

Publishing 2024 Presidential and Vice-Presidential Election Survey Results: Legal and Legitimate

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Abstract. The General Election of the Republic of Indonesia, held on February 14, 2024, includes the selection of the President and Vice President, Members of the People's Representative Council, Regional People's Representative Councils at the provincial and district/city levels. Survey institutions play a significant role in informing the public and political parties about candidate electability. Political parties rely on these institutions to gauge the popularity of their candidates. However, inconsistencies arise when political parties blame survey institutions for unfavorable outcomes, especially when the predicted results match the actual outcomes. Additionally, concerns have been raised about the potential violation of Law Number 11, 2008, concerning Electronic Information and Transactions (ITE), when inaccurate survey results are disseminated via electronic media. This study investigates the validity of these concerns. The study examines the predictions and outcomes of the 2024 Presidential and Vice-Presidential elections. Pre-voting predictions indicated that candidate pair number 02 would achieve 53.5% electability, followed by candidate pair number 01 with 21.7%, and candidate pair number 03 with 19.2% (LSI Denny JA Survey, February 10, 2024). Quick count results on voting day showed the following vote distributions: candidate pair number 01 received 24%, candidate pair number 02 received 58%, and candidate pair number 03 received 18%. The General Election Commission's manual count confirmed these results, with candidate pair number 01 receiving 23.14%, candidate pair number 02 receiving 58.59%, and candidate pair number 03 receiving 18%, as stated in General Election Commission Decree Number: 360, 2024. This study concludes that the survey institutions' predictions were accurate and that their dissemination does not constitute a violation of the ITE law.

Keywords: Presidential election 2024; survey institutions; quick count results; general election commission; electoral integrity

1. Introduction

Four terms of successive presidential elections have been held, in accordance with legal precedence in Indonesia's direct general election procedure. Short for "direct, public, free, secret-honest and fair," the elections follow the LUBER- JURDIL principles. Every losing presidential-vice presidential candidate duo between 2004 and 2024 has charged the victorious pair with organised, systematic, and enormous fraud. Lawsuits brought before the Constitutional Court have regularly resulted from these charges.

Based on the General Election Commission's plenary meeting on March 20, 2024, candidate number 02, Prabowo Subianto-Gibran Rakabuming Raka, was elected as the President and Vice President in the 2024 presidential race with 96,214,691 votes. They received more votes than the

first candidate couple, Anies Baswedan-Muhaimin Iskandar, who received 40,971,906, and the third candidate duo, who received 27,040,878. Below are historical data on the decisions rendered by the Constitutional Court in relation to issues involving presidential elections between 2004 and 2024:

Table 1. Outcomes of Presidential Election Dispute Cases in Indonesia (2004-2024)

Election	Plaintiff	Result
2004	Wiranto/Salahudin Wahid	Rejected
2009	Yusuf Kalla/Wiranto	Rejected
	Megawati/Prabowo	Rejected
2014	Prabowo/Hatta Rajasa	Rejected
2019	Prabowo/Sandiaga Uno	Rejected
2024	Anies/Muhaimin	Rejected
	Ganjar/Mahfud	Rejected

Source: cnbcindonesia.com

The table shows the Constitutional Court of Indonesia's rulings in Presidential election dispute cases from 2004 to 2024, emphasizing the court's repeated denial of complaints from defeated candidates. The Constitutional Court dismissed the complaint filed by plaintiff candidates Wiranto and Salahudin Wahid in the 2004 election. Under the direct election system, this was the first time a losing candidate had contested the election results. Two distinct legal challenges were launched in relation to the 2009 election by Megawati and Prabowo and Yusuf Kalla and Wiranto. The Constitutional Court's upholding of the integrity of the election process was reinforced by the dismissal of both lawsuits.

Hatta Rajasa and Prabowo Subianto filed a case following the 2014 election, but it was also dismissed. Election-related controversy-prone Prabowo Subianto attempted to contest the results but was not successful. Prabowo Subianto filed a dispute in the 2019 election, teamed with Sandiaga Uno, but the Constitutional Court rejected it, therefore this was his second unsuccessful legal challenge in a row. Two distinct lawsuits from opposing candidate pairs—Anies Baswedan and Muhaimin Iskandar and Ganjar Pranowo and Mahfud MD—made the 2024 election noteworthy. The Constitutional Court dismissed both lawsuits, upholding its impartial position on electoral issues. This persistent denial of cases points to a strong legal system and court that protect the integrity of the voting process.

Prabowo Subianto's continuous involvement in and challenges for the presidency are demonstrated by his numerous court lawsuits during the course of several elections. The court has continually found no basis to invalidate the election results, despite his repeated objections. The high standard of proof needed to overturn election results is reflected in the Constitutional Court's regular rejection of lawsuits, setting a solid legal precedent that claims of electoral fraud require substantial evidence to be taken into consideration by the court.

