candidates and political parties utilize social media to communicate their programs to voters, build a support base, and interact with potential voters. This condition opens up new opportunities to reach a wider audience, especially among the younger generation who tend to be active on online platforms. However, the presence of the internet and social media also has negative impacts. Not all information circulating on the internet can be verified, which poses challenges in the form of the spread of fake news or hoaxes that can affect elections. In addition, the existence of open discussion spaces on social media can also strengthen polarization and conflict among voters, especially when differences of thought are not properly expressed. In this context, there is an awareness of the positive and negative impacts of the presence of the internet in politics and elections. The utilization of internet technology, especially social media, has increased the political interest and participation of the younger generation. However, challenges such as the spread of fake news and polarization need to be effectively addressed so that the positive impact of internet technology can be maximized in the context of elections (Sugihardana et al., 2023).

The participants in the 2024 General Election compete to introduce themselves to the public. In the midst of the campaign stage, there are potential problems faced by the General Elections Commission. Potential problems being faced are campaigns outside the schedule, especially campaigns on social media (Dharta, Putra, & Albrecht, 2025). There are indications of violations of campaign rules carried out by prospective candidates or political parties, such as digital campaigns before the campaign stage schedule begins. Another potential problem that needs to be faced is the emergence of hoax news or inaccurate information (Chester & Montgomery, 2017). This can affect people's perceptions of candidates or political parties. This underscores the importance of upholding election integrity, fairness in competition, and maintaining social stability. Campaign actors need to understand and implement campaign rules properly and filter the information that will be conveyed to the public so as not to be trapped in the spread of hoax news (Gibson, 2013).

On the other hand, the governance or regulation of campaigns through social media has become a concern and has been extensively carried out by each presidential and vice-presidential candidate recently. Along with the increasing utilization of digital platforms to communicate and spread political messages (Cosoughi, Roy, & Aral, 2018). The use of electronic systems in elections has become an effective tool. Technological support makes it easier and more efficient to organize elections. Technology has helped to reduce the burden on election organizers in carrying out the various stages of the election. With the support of

technology in organizing elections, each stage can be carried out more quickly (Sugihardana et al., 2023).

For instance, vote counting can be done efficiently, resulting in a shorter time in the overall execution of the election. This contributes to the efficient execution of the election (Lewandowsky, Ecker, & Cook, 2017). However, electronic systems in elections also have disadvantages, especially for data security. In the absence of adequate safeguards, election-related data may be jeopardized. This weakness in data security can damage the image and quality of the election (Alderman, 2023). Therefore, maximum protection of data security is essential in the use of electronic systems in elections. It explains that the use of electronic systems in elections provides advantages in terms of effectiveness and efficiency of implementation. However, serious attention must be paid to the aspect of data security in order to maintain the image and quality of the election (Sugihardana et al., 2023).

Universitas Muhammadiyah Surakarta, On December 14, 2022, the General Elections Commission has announced 17 political parties participating in the national elections and 6 local political parties in Aceh. However, even though the parties were appointed, the campaign period only began on November 28, 2023. Parties would be threatened with unscheduled crimes if they carried out activities that offer the vision, mission, program and/or self-image of election participants outside of November 28, 2023, to February 10, 2024. Election activist Titi Anggraini believes that political parties did not wait for November 28, 2023, to approach voters. In fact, politicians who want to run as presidential and vice-presidential candidates have utilized social media to increase electability. Social media has become an option to build popularity, reach voters, and change self-image (Chadwick, 2017).

The role that can be taken by social media platforms is to open data on all political advertisements in Indonesia since the determination of political parties participating in the 2024 Election, namely December 14, 2022. The data is important to be conveyed to the public as a form of transparency of political advertisements that have an impact on the 2024 Election. Among Meta, Twitter, YouTube/Google, and TikTok platforms, only Meta allows political advertisements on Facebook (Howard, 2020). Since 2020, Meta has provided a Facebook Ads Library to provide transparency about the ads circulating on the Meta platform.

