

HOAX IN LEGAL PERSPECTIVE AND LITERACY EDUCATION IN DIGITAL ERA

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Abstract

The rapid growth how information spreads all over the world is beyond human expectation. The information impact brings such both positive and negative impacts. One of the negative impact is hoax. This paper aims to provide a discussion how hoax seen from the law perspectives. The writer reviewed hoax in terms of law perspective and some advices offered to examine hoax news.

1. Introduction

The development of information technology is very fast, accompanying all aspects of life and human needs. This coincides with the discovery and development of science in the field of information and communication. With the accompanying development of information technology, communication technology developed rapidly. A term like cyber-communication technology emerges that allows us to use new communication technologies. The examples of communication technologies that use cyber or internet technology are e-mail, chat, and so forth. Internet in its development is an all-round media bias and it is simply the first source of information that allows users to find information according to professional, academic and personal needs.

In the realm of information technology a third world country is always a lagging user. All information technology from upstream to downstream is controlled by the developed countries that enable them to control the way. The use of information content circulating in the world. In modern society it is possible that information becomes the main point of development and progress of a society. Communicative media and information technology promise opportunities to increase speed and work efficiency. In 1910, it would be very difficult to get information from a place hundreds of kilometers away, but in the early decades of the 21st century, getting some information from places within thousands of kilometers takes only a few seconds.

This paper is an attempt to review the impact of advances in information technology on the dissemination of information among the public and how the attitude of information managers to the advancement of these technologies. The development of the application of information technology in the library and the center of documentation and information will have a wide impact, not only in the utilization or operation of the software, but also on the pattern of information dissemination in the community, especially addressing the dissemination of hoax news from the legal perspective and how literacy education should be mastered addressing the hoax news.

2. Internet Users In The World

Emarketer.com (2016) reported, internet users in the world reached 3.24 billion people. The top 10 largest internet users of the world are

1. China

Number of Internet Users: 700.1 million people
Population: 1.373.541.278 people
Ratio: 51%
Location: Continental Asia

2. India

Number of Internet Users: 283.8 million people
Population: 1.266.883.598 inhabitants
Ratio: 22%
Location: Continental Asia

3. United States

Number of Internet Users: 264.9 million people
Population: 323.995.528 people
Ratio: 82%
Location: North American Continent

4. Brazil

Number of Internet Users: 119.8 million people
 Population: 205,823,665 people
 Ratio: 58%
 Location: Continental South America

5. Japan

Number of Internet Users: 104.5 million people
 Population: 126,702,133 people
 Ratio: 82%
 Location: Continental Asia

6. Indonesia

Number of Internet Users: 102.8 million people
 Population: 258.316.051 people
 Ratio: 40%
 Location: Continental Asia

7. Russia

Number of Internet Users: 91.4 million people
 Population: 142,355,415 people
 Ratio: 64%
 Location: Euro-Asia Continent

8. Mexico

Number of Internet Users: 70.7 million people
 Population: 123,166,749 people
 Ratio: 58%
 Location: North American Continent

9. Nigeria

Number of Internet Users: 69.1 million people
 Population: 186,053,386 people
 Ratio: 37%
 Location: Continent of Africa

10. Germany

Number of Internet Users: 62.5 million people
 Population: 80,722,792
 Ratio: 78%
 Location: Continental Europe
 survey emarketer.com (2016)

Evident in 2016 developed world countries are using the internet facility is larger than the developing countries such as Indonesia. But what happens in 2017 can be seen in the following table

