

Student's Digital Law Knowledge About Hoax: Study at SMA Batik 2 Surakarta

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ABSTRACT

The development of this modern era requires every human being to be fluent in technology. There are so many positive sides to technology that humans can get. Nevertheless, there is also a negative side to the existence of technology. One of them is the growing number of crimes in cyberspace. Hoax is one of the crimes committed in cyberspace. This study describes the digital legal knowledge of students about Hoaxes. This study used a sample of 206 students at SMA Batik 2 Surakarta. This research uses qualitative research methods with purposive sampling techniques. Data were taken using interviews, observations, and questionnaires. The results showed that students were digital citizens, and their digital legal knowledge about hoaxes was still lacking. Citizenship Education is one of the subjects in schools that can teach legal provisions regarding hoaxes. Policy recommendations that can be given are as follows, (1) Teachers can use various interactive learning models where students can actively seek and understand the legal provisions regarding hoaxes. In addition, the teacher must also be active and creative in linking the subject matter with legal regulations regarding hoaxes. (2) The government must always improve the curriculum's content to develop according to the needs of students in the present.

INTRODUCTION

Technology is an innovation that is very useful and useful for life in today's era. The emergence of this technology raises positive and negative sides due to its use. However, in today's era, technology is like a necessity where human activities currently use technology. The technology that is currently developing is changing human life to be instantaneous. Behind the extraordinary benefits, the use of this technology has a negative impact as well. One of the impacts currently circulating in the community is the spread of hoaxes. Technology makes communication between individuals easier. The emergence of applications that can connect individuals. Apart from communicating, The application also provides facilities for individuals to be able to post their activities/information. This hoax arises due to irresponsible technology users. They spread information that is not necessarily true to the public media. So that others easily access it. It becomes a danger if the information can change the reader's mind to believe it.

In Indonesia, based on the 2019-2020 Indonesian Internet Service Providers Association (APIII) survey, it was stated that 196.71 million people out of 266.81 million Indonesians use the internet

(<https://apjii.or.id/> survei accessed on 10 June 2021). It can be said that 73.7% of Indonesia's population uses the internet. More than half of Indonesia's population uses the internet. The Indonesian population who use digital technology is dominated by the digital native group, which is 71.2%. The rest are 40 years and over or referred to as the digital immigrant group. So it can be concluded that internet users in Indonesia are dominated by millennials born together with the existence of technology. While based on work, students occupy the highest order using the internet, which is 9.4% (<https://apjii.or.id/survei> accessed on 10 June 2021). From the survey, it can be seen that the people who use the internet the most are teenagers or students.

Based on data from the Ministry of Communication and Information (Kominfo), there were 1,731 hoaxes identified, verified, and validated by Kominfo from August 2018 to April 2019 (https://kominfo.go.id/content/detail/18440/temuan-kominfo- hoax-most-most-circulated-April-2019/0/serotan_media: accessed 30 April 2020). The details are as follows:

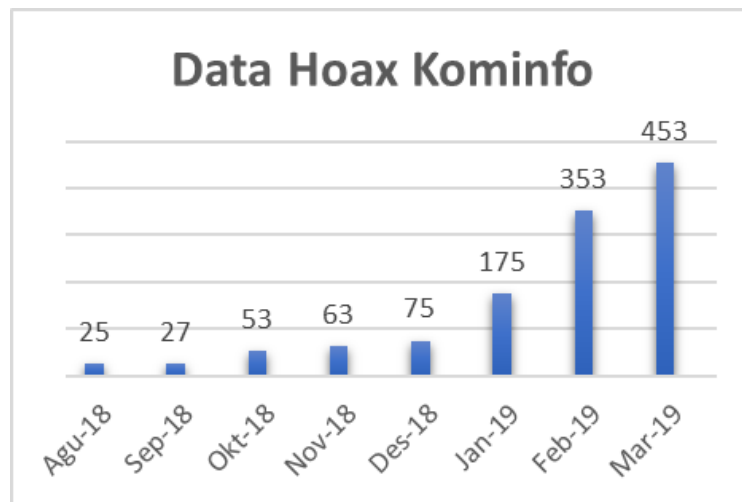


Figure 1.1 Kominfo Hoax Data

The Indonesian Telematics Society (Mastel) surveyed the 2019 National Hoax outbreak (<https://mastel.id/hasil-survey-wabah-hoax-nasional-2019/> accessed on 30 April 2020). From the survey, there are the following results:

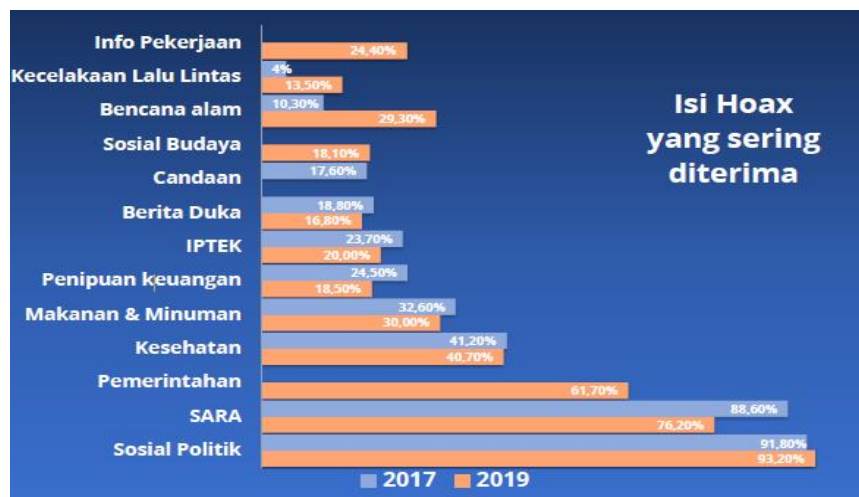


Figure 1.2 Mastel Hoax Data

Digital Citizenship

The digital era is a life where technology is developing very rapidly. In this era, all people in various worlds use digital technology in their lives. This digital era then gave rise to the digital citizen

or Digital Citizen. [Schuler\(2002\)](#) defines digital citizens as “the characteristic of a genuine “digital city.” The digital citizen is a characteristic of a genuine digital city. In addition, Digital Citizen is also defined as “those who use the Internet regularly and effectively” ([Mossberger, Tolbert & McNeal, 2011](#)). Therefore, digital citizens are those who use the internet regularly and effectively.

Teaching or knowledge about Digital Citizenship or digital citizenship is needed to form a digital citizen. According to [Mossberger & Tolbert \(2008:1\)](#), “Digital citizenship is the ability to participate in society online.” Therefore, Digital citizenship is the ability to participate in an online society. Besides that, [Ribble and Bayley \(2007: 10\)](#) also explain the concept of digital citizenship, where digital citizenship relates to appropriate behavioral norms that guide citizens in using technology in the digital age to be appropriate and responsible.

[Ribble & Bailey \(2007\)](#) describe nine areas of behavior that must be possessed by digital citizenship, namely: access, commerce, communication, literacy, etiquette, law, rights and responsibilities, health and wellness, security (self-protection).

1. Digital access; The opportunity for citizens to participate in the digital world. Using or accessing technology is one of every citizen’s digital rights.
2. Digital commerce; Digital Commerce is in the form of knowledge and understanding of the characteristics of these digital transactions, knowledge of secure sites, the use of payment instruments, and moving on to become rational and responsible consumers.
3. Digital communication; A person’s ability to communicate with others. Digital Citizen must understand well the characteristics of each, the impact of its use, and how to use it properly.
4. Digital literacy; The ability to interact in the digital world using this technology includes knowing the devices used, the media chose, the goals to be achieved.
5. Digital ethics; Standards and rules in the use of the digital world must also be considered in such a way as to create harmony among users and not cause chaos and conflict in society at large.
6. Digital law; relates to the accountability of every practice of using digital media. Digital Law is in the form of regulations or legal provisions that regulate human activities when using digital media.
7. Digital rights and responsibilities; Digital citizens have the right to privacy, freedom of speech, etc. Fundamental digital rights must be considered, discussed, and understood in the digital world. With these rights also come responsibilities. In a digital society, these two fields must work together so that everyone can be productive.
8. *Digital health and wellness*; Of course, digital technology must be used to make human life more appreciative of health, and technology in the digital world can be utilized. Therefore, Digital Citizenship encompasses a culture where technology users are taught how to protect themselves through education and training.
9. Digital security; Information shared in cyberspace should also be protected. Therefore, it is necessary to understand the caution and safety of using digital media.