In Indonesia, the use of social media as a political campaign tool is still relatively new (Gibson, 2013). Although some politicians had created social media accounts to campaign in the 2009 elections, their use was not yet supported by a good understanding of the platform. They still used social media the old-fashioned way, such as sending excessive messages to their followers on Facebook and Twitter. Communication tended to be one-way and top-down, so there was no engagement between candidates and their supporters. In addition, the lack of use of blogs by candidates as a means of communicating and sharing ideas, goals, achievements, and common expectations also show a lack of understanding in utilizing social media effectively. Every adoption of new technology and communication methods has its own rules and norms. Therefore, an understanding of how each social media platform is used and utilized is essential in integrating social media into the overall campaign strategy (Sugihardana et al., 2023).

Previous research conducted by Marbun and Yudiawan (2026) examined the role and effectiveness of Bawaslu's oversight regarding social media campaigning during the 2024 regional elections, using Buleleng Regency as a case study. The study focused on implementation and field enforcement—specifically how Bawaslu identifies violations, the technical and institutional obstacles encountered, and the extent to which the existing legal framework (including the Election Law) can be effectively applied at the local level. This article is useful for reinforcing arguments regarding regulatory implementation rather than merely the normative content of the regulations.

Another study by Wisanjaya and Widodo (2024) addressed the tension between freedom of expression and state-imposed restrictions under the ITE Law (Law No. 11/2008 in conjunction with Law No. 19/2016). The article explored how, despite the cross-border and difficult-to-censor nature of social media expression, the state requires a legal basis to impose restrictions; it examined international human rights standards as a benchmark for legitimizing restrictions intended to prevent the undermining of electoral fairness (such as through the spread of hoaxes or defamation).

A further study by Putra and Putri (2025) examined the intersection of freedom of expression and the spread of hoaxes leading up to the election, analyzing how Indonesian positive law (including the ITE Law) attempts to minimize the impact. The article discussed the controversy surrounding the application of the ITE Law within society and how existing legal instruments seek to balance freedom of expression with protection against disinformation—issues directly relevant to the problem of hoaxes on social media.

Novelty from this research compared with previous research is in the study by Marbun and Yudiawan (2026) found Bawaslu's oversight in Buleleng focuses on implementation and enforcement—specifically how Bawaslu identifies campaign violations in the field and the associated technical-institutional constraints—whereas the current study targets the normative content of the regulations themselves: assessing whether the General Election Law and the ITE Law are adequate, overlapping, or ambiguous in their governance of social media campaigning at the national level (rather than focusing on a specific regional case study). Research by Wisanjaya and Widodo (2024) addresses the tension between freedom of expression and state restrictions imposed via the ITE Law, using international human rights standards as a benchmark, while the study by Putra and Putri (2025) specifically highlights the intersection of freedom of opinion and the spread of hoaxes in the lead-up to the election. Both of these studies center on freedom of expression and human rights as their core issues, whereas the article from researcher found hoaxes and negative content merely as examples of challenges rather than the primary focus of analysis; the main focus remains on the adequacy of the campaign legal framework itself.

In general, the fundamental difference lies in the unit of analysis and scope: the three previous studies each narrowed their focus to a specific dimension (regional enforcement, freedom of expression versus the ITE Law, or hoaxes versus freedom of opinion), whereas this article attempts to view the issue more holistically by mapping three types of challenges simultaneously (hoaxes, content aimed at discrediting political opponents, and regulatory ambiguity) and evaluating two key laws (the General Election Law and the ITE Law) as a unified legal framework—including identifying overlapping authority among institutions (Bawaslu, Kominfo, and platforms), an aspect not addressed in the three previous studies. Furthermore, regarding methodology, the three comparative studies employ more focused approaches—qualitative case studies in the case of Marbun and Yudiawan (2026), or normative analysis benchmarked against international human rights standards for the other two—whereas this article utilizes a combination of normative and descriptive analyses of a broader scope to map the overall regulatory landscape for digital campaigning in the 2024 election. this positions the authors research article more as an in-depth examination of a specific issue, unlike the three prior studies which only superficial phenomenon.