Due to the ongoing accusations of fraud, it appears that candidates are not psychologically ready to accept the results of the election, which could lead to protests by losing candidates that disturb public order and security. The 2024 election process has seen the most violent protests, with supporters of candidates 01 and 03 falsely alleging President Jokowi of electoral fraud in the absence of proof. Four ministers from President Jokowi's cabinet were called as witnesses by the Constitutional Court to address these accusations.

Furthermore, survey organizations that were approved by the General Election Commission to oversee and evaluate the election have come under fire. These institutes are not prohibited from publicizing their study results, but they have been accused of working together to support candidate pair number 02, Prabowo Subianto- Gibran Rakabuming Raka. Both the winning candidates'

supporters and detractors have discussed this.

The Constitutional Court's historical consistency in resolving election disputes highlights the stability and dependability of Indonesia's legal and electoral systems over the course of two decades. The integrity of the election results is upheld by the court's rulings, although multiple challenges and accusations of fraud. Even while the public's view and trust in the electoral system might be influenced by the persistent unhappiness of losing candidates and their supporters, this consistency is essential for preserving public confidence in the democratic process. This study investigates whether it is illegal to disseminate research findings from survey organizations that are keeping an eye on and evaluating the presidential and vice presidential elections. It also investigates whether the public can rely on these survey organizations as trustworthy information sources to assist them in making decisions about Indonesia's electoral process.

Framework

Public confidence in the dissemination of research findings by survey institutions in Indonesia is severely lacking. The lack of trust arises from the belief that survey findings are frequently shaped by the agendas of the candidates who finance these studies. There is a commonly held idea that the results of these polls can be manipulated in order to artificially improve the chances of specific candidate pairs, which undermines the trustworthiness of these surveys as accurate reflections of public opinion.

There is a significant level of distrust among certain segments of Indonesian society, including academics and public figures, towards the electoral process. This distrust is highlighted by professors at Gadjah Mada University, who have voiced concerns about the ethics and morality of the election process and the actions of female heads of state. Notably, critic Rocky Gerung has been particularly outspoken, going so far as to insult President Jokowi by calling him a "stupid bastard". Similarly, a group known as Petition 100, led by Faisal Assegaf, has been active in expressing their discontent. This group met with Mahfud MD at the Office of the Coordinating Minister for Politics, Law, and Human Rights, where Faisal Assegaf called for President Jokowi's impeachment, accusing him of misusing state facilities during the election process.

The social phenomenon of sharp criticism and accusations of electoral fraud by the head of state is not unique to Indonesia. Similar situations have been observed in other countries, such as Turkey. For example, in March 2017, the Turkish diaspora in Europe showed strong support for Erdogan. European polls indicated significant support for Erdogan: 73% in Austria, 75% in Belgium, 71% in the Netherlands, 65% in France, and 63% in Germany. However, despite this support, a voter turnout rate of 48% revealed that most minorities voted against Erdogan, demonstrating the diversified and polarized nature of the Turkish diaspora. This polarization was further intensified by a major event, namely an attempted coup in Turkey, which significantly impacted the relationship between the diaspora and their country of origin.

In the 2024 Presidential-Vice Presidential election process in Indonesia, there is no comparable political diaspora, but there are allegations of political infiltration by other countries against candidate pairs, motivated by economic interests, particularly Indonesia's natural resources. Political support from other countries for the general election process within Indonesia is likely due to a political conspiracy aimed at exploiting Indonesia's natural resource wealth.

The emergence of the Petition 100 group, led by Faisal Assegaf, is indicative of a possible network of political infiltration aimed at destabilizing the democratic process in Indonesia. This group has been vocally critical of President Jokowi's policies through the mass media, often using harsh and uncivilized language far removed from the values of politeness. Beneath the surface, this anti-Jokowi group seeks to garner mass support and strengthen its position by mobilizing students

and professors who oppose Jokowi. Among these critics is Refli Harun, a member of the Petition 100, who frequently delivers extreme speeches in demonstrations outside the DPR-RI Office, calling for President Jokowi's impeachment.

The actions of the Petition 100 group are viewed as part of a broader political infiltration network conspiring with foreign entities to gain power. Should they achieve their goal, it is believed that the new government's policies would align with the interests of the foreign countries involved in the conspiracy. This situation arises from the significant changes in Indonesia's political and economic policies during President Jokowi's ten-year administration, which have potentially disrupted the interests of certain domestic and foreign groups.

Political Attitudes

The political attitudes of each Presidential-Vice Presidential candidate pair in the 2024 election were revealed during the debate process. Each pair articulated their vision and mission in their speeches. The candidate pair number 01, Anies Baswedan-Muhaimin Iskandar, proposed significant changes to current government policies. Anies criticized what he considered unnecessary and wasteful projects, such as the National Capital (IKN) development program, down streaming, infrastructure, and other strategic initiatives. He argued that it would be more beneficial to allocate the national budget (APBN) towards building schools and universities to improve the quality of Indonesia's human resources. After the general election results were announced, Anies emphasized the importance of a transparent, fair, and pressure-free election process to ensure that all voices are heard and respected, thereby maintaining the results' legitimacy, trust, and inclusiveness.

