

Social Media Abuse that Defends Particular Parties Reviewed from Law of ITE Number 11 in 2008 Concerning Electronic Information and Transaction

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Abstract— Indonesia is a country that upholds the law based on Pancasila and the 1945 Constitution. It will develop and advance if the community also cooperates with the government in creating a safe and prosperous society, of course by placing legal knowledge on the target. But sometimes many who abuse the law only personal and group interests, so the law seems unfair and impartial. In development, legal science is often aligned with other sciences, including political science, implementation, sometimes it leads to negative things, so that a lot of political cases are eventually dragged down by the law, very sad, but the reality that happened today in this country. This beloved Indonesian Republic. The Problem of the study is: "What social impacts occur if the law is juxtaposed with politics?" The Research method used in this study is the normative legal research method with the legislative approach (sculpture approach) and the case approach (case approach). Based on the results of the study, the authors draw the conclusion that of course with legal harassment for certain purposes it is very unpredictable because it can damage the sense of brotherhood among fellow Indonesians.

Keywords— Social, legal, political impacts, ITE Law Number 11 of 2008.

I. INTRODUCTION

Indonesia is a Democratic State and of Law that is a country that upholds the law in other words the law is above everything without regard to individuals or groups, so that based on that every human act is regulated by law and will take firm action against any law, with the imposition of sanctions that have been systematically regulated in the legislative system. But along with the development of the times there are many deviations that occur related to law and even abuse of law in various

fields. especially with the development of today, technology and informatics systems are also developing marked by the rise of social media (Facebook, Instagram, Twitter, etc.) so that both in the city and in the region is very easy to access the data or information needed, but the technology system that should be used as a container reporting or the delivery of information at the regional, national and international levels, sometimes misused by unscrupulous individuals for their personal or class interests. To address the current development of the law should be more active and flexible so that the law is not missed in handling cases related to technology that has been very rapidly developing, so that the law is able to handle or resolve legal issues if there is a negative odor reporting to the party certain parties Issues: How can social media misuse that harm certain parties be reviewed from the Act No. 11 of 2008 concerning electronic information and transactions?

II. REVIEW OF LITERATURE

Social media in general is online media. In the Wikipedia book, making an understanding of social media is an online media where users can communicate and interact with each other. So it is clear that social media here is a channel or means for social interaction that is done online through the internet.

Communities in interacting on social media both sending text, image, audio, and video messages can also share data and be able to build networks or networking (e.g. blogs, wikis and social networks).

According to Carr and Hayes, giving social media an understanding in three main points, namely: (1) digital technology that emphasizes user-generated content or interaction. (2) Media characteristics. (3) Social networks

such as Facebook, Twitter, Instagram, and others as examples of interaction models

Howard and Parks (2012: 359) defines social media in three parts, consisting of (1) the information infrastructure and tools used to produce and distribute contents; (2) the content that takes the digital form of personal messages, news, ideas, and cultural products; and (3) the people, organizations, and industries that produce and consume digital content.

In other hand Michael Cross (2013) State Social networks particularly public ones have become part of the fabric of how we communicate and collaborate as a society With value from micro level personal networking to macro level outreach social networking has become pervasive in people rescue lives and is now becoming a significant driving force in business These new platforms have provided new approaches to many critical enterprise functions including identifying communicating and gathering feedback.

There are so many notions of social media that many cause many negative connotations about a concept that makes it increasingly difficult to create an understanding that will later become a theoretical guide and as a guide for conducting research. This shows the complexity, the point of attention, and its ability to be applied outside the discipline of knowledge.

Kinds of Social Media

Based on Kaplan and Heinlein's (2010) definition of social media as 'a group of Internet-based applications that build on the ideological and technological foundations of Web 2.0, and that allow the creation and exchange of User Generated Content' (p. 61). These interactive applications encompass, amongst others, social networking services (eg. Facebook), blogs (eg. Blogspot), microblogs (eg. twitter), wikis (eg. wiktionary.org), forums (eg. minecraftforum.net), video sharing (eg. YouTube), and image sharing (eg. Flickr) enabling people to connect for purposes of 'collaboration, contribution and community' (Anderson, 2007, p. 14). The definition also includes virtual worlds (eg. SecondLife) and massive multiplayer online role playing games (eg. World of Warcraft) however these have been excluded from this review due to their diversity and complexity which require a more detailed response than can be given here.

It is important to recognize that wikis, blogs and other social media can be used in ways that take no advantage of the technology's social affordances. For instance the researchers have noted the use of Facebook by teachers to inform students of upcoming assessments. However, the same task could be accomplished by email, and does not leverage the networked environment beyond the fact that a network exists. As a consequence, this review carefully excludes or otherwise considers critically those studies

where social media are used essentially as one-way publication or broadcast sites. We recognize that such usage may be highly valuable (e.g. the use of a blogging tool to create a portfolio of learning for self-reflection and assessment), however, as we sought to understand the particular opportunities and implications arising from the social interactivity afforded by social media, for the purposes of this review they are not included. The focus then of this article is not the use of social media for just communication, but rather the use of social media for meaningful interactions, particularly characterized by cooperation or even collaboration.