The research gap of this research is between the rapid pace and nature of digital phenomena and regulatory frameworks that remain oriented toward conventional campaigning. While Law No. 7/2017 and KPU Regulation No. 23/2018 regulate the technical aspects of social media campaigning, such as the limit of 20 accounts per platform, the requirement to register official accounts with the KPU, and the obligation to close accounts at the end of the campaign period, these regulations are administrative and procedural in nature. They fail to address substantive issues, such as how to handle content that goes viral across

platforms within hours or how to take action against "shadow" campaigns conducted prior to the official campaign period without relying on manual reports of violations. Meanwhile, the ITE Law or Law No. 19/2016, in conjunction with Law No. 11/2008, intended to serve as a tool for addressing hoaxes and negative content, operates in practice as a reactive and repressive manner. The law only takes effect after problematic content has already spread and caused an impact, rather than preventing its dissemination from the outset. This gap is exacerbated by a lack of clear definitions distinguishing between political criticism, negative campaigning, and hate speech, leading to inconsistent law enforcement and susceptibility to multiple interpretations. Furthermore, the paper highlights overlapping authority among Bawaslu, Kominfo, and platform providers in the absence of a clear coordination mechanism; consequently, when a digital campaign violation occurs, it is unclear which agency bears primary responsibility for taking action, ultimately slowing down the legal response to phenomena that move rapidly within the digital space.

Legal challenges related to the regulation of campaigning on social media in the 2024 elections can provide greater space for disseminating campaign information and content. Election participants can utilize various formats such as text, images, videos, and live streaming to convey their messages creatively and attract voters' attention. With the vast potential of social media, the principle of "one person, one vote" no longer applies, but one individual can have the power of tens, hundreds and even thousands of people. This is because the influence possessed by individuals with many followers can influence their followers' voting decisions in elections (Lilleker, Tenscher, & Štětka, 2015). The advantage of social media lies in its effectiveness as a means of exchanging ideas. However, ironically, in the last decade, the exchange of ideas on social media has often been misinterpreted and used as a tool to spread hatred and incite hostility, ultimately creating an increasingly agonistic or conflict-ridden public sphere (Sugihardana et al., 2023).

The urgency of this research lies in the fact that social media has become a primary arena for political campaigning, reaching voter segments on a massive scale; yet, the governing legal framework was designed during an era dominated by conventional media (print, television, and face-to-face interaction), creating a structural gap between the pace of technological advancement and the regulatory capacity to keep up with it. When hoaxes can spread within minutes and influence the perceptions of millions of voters before authorities can respond, and when the authority to address them is fragmented across multiple institutions lacking clear coordination, the integrity and fairness of the electoral process face a genuine, rather than merely theoretical, risk. This research is significant because it provides a comprehensive assessment that goes beyond a mere listing of applicable laws to evaluate their adequacy, thereby serving as a reference for policymakers, election administrators, and academics in fostering future regulatory harmonization. Accordingly, this study aims to examine the implementation of social media campaign regulations during the 2024 election and identify the legal challenges arising from the enforcement of these digital campaign rules, with the hope that the findings will offer concrete insights for strengthening regulations, law enforcement, and inter-agency coordination in the future.

Departing from the above problems, the author will examine how the implementation of campaign regulations on social media in the 2024 elections and what the legal challenges are in the implementation of digital campaign regulations in the 2024 elections.

METHOD

This research used a normative legal research method with a focus on descriptive research (Irwansyah, 2020). This method relied on primary data collection in the form of relevant regulations for the implementation of elections and campaigns in Indonesia through social media (Dimiyati & Wardiono, 2004). In addition, secondary data from legal research

books and journals were also utilized as data sources. The literature study technique was used to collect secondary data, which was then categorized based on the type of legal material (Ali, 2021). The research results were presented through writing that adopts a qualitative writing method. In this method, the data collected were explained in the form of paragraphs that were structured, logical, systematic, and effective (Verma & Wani, 2016). Furthermore, conclusions were drawn deductively as an answer to the question regarding the review of Indonesian law in regulating online campaigns and their potential violations (Sunggono, 2016).