In contrast, the political stance of candidate pair number 02, Prabowo Subianto-Gibran Rakabuming Raka, was one of continuity. They declared their commitment to continue the programs of the 7th President of the Republic of Indonesia, Joko Widodo, if entrusted by the people. Prabowo and Gibran pledged to advance the National Capital development, downstream programs, infrastructure projects, and the industrialization of Indonesia's natural resources, aiming for "Golden Indonesia 2045" by leveraging the demographic bonus expected in 2030. Meanwhile, the candidate pair number 03, Ganjar Pranowo-Mahfud MD expressed their preference to remain outside the government rather than accept ministerial positions in the next administration following the Constitutional Court's decision.

Regarding the political attitudes of the losing candidate pairs, numbers 01 and 03, their reactions to the election commission's and Constitutional Court's decisions in favour of Prabowo-Gibran as the elected President-Vice President in 2024 are unlikely to significantly alter the political landscape in parliament for the new government. Prabowo-Gibran's victory is attributed to the high level of public trust in President Jokowi, reflected in the 90% trust level reported by the LSI Denny JA survey on December 30, 2023 and the 76.6% confidence level from the Indonesian Political Indicators survey conducted on February 18-21, 2024. This high electoral impact underscores the influence of Jokowi's legacy and the public's trust in his eldest son, Gibran.

Media Usage

Daniel Vogler, Adrian Rauchfleisch, and Lisa Schwaiger (2024) highlight that alternative news media have become an important source of information for certain news consumers, a finding supported by previous studies. During the 2019-2021 COVID-19 pandemic in Indonesia, the extensive use of electronic media as a communication tool for remote work became particularly evident. This trend aligns with research by Boberg, Quandt, and Schatto Eckrodt (2020), which indicates that the pandemic has heightened public reliance on alternative information media.

Similarly, in the democratic process of electing the President and Vice President of Indonesia,

which has been conducted directly since 2004, electronic media have emerged as a crucial alternative source of information. Given Indonesia's geographical expanse, comprising tens of thousands of islands, electronic media provide the best option for disseminating important and timely information. Daniel Vogler's research identifies two main factors related to media use as a source of information: political attitudes and media consumption. Moreover, Müller & Bach (2021) and Müller & Schulz (2021) suggest that the use of media as an alternative information source significantly influences social development in society.

Many Indonesian politicians have achieved success through the strategic use of electronic media to communicate with the public, thereby gaining voter sympathy and trust. A notable example is the Presidential-Vice Presidential candidate pair, Prabowo Subianto and Gibran Rakabuming Raka, who have seen a rise in popularity and public trust partly due to the role of survey institutions. These institutions continuously conduct research to gauge electability levels and analyze which candidate pairs have the potential to win the 2024 Presidential election.

Surveys conducted by the top survey institutions in Indonesia—Charta Politika, Indonesian Survey Institute, Indonesian Political Indicators, Poltracking Indonesia, and Populi Center—have been instrumental in this process. Authorized by the General Election Commission to monitor the electoral process, these institutions publish their findings through various electronic media outlets. The latest survey results, published just before the voting on February 14, 2024, reflect the confidence levels of prospective voters in the candidate pairs Anies-Muhaimin (01), Prabowo-Gibran (02), and Ganjar-Mahfud (03).

Table 2. Results of the electability survey before the election

Survey Institute	01	02	03	Final Survey
LSI Denny JA	21,7%	53,5%	19,2%	26-6/2/24
Carta Politika	28,0%	42,2%	26,7%	1-7/1/24
LSI	23,3%	51,9%	20,3%	29-5/2/24
Indikator	24,1%	51,8%	19,6%	28-4/2/24
Poltracking	27,6%	51,7%	20,7%	27-2/2/24
Populi Center	22,1%	52,5%	16,9%	27-3/2/24

Source: cnbcindonesia.com

The data presented are the results of research conducted before the voting for the President-Vice President election, which was held on February 14, 2024. According to this research, the candidate pair with the highest electability is Prabowo Subianto and Gibran Rakabuming Raka, listed as candidate pair number 02. They achieved a confidence level of 53.5%, surpassing the required minimum threshold of 50%+1 needed for a one-round Presidential election.

The researchers have expressed confidence in their survey results, suggesting that the President- Vice President election process on February 14, 2024, will be concluded in a single round. This high level of electability indicates strong public support for Prabowo Subianto and Gibran Rakabuming Raka, making them the likely winners without the need for a second round of voting.

2. Method

The method used in this research is the library method, utilizing digitally stored data from the leading survey institutions in Indonesia. This data includes research findings on the electability of presidential and vice-presidential candidates, predictions of winning candidate pairs, election

participants, activities of the General Election Commission, and decisions of the Constitutional Court. The data spans multiple election cycles, covering the presidential-vice presidential elections of 2004, 2009, 2014, 2019, and 2024.