Table 2

| TOP 20 COUNTRIES WITH HIGHEST NUMBER OF INTERNET USERS - JUNE 30, 2017 | | | | | | |
|--|-------------------------------|-----------------------|-----------------------------|----------------------|------------------------|-----------------------|
| # | Country or Region | Population, 2017 Est. | Internet Users 30 June 2017 | Internet Penetration | Growth (*) 2000 - 2017 | Facebook 30 June 2017 |
| 1 | China | 1,388,232,693 | 738,539,792 | 53.2% | 3,182.4% | 1,800,000 |
| 2 | India | 1,342,512,706 | 462,124,989 | 34.4% | 9,142.5% | 241,000,000 |
| 3 | United States | 326,474,013 | 286,942,362 | 87.9% | 200.9% | 240,000,000 |
| 4 | Brazil | 211,243,220 | 139,111,185 | 65.9% | 2,682.2% | 139,000,000 |
| 5 | Indonesia | 263,510,146 | 132,700,000 | 50.4% | 6,535.0% | 126,000,000 |
| 6 | Japan | 126,045,211 | 118,453,595 | 94.0% | 151.6% | 26,000,000 |
| 7 | Russia | 143,375,006 | 109,552,842 | 76.4% | 3,434.0% | 12,000,000 |
| 8 | Nigeria | 191,835,936 | 91,598,757 | 47.7% | 45,699.4% | 16,000,000 |
| 9 | Mexico | 130,222,815 | 85,000,000 | 65.3% | 3,033.8% | 85,000,000 |
| 10 | Bangladesh | 164,827,718 | 73,347,000 | 44.5% | 73,247.0% | 21,000,000 |
| 11 | Germany | 80,636,124 | 72,290,285 | 89.6% | 201.2% | 31,000,000 |
| 12 | Vietnamese | 95,414,640 | 64,000,000 | 67.1% | 31,900.0% | 64,000,000 |

| | | | | | | |
|-----------------------------------|--------------------------------|---------------|---------------|-------|-----------|---------------|
| 13 | United Kingdom | 65,511,098 | 62,091,419 | 94.8% | 303.2% | 44,000,000 |
| 14 | Philippines | 103,796,832 | 57,607,242 | 55.5% | 2,780.4% | 69,000,000 |
| 15 | Thailand | 68,297,547 | 57,000,000 | 83.5% | 2,378.3% | 57,000,000 |
| 16 | Iran | 80,945,718 | 56,700,000 | 70.0% | 22,580.0% | 17,200,000 |
| 17 | France | 64,938,716 | 56,367,330 | 86.8% | 563.1% | 33,000,000 |
| 18 | Turkey | 80,417,526 | 56,000,000 | 69.6% | 2,700.0% | 56,000,000 |
| 19 | Italy | 59,797,978 | 51,836,798 | 86.7% | 292.7% | 30,000,000 |
| 20 | Korea, South | 50,704,971 | 47,013,649 | 92.7% | 146.9% | 17,000,000 |
| TOP 20 Countries | | 5,038,740,614 | 2,818,277,245 | 55.9% | 944.1% | 1,326,000,000 |
| Rest of the World | | 2,480,288,356 | 1,067,290,374 | 43.0% | 1,072.2% | 653,703,530 |
| Total World Users | | 7,519,028,970 | 3,885,567,619 | 51.7% | 976.4% | 1,979,703,530 |

Data by internetworldstats.com

Utilization of information technology and its development in Indonesia is very rapid, especially among industry, banking, offices and other institutions. The presence of information technology it is unlikely that we avoid in institutions that move in the field of libraries, documentation and information (pusdokinfo).

3. Positive Impacts of the Internet and Social Media

3.1 Accelerate the flow of information

The current information flow becomes very fast, even tends to be uncontrolled to date. However, this is one of the positive effects, because it can provide information about an event quickly, although sometimes inaccurate and inaccurate. The flow of information with feedback that is characteristic of information systems becomes one of the factors of visible information and communication development. In order to provide individual benefits for each user. To sum up the development of computer networks become more rapidly with increasing internet usage.

3.2 Facilitate access to the latest information

It is one of the domino effects of the increasing flow of information. With the rapidly growing information and communication technology, then anyone will be able to obtain information easily. Access to this information can be done anytime, anywhere, and from anyone. This will help the individual in improving the information and knowledge it possesses, although sometimes the reliability and validity of the information is questioned.

This is a sign that the use of the Internet to communicate to be one of the most desirable choice. Because it can connect to every person in every part of the world. This is where the role of computer network benefits as one source of internet usage becomes more optimal.

3.3 Social media

Social media is also another positive impact of the development of information technology and communications. Social media can provide a lot of benefits, one of which is able to make friendship between individuals with new people, and add relationships among people.

3.4 Assist individuals in seeking information

In searching for new information and still warm, the information technology and also very important role of communication. With the flow of information becomes much faster, then the individual will become easier in finding the desired information.