RESULTS AND DISCUSSION

Implementation of Campaign Regulations on Social Media in the 2024 Election

The election, in its implementation in 2024, is regulated in election regulations. The Election Regulations contain the results of studies and legal products and have been ratified by the central legislature. The enactment of these regulations is binding and applies not only to Indonesian citizens in the country but also to those abroad who work, study or have other activities. Some electoral regulations are outlined in Law Number 15 of 2011 on Election Organizers, Law Number 42 of 2008 on Presidential and Vice-Presidential elections, Law Number 8 of 2012 on Elections for Legislative House, Regional Representative Council, Regional Legislative House (Provincial, Regency/City), and Law Number 2 of 2011 on Amendments to Law Number 2 of 2008 on Political Parties. Law Number 7 of 2017 on Elections and Law Number 1 of 2015 on the Election of Governors, Regents, and Mayors, Law Number 8 of 2015, and most recently amended by Law Number 10 of 2016 (Hutapea et al., 2023).

Through regulatory rules, it is hoped that both the community and candidates for elections and regional elections will be equipped with an understanding of regulations so that they will not be misused, especially if there are irresponsible elements for their own interests. According to the Director General of *Polpum Kemendagri* Bahtiar, a positive signal is needed for the public that the elections will run well. By obeying and complying with election regulations, a fair election will be created as expected by the community at the stages of implementation carried out according to the principles of elections and communication in public spaces to educate the public to become smart voters (Hutapea et al., 2023).

The use of campaign advertisements on social media is regulated by election regulations as follows (Khopipah, 2023):

1. First, election campaign ads can be in the form of: writing; audio; images; and/or a combination of writing and sound and/or sound and images that are narrative, graphic, character, interactive or non-interactive, and that can be received through a message receiving device.
2. Second, the maximum limit for the installation of Election Campaign advertisements in printed mass media, Online Media, and Social Media as referred to in paragraph (1) is as much as: (1) 810 (eight hundred ten) millimeter columns or 1 (one) page for each print mass media every Day for advertisements in print mass media; (2) 1 (one) banner for each Online Media every Day for advertisements on Online Media; and (3) 1 (one) spot with a maximum duration of 30 (thirty) seconds for each Social Media every Day for advertisements on Social Media.
3. Third, the arrangement and scheduling of Election Campaign advertisements are fully regulated by print mass media and online media, social media, and broadcasting institutions.
4. Fourth, election participants are prohibited from inserting election campaign advertising materials in the form of impressions or writing in event programs at Broadcasting Institutions.

5. Fifth, broadcasting must at least contain the vision, mission, program, and/or self-image of the Election Participants.
6. Sixth, election campaign advertising materials must obtain a statement of eligibility for circulation or broadcast in the form of a censorship pass letter in accordance with the provisions of laws and regulations.
7. Seventh, the creation of election campaign advertising materials must comply with the provisions of laws and regulations and advertising ethics.
8. Eighth, social media is obliged to provide equal opportunities to election participants in loading and airing election campaign advertisements.
9. Ninth, it must comply with the advertising code of ethics and the provisions of laws and regulations.
10. Tenth, it is prohibited to sell segment blocking and/or time blocking for the election campaign.
11. Eleventh, it is from accepting sponsorship programs in any format or segment that can be categorized as election campaign advertisements.
12. Twelfth, it is prohibited from selling advertising spots that are not utilized by one election participant to another election participant.
13. Thirteenth, it is required to determine the standard rates for commercial election campaign advertisements that apply equally to each election participant.
14. Fourteenth, it must broadcast election campaign advertisements for non-partisan services to the public at least 1 (one) time a day with a duration of 60 (sixty) seconds.
15. Fifteenth, print mass media, online media, social media, and broadcasting institutions must be fair, balanced, and impartial in broadcasting election campaign advertisements.

One of the media arrangements used is by using social media, which is also an organizational channel that bridges election participants with voters. In the regulation, Election Participants can conduct Election Campaigns through Social Media with the following provisions (Khopipah, 2023): (1) Social Media accounts can be created at a maximum of 20 (twenty) accounts for each type of application; (2) The design and materials on Social Media at least contain the vision and mission, programs, and/or self-image of Election Participants. Design and material can be in the form of: writing; audio; images; and/or a combination of writing, sound, and/or images that are narrative, graphic, character, interactive or non-interactive, and that can be received through a message receiving device; (3) The Election Campaign Organizer must register an official Social Media account with the General Elections Commission at its level no later than 3 (three) days before the Election Campaign period; (4) The Election Campaign Organizer must submit a copy of the registration form to the Election Supervisory Board at its level; and (5) The Election Campaign Organizer must close the official Social Media account as referred to in paragraph (1) on the last day of the Election Campaign period.