Digital Law

Digital Law regulates the etiquette of using technology in society. Digital law creates awareness among the public to comply with the law and technology ethics in a society so that actions and actions can be controlled and predicted. Arrangement regarding digital law in Indonesia is regulated in the 1945 Constitution, the Criminal Code, Law no. 11 of 2008, Law no. 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Information and Electronic Transactions, Law no. 1 of 1946 concerning Criminal Law Regulations, Regulation of the Minister of Communication and Information No. 19 of 2014 concerning the Handling of Internet Sites with Negative Content in the Indonesian legal system. Several regulations (laws) are currently the reference for regulating Hoax issues, where each regulation has different qualifications for action with different legal responsibilities.

Criminal responsibility for the perpetrators of the crime of spreading false news (Hoax) in online media, based on the provisions of the legislation, are as follows:

First, Article 28 paragraph (1) Law Number 11 of 2008 concerning Information and Electronic Transactions modified by Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Information and Electronic Transactions regulating the spread of false news in electronic media (including social media) states that “Everyone intentionally and without rights spreads false and misleading news that results in consumer losses in Electronic Transactions.”

Fake news that is spread through electronic media (social media) which does not aim to mislead consumers can be punished according to the ITE Law depending on the content of the content being distributed, such as:

1. If the fake news contains decency, it can be criminally charged under Article 27 paragraph (1) of the ITE Law;
2. If it contains gambling, it can be punished based on Article 27 paragraph (2) of the ITE Law;
3. If it contains insults or defamation, it will be punished based on Article 27 paragraph (3) of the ITE Law;
4. If it contains extortion or threats, it will be punished based on Article 27 paragraph (4) of the ITE Law;
5. If it is charged with causing hatred based on SARA, it shall be punished under Article 28 paragraph (2) of the ITE Law, namely “everyone intentionally and without rights disseminates information aimed at causing hatred or hostility to certain individuals or groups of people based on ethnicity, religion, race, and intergroup (SARA)”;
6. If it contains threats of violence or intimidation aimed at personally, it will be punished according to Article 29 of the ITE Law.

Meanwhile, the punishment for those who violate the provisions of Article 28 paragraph (1) of the ITE Law can be subject to criminal sanctions based on Article 45A of Law no. 19 of 2016 is stated that: (1) Anyone who intentionally and without rights spreads false and misleading news that results in consumer losses in Electronic Transactions as referred to in Article 28 paragraph (1) shall be punished with imprisonment for a maximum of 6 (six) years or a maximum fine of Rp. 1.000.000.000,00 (one billion rupiah). (2) Any person who knowingly and without rights disseminates information that is intended to cause hatred or hostility to certain individuals or groups of people based on ethnicity, religion, race, and inter-group (SARA) as referred to in Article 28 paragraph (2) shall be sentenced to a maximum imprisonment of 6 (six) years or a maximum fine of Rp. 1.000.000.000,00 (one billion rupiah).

Second, Article 390 [Criminal Code](#) (KUHP) also regulates the same thing, although with a slightly different formulation, namely the phrase “broadcasting false news.” Article 390 of the Criminal Code reads, “Anyone to benefit himself or another person by fighting the right to lower or increase the price of merchandise, funds or money securities by broadcasting false news, shall be sentenced to a maximum imprisonment of two years eight months.”