The role of the Internet on student achievement becomes one of the specter that is quite calculated. In this case students can explore the minds and lesson materials in their school by accessing the wider information in each subject. So that students have a mind that not only scope from school but from outside the school globally.

3.5 Media Entertainment

The use of information and communication technology is the next in terms of entertainment. Information technology as well as current communication support the entertainment media is very diverse for everyone. Examples of entertainment media such as games, music, and also video, many people who can be lost and also out of stress because of the entertainment offered by the development of information and communication technology.

The function of technology and information and communication can also be one of the entertainment options is quite simple for some people. Not only as a medium of information, can the use of the internet be one of the things to refresh mind, had for example by watching a lot of videos spread on the internet. However, it should be noted that this entertainment media as a positive thing to eliminate a boredom instead of accessing negative content that bring adverse impact to the user.

3. 6 Facilitate communication with other distant individuals

Communication is one of the most important things that humans have to do, as social beings. With the existence of information technology and also communication, then at this time to be able to communicate with other people become much easier. If in the past we have to wait for days using the post, then now, with the development of information and communication technology, we can send messages within seconds, quickly and easily.

This is one of the factors driving the cause of rapidly developing computer technology. Chatting becomes a favorite thing for some people, especially nowadays the use of smartphones is increasing dealing with all aspects.

3.7 Sharing files

The files and documents are now a requirement of everyone. Both of music files or important documents, can be shared by using the internet which is a product of information technology and also communication. Each user can share files and documents easily, even we can now store files that we have easily in the cloud storage, or storage media on the internet.

Activities to share files to the user's destination would require security safe enough for the data in the share remains secret until the user in question received. How to maintain computer network security needs to be considered for data to be shared awake.

3. 8 Improving education

The most noticeably impact from the development of information and communication technology is in the field of education. Lesson material and everything related to education will become easier to access and obtain. So this will also help to increase the effectiveness and efficiency of the educational needs itself for every individual in everyday life.

This is the benefit of learning computer science that can be used to help complete schoolwork and college assignments. The role of technology is undoubtedly also contributes to the development of the world of education is more extensive, and more advanced for the future.

3.9 As a location for buying and selling business

Currently, there are many new jobs generated thanks to the development of information technology and also communication, namely online shop and also online business. This shifts the superiority of goods sales through physical stores, because it is considered cheaper, practical and also more efficient in terms of marketing its products. With this online store, more and more job opportunities increase, where people who did not have a job can finally have a job by selling online. This is where the information system functions are needed, can also use online communication media as a means of promoting business.

3. 10 Helps solve problems easily

Information technology as well as communications turned out to also have a positive impact in terms of problem solving. With improved communication and fast information flow, information and communication technologies can be the solution to your problems.

4. Negative Impacts of the Internet and Social media

In addition to positive influence, the use of internet and social media also bring negative impacts as follows:

- 4.1 Individuals become lazy to socialize physically
- 4.2 Increased fraud as well as cyber crime
- 4.3 Cyber Bullying
- 4.4 Negative content is growing rapidly
- 4.5 Defamation and also defamation widely
- 4.6 Keep it close
- 4.7 Ignoring the task and also the job
- 4.8 Wasting time for useless things
- 4.9 Decrease in learning achievement and also ability of one's work

In connection with the negative impact, this paper will talk about the news hoax is so fast and easy development and its distribution reviewed in the perspective of law.

5. Cyber Law in Indonesia

The Law on Cyber Law has been regulated in Law Number 11 Year 2008 concerning Electronic Information and Transactions (ITE) of Law 19 Year 2016 on Amendment to Law Number 11 Year 2008 regarding Information and Electronic Transactions. It is also supported by other laws and regulations.

5.1 "The principle of legal certainty" means a legal basis for the utilization of information technology and electronic transactions as well as everything that supports its provider to obtain legal recognition inside and outside the court.

5.2 " Principle of benefit " means the principle for the utilization of Information Technology and Electronic Transactions strived to support the process of information so as to improve the welfare of the community.

5.3 "The principle of prudence" means the foundation for the parties concerned must pay attention to all aspects that potentially bring harm, both for himself and others in the utilization of Information Technology and Electronic Transactions.

5.4 "Good faith principle " means the principle that the parties use in conducting Electronic Transactions is not intended to intentionally and without rights or against the law result in harm to others without the knowledge of the other party.