There is an international standard for measuring election integrity, through The Electoral Integrity Project in 2014 and conducted by experts. In the survey, there are 11 stages in the electoral cycle that are the focus of investigation, which are presented as positive and negative statements with the choice of agreeing or disagreeing. The following are the stages (Rahmatunnisa, 2017): (1) Electoral regulation, (2) Electoral procedures, (3) Electoral district boundaries, (4) Voter registration, (5) Political party registration, (6) Campaign media, (7) Campaign finance, (8) Voting process, (9) Vote counting process, (10) Post-election, and (11) Election organizer.

Legal Challenges in the Implementation of Digital Campaign Regulations in the 2024 Election

Political campaigns in general elections in Indonesia are a crucial stage that can affect the direction and outcome of democracy. To ensure fairness, equality, and integrity in the campaign process, laws and regulations have been carefully established (Sholahuddin, Iftitah, & Mahmudah, 2019). Through applicable laws and regulations, efforts are made to create a climate of fair and dignified political competition. At this stage, we will discuss the implementation of these regulations in maintaining the integrity of political campaigns in general elections in Indonesia. With a focus on Law Number 7 of 2017 and General Elections Commission Regulation Number 23 of 2018, the discussion will cover various important aspects, such as fairness, public participation, supervision, and consequences of violations. Political campaigns in general elections in Indonesia play a very important role in ensuring that the electoral process takes place with aspects of fairness and equity. Article 280 paragraph (1) emphasizes that campaigns must be conducted in an honest, fair, and courteous manner, in line with the democratic principles underlying the country. The purpose of this regulation is to ensure that all campaign participants have equal opportunities to convey their vision, mission, and work program to the public (Amin & Hayatulah, 2024).

Public participation in legal challenges in the implementation of campaign regulations is needed. They can join election monitoring organizations to engage in election monitoring. However, they can also move on their own, either individually or join an organization to carry out voter education, opinion polls, quick counts and even election socialization. In order to achieve the target of becoming a community that participates in elections, many utilize social media as a tool. Apart from being efficient, social media has a wide reach. Social media can penetrate the deepest social niches, which are not necessarily touched by conventional socialization models (Andriadi, 2017).

Social media has become a new public sphere for people to discuss politics. Social media is the most effective, cheap, and massive communication tool. In its development, social media has become important as an effective means in the political communication process, especially by being able to reduce the geographical and psychological distance between prospective leaders and their constituents (Ratnamulyani & Maksudi, 2018).

In the digital era, in general, all pairs of presidential and vice-presidential candidates or legislative candidates have been hit by negative issues. Negative issues that appear and develop on social media are not isolated, but have a connection with the mainstream media. Based on the results of research by the Jakarta Alliance of Independent Journalists, the issue has two patterns, namely: first, there are issues that arise from the mainstream media and are then widely discussed on social media. So, the issue first appears in the realm of mainstream media as actual news. Social media users then respond to the issue, until finally it becomes a widespread discussion on social media networks. Second, on the contrary, there are issues that emerge and are discussed on social media, then picked up as news in the mainstream media. Not a few of the issues that were initially only discussed at the social media level were later picked up as news topics by a number of mainstream media (Andriadi, 2017).

Apart from the collaboration between social media and mainstream media, which can pose new challenges. Social media has issues that always appear to fill the social media homepage, namely: first, the issue of ethnic, religious, racial, and intergroup sentiment. Digital track records on ethnic, religious, racial, and intergroup sentiment issues are always a weapon to attack political opponents, especially if one of the candidates has a track record of harassing or humiliating certain parties. Second, the issue of the independence of survey institutions. Errors in predictions can become a byword for the community. Third, the issue of local residents. Fourth, the issue of one candidate's track record as a politician (Andriadi, 2017). These issues always appear on social media timelines, with alternating flows.

