

ROLE OF TEACHER IN FIGHTING HOAX IN INDONESIA

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Abstract: *the article discusses on how Indonesian law tackles the dangers of hoaxes especially the role of teacher as educator in fighting it using a normative-juridical method of research. The result shows that there are obstacles that hinders the Indonesian Laws in Handling Hoaxes in the form of several factors that cause hoaxes to spread in Indonesia, such as the low interest in reading Indonesian people, and the low legal authority of Indonesia which is triggered by several factors such as the inability of the government to resolve cases of human rights violations which result in a low level of public trust in the government as can be seen from the many Hoax news that is spread, most of which often discredit or corner the government. To prevent this, it is necessary to make efforts to increase interest in reading for the community, and that effort can come from teacher as educator by campaigning for Turn-Back Hoax through not only their student but also to the community and for the government to increase the authority of the law by providing a positive image to the community.*

Key Words: Role; Hoax; Teacher

Introduction

The existence of social media for today's society has become an irreplaceable thing. We seem to feel the freedom as free as possible in communicating. This condition needs to be a concern because the sender of the message does not see the recipient of the message directly, the sense of "empathy" between the sender and the recipient of the message becomes low and it is easy for both the giver and recipient to get emotional (Dedi Rianto; 2017). This situation becomes complicated when irresponsible elements use it to spread information and hoaxes for the benefit of certain individuals or groups. In fact, not a few aim to divide the nation.

Finding valid information on the internet has now become quite difficult. The Mastel survey (2017) revealed that of 1,146 respondents, 44.3% of them received hoax news every day and 17.2% received it more than once a day. Even mainstream media that are relied on as trustworthy media are sometimes contaminated with the spread of hoaxes. Mainstream media is also a channel for disseminating hoax information/news, each at 1.20% (radio), 5% (print media) and 8.70% (television).

Hoax is also widely circulated in the community through online media. Research conducted by Mastel (2017) states that the most widely used channels for spreading hoaxes are websites, at 34.90%, chat applications (Whatsapp, Line, Telegram) at 62.80%, and social media (Facebook, Twitter, Instagram, and Path) which are the most used media, reaching 92.40%. Meanwhile, data presented by the Ministry of Communication and Informatics states that there are 800,000 sites in Indonesia that are indicated as spreading hoaxes and hate speech (Pratama, 2016).

Several studies have concluded that the presence of hoaxes is very dangerous and has a negative impact on various aspects, such as politics, economy, social, and culture. Situngkir research (2017) with the title "Spread of Hoax in Social Media". The results of the study concluded that Twitter, which changed the microblogging service, is one of the effective media for spreading news from person to person at a speed comparable to conventional mass media. Hoaxes have a large population coverage in five to six tweets and are potentially exponentially larger unless conventional media stops the spread of the hoax.

The problems mentioned above certainly have a negative impact on various fields in society and the state where one of the sectors that are quite affected is the legal sector. The rise of hoaxes in Indonesia certainly affects the authority of Indonesian law, because the rise of hoaxes indirectly proves that the law in Indonesia is still not able to handle this.

Based on the above, the authors are interested in studying how Indonesian law tackles the dangers of hoaxes especially the role of teacher as educator in fighting it in an article with the following main problem:

1. What are the obstacles that make Indonesian law less capable in dealing with the dangers of hoaxes?
2. What are the role of teachers should be in fighting hoaxes in Indonesia?

Method

This study uses a constructivist legal research paradigm approach. The constructivism paradigm in the social sciences is a critique of the positivist paradigm. According to the constructivist paradigm of social reality that is observed by one person cannot be generalized to everyone, as positivists usually do.

This research uses descriptive-analytical research. Analytical descriptive research is a type of descriptive research that seeks to describe and find answers on a fundamental basis regarding cause and effect by analyzing the factors that cause the occurrence or emergence of a certain phenomenon or event.