Hoax

Hoax or fake news is a phenomenon that is currently rife in Indonesia. Hoax news cases are increasing along with the development of technology. [Hunt Allcott and Matthew Gentzkow Allcott and Gentzkow, 2017:213](#) mention that “fake news to be news articles that are intentionally and verifiably false, and could mislead readers. Pellegrini ([Pellegrini, 2008](#)) “hoax is a lie that is written in such a way by a person or group of people to cover or divert attention from the truth, which is used for personal gain, both intrinsically and extrinsically.” Hoax is a lie written in such a way by a person or group of people to cover or distract from the truth, which is used for personal gain, either intrinsically or extrinsically. (<https://dewanpers.or.id/berita/detail/875/dewan-pers-beberkan>: accessed 30 April 2020) Chairman of the Press Council, Yosep Adi P, revealed several characteristics of fake news (Hoax), namely:

1. Hoax once spread, the news can cause anxiety, hostility, hatred in the people exposed. People who are exposed to hoaxes will usually be provoked into a debate. If they argue, they will hate each other, and enmity
2. The source of the news is unclear. If you pay attention to hoaxes on social media, they usually come from reports that are not or are difficult to verify.
3. The content of the news is unbalanced and tends to corner certain parties.
4. Often charged with fanaticism in the name of ideology. The title and introduction are provocative, giving judgment and even condemnation but hiding facts and data

Citizenship Education as Digital Law Education

As part of the national education curriculum, Civics has the function of developing capabilities and shaping the character and civilization of a dignified nation to educate the nation’s life, aiming at

developing the potential of students to become human beings who believe and fear God Almighty, have a noble character, are healthy, knowledgeable, capable, creative, independent, and become a democratic and responsible citizen.

According to [Winataputra \(2007\)](#), as a scientific field, PKN has experienced rapid development with a systemic paradigm with three domains: the academic domain, the curricular domain, and the socio-cultural domain. These domains have structural and functional links to each other that are bound by the conception of virtue and civic culture (civic virtue and civic culture), which include civic reasoning (civic knowledge), citizenship attitudes/characteristics (civic disposition), civic skills (civic skills).) civic confidence, civic commitment, and civic competence.

Meanwhile, according to [Sapriya \(2007: 27\)](#), six things will be unique to Civics compared to other fields of study, which are equally responsible for efforts to build the character of citizens. First, it should be maintained that Civics is not a monodimensional field but a multidimensional field. Its role is not only in concept development but also in character development; there is even a democratic education mission. Second, Civics is a vehicle for national character education; third, Civics is the education of values and morals; fourth, Civics is also a state defense education that is realized in entrepreneurship; fifth, Civics as political education because Civics is a vehicle to raise political awareness of citizens, to be politically intelligent. Sixth, Civics plays a role in raising legal awareness,

In addition, according to the Center for Indonesian Civic Education, 20 aspects are the object of study of civic education, including ([Triyanto, 2011](#)):

1. Principles of democracy; The essence of democracy, the dynamics of implementing democracy in Indonesia, and building a democratic life in Indonesia
2. Comprehensive state constitutions; The proclamation of independence and the first constitution, the constitutions that have been used in Indonesia, the basic relationship of the state with the constitution
3. Citizen's rights and responsibilities; Includes the rights and responsibilities of children, rights and responsibilities of community members, rights and responsibilities of citizens towards their country
4. the state's rule of law; All regulations or legal products and law enforcers are tools to bring order to the community and state institutions. Order in family life, school rules, norms that apply in society, regional regulations, norms in the life of the nation and state, national legal and judicial systems, international law, and justice.
5. Good governance; Principles of good governance, structural and functional relations between state institutions
6. Citizenship; Rights and responsibility of citizens, citizen participation, nationalism, national insight
7. People sovereignty; The function of the people as the holder of sovereignty, the form of participation of the people as the holder of sovereignty, the rights, and obligations of the people in government
8. Free and fair tribune; Responsible freedom, the legal basis for responsible freedom, responsible demonstration, the press in a democratic society
9. Equality and equity; Gender equality in various aspects of life, equality before the law, equality in government, equality in society, equality in schools
10. Justice; The principle of justice, the meaning of justice, openness, and guarantee of justice
11. Human rights; Human Rights include national and international human rights instruments, promotion, respect, and protection of human rights
12. Civilization; History of world civilization, types of civilization, the era of modern civilization, people in modern civilization
13. Cultural differences; The cultural characteristics and characteristics of each region, the rights and obligations of citizens in the cultural aspect, tolerance of differences, nationalism.
14. Democratic processes; A good democratic process that should be carried out to achieve the principles of complete democracy
15. Citizenship activities; Living together, Self-esteem as a citizen, freedom of organization, freedom of expression, respect for joint decisions, Self-achievement, Equality of citizenship.