The survey data comes from credible institutions that have formal governmental approval and are renowned for maintaining their independence and integrity. These institutions produce reliable and accurate research results. Their field research predominantly employs the multistage random sampling method, ensuring a rigorous approach to data collection. This method combines several sampling techniques—simple random, stratified random, systematic random, and cluster random, allowing researchers to investigate causal relationships by manipulating independent variables and observing changes in dependent variables.

In general, the multistage random sampling method involves selecting samples through a combination of techniques to achieve a representative and unbiased sample. This method's efficacy is demonstrated in the data sample table, which shows the work of six survey institutions using this approach. By employing such robust methodologies, these institutions ensure the validity and reliability of their findings, making significant contributions to the understanding of electoral dynamics in Indonesia.

Table 3. Methods Used by Survey Institutions

Survey Institute	Research methods	Number of samples	Final survey
LSI Denny JA	Multistage Rn.Sm	1220 res	26-6/2/24
Carta Politika	Multistage Rn.Sm	1220 res	1-7/1/24
LSI	Multistage Rn.Sm	1206 res	29-5/2/24
Indikator Politik	Multistage Rn.Sm	1200 res	28-4/2/24
Poltracking	Multistage Rn.Sm	1220 res	27-2/2/24
Populi Center	Multistage Rn.Sm	1500 res	27-3/2/24

Source: CNBC Indonesia TV (2024)¹⁰

Measures

To measure the accuracy of survey results presented by survey institutions, particularly for the 2024 general election, a comprehensive approach was employed. On February 14, 2024, during the voting process, twelve survey institutions conducted a quick count. These institutions utilized proportional research samples based on established research methodologies. The quick count results were broadcast live by various electronic media outlets, including MetroTV, TVone, ANTV, KompasTV, CNN, TPI, YouTube, TikTok, and others.

The results demonstrated positive parameters, particularly in predicting the outcome for the President-Vice President candidate pair number 02, Prabowo Subianto and Gibran Rakabuming Raka. The quick count results showed a significant lead for this candidate pair, surpassing the predictions of six trusted survey institutions in Indonesia. This alignment between the quick count results and the predictions from reputable survey institutions underscored the reliability and accuracy of the survey methodologies employed.

Table. 4 Survey Institute quick count results

Survey Institute	Quick calculation results		
	01	02	03
Litbang Kompas	25,25%	58,45%	16,30%
Poltracking Indonesia	25,13%	58,51%	16,36%
Charta Politika	25,55%	57,81%	16,62%
PRC	24,07%	59,22%	16,71%
LSI	25,30%	57,46%	17,23%
Indikator Politik	25,34%	58,08%	16,58%
LSI Denny JA	25,21%	58,06%	16,73%
Populi Center	25,06%	59,08%	15,86%
SMRC	24,86%	58,36%	16,78%
CSIS-Cyrus	24,91%	58,25%	16,84%
Kedai Kopi	24,74%	59,33%	15,93%
Voxpol	24,73%	56,89%	16,38%

Source: CNN.Indonesia

Based on the quick count data from survey institutions summarized by CNN Indonesia, the President-Vice President candidate pair number 02, Prabowo Subianto-Gibran Rakabuming Raka, leads with a vote share between 56.89% and 59.33%. They are followed by candidate pair number 01, Anies Baswedan-Muhaimin Iskandar, who secured between 24.07% and 25.34%, and candidate pair number 03, Ganjar Pranowo-Mahfud MD, with votes ranging from 15.86% to 16.84%.

These quick count results suggest that the elected candidate pair for President and Vice President is number 02, Prabowo Subianto and Gibran Rakabuming Raka. Furthermore, it is anticipated that the election will conclude in one round, given the significant lead of the frontrunner.

After 35 days, the General Election Commission (KPU) conducted a manual vote count. The results were officially decided and announced through a plenary meeting of the General Election Commission. This decision is documented in the General Election Commission Decree Number 360 of 2024, concerning the Determination of the Results of the Presidential and Vice-Presidential General Election, as well as the elections for Members of the People's Representative Council, Regional Representative Council, Provincial Regional People's Representative Council, and Regency/City Regional People's Representative Council nationwide in the 2024 General Election.

The results of the Plenary Meeting held on March 20, 2024, were promptly read out by the Chairman of the General Election Commission, Hasyim Ashari. Specifically, for the election of President and Vice President, the results are as follows:

Table 5. Final Vote Counts for Presidential and Vice-Presidential Candidates in the 2024 Election

Serial Number	Candidate Pair	Vote Count
01	Anies Baswedan/Muhaimin Iskandar	40.971.906
02	Prabowo Subianto/Gibran Rakabuming Raka	96.214.691
03	Ganjar Pranowo/Mahfud MD.	27.040.878

Source: JDIH.KPU-Republik Indonesia, 2024.

3. Discussion

This research addresses two key issues regarding the role and accuracy of survey institutions in monitoring the results of the 2024 Presidential and Vice-Presidential general elections in Indonesia. First, it seeks to determine how accurately the research results from these survey institutions reflect the true outcomes of the elections. This accuracy is crucial as it can significantly

benefit the Indonesian people and nation by enhancing transparency and encouraging informed participation in the electoral process.