The approach method in research uses a method (*socio-legal approach*). The sociological juridical approach (*socio-legal approach*) is intended to study and examine the interrelationships associated in real with other social variables (Toebagus, 2020).

Sources of data used include Primary Data and Secondary Data. Primary data is data obtained from field observations and interviews with informants. While Secondary Data is data consisting of (Faisal, 2010):

1. Primary legal materials are binding legal materials in the form of applicable laws and regulations and have something to do with the issues discussed, among others in the form of Laws and regulations relating to the freedom to express opinions in public.
2. Secondary legal materials are legal materials that explain primary legal materials.
3. Tertiary legal materials are legal materials that provide further information on primary legal materials and secondary legal materials.

Research related to the socio-legal approach, namely research that analyzes problems is carried out by combining legal materials (which are secondary data) with primary data obtained in the field. Supported by secondary legal materials, in the form of writings by experts and legal policies.

Result And Discussion

A. Obstacles That Make Indonesian Law Less Capable In Dealing With The Dangers Of Hoaxes

Hoax has a definition, namely a news or statement that has invalid information or fake news that does not have certainty that is deliberately disseminated to make things excited and cause fear. However, there are also hoaxes that are deliberately created to make the way of thinking about something misguided because they are deceived by hoax news or opinions. If previously this hoax was widely disseminated via short message service (SMS) or email, then hoaxes are now circulating more in social media such as Instagram, Facebook, Twitter, Path, Whatsapp, and certain blogs.

Crime is a basic understanding in criminal law. Crime is a juridical understanding, it is different from the term evil act or crime. In formal juridical, crime is a form of behavior that violates the criminal law. Therefore, every act that is prohibited by law must be avoided and anyone who violates it will be subject to punishment. So certain prohibitions and obligations that must be obeyed by every citizen must be included in laws and government regulations, both at the central and regional levels. (Lamintang; 1996).

Crime is a human behavior that is formulated in the Act, against the law, which deserves to be punished and committed with error. (Andi; 2001) Based on this definition of a criminal act, it can be said that the spread of hoax news or false news is a criminal act because it violates article 28 paragraph 1 of Law Number 11 of 2008 concerning ITE which reads: "*Everyone intentionally and without rights spreads false and misleading news that results in consumer losses in electronic transactions.*"

The offense in Article 28 paragraph (1) fulfills the following elements:

1. Everyone here is shown to the perpetrators of the hoax spreaders
2. Error: intentionally, intentionally which can be interpreted as a form of intentional and without right to spread false and misleading news, proven to have committed in carrying out the offenses threatened in the article.
3. Against the law: without rights here without rights is defined as against the law, namely without the existence of one's own rights (zonder eigen recht), contrary to the law in general (in strijd met het recht in het algemeen), contrary to one's personal rights (in strijd met het recht). een anders subjectieve recht), contrary to objective law (tegen het objectieve recht), in spreading false news or hoaxes is an act that is against the law and against personal rights
4. Actions: spreading someone because they have spread news that is not in accordance with the facts.

5. Object: fake news is the same as being fake, meaning that something broadcast contains things that are not true. There is a similarity with being misleading, namely the content of what is broadcast contains things that are not true and misleading to tell an empty news, but also tells incorrectly about an event. A news story that tells incorrectly about an event. Because the element formulation uses the word "and", it means that both elements must be met for sentencing. namely spreading false news (not in accordance with the real thing/condition) and misleading (causing someone to hold wrong/wrong thoughts). If the fake news does not cause a person to have a wrong view, then no punishment can be carried out.
6. Constitutive consequences: resulting in consumer losses in electronic transactions. What results in consumer losses in electronic transactions are all forms of loss, not only losses that can be valued in money, but all forms of losses. For example, the emergence of feelings of anxiety, shame, distress, loss of hope to get pleasure or some benefit. This last element requires that false and misleading news must result in a consumer loss. This means that no criminal prosecution can be carried out, if there is no consumer loss in electronic transactions. The criminal sanctions in Article 28 paragraph (1) are contained in Article 45 paragraph (1), namely a maximum imprisonment of 6 (six) years and/or a maximum fine of Rp. 1.000.000.000,00 (one billion rupiah).