5.5 "The principle of freedom to choose technology or technology neutral" means the principle of the use of Information Technology and Electronic Transaction is not focused on a particular technology so that users can follow the development in the future.

6. Hoax in the Legal Perspective

The definition of HOAX is (1) an act aimed at deceiving or deceiving, and (2) making something a general truth through deliberate fabrication and lies. "Hoax is an attempt to deceive or outsmart the reader / listeners to believe in something, whereas the false creator of the news knows that the news is a lie.

Legislation rule is to combat and prevent the spread of negative impact hoax, among others:

- Article 28 paragraphs 1 and 2 of Law no. 11 of 2008 on ITE,
- Articles 14 and 15 of Law no. 1 year 1946,
- Articles 311 and 378 of the Criminal Code, as well as
- UU no. 40 of 2008 on the Elimination of Race and Ethnic Discrimination

The threat of punishment to Hoax mentioned in the legislation is intended and applicable to the dissemination of information that harms individuals or groups of persons. If a false information (Hoax) is harmful to a person, then the act can be applied to the provisions of Article 311 of the Criminal Code (slander) or Article 378 (fraud) and if done through the internet media applied the provisions of Article 28 paragraph (1) UU ITE (harm consumers), whereas if the false news (hoax) is detrimental to the community or group of people can be applied Article 14 and 15 of Law no. 1 year 1946 and Article 28 paragraph (2) UU ITE in case done through electronic transactions, internet.

The responsibility to stop Hoax is not only on the government and law enforcement officers, but it can also be extended to the owners or providers of social media such as FB, Twitter, Youtube and the like against the blocking of sites, if the Government is not careful can get caught up in actions that could be interpreted as "limiting the minds of people".

7. Urgency of Education Literacy M edia

The World's Most Literate Nations (WMLN) research on the world's 2016 literacy rate places Indonesia on the 60th of 61 countries surveyed. Indonesia is one level above Botswana, a small country in the African continent with a population of 2.1 million. The low literacy community is the perfect place for the development of hoax news. It is reported that the tweets of Indonesian society in social media is the highest in the world. Throughout 2016 and the number of Twitter users chirp reached 4.1 billion.

In conjunction with the hoax news spread, this level of tweets is not an indicator that the Indonesian people have understood about media literacy education. Livingstone (2004) says there are four components of media literacy: (1) Access (Access), (2) Analysis (analysis), (3) Evaluation, (4) Content Creation equally united as a skill based media literacy.

The Government of Indonesia along with its ranks and the public care about the hoax news collected in the Indonesian Society of Anti Hoax, through its Chairman Septiaji Eko Nugroho outlines five simple steps that can help in identifying which hoax news and where the original news is. Here's the explanation:

- Be aware of provocative titles

If we find premises news n provocative title, we should find a reference in the form of similar news from the official online site, then compare its contents, whether the same or different. Thus, at least we as a reader can get a more balanced conclusion.

- Pay close attention to the site address

According to Press Council records, in Indonesia there are around 43.000 sites in Indonesia that claim to be news portals. Of these, which has been verified as an official news site is not up to 300. This means there are at least tens of thousands of sites that have the potential to spread false news on the internet that must be wary of.

- Check the facts

Another thing that needs to be observed is the difference between news made based on facts and opinions. Facts are events that occur with testimony and evidence, while opinions are opinions and impressions from news writers that have a tendency to be subjective.

- Check the authenticity of the photo

The way to check the authenticity of photos can be by utilizing the Google search engine, namely by drag-and-drop into the Google Images search field. The search results will present similar images contained on the internet so it can be compared.

- Opt into an anti-hoax discussion group

On Facebook there are a number of fanpage and anti-hoax discussion groups, such as Anti-Fitnah, Hasut, and Hoax Forums (FAFHH), Fanpage & Group Indonesian Hoax Buster, Fanpage Indonesian Hoaxes, and Lifeboats.

8. Conclusion

Based the above mentioned review, it is clear that the information current cannot be limited since the internet provides one-touch instruction to obtain whatever we want. Yet the hoax is used to manipulate news particularly in terms of negative purposes. Therefore by examining the law towards hoax, it is hoped that the spread of any kind of information must be taken into account and we must be able to be a wiser internet user, moreover if we intend to share the information.

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