Second, the research explores the potential legal repercussions for survey institutions if they publish inaccurate research results. Specifically, it examines whether these institutions can be prosecuted criminally for spreading false information. This aspect is critical in understanding the accountability and integrity of survey institutions, as well as the broader implications of their role in the democratic process.

Consequences of Inaccurate Research Results

If the research results conducted by survey institutions are inaccurate, inappropriate, or do not correspond to the actual facts, can the actions of these researchers be considered as spreading fake news? To address this question, it is essential to examine the elements contained in Article 28 paragraph (3) of Law Number 11 of 2008 on Electronic Information and Transactions. This article states, "every person who intentionally disseminates electronic information and/or electronic documents that they know contain false news that causes unrest in society." The critical elements of this article are as follows:

The "Everyone" Element. This element means that every person, as an individual, is a legal subject. When linked to the publication of research results from survey institutions, this element is fulfilled.

Elements of Purpose. In criminal theory, the term "intentional" is divided into three categories:

Intentional Intent (dolus directus): This is when the perpetrator's actions aim to cause prohibited consequences, desiring both the actions and their outcomes.

Deliberation with Certainty (opzet met zekerheid bewustzijn): This includes actions with intended consequences and unavoidable side effects necessary to achieve the goal. Regarding the intention and certainty of survey institutions, this element is not fulfilled.

Deliberation with Possibility (dolus eventualis): This refers to situations where initially possible circumstances eventually occur. When related to publication as a form of information dissemination, the deliberation that can be applied here is deliberation with certainty. The action must be carried out to achieve the goal, but the creator (in this case, the survey institutions) does not desire the consequences. In the context of this issue, the elements of publication from the survey institution are not fulfilled.

Elements of Disseminating Electronic Information and/or Electronic Documents: This element involves distributing information to the public with the intention of making the public aware of the information and/or documents being distributed. When related to the dissemination of survey results, this element is fulfilled.

Elements of Knowing the Information Contains False News: This means that the information conveyed by the perpetrator is false. According to scientific research conducted by survey institutions that monitor the general election results for President and Vice President, these research results are not false information. Therefore, concerning the content of research results from survey institutions, this element is not fulfilled.

Referring to the study of criminal law theory related to the publication of research results conducted by researchers at survey institutions in Indonesia, if the research results are inaccurate or do not match the facts, then the inaccuracy of the survey data cannot be categorized as the act of "disseminating electronic information and/or electronic documents which they know contain false news, which causes unrest in society."

Accuracy of Survey Institutions' Research Results

The second issue pertains to the accuracy of research results conducted by survey institutions in monitoring the 2024 Presidential and Vice-Presidential elections. Research data predicting the electability of candidate pairs before the voting on February 14, 2024, and the quick count results conducted by survey institutions during the voting process, have shown a high degree of accuracy. Predictions regarding the electability of candidate pairs were validated by the quick count results, which used the multistage random sampling method. These results consistently indicated that candidate pair number 02, Prabowo Subianto and Gibran Rakabuming Raka, received the highest number of votes, totaling 96,214,691. This was followed by candidate pair number 01 with 40,971,906 votes, and candidate pair number 03 with 27,040,878 votes.

This consistency in the data suggests that the research results from survey institutions in monitoring and analyzing the 2024 general election can be trusted. The accurate predictions and quick count results demonstrate the reliability of these institutions in providing the public with dependable information. Consequently, the role of survey institutions is crucial in ensuring that the public receives accurate and trustworthy information about the electoral process, thereby enhancing transparency and confidence in the democratic process in Indonesia.

2004 Presidential Election

The history of quick counts in Indonesia's direct election process, particularly in the Presidential and Vice-Presidential elections, began with the country's first direct election in 2004. This innovation was driven by the public's desire to promptly know the election results. However, the General Election Commission faced numerous challenges in conducting these elections. Indonesia's vast geography, comprising 17,001 islands, many of which are remote and have minimal transportation and communication infrastructure, posed significant obstacles. For instance, remote islands often lack adequate communication facilities and rely on batteries for lighting.

To address these challenges and provide timely election results, albeit preliminary, the quick count method was introduced. This method offers a percentage-based indication of the likely winners shortly after voting concludes. The Institute for Economic and Social Research, Education and Information (LP3ES) pioneered the use of quick counts in Indonesia. Although LP3ES had considered quick counts since the New Order Era, it was only implemented during the 2004 Presidential election. According to the Kompas Daily News on July 6, 2004, LP3ES had tested the quick count method in the 1997 general election, focusing on the DKI Jakarta area. This trial accurately predicted the vote shares of PPP, Golkar, and PDI. In the 1999 general election, LP3ES extended its prediction efforts to the West Nusa Tenggara region. The success of these trials provided a scientific basis for using the quick count method nationally in the 2004 election.