Currently, Indonesia in enforcing the spread of hoaxes adheres to the legal basis for handling negative content which is currently listed in the amendment to the ITE Law Article 40 paragraph (2) of Law No. 19 of 2016 concerning Amendments to Law No. 11 of 2008 concerning Electronic Information and Transactions, Article 40 paragraph (2a) of Law No.19 of 2016 concerning Amendments to Law No.11 of 2008 concerning Electronic Information and Transactions. Then, Article 40 paragraph (2b) of Law No.19 of 2016 concerning Amendments to Law No.11 of 2008 concerning Information and Electronic Transactions, to Regulation of the Minister of Communication and Informatics No.19 of 2014 concerning Handling of Sites with Negative Content.

In order for a piece of information to be considered a hoax based on the applicable law, there are two criteria that must be met (Kominfo; 2017). First, fake news must have the subject value of the object that is harmed. Second, it violates Article 28 paragraph 2 of Law No. 11 of 2008 concerning Information and Electronic Transactions which reads:

"Every person intentionally and without rights distributes information that is intended to cause hatred or hostility to certain individuals and/or community groups based on ethnicity, religion, race, and intergroup (SARA)"

To be able to find out what obstacles arise from the difficulty of overcoming the spread of hoaxes, it is necessary to first see why the spread of hoaxes can occur in Indonesia. As seen in Kompasiana (2018), there are several factors that cause someone to create or spread hoax news. The following are some of the causes and reasons why people still believe hoax news and spread it, among others:

1. Lack of Interest in Reading

Interest in reading in Indonesia is still low, which is ranked 60th out of 60 countries. Where this is expressed by Muh. Syarif Bando as the Head of the National Library. Due to the low interest in reading, some news readers only read part of the content of the news, some even only read the title. Whereas hoax news can be identified if we read it carefully and in its entirety.

2. Easy to Believe

Based on a survey conducted by the TNS Office in the 2017 Connected Life research, it was concluded that 61 percent of Indonesian consumers are happy to trust the information they get. This is inversely proportional to the world's population, where 1 in 3 (35 percent) of the world's population considers the content they see can be trusted.

3. Want to be the most updated person

Often when we access social media, information appears either from a friend's account or from a news-loading website. Some people will be very "excited" if they get the information they like, so they immediately share it without going into the details of the information first with the excuse "to be the first to know". This is one of the reasons and causes why hoax news spreads quickly.

4. Get Information from Trusted People

Some people disseminate information without analyzing it first because they feel that the person providing the information can be trusted. Getting information from trusted people, such as family or close people, does not mean that the news is valid and trustworthy. Detailed analysis and deepening of the information still need to be done.

In connection with the fact above, the author tries to relate it to Article 1 paragraph (3) of the 1945 Constitution which reads: "*The State of Indonesia is a state of law.*". the meaning of this article is the concept of independence which can be seen from the application of the concept or pattern of the rule of law that it adheres to. The concept adopted by our country is adapted to the conditions in Indonesia, namely Pancasila. The Unitary State of the Republic of Indonesia as a legal state based on Pancasila must have certain aims and objectives, namely aiming to realize the life order of our country, a country that is safe, peaceful, safe and prosperous, and orderly where the legal position of every citizen is guaranteed so that harmony, balance, and stability can be achieved. harmony between individual interests and group (society) interests. The concept of a constitutional state of Pancasila means a legal system that is founded on the principles and rules or norms contained/reflected by the values that exist in Pancasila as the basis of social life. But in reality, with the rise of hoaxes that often discredit the government, this has become questionable.