16. National identity and attributes; National identities and attributes that become the characteristics and tools of unifying the nation and becoming a differentiator with other countries include the symbol of the eagle, Pancasila, the red and white flag, the Indonesian language, and more.
17. Civil society; Definition of civil society, history of civil society, characteristics of civil society, characteristics and elements of civil society, Democracy culture towards civil society
18. Free market economy; Definition of a free-market economy, a free-market economic system, objectives, functions, and examples of a free market economy.
19. Political processes; The participation of citizens in the political system, democracy, and political system, Political culture, the Government system
20. Separation/distribution of power Village and sub-district government, Regional government, and autonomy, Central government, the system of division and separation of powers, decentralization, centralization

METHODS

This research will be conducted at the Batik 2 High School Surakarta, Jl. Samratulangi No.86, Kerten, Kec. Laweyan, Surakarta City, Central Java. This study used a sample of 206 students at SMA Batik 2 Surakarta. This study uses qualitative research methods to determine and search for, collect, process, and analyze research data. Qualitative because the data used were not obtained through statistical procedures but data sourced from documents, field notes, interview scripts, and other official documents. According to Bogdan and Taylor ([Moleong, 2012: 4](#)), qualitative research is a research procedure that produces descriptive data in written or spoken words from people and observable behavior directed at the background and the individual holistically.

In this study, the researcher will use a case study approach. According to [Creswell \(2014\)](#), a case study is a research strategy to carefully investigate a matter by collecting complete information using various data collection procedures. This research will use the purposive sampling technique. This technique selects several research objects, and then the selected ones are used as data sources that can assist in uncovering the problems that have been formulated. In other words, the sampling technique used is the key informant technique; namely, the researcher takes key people to serve as data sources. The key informants in this study were Civic Educations high school teachers in Surakarta. This study's data collection techniques are observations, interviews, and documentation.

RESULTS AND DISCUSSION

Learners As Digital Citizens

The digital era is where all human life uses digital media a lot. The internet is one of the things or needs that is mandatory in this digital era. In this digital era, humans are very dependent on technology. With technology, human life and needs become easier and more practical. Almost all humans are affected by rapid technological developments, from parents to children affected by technology. Their lives are surrounded by technology such as cell phones, TV, the Internet, etc. Likewise with children, with the development of the times, they must be technologically proficient. So it can be said that children are digital citizens. [Mossberger, Tolbert, and McNeal](#) define "digital citizens as those who use the internet regularly and effectively." This research was conducted on students at SMA Batik 2 Surakarta, where the results of this study concluded that students at SMA Batik 2 Surakarta are digital citizens. For example, it can be seen from the following data:

Table 1. Internet Access Duration

0-1 hours	1-2 hours	2-3 hours	> 4 hours
15	36	40	115

Table 2. Frequency

Once A Month	Once A Week	Once A Day	Once A Hour
3	2	34	167

Table 3. Internet Access Tool

Mobile Phone	Computer	Tablet	Laptop
202	2	1	1

Table 4. Internet Access Connection

Mobile Phone	Modem	Wifi	Others
78	1	104	23

[Mark Prensky \(2001\)](#) suggests two generations: *digital natives* and digital immigrants. Digital natives are the generation born in the digital era, while digital immigrants are born before the digital era but then became interested and adopted new things from the technology. Based on the research results above, it can be concluded that students at SMA Batik 2 Surakarta are included in the generation of digital natives, namely the generation that has had intuitive technology since birth. Moreover, they were born where technology develops rapidly, so this generation has no difficulties using technology.