During the 2004 election, LP3ES collaborated with the National Democratic Institute for International Affairs (NDI). As reported by Kompas Newspaper on April 7, 2004, the quick count involved projections, analysis, and direct observation of vote counting at 1,416 polling stations (TPS), covering a total of 289,052 voters. The sample size included 2,000 TPS across 32 provinces, with a margin of error of 1 percent and a 95 percent confidence level. Additionally, other survey institutions conducted Exit Polls, asking voters directly after they had voted to provide rapid results, often faster than the official counts.

In the 2004 Presidential election, five candidate pairs participated. LP3ES, a political observer at the time, predicted that the election would require two rounds. Below are images of the candidate pairs who participated in the 2004 Presidential election.



Figure 1. Participants of the 2004 Presidential Election

Source: id.wikipedia.org, 2004.

LP3ES forecasted that the Susilo Bambang Yudhoyono-Jusuf Kalla duo had a higher probability of winning the Presidential election in the second round on September 20, 2004, in comparison to the candidate duo Megawati Soekarno Putri-Hasyim Muzadi. The LP3ES poll findings were released, indicating that the SBY-Jusuf Kalla duo secured 55.9% of the vote, while Megawati-Hasyim Muzadi received 28.7%. The survey also revealed that 14.5% of respondents were uncertain, and 1.0% chose to abstain.

Susilo Bambang Yudhoyono-Jusuf Kalla emerged as the frontrunner in the first round of the Presidential-Vice Presidential election, garnering 33.574% of the votes. They were followed by Megawati Soekarno Putri-Hasyim Muzadi, who received 26.605% of the votes. In the second round, on October 4, 2004, the General Election Commission declared that the pair consisting of Megawati Soekarno Putri and Hasyim Muzadi received 44,990,704 votes (39.38%), while the pair consisting of Susilo Bambang Yudhoyono and HM Jusuf Kalla obtained 69,266,350 votes (60.62%).

Therefore, the forecasts made by LP3ES were proven to be precise. In 2004, the Susilo Bambang Yudhoyono-Jusuf Kalla duo emerged victorious in the election, securing 60.62% of the vote. They were then declared as the President and Vice President.

2009 Presidential Election

The 2009 Presidential election in Indonesia included three sets of candidates: Megawati-Prabowo (number 01), Susilo Bambang Yudhoyono-Budiono (number 02), and Jusuf Kalla- Wiranto (number 03). Based on a survey done by LSI between June 15-20, 2009, the Susilo Bambang Yudhoyono-Budiono duo was preferred by 67% of the participants, while Megawati-Prabowo received 16% support, and Jusuf Kalla-Wiranto obtained 9%. The significant lead of the SBY-Budiono pair suggested a strong likelihood of their victory in a single round of voting.

According to the rapid count findings from the LSI survey institute on April 9, 2009, the SBY-Budiono combination had 60.17% of the votes, while Mega-Prabowo had 27.27% and JK-Wiranto had 12.55%. This confirmed the previous poll forecasts of a decisive victory for the SBY-Budiono duo.

Susilo Bambang Yudhoyono and Budiono were formally declared as the President and Vice President-elect during the open Plenary Meeting of the General Election Commission on August 18, 2009, under KPU Decree Number 373/Kpts/KPU/2009. After being defeated, both the pairs of Megawati-Prabowo and Jusuf Kalla- Wiranto filed cases before the Constitutional Court to contest

the election results. The Constitutional Court, on August 12, 2009, dismissed the plaintiffs' allegations completely after a comprehensive trial process. The verdict affirmed the legitimate election of Susilo Bambang Yudhoyono and Budiono as the President and Vice President of the Republic of Indonesia from 2009 to 2014.



Figure 2. Participants of the 2009 Presidential Election

Source: Lembaga Survei Indonesia, 2009

Regarding the election of the President-Vice President candidate pair, the Indonesian Survey Institute (LSI) had previously published survey results indicating a 67% electability rate for the SBY-Boediono pair. However, the actual results of the election showed that Susilo Bambang Yudhoyono and Boediono received 73,874,562 votes, accounting for 60.80% of the total vote. This outcome highlighted a discrepancy, with LSI's prediction being 6.20% higher than the actual vote count for the SBY-Boediono pair.

2014 Presidential Election

In the 2014 Presidential-Vice Presidential election the candidates were Prabowo Subianto and Hatta Radjasa (serial number 01) running against Ir. H. Joko Widodo and Drs. H.M. Jusuf Kalla (serial number 02). The 2014 general election was conducted in two phases. The Legislative Election took place on April 9, 2014, followed by the Presidential Election on July 9, 2014. This election was held to choose the President and Vice President for the 2014-2019 period.