In 2011, Jan H. Kietzmann, Kritopher Hermkens, Ian P. McCarthy and Bruno S. Silvestre described social media functions which the relationship between the honeycomb framework as a presentation of a framework that defines social media by using seven building function boxes namely identity, conversations, sharing, presence, relationships, reputation, and groups. (1) Identity describes the setting of users' identities on a social media regarding name, age, gender, profession, location and photos. (2) Conversations describe the settings for users to communicate with other users in social media. (3) Sharing describes exchanges, division, and acceptance of content in the form of text, images, or videos carried out by users. (4) Presence describes whether users can access other users. (5) Relationship describes users connected or related to other users. (6) Reputation describes users who can identify other people and themselves. (7) Groups describe users can form communities and sub-communities that have backgrounds, interests, or demographics.

III. RESEARCH METHODOLOGY

1. Type of research used in this study is normative juridical namely legal research carried out based on norms and rules of legislation.
2. Sources of data, (a) Primary data, namely data obtained through structured interviews obtained by researchers directly from the object. (b) Secondary Sources of data, namely data obtained from official documents, books related to the object of research, research results in the form of reports, theses, dissertations, and legislation.
3. Analysis of data, data processing using descriptive analysis method means that the data used is a qualitative approach to primary data and secondary data.

IV. FINDING AND DISCUSSION

Social Media Abuse that Effects Specific Parties Judging from the Law Number 11 in 2008 Concerning Information and Electronic Transactions

Technological advancements in the present day are basically very influential for Development State of Indonesia in general and in the community directly in particular where people both in cities and in the regions are very easy to obtain information and access data even in electronic transactions, so with technological developments this can also improve the economy of the community. However, the use of social media is often misused for negative things so that it appears to be detrimental to certain individuals and groups, it is very sad if there are elements who intentionally damage or kill someone's character in social view either by spreading false news or hoaxes, the utterance of hatred, the use of ethnics, memes about state equipment that are unethical, even acts of treason we often encounter in social media, so that in this case the law enforcers must be truly active and observant in responding to clear actions - clearly violates the law. In the view of psychological science, there are two factors that make a person easy to believe about false news or hoaxes. Where people will be more confident about hoaxes if the information is adjusted to the opinions and attitudes they have (Respati, 2017). A simple example is if we find someone who adheres to understand that your father is flat, and then he will get data or articles that discuss about various conspiracy theories that support his understanding of flat earth which has become his belief. Because if someone else supports his understanding or belief, it will cause a positive feeling towards him so that he will not care whether the information he receives is true or not. And they will also easily re-spread what they already believe even though the truth of the information is not yet known. This can also be exacerbated if the hoax spreader has below standard knowledge or even very minimal insight so that in utilizing the internet to find more information or simply to check and check facts. In responding to the above concerning false news or hoaxes the government established Law Number 11 in 2008 concerning Electronic Information and Transactions, the Criminal Code, Law No. 40 of 2008 concerning the Elimination of Racial and Ethnic Discrimination. Not only that, hoax news spreaders can also be subject to articles related to hate speech and those that have been regulated in the Criminal Code and other laws outside the Criminal Code. The formation of these laws and regulations, it has begun to reduce all anarchic actions through social media, although there are still those who are still carrying out actions that violate these laws and regulations. However, because hoax spreaders are many that they are not directly proportional to the number of trials, while the hoax news maker can still continue to produce threats and expand the space. Article 28 paragraphs 1 and 2 of Law No. 11 of 2008 concerning ITE, Articles 14 and 15 of Law No. 1 of 1946, Article 311 and 378 of the Criminal Code, and Law

No. 40 of 2008 concerning the Elimination of Racial and Ethnic Discrimination In the fight against hoaxes and preventing the widespread negative impact of hoaxes, the government basically has an adequate legal umbrella in combating hoaxes. But in addition to legal products made by the government, the government also forms a National Cyber Agency which can be the front guard in the fight against misleading information dissemination, the government can also take advantage of healthy Internet and Trust + Positive programs and ethics in good social media.

V. CONCLUSION

- a. Indonesia is a State of Democracy and a State of Law, namely a state that upholds the law in other words, the law is above everything without regard to individuals or groups, so that based on that, every human act is regulated by law and will take firm action against any the law, with the application of sanctions that have been systematically regulated in the legislative system.
- b. The government established Law Number 11 of 2008 concerning Electronic Information and Transactions, the Criminal Code, Law No. 40 of 2008 concerning the Elimination of Racial Discrimination and Ethnicity. Not only that, hoax news spreaders can also be subject to articles related to hate speech and those that have been regulated in the KUHP and other laws(undang-undang) outside the KUHP

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