Digital Law Knowledge of Students Regarding Hoaxes

[Hunt Allcott and Matthew Gentzkow Allcott and Gentzkow, 2017:213](#)) mention that “fake news be news articles that are intentionally and verifiably false, and could mislead readers. On the other hand, a Hoax is a news article intentionally created and can be proven article is not true and can mislead readers. In this era of all technology, this hoax phenomenon has become familiar. Therefore, digital citizens must know about Hoaxes. It is done to minimize the negative impact caused by the spread of hoax news. The following is data on the level of knowledge of students at SMA Batik 2 Surakarta regarding hoax news:

Table 5. Have You Ever Received Hoax News

Often	Seldom	Never
69	126	11

Table 6. Disseminating actual information

Often	Seldom	Never
15	119	72

Table 7. Can the perpetrators of spreading hoax news be punished?

Yes	No
195	11

Table 8. Which are the regulations governing Hoax news?

Law No. 20 of 2003	Law No. 11 of 2000	Law No. 20 of 2010	Law No. 11 of 2008
28	25	35	118

Table 9. What are the threats of punishment for those who spread hoax news?

Death penalty	Imprisonment for a maximum of 6 years and or a fine of 1 billion	Imprisonment for a maximum of 20 years and or a fine of 5 billion	Imprisonment for a maximum of 2 years and or a fine of 100 million
10	118	21	57

From the data above, it can be seen that students often receive hoax news and also spread actual news to others. In addition, there are still students who lack knowledge about Hoax regulations in Indonesia. Many students do not know the laws regulating hoax crimes in Indonesia. Therefore, based on the data above, it can be concluded that students' knowledge about hoax regulations in Indonesia is still lacking. It is evidenced by the data above, which shows that students' knowledge of hoax regulations in Indonesia is lacking.

Role of Civic Education In The Digital Law

[Ribble & Bailey \(2007\)](#) describe nine areas of behavior that must be possessed by digital citizenship, namely: access, commerce, communication, literacy, etiquette, law, rights and responsibilities, health and wellness, security (self-protection). To form a good digital citizen, it must have nine components in digital citizenship. One of the nine components in Digital Law or digital law. Digital Law related to the accountability of every practice of using digital media. Users must know and understand the rules and regulations that limit their actions in the digital world so that users are more careful about any actions taken through digital media. According to [Triyanto \(2021:22\)](#)

“The values of legal awareness education include honesty, respect, respect, responsibility, justice, equality, and democracy. These principles are fundamental values/teachings in Civics. So, the principles of legal awareness are already in the substance of Civics so that Civics can be used as a vehicle for legal awareness education.”

It is very important to raise students' digital legal awareness in today's era. Given that students are digital natives, they were born together with technology. No wonder it is difficult for students in today's era to be separated from their gadgets. Therefore, students can be exposed to cybercrime.

Given the importance of the role of Civics in the digital era to improve students' digital law skills, every Civics teacher must know digital law. It can be done by attending training, updating regulations, or the latest laws. In addition to teachers, to increase students' digital law knowledge, teachers can apply various learning methods that make students active in finding and learning about digital laws or regulations.

CONCLUSION

The rapid development of technology has an impact on all human life. It also has an impact on students at SMA Batik 2 Surakarta. The study results show that SMA Batik 2 Surakarta students are digital citizens. As digital citizens, of course, students are always dealing with technology. One of the impacts caused by technology is the existence of hoax news. Of 206 students, 195 students, or 94.6%, have received hoax news. Furthermore, only 69.6% of students know digital law, especially hoaxes. There are still 30.4% of students who do not know the legal provisions regarding hoaxes.

Citizenship Education is one of the subjects in schools that can teach legal provisions regarding hoaxes. Teachers can use various interactive learning models where students can actively seek and understand the legal provisions regarding hoaxes. In addition, the teacher must also be active and creative in linking the subject matter with legal regulations regarding hoaxes.

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