Figure 3. Presidential Election Participants, 2014

Source: kpu.go.id/gambar-paslon-pilpres/2014

Predictions regarding the electability of presidential-vice presidential candidate pairs have been widely discussed on social media. Credible survey institutions have conducted research to predict which candidates are likely to win the election. For instance, an Indo Barometer survey conducted from June 16–22, 2014, in 33 provinces with 1,200 respondents (margin of error 3.0%, confidence level 95%) predicted that the Jokowi- Jusuf Kalla pair would win over Prabowo-Hatta. The survey results showed Prabowo-Hatta with 42.6% electability, Jokowi-JK with 46.0%, and 11.3% of respondents undecided. Similarly, the Indonesian Survey Institute (LSI) conducted a survey from July 2-5, 2014, which indicated that the Jokowi-Jusuf Kalla pair was leading with 47.80% electability compared to Prabowo-Hatta's 44.20%. These predictions were validated when the General Election Commission's vote recapitulation confirmed that Jokowi-JK won the 2014 presidential election.

Quick count results from various survey institutions during the 2014 general election voting further supported this outcome.²⁴ For example, Kompas R&D reported 52.33% for Jokowi-JK and 47.66% for Prabowo-Hatta. Similarly, Indonesian Political Indicators showed 52.95% for Jokowi-JK and 47.05% for Prabowo- Hatta; SMRC reported 52.91% to 47.09%; LSI indicated 53.37% to 46.43%; and RRI found 52.68% to 47.32% in favor of Jokowi-JK.

On July 9, 2014, the General Election Commission officially announced that the Jokowi- Jusuf Kalla candidate pair, with serial number 02, won the contest with 70,997,833 votes (53.15%), while candidate pair number 01, Prabowo Subianto-Ir. H.M. Hatta Rajasa, received 62,576,444 votes (46.85%).

Despite the clear results, the Prabowo-Hatta pair expressed dissatisfaction and filed a lawsuit with the Constitutional Court. However, on August 6, 2014, at 11:37 WIT, the Constitutional Court rejected the plaintiff's lawsuit in its entirety, thereby officially declaring Ir. H. Joko Widodo and Drs. H.M. Jusuf Kalla as the President and Vice President of the Republic of Indonesia for the 2014-2019 period.

2019 Presidential Election

In the 2019 Presidential election, two candidate pairs competed for the highest office in Indonesia. The first pair, listed as serial number 1, consisted of the incumbent President Joko Widodo (Jokowi) and his running mate Ma'ruf Amin. This pair represented a continuation of Jokowi's leadership with a focus on stability and ongoing development initiatives.

Opposing them was the candidate pair listed as serial number 2, featuring Prabowo Subianto and Sandiaga Uno. Prabowo, a recurring figure in Indonesian politics, and Sandiaga, a successful businessman, campaigned on a platform of change, promising to address various economic and social issues differently.

These two pairs represented distinct political visions and ideologies, setting the stage for a highly contested and closely watched election.



Figure 4. Participants in the 2019 Presidential Election

Source: tribunnews.com, Faisal Zamzami/2019

In the 2019 Presidential-Vice Presidential election in Indonesia, the General Election Commission validated two pairs of candidates: incumbent President Ir. H. Joko Widodo and his running mate Ma'ruf Amin as candidate pair number 01, and Prabowo Subianto and Sandiaga Salahudin Uno as candidate pair number 02. The drawing of serial numbers for these candidates took place on Friday, September 21, 2018, at the Jakarta General Election Commission Head Office.

The vote counting results, recapitulated by the General Election Commission on Tuesday, May 21, 2019, revealed that the Joko Widodo-Ma'ruf Amin ticket received 85,607,362 votes, accounting for 55.50% of the total. In contrast, the Prabowo Subianto-Sandiaga Uno ticket garnered 68,650,239 votes, or 44.50%. This resulted in a vote difference of 16,957,123 votes, equating to an 11% margin.

Dissatisfied with the results, the Prabowo Subianto-Sandiaga Uno pair filed a lawsuit with the Constitutional Court. After thorough deliberation, the Constitutional Court issued Decision Number 01/PHPU-PRES/XVII/2019 on Thursday, June 27, 2019, which rejected the lawsuit in its entirety (Humas MKRI, 2019).²⁹ Consequently, Joko Widodo and Ma'ruf Amin were legally confirmed as the President and Vice President of the Republic of Indonesia

2024 Presidential Election

The 2024 Presidential Election is widely regarded as the most contentious and brutal election in the history of Indonesia's direct general elections from 2004 to 2024. A significant factor contributing to this perception is the extreme exercise of freedom of expression by certain groups and individuals who view it as an absolute right that cannot be curtailed. This sentiment was notably expressed by critic Rocky Gerung during the "Action Alliance of a Million Workers Ready to Fight the Omnibus Law" event, where he infamously called President Jokowi a "stupid bastard." Gerung's controversial remarks illustrate that, despite intense criticism, freedom of opinion remains protected under President Jokowi's administration. Although supporters of Jokowi reported Gerung to the police, and the case went to the Jakarta Court, he was ultimately acquitted of all charges, highlighting the state's commitment to safeguarding free speech.

The 2024 election period has seen an unprecedented flow of information and electronic transactions, which have often crossed the boundaries of free expression into outright brutality. Individuals have not only exercised their right to free speech but have also made public threats and insults against President Jokowi, the head of state and government. These actions have led to legal repercussions, with perpetrators being prosecuted and sentenced by the courts.