Marojahan (2011) in his article entitled "*uncovering the decline in legal authority in Indonesia*" tries to uncover why the legal authority in Indonesia is low, there are several factors that need to be underlined. The first is the government's ability to enforce human rights. Marojahan postulated that the government's inability to resolve cases of human rights violations that occurred in Indonesia such as the Trisakti Incident, the Semanggi Tragedy, the Tanjung Priok incident, Bulukumba, Abepura, and many others resulted in people becoming pessimistic about the government's performance so that the legal authority in Indonesia was low. This, coupled with the factors causing the Hoax above, such as the low level of reading ability of the Indonesian people resulted in the high number of Hoax spreading so that if this is not handled immediately it can become a ticking time bomb that can threaten national unity.

B. Role Of Teachers Should Be In Fighting Hoaxes In Indonesia

Prevention of the negative impact of the rise of "hoaxes" in the midst of society is the obligation of all parties. The government has a role in preventing and eradicating the spread of "hoaxes" by issuing regulations. Teachers as educators of the nation's generation have an important role in preventing the emergence and spread of hoaxes. Education to students about the characteristics of hoaxes, their negative impacts, and how to prevent them is a must. The things that teachers can do at school and at home are: cultivate literacy, pioneer and promote the "turn back hoax" movement and provide a complete understanding of the dangers of "hoaxes".

Literacy is the main basic capital in fighting "hoaxes". Literacy is not only limited to the ability to read but also the ability to analyze a text and to understand and write down ideas. Good literacy will cause students to be accustomed to using common sense and logic in responding to "hoaxes" and to be more careful in dealing with them because they are willing to read and compare. On the other hand, if the literacy movement is not encouraged, we will often find someone whose hobby is only to "copy-paste" and "share" information without wanting to study and examine it which in turn will lead to the rise of "hoaxes".

The thing that teachers can do is pioneer the "turn back hoax" movement. The intended movement contains; clarifying news stories, comparing, and discussing them. This movement aims to ward off and prevent "hoaxes". Exemplary is the key to the success of a movement. When we as teachers want students, to fight "hoaxes", then we must start first by providing examples and real examples. For example, when you get information, you should not directly share it on other social media without first confirming the truth of the information.

They also have to convey an understanding of the negative impact of "hoaxes" in full in a language that can be accepted, especially by students. As stated above, "hoax" has a terrible impact. Among them are causing unrest in the community, harming those who are slandered and the most important thing we must understand is spreading "hoaxes" including one of the acts of sin. In the concept of Islamic teachings, Allah has given warnings and

instructions regarding steps to deal with "hoaxes", as stated below: "O you who believe, if a wicked person comes to you with news, then examine it carefully so that you do not inflict a calamity to a people without knowing the situation that causes you to regret what you did. (Sura' al-Hujurat:6).

ased on the quote from the verse above, it is mentioned that people should have checked the truth of the information carefully and thoroughly. In the current context, people are required to be careful in receiving news from any media, especially media whose contents are full of hatred towards other parties. Producing or disseminating information with the aim of justifying what is wrong or blaming the right, in order to hide the truth and deceive the public, is illegal. The steps mentioned above can not only be applied at school, but we can also practice it in our family and also convey it to work friends. Because basically with the continuity of preventive measures, education to students and the community, also coupled with the cooperation of all parties, the dangers of "hoaxes" can be minimized or even eliminated.

Conclusion

Hoax news or false news is a criminal act for violating Article 28 paragraph 1 of Law Number 11 of 2008 concerning ITE with the threat of imprisonment for a maximum of 6 (six) years and/or a fine of a maximum of Rp. 1.000.000.000,00 (one billion rupiah). There are several factors that cause hoaxes to spread in Indonesia, such as the low interest in reading Indonesian people, and the low legal authority of Indonesia which is triggered by several factors such as the inability of the government to resolve cases of human rights violations which result in a low level of public trust in the government as can be seen from the many Hoax news that is spread, most of which often discredit or corner the government. To prevent this, it is necessary to make efforts to increase interest in reading for the community, and that effort can come from teacher as educator by campaigning for anti-hoax through not only their student but also to the community and for the government to increase the authority of the law by providing a positive image to the community.

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