Legal challenges are related to the regulation of campaign funds in the electoral process. While there have been efforts through Law No. 7/2017 on Elections to set limits on the use of campaign funds, challenges still remain in terms of the potential for unfair or less transparent use of funds by some candidates or parties. Inequalities can still arise because some parties have greater access to financial resources. As a result, this can give them an unequal advantage in gaining public support (Amin & Hayatulah, 2024).

Several legal challenges is weak legal enforcement even although Law No. 7/2017 and the Electronic Information and Transactions (ITE) Law (Law No. 19/2016) have provided a legal basis for prosecuting digital campaign violations, enforcement remains weak due to the reactive nature of the ITE Law—it can only be applied after problematic content has spread and caused an impact, rather than preventing it from occurring in the first place. This weakness is exacerbated by the limited supervisory capacity of the Elections Supervisory Agency (*Bawaslu*) to monitor the thousands of accounts and content appearing every second across various platforms, resulting in many violations only being detected after their impact has already spread to the public. As a result, the sanctions imposed are often symbolic and do not provide a sufficient deterrent to prevent similar violations in future campaign periods.

Another weakness is overlapping regulations among Bawaslu, Kominfo, and platform providers in handling violating campaign content, without a clear coordination mechanism between the three. This overlap is also evident in the numerous legal frameworks that regulate campaign aspects separately—Law No. 7/2017 concerning Elections, the Electronic Information and Transactions Law, and the General Elections Commission Regulation No. 23/2018—each of which addresses different perspectives without adequate harmonization. Therefore, when a violation occurs, it is unclear which regulation is the primary reference and which institution has the authority to take the first action. This situation ultimately creates procedural confusion for both election organizers and campaign participants.

A problem from regulation also remains unclear platform responsibility, which notes that of the major platforms used for campaigning in Indonesia, including Meta, Twitter/X, YouTube, and TikTok, only Meta provides a transparency mechanism through the Facebook Ads Library, while other platforms lack similar obligations expressly stipulated by Indonesian law. The absence of uniform legal obligations across platforms makes their responsibilities to moderate campaign content, remove hoaxes, or report violations voluntary and inconsistent across platforms. As a result, election organizers struggle to demand the same accountability standards from all digital platforms used for campaigning.

Another unclear regulation is about campaign violations out of the official campaign schedule. Many politicians have utilized social media to increase electability and engage with voters long before the official campaign period begins on November 28, 2023, even though the political parties participating in the election were already determined. This act of engaging with voters outside the official schedule is legally categorized as unscheduled campaigning, which carries criminal penalties. However, it is difficult to enforce because the line between "self-socialization" and "covert campaigning" on social media is very blurred and easily avoided by candidates. This suggests that campaign schedule regulations designed for conventional media are not yet sufficiently adaptive to the nature of social media, which allows political communication to occur without time and space constraints.

Regulation also needs to count on political advertising transparency. Transparency of political advertising data has become a problem even before the election's contesting parties is decided by KPU. This is crucial as a form of public accountability. However, in reality, only Meta has provided such a transparency mechanism since 2020 through its Ads Library. The absence of a legal obligation requiring all digital platforms to provide similar data prevents the public and election observers from having equal access to monitor who funds political advertising, how much it costs, and which voter segments it targets. This

transparency gap has the potential to conceal unhealthy campaign practices, including micro-targeting, which can amplify polarization without being publicly monitored.

Indonesia also lacks campaign finance accountability; although Law No. 7/2017 regulates limits on the use of campaign funds, challenges remain in the form of potential unfair or less transparent use of funds by certain candidates or parties. This inequality is even more pronounced in the digital realm, where candidates or parties with greater access to financial resources can dominate campaign space on social media through paid advertising and buzzers, while digital campaign finance reporting and auditing mechanisms are not yet detailed enough to specifically track such expenditures. As a result, the principle of equal opportunity among election participants risks being eroded by disparities in financial capacity, which are difficult to effectively monitor under current regulations.

The spread of inaccurate information or hoaxes is one of the most serious issues in the public and political context. Hoaxes have great potential to influence public perceptions of certain candidates, especially in the context of elections. Although efforts have been made through Law No. 19/2016 on the amendment to Law No. 11/2008 on Electronic Information and Transactions to address this issue, its implementation still faces various challenges (Putra & Putri, 2025).