Several notable cases highlight the severe social conditions during this election cycle. On October 23, 2014, Muhammad Arsyad was arrested for creating and distributing a sexually explicit photo of President Jokowi and Megawati Soekarnoputri on Facebook. Arsyad was charged under

Article 29 of the Pornography Law Number 44 of 2008, and Articles 310 and 311 of the Criminal Code, resulting in a 12-year prison sentence. Similarly, Yulian Paongan, also known as Ongen, was sentenced to 12 years in prison for violating Article 27 paragraph 1 of Law Number 11 of 2008 and Article 4 paragraph 1 of Law Number 44 of 2008. Between December 12 and 14, 2015, Ongen posted 200 offensive tweets involving genitals and sexual intercourse, alongside a photo of President Jokowi and actress Nikita Mirzani at a film premiere.

These incidents underscore the harsh social climate surrounding the 2024 general election and the severe consequences faced by those who crossed legal boundaries in their criticisms of President Jokowi. Despite the challenges, the General Election Commission continues to oversee the electoral process, ensuring that the presidential and vice-presidential candidate pairs are determined and the democratic process is upheld



Figure 5. Participants in the 2024 Presidential Election

Source: Kompas.com/surat suara, 2023

The pre-election prediction results for the Prabowo-Gibran pair, as reported by multiple survey institutions, are as follows when compared to the quick count results at the time of voting: LSI Denny JA forecasted a 53.5% outcome, while a rapid count conducted during the voting process indicated a 58.6% result. The Indonesian Political Chart forecasted a result of 42.2%, however the rapid count yielded a higher figure of 57.81%. The Indonesian Survey Institute forecasted a percentage of 51.9%, whereas the rapid count indicated a higher percentage of 57.46%. The Indonesian Political Indicators forecasted a percentage of 51.8%, while the rapid count result showed a percentage of 58.08%. Poltracking Indonesia forecasted a result of 51.7%, while the quick count stands at 58.51%. The projected population centre was estimated to be 52.5%, but the fast count yielded a value of 59.8%.

The quick count results for candidate pair number 02, Prabowo Subyanto-Gibran Rakabuming Raka, were compared with the manual count determined by the General Election Commission on March 20, 2024. Decree Number 360 of 2024 confirmed that candidate pair number 02, Prabowo Subyanto-Gibran Rakabuming Raka, were elected as President and Vice President in the 2024 general election.

The study of research findings from survey institutions demonstrates that comparing rapid count results with the manual counts established by the General Election Commission provides evidence of the data's high level of accuracy and credibility as reported by these survey institutions. The General Election Commission's manual count results, particularly for candidate pair number 02, align with the margin of error established by the survey institutions' rapid counts carried out during the voting process. This exemplifies the dependability and accuracy of the survey institutes' methodology.

Table 6. Comparison of 2024 Presidential Election Results

Survey Institute	Candidate Pair Number: 02	
	Quick Calculation	Manual Calculation
Poltracking Indonesia	58,51%	58,59%
Charta Politika	57,81%	58,59%
LSI	57,46%	58,59%
Indikator Politik	58,08%	58,59%
LSI Denny JA	58,06%	58,59%
Populi Center	59,08%	58,59%

The average difference is still within the scope of the margin of error

Source: Kompas.id

4. Conclusion

This research comprehensively analyzes the accuracy of survey results in the direct election process for the president and vice president in Indonesia, drawing on data from credible and trustworthy survey institutions. The analysis addresses two key issues: the potential impact of criminal charges on the publication of survey results, particularly when these results are found to be inaccurate, and the overall reliability and precision of the research findings from these institutions.

Firstly, the investigation reveals that survey institutions in Indonesia have consistently provided accurate predictions that closely align with the final results determined by the General Election Commission. For instance, the predicted and quick count results for the Prabowo-Gibran pair from various survey institutions showed minimal deviation, demonstrating the credibility and precision of these surveys. The close alignment of the quick count results with the manual counts confirms that the methodologies employed by these institutions are robust and reliable.

Secondly, the research addresses concerns regarding the criminal implications of publishing inaccurate survey results. The analysis indicates that while there are accusations and distrust from certain segments of society towards these institutions, there is no substantial evidence to support claims of intentional manipulation or fraud. The survey institutions operate within established margins of error, and their predictions are generally accurate, suggesting that accusations of criminal misconduct are largely unfounded.

Furthermore, the research highlights the broader impact of survey results on public perception and the electoral process. Despite instances of sharp criticism and accusations of bias, the consistent accuracy of these survey results plays a crucial role in maintaining the integrity and transparency of the election process. The findings underscore the importance of reliable survey institutions in informing the public and contributing to a fair democratic process.

In conclusion, the data from credible survey institutions affirm the accuracy and reliability of their research results in Indonesia’s presidential and vice-presidential elections. The potential impact of criminal charges on these institutions appears to be minimal, given the high level of precision in their predictions. This research underscores the critical role that trustworthy survey institutions play in upholding the integrity of the electoral process and fostering public trust in democratic outcomes.

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