CONCLUSION AND RECOMMENDATIONS

Conclusion

The implementation of these regulations is based on Law Number 7 of 2017 concerning General Elections and General Elections Commission (KPU) Regulation Number 23 of 2018, which stipulates technical provisions such as a maximum limit of 20 social media accounts for each application type, the obligation to register official accounts with the KPU before the campaign period begins, reporting to the Elections Supervisory Agency (Bawaslu), and the obligation to close official accounts at the end of the campaign period. These include regulations on the format, duration, and principles of fairness in the display of campaign advertisements, as mandated by Article 280 paragraph (1). Administratively and procedurally, this implementation has been quite successful, but its effectiveness in the field depends heavily on the supervisory capacity of the KPU and Bawaslu, as well as the active participation of civil society in monitoring election participant compliance. On the other hand, the implementation of this regulation is still overshadowed by multidimensional and interrelated legal challenges, ranging from weak law enforcement due to the reactive nature of the ITE Law, overlapping authority between Bawaslu, Kominfo, and digital platforms without clear coordination, unclear platform responsibilities because only Meta provides a mechanism for transparency in political advertising, the rise of campaigns outside the official schedule due to the blurred line between self-socialization and covert campaigns, the rapid spread of hoaxes that exceed the capacity of legal verification, the use of ethnicity, religion, race, and inter-group relations issues as hate speech due to the unclear line with legitimate political criticism, the lack of transparency in political advertising on most platforms, to weak accountability of digital campaign funds amidst the disparity of financial resources among election participants.

Thus, it can be concluded that the existing legal framework is not fully adequate to respond to the dynamics of digital campaigns effectively, so that regulatory harmonization, strengthening inter-institutional coordination, clarity of legal definitions, and expansion of transparency obligations to all digital platforms are needed so that the implementation of campaigns on social media in the upcoming election can better guarantee the integrity, fairness, and accountability of the democratic process in the digital era. The legal challenge related to the regulation of campaigns on social media in the 2024 elections is that this phenomenon requires serious attention from the government, related institutions and civil

society. Protection of personal data, handling of false information, clarity of regulations, regulation of campaign funds, and control of negative content are crucial aspects that need to be addressed effectively. Joint efforts in strengthening existing regulations, increasing legal awareness and digital literacy, and strengthening law enforcement can help create a more transparent, fair, and democratic political environment.

Limitations

This study has several limitations. First, the research employs a normative legal approach and relies primarily on statutory regulations, legal literature, and secondary sources. Therefore, it does not primarily examine how social media campaign regulations were implemented by election organizers, supervisory institutions, political parties, candidates, or digital platforms during the 2024 Election. Second, the rapid development of digital platforms and online campaign practices may limit the applicability of some findings over time, as emerging technologies, platform policies, and patterns of political communication may develop faster than existing legal frameworks. Third, although this study identifies overlapping institutional authority among Bawaslu, the Ministry of Communication and Informatics, and digital platform providers, it does not empirically assess the effectiveness of coordination mechanisms among these institutions. Finally, the study focuses primarily on the legal framework governing social media campaigns in the 2024 General Election and therefore does not provide a comparative analysis with other electoral systems or jurisdictions.

Recommendations

Based on these limitations and findings, several recommendations can be proposed. First, Indonesian election regulations should be harmonized and updated to address the specific characteristics of digital campaigning, including the rapid dissemination of content, cross-platform campaigns, campaigns conducted outside the official campaign period, and the distinction between legitimate political criticism, negative campaigning, hate speech, and disinformation. Second, clearer mechanisms for coordination and division of authority among Bawaslu, Ministry of Communication and Informatics, the KPU, law enforcement agencies, and digital platform providers, should be established to enable faster and more consistent responses to violations. Third, digital platforms should be subject to more consistent transparency and accountability obligations concerning political advertising, content moderation, and the dissemination of election-related information. Fourth, the preventive capacity of election supervision should be strengthened through improved digital monitoring systems, human-resource capacity, public participation, and digital literacy programs. Finally, future research should complement normative analysis with empirical studies involving election organizers, supervisory authorities, political actors, digital platforms, and voters to evaluate how digital campaign regulations operate in practice and to identify more effective regulatory mechanisms for future elections.

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